

**PLANNING PANEL**

**3 MAY 2006**

**AGENDA**

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## 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 siting, design and external appearance of the building(s), means of access thereto, and the means of disposal of surface water therefrom, 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 five 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 FIVE years from the date hereof.

## 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

Cumbria and Lake District Joint Structure Plan

Copeland Local Plan - adopted June 1997

Copeland Local Plan 2001-2016 2<sup>nd</sup> Deposit Version

Copeland's Interim Housing Policy Statement, approved by Full Council on 15 June 2004

Lake District National Park Local Plan - Adopted May 1998

Cumbria Car Parking Guidelines

Department of Transport, Local Government and the Regions 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

Department of Transport, Local Government and the Regions:-

Planning Policy Guidance Notes

Development Control Policy Notes

Design Bulletins

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1 4/06/2041/0

CONVERSION OF SINGLE DWELLING INTO TWO UNITS WITH  
SIDE EXTENSIONS TO EACH  
HAWS COTTAGE, THE GREEN, MILLOM, CUMBRIA.  
MISS J BARKER

Parish

Millom Without

- No comments received.

Planning permission is sought to convert a single dwelling into two, with side extensions to each. The property currently has planning permission for a double storey extension to one side (4/04/2619/0 refers).

Both extensions now proposed would be single storey and would have a dash finish, slate roof and timber windows and door frames all to match the existing house finishes.

The dwelling is located outside the settlement boundary for The Green and, as such, justification has been requested for the proposal as Policy HSG 5 of the Copeland Local Plan 2001-2016 2nd Deposit Version states that outside of settlement boundaries new housing will not be permitted except where it is required to meet exceptional circumstances arising from local, social and economic conditions. The applicant has now submitted a letter explaining the circumstances which is attached to this report. This states that the additional dwelling would be for the applicant's daughter who has lived at The Haws all her life and wishes to live independently but remain at this location.

There have been no objections received and Cumbria Highways only comment was regarding parking facilities. An additional plan has now been submitted showing two spaces for each dwelling which is considered satisfactory.

On the basis of the information provided it is considered that this is an acceptable proposal. However, as the dwelling is located outside of any settlement boundary, it is considered appropriate to restrict the occupancy to people with ties to the parish of Millom Without by way of the applicant entering into a Section 106 agreement.

Recommendation

04 APR 2006

RECEIVED

1<sup>st</sup> April 2005

Mr Simon Blacker  
Copeland Borough Council  
Planning Dpt  
Catherine St  
Whitehaven  
Cumbria  
CA28 7BR

Dear Simon

**Re - Haws Cottage, The Green, Millom. Cumbria LA18 5HQ**

As you know we have planning permission to extend the cottage and we are also applying for a downstairs bedroom for myself which is purely for my health reasons. We also wish to separate the property to enable our daughter who is now 20 to live independently but she will to hand to assist her mother with my care. As she is now to work within the business and a considerable amount of work is carried out from home it is important to us to have her close to hand.

As there are no low cost housing within the Green area Angela would like to remain at the Haws where she has lived all her life and her family have lived there for 60 years. As discussed with you on site we do not wish to dispose of any part of Haws Cottage and we do not mind this being a condition to the planning but it will be Angelas home one day.

We hope you can propose this application on the needs factor and if you require supporting medical evidence this can be provided. We are led to believe that the Parish Council had no objections to our application.

We look forward to your comments before submitting our application to the planning committee.

Yours sincerely

 David Ross & Jennifer Barker

Haws Cottage  
The Green  
Millom  
Cumbria  
LA18 5HQ Tel 01229 770610

MAIN AGENDA  
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That planning permission be granted subject to the applicant entering into an agreement under Section 106 of the Town and Country Planning Act 1990 requiring that the occupancy of Unit 1, as shown on the additional Drawing No 3085-07 received by the Local Planning Authority on 12 April 2006 be restricted to members of the local community of Millom Without together with their dependants and subject to the following conditions:

2. Associated on-site car parking shall be provided in accordance with the drawing received by the Local Planning Authority on 12 April 2006.

The reasons for the above conditions are:-

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

For the avoidance of doubt.

Reason for decision:

An acceptable extension and subdivision of an existing dwelling to form a local need dwelling in accordance with Policy HSG 5 of the Copeland Local Plan 2001-2016 2nd Deposit Version.

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2 4/06/2042/0

OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT  
FOR 3 INFILL ESTATE PLOTS AND LANDSCAPING SCHEME  
LAND ADJOINING, 117, RANNERDALE DRIVE,  
WHITEHAVEN, CUMBRIA.  
W GLASSON

Parish Moresby

- express concern that the undertakings given by the developer to bring the adjacent roads up to adoptable standards were never met and now, years after, residents are still faced with access roads that are sub-standard. Consider any granting of consent should incorporate a clause/section 106 agreement to bring the adjacent road up to adoptable standards. Consider a site visit would be appropriate in order to remind members of the unacceptable condition of the estate road.

A decision on this application was deferred at the last meeting to enable Members to visit the site. This took place on Wednesday, 19

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April 2006.

A proposal, in outline, to erect 3 detached dwellings and create a landscaped area on vacant land situated between 16 Oak Crescent and 117 Rannerdale Drive. Vehicular access will be via Oak Crescent over a portion of unmade estate road. As part of the application it is intended that this will be brought up to full adoptable standards. A public footpath will cross the landscaped area from Rannerdale Drive to Oak Crescent, thereby enabling public access to be retained.

In terms of planning history the southern part of the site was originally allocated as a play area (4/83/1113/002 refers), whilst the rear portion was approved for two large residential plots which were never developed. The area today is heavily overgrown and is unsuitable for recreational use.

The proposal has raised a number of objections from local residents who, in particular, are concerned about vehicular access being from Rannerdale Drive. This was originally proposed but has been omitted in the revised scheme. Vehicular access will now be from Oak Crescent only. Four letters and a petition comprising 15 signatures from residents of Oak Crescent and Rannerdale Drive have been received. All express concern on the following collective grounds:-

- i) The site is public open space and is frequently used. It should be developed as a recreation area.
- ii) The proposed landscaped area is too small to serve the estate.
- iii) The area to the rear of 26 Oak Crescent has been excluded.
- iv) Land is blighted due to the failure of the developer to maintain the area.
- v) Any development may adversely affect views/benefits enjoyed by No. 16 Oak Crescent, as well as value.
- vi) Strong objections to the means of access from Rannerdale Drive which will create potential hazard and danger.
- vii) Original plans showed vehicular access to the site from Oak Crescent. Request this and the public footpath across the site be retained.
- viii) Any construction/drainage work and tree/shrub planting should not adversely affect existing neighbouring residents.

The main grounds for objection regarding means of access and subsequent adoption of the estate roads have now been satisfactorily overcome by the amended plan which confirms vehicular access from Oak Crescent. A public footpath will also be retained across the site. Bringing the adjacent access road (Oak Crescent) up to adoptable

standards can be secured by a Section 106 agreement.

A further letter of objection has subsequently been received from the resident of No 16 Oak Crescent which adjoins the plot to the south east. He has specific concerns regarding:-

1. Upgrading of the access road leading to the proposal - requests it be completed to adoptable standards before any further development is permitted. The remaining proposed road should then be completed prior to occupation of the new dwellings.
2. Adverse affect on views/benefits currently enjoyed by the property and impact on market value. He points out that the house has been marketed on the basis of its views. He suggests plot 3 be relocated to the area identified for landscaping with the landscaped area being repositioned next to his house.

Whilst the concerns regarding the upgrading of Oak Crescent have been addressed the objections in respect of a dwelling on plot 3 are relevant. The objector's house currently has a first floor balcony located on the side which overlooks plot 3. It is likely therefore that any dwelling on this plot will have some adverse affect on the views and privacy currently afforded to his property and any new proposed dwelling. Whilst there is no automatic right to a view under planning law minimum separation distances as required by Policy HSG 8 of the Copeland Local Plan 2001-2016 2nd Deposit Version in order to protect neighbouring properties from overlooking will apply and can be adequately reinforced by condition.

From a planning point of view the proposal represents an opportunity to secure both the upgrading of the adjacent access road and the site itself for the benefit of local residents and, as such, represents an acceptable form of development in accordance with Policies HSG 4 and HSG 8 of the Copeland Local Plan 2001-2016 2nd Deposit Version.

#### Recommendation

That outline planning permission be granted subject to the applicant entering into an agreement under Section 106 of the Town and Country Planning Act 1990 to upgrade the adjacent access road, Oak Crescent, leading into the site to adoptable standards prior to development commencing on site and subject to the following conditions:-

3. Permission shall relate solely to the amended site layout plan received by the Local Planning Authority on 20 March 2006 except insofar as any subsequent application for approval of reserved matters shall show strict adherence to the separation distances between dwellings as set out in the adopted Copeland Local Plan.



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4. The site shall be drained on a separate system with foul drainage only being connected to the existing sewer.
  5. Full details of the hard and soft landscaping works shall be submitted to and approved in writing by the Local Planning Authority before development takes place.
  6. No development shall take place until a schedule of landscape maintenance has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details for its implementation. Development shall be carried out in accordance with the approved schedule.
  7. There shall be no vehicular access or egress from the site other than via the approved access.
  8. Access drives shall be surfaced in bituminous or cement bound materials, or otherwise bound, and shall be constructed and completed before the dwellings are occupied.
  9. Access gates, if provided, shall be hung to open inwards away from the highway.

The reasons for the above conditions:-

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

For the avoidance of doubt.

To ensure a satisfactory drainage scheme.

To ensure the implementation of a satisfactory landscaping scheme.

In the interests of highway safety.

Reason for Decision:-

The erection of three dwellings and the creation of a landscaped area on this vacant area of land represents an acceptable form of development in accordance with Policies HSG 4 and 8 of the Copeland Local Plan 2001-2016 2nd Deposit Version.

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3 4/06/2079/0

ERECTION OF DWELLING

PLOT OF LAND ADJACENT TO, PROSPECT HILL,  
PROSPECT ROAD, KELLS, WHITEHAVEN, CUMBRIA.  
MR & MRS A RENTON

Parish

Whitehaven

Outline consent for a 4 bedroomed detached dwelling on this site was allowed on appeal in August last year (4/04/2817/001 refers). The Inspector accepted that such a dwelling could be erected on the basis of an approved plan which showed the position and floor area of the dwelling.

This application seeks approval of the reserved matters. The original submission comprised a three storey, 5 bedroomed house with the additional floor in the roof space and an attached garage which exceeded the original footprint approved on appeal. The application has now been amended to essentially a two storey, 4 bedroomed house, with a reduction in roof pitch from 38 degrees to 34 degrees and resultant decrease in height of 0.8 metre (from 9.4 metres to 8.6 metres). The attached garage on the north elevation has also been deleted.

Five letters of objection have been received, the majority being from residents of the properties on Harbour View which back onto the site and one from a resident of the adjacent terrace to the south. They collectively object to the application on the following grounds:-

- 1) Size/height of the dwelling is too large and overpowering.
- 2) Loss of natural light.
- 3) Affect on privacy due to overlooking.
- 4) Affect on house values.
- 5) Request a single storey bungalow.
- 6) Any overlooking windows should be frosted glass.
- 7) Effect on storm drains.
- 8) Adverse impact on existing access.
- 9) Out of character with the area.

Whilst the concerns raised are noted it has to be stressed that the principle of a 4 bedroomed two storey house being built on this site has already been established through the appeal decision. These reserved matters, via the amended plans, demonstrate that a 4 bedroomed two storey dwelling can be satisfactorily accommodated on the site in compliance with the outline consent.

Recommendation

Approve Reserved Matters

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1. Permission shall relate solely to the amended plans (Drawing Nos 2005.97/0/B and 2005.97.02A) received by the Local Planning Authority on 12 April 2006.

The reasons for the above conditions are:-

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

For the avoidance of doubt.

Reason for decision:-

The design of this four bedroomed 2 storey house is considered acceptable in compliance with the outline planning consent reference 4/04/2817/001.

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4 4/06/2123/0

NEW SINGLE STOREY RESTAURANT  
SINGLETONS GARDEN CENTRE, NETHERTOWN, EGREMONT,  
CUMBRIA.  
MR K SINGLETON

Parish                      Lowside Quarter

- No objections but have concerns regarding the access roads to the premises which are narrow and lack passing places.

It is proposed to erect a large, single storey building to provide restaurant facilities in association with the applicant's established garden centre business. Located immediately adjacent to the main entrance alongside the classified road (C4021) the proposed restaurant will occupy an area of undeveloped land within reasonable proximity to the existing building group.

Measuring 14.5m in width by 24m in length and 7.0m in height, the facility will hold a maximum of 80 covers, although it is intended that only approximately half of these will be provided in the first instance together with ancillary facilities. A copy of the applicant's supporting letter is attached.

Proposed external finishes include part sandstone and part rendered walls under a pitched slated roof.

Vehicular access would be via the existing garden centre entrance and

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on-site parking facilities are already available. The site entrance was substantially upgraded in 1993 (93/0079/0F1 refers).

Policies in the Copeland Local Plan 2001-2016 2nd Deposit Version generally support regeneration proposals in rural areas. Although this is essentially a new building in the countryside it is associated with an existing business in a rural area and adjacent to an established building group. On that basis the proposal is considered worthy of support subject to the building being finished in traditional materials as proposed and adequate landscaping/screening. From a tourism point of view the plan recognises that restaurants, pubs and cafe facilities are essential to a successful tourism industry and supports such proposals in appropriate locations including the expansion of existing facilities.

## Recommendation

Approve (commence within 3 years)

2. The restaurant shall only be open to the public during opening hours for the adjacent garden centre which shall be agreed in writing with the Local Planning Authority before the use hereby approved becomes operational.
3. Vehicular access and on-site parking arrangements shall be strictly in accordance with the amended site layout plan received by the Local Planning Authority on 30 March 2006.
4. A scheme indicating how access for people with disabilities is to be provided, including car parking details, shall be submitted to and approved in writing by the Local Planning Authority. The approved works shall be implemented before the use becomes operational.
5. Full details, including samples, of the external finishes shall be submitted to and approved in writing by the Local Planning Authority before development commences.
6. An easement of a minimum of 5 metres, 2.5 metres either side of the centre line of the sewer, shall be maintained at all times to facilitate future maintenance and repair works.
7. A landscaping scheme shall be provided, full details of which including implementation and future maintenance, shall be submitted to and approved by the Local Planning Authority before development commences. Planting and associated works shall be carried out in accordance with the approved schedule.

4/06/2123/0F1

AMENDED PLAN

MR. K .EDMONDS.

31, St.Barnabas Gardens.  
West Moseley.  
Surrey.  
KT8 2TS.

Heather Morrison  
Planning Officer  
Copeland Borough Council  
Copeland Centre  
Catherine Street  
Whitehaven  
CA28 7SJ

COPELAND BOROUGH COUNCIL  
DEVELOPMENT SERVICES

30 MAR 2006

RECEIVED

29 March 2006

**Subject - Proposed Restaurant, Singletons Garden Centre,  
Nethertown, Egremont Cumbria CA22 2UQ.**

Dear Heather

Enclosed are 3 copies of a block plan showing the Proposed Restaurant and its relationship with the existing Garden Centre Nurseries and Car parking Facilities

The idea of a Café/Restaurant is to provide not only better facilities for the existing Garden Centre Nursery customers, but also allow it to be used as a focal point for the local villages of Nethertown and Middletown.

There is for example on village hall or other meeting place for the residents in the community to meet to discuss matters affecting their community.

There as already been very positive and constructive support from the local community ,as well as suggestions that the restaurant could also provide items such as ,newspapers, freshly baked bread, and a basic range of groceries, as for some years now there has been no shop ,public house or eating place in what is a rapidly expanding community .

The number of covers would initially be between 32 and 40 but the building is large enough that it could be increased to 80 depending on demand .If the business did not justify that number of covers the space could be used to sell gardening products.

The building will be sited close to the existing entrance to the nursery with access from the entrance road and also from inside the nursery sales area. Car parking would be confined to the existing car park. A small area will be designated for the disabled.

At the present time the garden centre nurseries give long term employment to 12 members of staff, Singletons would hope that this figure would at least double with the new facility up and running. In this area that would make Singletons Nurseries one of the biggest employers based in a rural situation.

yours Sincerely



Ken Edmonds



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The reasons for the above conditions are:-

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

To retain control over the hours of opening.

For the avoidance of doubt.

To ensure adequate access is provided for people with disabilities.

To safeguard the appearance of the building in this countryside location in the interests of amenity.

To protect the existing sewer which runs across part of the site.

To ensure the implementation of a satisfactory landscaping scheme.

Reason for decision:-

The proposed restaurant represents a satisfactory form of development in association with this established garden centre in accordance with tourism and regeneration policies of the Copeland Local Plan 2001-2016 2nd Deposit Version.

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5 4/06/2124/0

DEMOLITION OF OUTBUILDING, ERECTION OF A SINGLE  
STOREY EXTENSION  
SPRINGFIELD HOUSE, SPRINGFIELD VILLAS,  
HENSINGHAM, WHITEHAVEN, CUMBRIA.  
MR & MRS A FOX

Parish Whitehaven

Planning permission is sought to demolish a detached 11.4m x 3.5m outbuilding and erect a single storey extension to the rear of this end terraced property to accommodate a new diner kitchen.

Externally, the 5.6m x 5.4m extension would be finished to match the existing property and would be sited 400mm from the boundary with the adjoining property, the owner of which has submitted a letter of objection on the following grounds:-

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1. The extension seems excessive and is much larger and taller than other rooms in the original house.
2. The extension would be 30cm from the dividing wall, which does not seem enough to carry out maintenance works.
3. If the dividing wall is to be demolished, as is proposed, the objector has not given permission for this.
4. Drainage issues.
5. The 4.20m high extension will cause loss of light to the objector's kitchen.

In response to the concerns raised the applicant has submitted an amended plan showing the incorporation of a hipped roof in order to minimise impact. Following consultation on the amendment, the objector still expresses concerns on the same grounds.

It is worth noting that the objector's house has a substantial two storey rear extension and although there may be a slight impact in terms of loss of light, this is not considered to be so significant as to warrant refusal.

In summary, this revised scheme materially addresses the concerns raised and, as such, is considered to represent an acceptable domestic extension in accordance with Policy HSG 20 of the Copeland Local Plan 2001-2016 2nd Deposit Version.

Recommendation

Approve (commence within 3 years)

2. Permission shall relate solely to the amended plan (Drawing No 2005.92.02A) received by the Local Planning Authority on 4 April 2006.

Reasons for the above conditions are:-

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

For the avoidance of doubt.

Reason for decision:-

An acceptable domestic extension in accordance with Policy HSG 20 of the Copeland Local Plan 2001-2016 2nd Deposit Version.



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6 4/06/2127/0

CONVERSION OF BARN TO DWELLING  
BARN ADJACENT TO, CATGILL HALL, EGREMONT,  
CUMBRIA.  
MR G MASON

Parish Egremont

- No objections.

Planning permission is sought to convert an existing barn to provide four bedroomed accommodation at Catgill Hall, Egremont.

The subject building is within the group of farm buildings connected to Catgill Hall where there are currently three residences. The group of buildings is outside the settlement boundary for Egremont as identified in the Copeland Local Plan 2001-2016 2nd Deposit Version.

The barn was originally a cattle byre with storage on the first floor and has since been used as a builders' store. The outside finish is brickwork and render on one elevation, and the roof is currently profiled asbestos sheets.

The proposed four bedroomed accommodation would be over 3 floors. The new roof would be in slate, but would have 10 rooflights in place of the existing 3. The design also includes a balcony area, 3 substantial glazed door areas at ground floor level and a large glazed area in the new roof.

Policy HSG 17 of the Copeland Local Plan 2001-2016 2nd Deposit Version relates to conversion to dwellings in rural areas and requires that the proposed conversion works retain the essential character of the building and its surroundings. It is considered that the amount of glazing in the scheme and the balcony area do not retain the character and traditional appearance of the barn and, as such, the proposal is considered to be contrary to Policy HSG 17.

Recommendation

Refuse

By virtue of the substantial amount of glazing and the balcony the proposed conversion scheme would not retain the essential character and appearance of the building and, as such, is contrary to Policy HSG 17 of the Copeland Local Plan 2001-2016 2nd Deposit Version.

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7 4/06/2129/0

OUTLINE APPLICATION FOR FIVE BEDROOMED DWELLING  
KINGSWOOD, HENSINGHAM ROAD, WHITEHAVEN, CUMBRIA.  
MR B COPLEY

Parish                      Whitehaven

A site visit was undertaken in respect of this application on 19 April 2006.

Outline planning permission is sought to erect a 5 bedroomed dwelling on garden land to the side of this detached house on Hensingham Road. An existing double garage and lean-to extension would be demolished to accommodate the proposed development.

Whilst the application is submitted in outline the applicant wishes for the siting, means of access and landscaping to be determined at this stage.

An indicative site layout plan has been submitted showing how the proposed dwelling would be sited 1 metre from either side boundary, and 17 metres from the boundary with the properties to the rear.

It is proposed that an existing access would remain in order to serve the proposed dwelling and an additional access would be created to serve the applicant's existing dwelling.

There is local opposition to this development. Seven letters of objection have been received from residents living in the vicinity. They express concerns on the following collective grounds:-

1. Loss of view and privacy.
2. The house would be out of keeping with others on the road which all have good spacing between them. The property would be out of line with the rest of the row.
3. The proposed two car parking spaces are inadequate for a five bedroomed house and will lead to further parking on the road which is already heavily congested.
4. To obtain the two parking spaces for the existing property would require considerable earth works due to topography.
5. Creating the new access would result in a number of trees being removed, which would have a detrimental impact on the local environment and wildlife.
6. The new property would put considerable strain on an already worn

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out sewage system.

As a form of infill development the proposal should be considered within the context of Policy HSG 4 of the Copeland Local Plan 2001-2016 2nd Deposit Version.

The submitted indicative layout plan shows how the substantial 5 bedroomed property could be accommodated. However, this would result in a significant loss of garden area and off-road parking which serves the existing property at No 6 Hensingham Road.

Although this application seeks outline consent the Council must be satisfied that an acceptable form of development can be accommodated on the site.

The majority of properties along this established residential street occupy substantial plots, with generous spacing between dwellings. The proposed dwelling would be sited 1m from either side boundary. This is considered likely to result in an unacceptable reduction in residential standards and general amenity contrary to Policies HSG 4 and DEV 7 of the Copeland Local Plan 2001-2016 2nd Deposit Version.

## Recommendation

## Refuse

By virtue of its size and layout in relation to "Kingswood" in particular and neighbouring residential properties generally, the proposed development would lead to a reduction in residential standards and off-street parking provision, contrary to Policies HSG 4 and DEV 7 of the Copeland Local Plan 2001-2016 2nd Deposit Version.

8 4/06/2131/0

SUBSTITUTION OF 3 STOREY BLOCK OF 12 APARTMENTS  
FOR 2 STOREY BLOCK OF 6 HOUSES (6 ADDITIONAL  
DWELLINGS) PLOTS 59-70  
CHRISTY PLACE, EGREMONT, CUMBRIA.  
PERSIMMON HOMES LANCASHIRE

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Parish

Egremont

- Object to the application. Consider it would be out of character alongside the current dwellings and also it would be invasive to other peoples' privacy.

Outline consent was originally granted for residential development on this 1.4 hectare site off Windrigg Close in 2003 (4/03/1164/001 refers) followed by approval of the details and layout for 64 dwellings in 2004 (4/03/1539/0R1 refers).

Consent is now sought to erect a three storey block of 12 flats on a site previously approved for 6 two storey houses, resulting in the creation of 6 additional dwellings.

It is proposed that the block will be positioned gable end on, opposite an existing block of 5 two storey terraced dwellings. 12 on site parking bays will be provided in a designated parking area in front.

Consideration needs to be given to the possible effect of the increase in height of the development from that previously approved (7.2m to 11.6m in height) and the proximity of the gable end to the front of the houses opposite (some 13.5m distant). In assessing this it should be taken into account that there are 6 windows (2 on each floor) positioned on the gable end, three of which are dining/living room windows, which will look directly towards habitable room windows of 3 of the dwellings opposite.

In terms of planning policy, Policy HSG 8 of the Copeland Local Plan 2001-2016 2nd Deposit Version requires that all new housing development must achieve a minimum of 21m separation between facing elevations of dwellings containing habitable room windows and 12m in instances where only 1 facing elevation contains habitable room windows.

An amended scheme has subsequently been submitted by the applicants. This now demonstrates compliance with Policy HSG 8 by the removal of the habitable room windows on the gable end to three apartments and the installation of translucent glass to the ensuites. As there are now no habitable windows proposed on the gable end of the new build the minimum separation distance of 12m (13.5 in this instance) with the neighbouring properties can be achieved.

Although there is a height differential of 3.4m between the proposed apartment block and the development previously approved it is considered, on balance, that the effect of this on neighbouring properties is not so significant in itself to justify refusal. In fact, the introduction of a wider range of dwelling types on the estate can be considered positive in meeting housing demand within the area.

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Recommendation

Approve (commence within 3 years)

2. Permission shall relate solely to the amended plans received by the Local Planning Authority on 25 April 2006.
3. The site shall be drained on a separate system with foul drainage only connected to the foul sewer.
4. The car parking area shall be completed prior to any of the apartments being occupied.

Reasons for the above conditions:-

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

For the avoidance of doubt and to safeguard the amenity of neighbouring residents.

To ensure a satisfactory drainage scheme.

In the interests of highway safety.

Reason for decision:-

An acceptable form of development on this approved housing estate in accordance with Policies DEV 7 and HSG 8 of the Copeland Local Plan 2001-2016 2nd Deposit Version.

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9 4/06/2136/0

CONVERSION OF EXISTING BARN TO DWELLING  
ORCHARD BROW, HAILE, EGREMONT, CUMBRIA.  
MISS B HAYWOOD

Parish Haile

- No comments received.

Planning permission is sought to convert an existing stone barn to provide four bedroomed accommodation at Orchard Brow, Haile.

The subject building is within the built-up part of the village although there is no settlement boundary for Haile identified in the Copeland Local Plan 2001-2016 2nd Deposit Version.

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A previous application for conversion of this barn was withdrawn in January 2006 (4/05/2814/0F1 refers) due to the incongruous design by virtue of a large glazed area proposed for the rear elevation. This resubmission satisfactorily addresses the design issues.

The dwelling would provide accommodation on three floors, with a double storey extension to the rear. This is proposed to be stone built with a slate roof to match the existing barn.

Two letters of objection have been received from neighbouring properties, both regarding windows in the side elevations of the barn. The first objection is to 2 windows in the north elevation which faces a property called "Red Ghyll". In response to this objection I would comment that the neighbouring property is over 21.0 metres away and the windows would be for the lobby/hall and kitchen which would both only require 12.0 metres separation distance. The objector also comments that they would prefer both properties to be permanent dwellings instead of holiday lets.

The second letter of objection concerns a proposed window on the proposed extension on the south elevation of the barn which could potentially overlook the rear garden of the property "Langdale". To remove this problem but allow the window to remain to provide light to the internal floorspace, a condition could be included requiring this window to be fitted with obscure glazing.

No highway objections have been received to the proposal.

The applicants have requested that because the development is outside any settlement boundaries and, as such, conversion to a holiday let would be preferable to a permanent dwelling, the Local Planning Authority would agree to their current adjacent dwelling "Orchard Brow Cottage" being made holiday accommodation only, by way of a Section 106 agreement instead of the barn. This is considered acceptable under Policy HSG 17 of the Copeland Local Plan 2001-2016 2nd Deposit Version as it would be creating a dwelling by conversion but also new holiday letting accommodation.

Recommendation

That subject to the applicants entering into an agreement with the Council under Section 106 of the Town and Country Planning Act 1990 requiring the property known as "Orchard Brow Cottage" to be occupied solely as holiday accommodation and not as a permanent or principal dwelling before the dwelling hereby approved is brought into use, planning permission be granted subject to the following conditions:-

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2. The upper ground floor window to the south elevation shall be fitted with obscure glazing which shall be so maintained thereafter.
  3. Before the development is commenced a detailed site investigation shall be carried out to establish if the site contains contaminants, to assess the degree and nature of the contaminants present, and to determine its potential for the pollution of the water environment. The method and extent of this investigation shall be agreed in writing with the Local Planning Authority and any remedial works completed prior to the development being commenced.
  4. 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. This surfacing shall extend for a distance of at least 5 metres as measured from the carriageway edge of the adjacent highway.

Reasons for conditions:-

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

To prevent the risk of overlooking and resultant loss of privacy for neighbouring residents.

To prevent pollution of the water environment.

In the interests of highway safety.

Reason for decision:-

An acceptable proposal providing both a suitable barn conversion and holiday accommodation in accordance with Policy HSG 17 of the Copeland Local Plan 2001-2016 2nd Deposit Version.

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MAIN AGENDA

10 4/06/2149/0

ERECTION OF 1.8 METRE BOUNDARY FENCE  
20, LAUREL BANK, WHITEHAVEN, CUMBRIA.  
LINDSAY STEVENSON

Parish                      Whitehaven

Planning permission is sought to erect a 1.8 metre high timber fence at the side of this detached property on the Highlands.

The proposed fence would be sited 0.5m from the Laurel Bank footway. The Highway Authority raises no objections.

Two letters of objection have, however, been received from nearby residents. The grounds for objection can be summarised as follows:-

1. The Highlands is an open plan estate and this will set a precedent for other properties.
2. The position of the fence on the corner of a junction would reduce visibility of incoming and outgoing traffic and would therefore be dangerous, especially to children playing.
3. Loss of view.

In response to concerns raised I would point out that the Highways Authority have raised no objections. Issues regarding loss of view are not material planning considerations and should be disregarded accordingly.

Whilst the fence will be a prominent feature, it is located at the side of the property, with the front remaining open plan. Throughout the estate the developer has enclosed side gardens with similar timber fencing.

On balance, the proposed development is considered to be compliant with Policy HSG 20 of the Copeland Local Plan 2001-2016 2nd Deposit Version and is therefore recommended for approval.

Recommendation

Approve (commence within 3 years)

Reason for decision:-

An acceptable form of residential curtilage development in accordance with Policy HSG 20 of the Copeland Local Plan 2001-2016 2nd Deposit Version.



MAIN AGENDA

11 4/06/2170/0

OUTLINE APPLICATION FOR DETACHED DWELLING &  
ALTERATION TO ACCESS  
LAND ADJACENT TO 8, WHALLEY DRIVE, WHITEHAVEN,  
CUMBRIA.  
MR S GROUNDWATER

Parish

Whitehaven

In October 2000 outline planning permission for a dwelling on an area of land used for car parking by adjacent Whalley Drive properties was refused. The reason for refusal was as follows:-

"The application site is served by a narrow, sub-standard access and the proposed development would result in the loss of off-street parking facilities, thereby exacerbating the existing parking problems on Whalley Drive to the detriment of both road safety and residential amenity. The proposal is, therefore, contrary to Policies DEV 3, HSG 4 and TSP 3 of the adopted Copeland Local Plan."

This application once again seeks outline planning permission for the erection of a detached dwelling on this site.

The site originally provided off-street parking for a number of properties on Whalley Drive which were owned by Cumbria Constabulary. Following the sale of these properties the site now forms part of the garden area, access and off-street parking provision for No 8 Whalley Drive.

This sloping site is located at the end of a narrow residential cul-de-sac and is bounded by existing dwellings to the rear and side with a pair of semi-detached houses opposite. Access would be via the existing cul-de-sac which also serves the rest of the properties.

A single letter of objection has been received from a neighbouring resident. The grounds for objection can be summarised as follows:-

1. There have already been previous refusals on this site.
2. The access to the property would be off the turning circle for the avenue, which is frequently used given the amount of traffic.
3. Part of the site is used as a parking area for No 8.
4. To have cars from a further dwelling using this turning circle would be impossible, dangerous and detrimental to the residents presently living on Whalley Drive.

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Whilst no response has yet been received from the Highway Authority with regards to this application, they raised concerns with regards to the previous application. In particular they were concerned that the cul-de-sac serving the development is sub-standard in size with limited off-street car parking available.

Despite a number of properties having incorporated driveways, on-street parking is still apparent, reducing this narrow access road to single file traffic and causing congestion. It is considered that this proposal would exacerbate these problems further and is therefore at variance with Policies HSG 4, DEV 7 and TSP 6 of the Copeland Local Plan 2001-2016 2nd Deposit Version.

Recommendation

Refuse

The application site is served by a narrow, sub-standard access and the proposed development would result in an increase in traffic, thereby exacerbating the existing congestion problems on Whalley Drive to the detriment of both road safety and residential amenity. The proposal is therefore considered to be at variance with Policies HSG 4, DEV 7 and TSP 6 of the Copeland Local Plan 2001-2016 2nd Deposit Version.

12 4/06/2173/0

CHANGE OF USE OF LOUNGE TO RETAIL SHOP  
49, MAIN STREET, PARTON, WHITEHAVEN, CUMBRIA.  
MRS D ANDERSON & MR J CURWEN

Parish Parton

- No comments received.

Following a site visit by Members on 25 January 2006 an application to convert a garage to the rear of this property to a retail shop was refused in February 2006. The reason for refusal was as follows:-

"In the absence of adequate on-site parking provision, the proposed development would be likely to result in vehicles being parked outside the site on the County highway to the detriment of the free flow of traffic and road safety, contrary to Policy TCN 9 of the Copeland Local Plan 2001-2016 2nd Deposit Version. Moreover, the proximity of the premises to the front elevations of neighbouring houses is likely to result in undue disturbance to the residents of these houses due to the coming and going of customers."

MAIN AGENDA  
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This application now seeks consent to convert a ground floor room of the applicants' end of terrace house into a retail shop for the sale of a range of convenience goods.

Externally, an additional white upvc door will be added to the front elevation to create separate entrances to the shop and living accommodation.

Off-street car parking is available at the public car park situated directly opposite the property.

Whilst no response has yet been received from the Highways Authority regarding this application, they recommended refusal of the previous application due to the absence of on-site parking and associated impact on the free flow of traffic and public safety.

Five letters of objection have been received from neighbouring residents. The grounds for objection can be summarised as follows:-

1. The area already has a problem with anti-social behaviour and this would exacerbate this and encourage loitering, especially if the store sells alcohol.
2. Environmental issues as the shop would increase litter and noise and may increase the risk of fire and flooding.
3. A shop would increase traffic and be a danger to children.
4. There is no parking. The public car park is used by local residents as there are double yellow lines along the road.
5. This is a residential street and the introduction of a shop will infringe on residents' quality of life.
6. The road and pavements are narrow and there will not be adequate access for pedestrians, cyclists or people with impaired mobility.
7. The proposal would devalue properties.

Policy TCN 9 of the Copeland Local Plan 2001-2016 2nd Deposit Version is the relevant policy against which this proposal should be considered. The preamble to Policy TCN 9 states that the Council will support proposals for new or extended floorspace provision including partial conversion of residential accommodation to retail use on a full or part time basis. The effect on the amenity of nearby residents will be taken into account, particularly in terms of late night opening and illuminated signage.

Whilst this row of properties is predominantly residential, this area of Parton is a mixed use area, with the Lowther Arms pub located just 10m away.

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On balance, this site is considered appropriate for the introduction of this much needed shop outlet within the village, in accordance with Policy TCN 9.

Recommendation

Approve (commence within 3 years)

2. The retail use hereby permitted shall not be open to customers outside the hours of 7.00am until 9.00pm on any day.
3. 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.

The reasons for the above condition are:-

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

To safeguard the amenity interests of nearby residents.

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

Reason for decision:-

An acceptable change of use for this end of terraced property in accordance with Policy TCN 9 of the Copeland Local Plan 2001-2016 2nd Deposit Version.

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13 4/06/2175/0

RESERVED MATTERS APPLICATION FOR DETACHED  
AGRICULTURAL DWELLING  
FRIZINGTON PARKS, PARK STREET, FRIZINGTON,  
CUMBRIA.  
MR A JACKSON

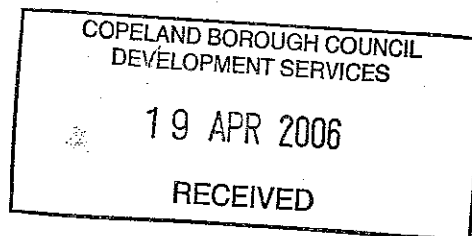
# CALVA DESIGN STUDIO

R.J.B. Lindsay  
DA (Manc), Dipl. Architecture (Manc), MASI

4 Calva House  
Workington  
Cumbria CA14 1DE

Tel/Fax 01900 606669  
email: rjbldesign@aol.com

An AAP Practice



13 April 2006  
Miss R Carroll  
Planning Officer  
Development Services  
Copeland Borough Council  
The Copeland Centre  
Catherine Street  
WHITEHAVEN CA28 7SJ

Dear Miss Carroll

## DWELLING FRIZINGTON PARKS FOR MR A JACKSON

I reply to your advice concerning the proposed dwelling at Frizington Parks, concerning the design aspects of the building. We simply beg to differ.

The dwelling has been carefully designed and the materials proposed were to be a slate *look alike tile*, but I am prepared to concede on our clients behalf that we may amend this to a slate roof. The walls are proposed as rendered with through colour probably, so that is a traditional finish, and the details of the windows with bands around on the front are traditional.

It does not look like a speculative estate dwelling, and is very similar to some dwellings which were erected at Lamplugh Green in the grounds of the Old Rectory, with Copeland boundaries, and which look well in a rural setting.

Furthermore the pitch of the roof at 39 degrees is to accommodate rooms within the roof space, the dormers are traditional and are in proportion with the remainder of the front elevation, and finally the lean extension housing the Utility Room is a common feature on older rural farmhouses in West Cumbria.

We rest our case, and look forward to perhaps a more specific response as to your concern on the design of the dwelling. A verbal call will be fine and I am sorry I had to cancel our meeting earlier this week, but perhaps we can finalise the above by the end of next week.

Yours sincerely

MAIN AGENDA

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Parish

Arlecdon and Frizington

- No objections.

Outline planning permission was granted in August 2005 to erect an agricultural worker's dwelling adjacent to this existing farmstead at Frizington Parks (4/05/2405/001 refers). This application seeks reserved matters approval for the detailed design scheme.

The proposed dwelling is in the form of a dormer style bungalow with three bedrooms in the roof space. Proposed external finishes are artificial slate roof tiles and rendered walls.

In addition to Policy HSG 8 of the Copeland Local Plan 2001-2016 2nd Deposit Version, proposals for new developments must be considered against Policy DEV 7 "Sustainability in Design". The preamble to Policy DEV 7 states that proposals should make efficient use of land whilst reflecting local character and appropriateness to the specific setting.

Following concerns regarding the style and design of the proposed dwelling the applicant was offered the opportunity to amend the scheme. A supporting letter has since been received from the applicant's agent, a copy of which is annexed to this report.

On balance, it is considered that the style and design of this dormer bungalow is not sympathetic to its prominent rural setting and, as such, the proposal is at variance with Policies DEV 7 and HSG 8.

Recommendation

Refuse Reserved Matters

The proposed dormer bungalow is considered to represent an unsuitable design solution, unsympathetic to its visually prominent rural setting and, as such, is at variance with Policies DEV 7 and HSG 8 of the Copeland Local Plan 2001-2016 2nd Deposit Version.

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14 4/06/2176/0

DEMOLISH SUB-STANDARD GARAGE & CONSTRUCT DOUBLE  
STOREY EXTENSION  
31, RED BECK PARK, CLEATOR MOOR, CUMBERIA.  
MR C HEWER

Parish Cleator Moor

- No comments received.

In January 2006 an application to demolish a sub-standard garage and erect a double storey extension was withdrawn (4/05/2913/0F1 refers). This resubmission now seeks consent to extend this semi-detached property as follows:-

- a) An 8.76m x 3.0m two storey gable extension to accommodate a ground floor garage and utility room and first floor bedroom with en-suite. This element would be sited 700mm from the neighbouring boundary.
- b) A 4.37m x 4.05m two storey rear extension to accommodate a ground floor kitchen and first floor bathroom. This element would be sited 2.3m from the neighbouring boundary.

Proposed external finishes are white dry-dash render and concrete roof tiles to match the existing property.

A single letter of objection has been received from the owner of the neighbouring property to the north. The grounds for objection can be summarised as follows:-

1. The proposal would cause loss of light to three gable end windows, especially the kitchen window.
2. The proposed extension would be too long, too high and would be closer to the objector's property by 3m, making it too intrusive.
3. The proposal is not in-keeping with other houses on Red Beck Park.
4. The proposed extension would lower the value of the objector's property.

In response to the concerns raised, I would comment as follows:-

- a) This resubmission seeks to overcome the previous concerns which resulted in the application being withdrawn by re-siting the rear extension 2.3m from the boundary. In my opinion the impact of the proposed development on the neighbouring property would not be too great as to warrant refusal of planning permission.
- b) Concerns relating to property values and future sales are not

MAIN AGENDA

material planning considerations and should be disregarded.

In summary this revised scheme is considered to be an acceptable form of development in accordance with Policy HSG 20 of the Copeland Local Plan 2001-2016 2nd Deposit Version.

Recommendation

Approve (commence within 3 years)

Reason for decision:-

Acceptable extensions and alterations to this semi-detached property in accordance with Policy HSG 20 of the Copeland Local Plan 2001-2016 2nd Deposit Version.

15 4/06/2180/0

OUTLINE APPLICATION FOR ERECTION OF SINGLE STOREY  
DETACHED BUNGALOW WITH ASSOCIATED  
VEHICULAR/PEDESTRIAN ACCESS  
PLOT 3, ALDBY GROVE, CLEATOR MOOR, CUMBRIA.  
MR & MRS GRAHAM

Parish Cleator Moor

- Question the separation distance between the proposed new dwelling and other properties.

This outline application constitutes a resubmission for the erection of a detached bungalow and garage on a site to the rear of plots 1 and 2 Aldby Grove. A copy of a supporting letter from the applicant's planning consultant is appended to this report. A similar proposal was refused in September last year (4/05/2432/001 refers) on the following grounds:-

"The proposed bungalow, by virtue of its siting in close proximity to existing dwellings, is considered likely to give rise to residential amenity problems, including overlooking and loss of privacy contrary to Policies HSG 4, HSG 8 and DEV 7 of the Copeland Local Plan 2001-2016 2nd Deposit Version.

Vehicular access to the site would be via a new single width driveway between plots 1 and 2 to which the Highway Authority raise no objections.

This application differs from the original submission insofar as more



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details accompany the proposal. An indicative plan demonstrates how a layout for a 3 bedroomed dwelling with an attached garage could be accommodated.

Policy HSG 8 of the Copeland Local Plan 2001-2016 2nd Deposit Version requires that a minimum separation distance of 21 metres be achieved where there are habitable rooms on facing elevations and 12 metres in instances where there are habitable rooms on one of the facing elevations.

The concern in this case is the proximity of the proposed bungalow to the existing recently constructed dwelling on plot 1 to the north east and the existing bungalow at 2 Aldby Grove to the east. The plan fails to demonstrate that the required separation distances of 21 metres in relation to the former and particularly the 12 metres in respect of the latter can be achieved.

The existing bungalow at 2 Aldby Grove has habitable rooms and its main garden area facing onto the proposed plot. The plan demonstrates that only 2 non-habitable rooms of the proposed bungalow (utility and bathroom) would face onto this elevation and that there is a 2.5m high conifer boundary hedge in between, currently affording some privacy. The distance between these facing elevations would range between 8.0m at the south eastern end to 10m and then 13.0m at the north end opposite the garage.

In my opinion, notwithstanding the boundary hedge which is not within the applicant's control, the proposal, by virtue of the reduced separation distances, would adversely affect the amenity of the neighbouring properties in terms of overlooking and potential loss of privacy.

Recommendation

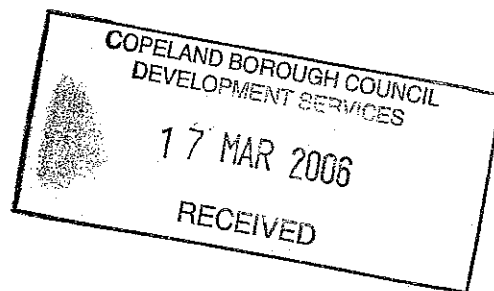
Refuse

The proposed bungalow, by virtue of its siting in close proximity to existing dwellings, is considered likely to give rise to residential amenity problems including overlooking and loss of privacy contrary to Policies HSG 4, HSG 8 and DEV 7 of the Copeland Local Plan 2001-2016 2nd Deposit Version.

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4 / 0 6 / 2 1 8 0 / 0 0 1



*Our Ref.*            *AWH/JAC//05/0160*

*Your Ref.*

*Date.*              *14<sup>th</sup> March 2006*

Mr Tony Pomfret  
Development Services  
Copeland Borough Council  
The Copeland Centre  
Catherine Street  
Whitehaven  
Cumbria  
CA28 7SJ

Dear Mr Pomfret,

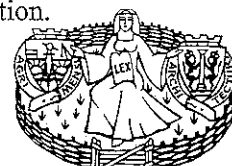
**PLANNING APPLICATION – RESUBMISSION – SINGLE DETACHED BUNGALOW –  
LAND OFF ALDBY GROVE, CLEATOR MOOR – MR & MRS R. GRAHAM –  
PREVIOUS APPLICATION REF: 4/05/2432/0 REFUSED 14.9.05.**

Please find enclosed and herewith, the application for grant of Outline Planning Permission on the above matter. You will recall that we spoke briefly on the 8<sup>th</sup> February just prior to the Panel Meeting, whereupon you acknowledged my preference to re-submit rather than appeal, as well as the shortcomings of the previous application and how such may be addressed.

On a point of fact; the original application offered an incomplete “blue-line” on the location plan. It omitted the applicants’ own house at “Keiko”! I have included the correct “blue-line”.

### *The Current Application*

The previous application was made in Outline and sought approval for matters of “siting” and “means of access”. It had, in my opinion, evidential shortcomings that no doubt contributed to the local planning authority’s decision to refuse. This resubmission not only, in my professional opinion, addresses the reason for refusal, it also offers additional information on the “design”; being a matter which is of obvious relevance and importance in cases like this, and a matter which the local planning authority may have requested details of, on the previous application.



In addition, I instructed the architect to shift the position of the access drive slightly away from "Keiko" in order to permit the cultivation of landscaping to mitigate any impact upon the same, as well as the new (under construction) bungalow to the south. A proper turning area has been incorporated with the garage relocated to provide a non-habitable buffer with "Keiko"; as well as improve and make more "legible" the vista into the site off Aldby Grove.

The overall orientation of the dwelling follows the existing rectilinear site proportions.

The single storey design is chosen in order to avoid any overlooking, overshadowing or overbearing of neighbouring land/buildings. Moreover, the detailed design would preclude any material actual overlooking of the same, whilst at the same time offering a respectable level of amenity and outlook for future residents of the proposal.

I will address in greater detail below, these issues against Policy HSG8.

With regard to "external appearance" and "landscaping", I do not believe these to be crucial at this time. The proposal is for a bungalow as such, as evidenced by the submitted floor plan. It will be constructed following modern standards and specifications, and be finished likewise to match and blend with the recent housing development on the Aldby Grove frontage. The site already benefits from considerable mature intervening landscaping, and otherwise the impact of the development of the site will be mitigated in respect of distance and levels relative to some neighbours. Again I will address these in greater detail below.

### ***The Previous Application and Decision***

As stated, the previous application engendered evidential shortcomings, and I am not surprised Officers applied decisive caution and refused it. I believe the reason for refusal, and its wording "*..is considered likely to give rise to residential amenity problem..*" (my emphasis), was entirely appropriate in this respect. It does not say "*would give rise to*", because on the basis of the information submitted and relied upon, it was not possible to arrive at such a conclusion.

The decision continues: "*..including overlooking and loss of privacy..*". Because of likely overlooking (and loss of privacy), the proposal was considered contrary to HSG8 (and HSG4), and DEV7 – or more precisely DEV7(9.) relating to maintaining "*reasonable standards of general amenity*". (2<sup>nd</sup> Deposit Version 2001-2016 – April 2005).

### ***Main Outstanding Planning Issues***

#### **1. Acceptability in Principle**

I noted from the Planning case file, when initially considering Mr & Mrs Graham's case following the refusal, the former Planning Officer, Mr Sandelands, dismissed the entire notion of a dwelling on this site, simply by virtue of it constituting so-called "backland development". I have always rejected such unqualified resistance. "Backland" is, like "tandem", "infill", "rounding-off" and "ribbon", a mere descriptive, that engender certain pre-(mis)conceptions; both negative and positive. There is nothing at all in any policy and guidance produced either locally or nationally that either prohibits, or indeed supports unreservedly, any of these types.

Returning to land use “principle”; the site lies within the North Copeland Urban Concentration, and according to Policy DEV2 within one of its 4 Key Service Centres. The site is within easy walking distance of the town centre and its good range of services.

The site is historically “greenfield” (allotment). However, given its evidential urban location and disposition amongst dwellings old and new, I would offer that it is a highly sustainable location for new housing development against PPS1, PPG3, Policies ST1, ST3 and ST5 of the emerging ‘Joint Structure Plan (2001-2016), and of course Development Strategy (DEV2) within the 2<sup>nd</sup> Deposit ‘Local Plan (2001-2016).

I would make it clear that whilst the site offers the possibility of becoming “garden land”, serving most obviously either one or both of the two dwellings on the highway frontage (owned by the applicant), it is surplus to requirements and was not otherwise regarded as part of the two aforementioned recent dwellings when they received planning permission.

## **2. Density**

The two dwellings on the highway frontage have site areas each of around 650 sqm (density of 15 per hectare). These two sites, together with the application site (should it be subsumed within either/both) would yield roughly 10 per hectare. By introducing a dwelling on the proposal site (580 sqm not including the access drive), the overall density would increase back to roughly 15 per hectare. This makes for a better, and otherwise consistent use of land, which is not at all dissimilar to the density of roughly 16 per hectare provided by the 3 dwellings to the north-east. As such the proposal is in accord with principles laid down under the aforementioned guidance and policies.

## **3. Amenity**

In this I make specific reference to the ground for refusal under 4/05/2432/0; that of overlooking (“and loss of privacy”).

The relevant policy is Policy HSG8 of the 2<sup>nd</sup> Deposit Plan. This policy addresses, albeit indirectly, some familiar material considerations associated with new residential development, including small-scale urban infill housing such as this now proposed. However, its approach to offer, and thereby apparently rely upon, rigid “space around dwellings” standards for all occasions, is questionable to say the least. (My apologies if I seem to disregard the SPG; I recently received an e-mail from Mr Black (attached here) advising on its progress).

Given the “no objection” from the Highways Authority on the previous application, and further the undoubtedly improved access, parking and turning provisions included here, I believe the proposal is acceptable against HSG8(1.). The proposal for a single infill plot should not prompt a public open space requirement (HSG8(3.)). The proposal would result in a more “respectable” net density, and is otherwise in keeping with the general density presented by the existing modern dwellings along Aldby Grove (HSG8(4.)).

The matter revolves therefore around HSG8(2.) and its “minimum separation requirements”. I believe these may be more appropriate as a “starting point” subject to site circumstances, rather than a rigid requirement.

Certainly, when considering this scheme on the basis solely of a site layout plan, the proposal would not meet these requirements in respect of the "minimum" intervening distance with either (a) "No.2 Aldby Grove" immediately to the north-east, or (b) the applicant's own dwelling at "Keiko" to the north-west. Allow me to explore these separately as follows:-

(a) *No.2 Aldby Grove*. The relevant proposed rear elevation (facing north-east) contains no habitable room windows, or doors. The minimum intervening distance, corner to corner, would be 7.6 metres. The maximum distance at the farthest corner would be 13.5 metres. Roughly mid-way along each elevation, the distance is roughly 10 metres. According to HSG8, the minimum required distance is 12 metres between "face elevations".

A number of "contextual" points are offered:

- (i) the "face elevations" do not run parallel;
- (ii) just after the midway point, the proposed rear elevation recedes sharply to provide a minimum 12 metre intervening distance;
- (iii) the party boundary is marked with a dense, continuous 2.5m high (min.) conifer hedge, offering a green curtain between the properties; and of course,
- (iv) the proposal is for a bungalow.

In view of the above, I cannot envisage there being any material impact upon the amenity conditions of No.2. When considering this, I would advise that the landowner may erect a 2 metre high close boarded fence along any boundary, as Permitted Development, which would preclude any (mutual) overlooking from/between bungalows such as these. Given that there is this party hedge, and the fact that the neighbour, and indeed the applicant are evidentially keen to retain and maintain this hedge regardless, and that both parties are accustomed to it in respect of their own amenities, then I do not see how there could possibly be any material, appreciable harm from "overlooking".

(As an aside; what if the application site was 2.5 metres *below* No.2, and the intervening distance sub-12metres? The impact would be non-existent yet contrary to HSG8. In contrast, what if the site were 2.5 metres *above* No.2? Then the LPA may invoke, quite rightly, the "minimum" *as such*. However it is clearly inequitable for a policy to provide a one-way allowance for conducting assessments, when it is clear that sites will always prompt two-way discretion in judgement. In this case we have a 2.5 metre hedge, and a P.D. fall-back of a 2 metre fence.)

(b) *"Keiko"*. Again the minimum distances are not met. Between the south-east facing elevation of "Keiko", the minimum distances are; 9.2m (main wall to proposed garage side), 8.2m (conservatory to proposed garage side), and 22m (conservatory to proposed living room window). However, it must be appreciated the drop in level between "Keiko" and the proposal (c.1.5m). There will be intervening landscaping as shown on the plans, and in order to avoid harm to the proposed dwelling, the garage was sited at the north-western end. I firmly believe the proposed design, the change in levels and the intervening landscaping preclude any likely material harm from/to "Keiko".

*Other Neighbours*. The dwellings to the south-east on Orchard Place are over 22 metres from the proposal, beyond mature landscaping. The dwellings to the south-west on Ennerdale Road, are

likewise well over 22 metres, with patchy landscaping and an assortment of outbuilding on and along the rear garden boundaries. There would be no material, appreciable impact upon these neighbours. Indeed, the intention would be to substantiate the boundaries with additional planting to improve mutual amenity conditions.

*The Surroundings.* I believe it worthwhile highlighting the arrangement employed at Nos.1. & 2. Aldby Grove in their use of a shared access, and backland development. In addition, the dwelling beyond has been extended toward the highway along the aforementioned shared access. This whole arrangement; its layout, density, character and appearance would be not dissimilar to that being proposed here.

### *Conclusion*

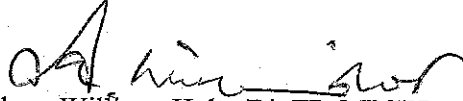
Whilst clearly acceptable in principle; by virtue of its urban infill disposition and key service centre location, it remains worthwhile highlighting the same, to be considered and balanced along with other issues. Sites such as these are at a premium. The proposed dwelling would be sustainable, accessible, and secure.

If one considers the details, and put them into the context of the site and its surroundings, one can only conclude that there would be no material, appreciable harm to any acknowledged interests.

The proposal recognises and addressed the shortcomings of the previous application and the way it was presented.

I, on behalf of the applicants, respectfully urge approval, subject to appropriate conditions. If there are any queries then please do not hesitate to get in touch.

Yours sincerely,

  
Andrew Willison-Holt DipTP. MRTPI.

Encl.

MAIN AGENDA

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16 4/06/2182/0

OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT  
THE OLD LOCOMOTION SHED, BORWICK RAILS,  
DEVONSHIRE ROAD, MILLOM, CUMBRIA.  
C D CUNNINGHAM

Parish                      Millom

- No objections although concerns regarding the safe demolition and correct removal of asbestos.

Outline planning permission is sought for residential development on land at Devonshire Road (Borwick Rails), Millom. Currently on the land is a large locomotion shed which remains from the previous land use.

The application originally sought consent for the design, external appearance and means of access at this stage. However, the house type design has first floor bedroom windows to all elevations and the site layout showed these to be only 2 metres apart. Following consultations with the applicant, he has now confirmed in writing that he only wants the principle of development considered at this stage and no other matters.

In terms of the suitability of the site for residential development, it must first be noted that it is within the settlement boundary for Millom as defined in the Copeland Local Plan 2001-2016 2nd Deposit Version, which provides a presumption in favour of development through Policy HSG 4. The site is also classed as previously developed land by the definition in annexe of PPG 3 : Housing.

A letter has been received from a resident of a neighbouring property who does not object to the principle of the development provided the number of dwellings is limited to three. The number of dwellings, however, would be reserved for subsequent approval at the detailed design stage.

On the basis that this is a brownfield site and is within the settlement boundary for Millom, the proposal is viewed as compliant with Policy HSG 4 of the Copeland Local Plan 2001-2016 2nd Deposit Version.

Recommendation

Approve in Outline (commence within 3 years)

MAIN AGENDA

3. Before the development is commenced a detailed site investigation shall be carried out to establish if the site contains contaminates, to assess the degree and nature of the contaminates present, and to determine its potential for the pollution of the water environment. The method and extent of this investigation shall be agreed in writing with the Local Planning Authority and any remedial works completed prior to the development being commenced.

The reason for the above conditions are:-

To prevent the pollution of the water environment.

Reason for decision:-

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

An acceptable outline proposal for housing development on this previously developed site compliant with Policy HSG 4 of the Copeland Local Plan 2001-2016 2nd Deposit Version.

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17 4/06/2191/0

RENEWAL OF TEMPORARY PERMISSION FOR CAR PARK AND  
EXTENSION, SECURITY POST AND BUS SHELTERS  
CAR PARK & BUS TERMINAL, YOTTENFEWS, SELLAFIELD,  
SEASCALE, CUMBRIA.  
BRITISH NUCLEAR GROUP

Parish St Bridgets Beckermest

- No comments received.

Temporary planning permission for the Yottenfews car park, including security gatehouse, bus shelters, etc was originally granted in 1985. Renewals of this temporary consent have subsequently been granted, the most recent consent being due to expire on 30 June 2006 (4/04/2096/0F1 refers).

Car parking restrictions on the Sellafield site have resulted in an increase in the use of the Yottenfews car park for BNG staff, visitors and sub-contractors. The long term requirement for off-site car parking is likely to continue and to facilitate detailed consideration of the relevant planning issues an extension of the temporary planning permission for a further period of 12 months is



MAIN AGENDA  
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now sought. This is considered to represent a reasonable interim solution.

Cumbria Highways raise no objections and no additional representations have been received from any source.

Recommendation

Approve (commence within 3 years)

1. This permission shall expire on 31 May 2007. At or before the expiration of this period the temporary car park use shall cease and its surface, together with all structures hereby approved, shall be permanently removed and the land restored in a manner to be agreed in writing with the Local Planning Authority unless the prior written consent of the Local Planning Authority has been obtained for a continuation of the use.

The reasons for the above conditions are:-

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

The Local Planning Authority wish to be able to review the matter at the end of the limited period stated.

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18 4/06/2194/0

TWO DORMER BUNGALOWS  
RAILWAY CUTTING, LAKE LAND AVENUE, WHITEHAVEN,  
CUMBRIA.  
GRUNDY & WALLER CONSTRUCTION

Parish                      Whitehaven

This application constitutes a resubmission for the erection of two 3 bedroomed dormer bungalows on vacant land, formerly a railway cutting, to the rear of Ennerdale Terrace. A virtually identical scheme was refused permission in September 2005 (4/05/2365/0F1 refers) on the following grounds:-

"Due to the length of the site frontage adjoining the public highway there is inadequate visibility for vehicles emerging from the site, representing a risk to highway safety contrary to Policy DEV 7 of the Copeland Local Plan 2001-2016 2nd Deposit Version.

As previously, vehicular access in the form of a private road with a

MAIN AGENDA  
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junction off the adjoining Lakeland Avenue is proposed. Minor alterations to the alignment of the junction have been undertaken. The dwellings would be sited along the southern boundary at an angle to the access road. A public right of way is to be provided through the site.

Four letters of objection have been received from neighbouring residents. The objector's grounds can be summarised as follows:-

1. Road safety issues - inadequate access on a blind bend; would lead to further congestion and jeopardise pedestrian safety.
2. Loss of privacy for local residents.
3. Loss of wildlife habitat.
4. Site is prone to flooding.
5. Will exacerbate existing water supply problem.
6. Will increase vermin.
7. There is enough housing in the area.
8. The overgrown site presently offers some rear security which the developed site would destroy.

One letter has been received in support from a local resident who considers the proposal will get rid of a current eyesore.

In planning policy terms, the site is within the settlement boundary for Whitehaven as identified in the Copeland Local Plan 2001-2016 2nd Deposit Version. It constitutes a brownfield site, being previously developed and can physically accommodate the proposed dwellings.

However, the Highway Authority again raise strong objections to this application and a copy of their consultation response is appended to this report.

Because the site has a narrow road frontage of only 28 metres or so adequate vehicular access arrangements cannot be achieved onto the adjacent unclassified road. This submission, despite minor revisions, has not demonstrated that the previous grounds for refusal can be satisfactorily overcome.

## Recommendation

Refuse

Your ref: 4/06/2194  
Our ref: 9691/1664/JM/em  
Direct Line: 01946 852513

05 April 2006

Copeland Borough Council  
The Council Centre  
Catherine Street  
WHITEHAVEN  
CA28 7SJ

COPELAND BOROUGH COUNCIL  
DEVELOPMENT SERVICES

07 APR 2006

RECEIVED



COUNTY COUNCIL

**Cumbria Highways**

Allerdale & Copeland  
Richmond House, Catherine Street,  
Whitehaven, Cumbria, CA28 7QY  
Telephone 01946 852525  
Fax 01946 852503

Dear Sirs

**CONSULTATIONS WITH PLANNING AUTHORITIES**

**ROAD NO UNCL**

**PROPOSED 2 DORMER BUNGALOWS, RAILWAY CUTTING, LAKELAND AVENUE,  
KELLS, WHITEHAVEN  
FOR GRUNDY & WALLER CONSTRUCTION**

I refer to the above consultation received on 30/03/2006 and would inform you that the comments raised in my reply to application 4/05/2365/OFL, my letter to you dated 22/8/2005, apply equally to this present submission.

Additionally it has not been established that a suitably highway drainage outfall has been secured.

Yours Sincerely

James Moultrie  
Highways Control Officer

Your ref: MTS/FQ/4/05/2365/OFI  
Our ref: 9691/1664/JM/em  
Direct Line: 01946 852513

22 August 2005

Copeland Borough Council  
The Council Centre  
Catherine Street  
WHITEHAVEN  
CA28 7SJ

FAO Michael Sandelands



33

COUNTY COUNCIL

**Cumbria Highways**

Allerdale & Copeland  
Richmond House, Catherine Street,  
Whitehaven, Cumbria, CA28 7QY  
Telephone 01946 852525  
Fax 01946 852503

COPELAND BOROUGH COUNCIL  
DEVELOPMENT SERVICES

24 AUG 2005

RECEIVED

Dear Mr Sandelands

**CONSULTATIONS WITH PLANNING AUTHORITIES  
ROAD NO UNCLASSIFIED  
PROPOSED 2 NO BUNGALOWS, RAILWAY CUTTING, LAKE LAND AVENUE, KILLS  
WHITEHAVEN (AMENDED PLAN)  
FOR GRUNDY AND WALTER CONSTRUCTION**

I refer to your letter dated 10/08/2005 and the accompanying amended plan and would comment as follows.

The submitted information still does not adequately show the previously requested visibility splays or the frontage footway and boundary arrangements to Lakeland Avenue.

Unless the applicant is willing to clearly demonstrate that the required minimum visibility splays of 90m x 2.4m x 90m can be provided on land within their ownership and/or control then I would have no alternative but to recommend refusal of the application for the following reasons:-

**1. Insufficient Frontage**

The application site has insufficient frontage with the county highway to provide an access with adequate visibility for and of emerging vehicles, with consequent danger to all users of the county highway.

**To support Local Transport Plan Policy: 53**

**2. Inadequacy of Submitted Information**

Inadequate information has been submitted to satisfy the Local Planning Authority that the proposal is acceptable in terms of

- a) access
- b) visibility splays
- c) road layout

**To support Local Transport Plan Policy: S3 (LD6, LD10, LD11), LD4(draft)**

Yours Sincerely

James Moultrie  
Highways Control Officer

Cumbria County Council working in partnership with Capita Symonds and Amey Infrastructure Services.

MAIN AGENDA

Due to the length of the site frontage adjoining the public highway there is inadequate visibility for vehicles emerging from the site, representing a risk to highway safety contrary to Policy DEV 7 of the Copeland Local Plan 2001-2016 2nd Deposit Version.

19 4/06/2199/0

CHANGE OF USE FROM CIVIC HALL INCORPORATING  
COMMUNITY AND MASONIC HALLS  
CIVIC HALL, THE SQUARE, CLEATOR MOOR, CUMBRIA.  
THE FOUNDING COMMITTEE

Parish Cleator Moor

- No objections.

A proposal to permit the use of this established Civic Hall, situated in the centre of Cleator Moor, for Masonic meetings and associated functions. It is the intention that the premises will also continue to be used for wider community and civic purposes.

No external alterations are currently proposed although an indicative plan submitted with the application shows the outline of a possible future extension on the south elevation.

This is considered an acceptable additional use for the building in accordance with Policy SVC 11 of the Copeland Local Plan 2001-2016 2nd Deposit Version.

Recommendation

That Full Council be recommended to grant planning permission under Regulation 4 of the Town and Country Planning General Regulations 1992.

Reason for decision:-

Extending the use of this existing Civic facility to incorporate community and Masonic halls is considered acceptable in accordance with Policy SVC 11 of the Copeland Local Plan 2001-2016 2nd Deposit Version.

MAIN AGENDA

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20 4/06/2204/0

CREATION OF 4 NO. BEDSITS FROM SINGLE DWELLING  
70, CALDER AVENUE, WHITEHAVEN, CUMBRIA.  
MR N WHEELER

Parish                      Whitehaven

Planning permission is sought to convert this four bedroomed, mid-link house into four bedsits with shared communal facilities. No external alterations are proposed.

The application is accompanied by a letter from the Council's Housing Policy Manager stating that the Council would rent the converted property to provide temporary accommodation.

At this stage statutory consultations are ongoing and comments from Cumbria Highways are still awaited.

There is strong local opposition to this proposal. Eleven individual letters of objection and a 55 name petition have been received from residents living in the vicinity. They express concerns on the following collective grounds:-

1. There is already inadequate parking along this road which is a one-way, 20mph school safety zone. Four separate people and their visitors will increase congestion further and may be a possible danger to children.
2. Social implications. There are already problems with drug use and alcohol and such a development may increase anti-social behaviour.
3. There would be a high turnover of new people living in the property, and the property would deteriorate rapidly.
4. Bedsits are not suitable for this family orientated residential estate.
5. Would create problems with noise.
6. Would create problems with household refuse as each property is only allowed one black bin.
7. The proposal would increase the risk of fire.
8. There is already a shortage of large family houses in the Whitehaven area.
9. Would increase problems with drains and sewers.

MAIN AGENDA

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Given the strength of local opposition and in order to fully appreciate the relevant planning issues I recommend that Members visit the site before determining this application.

Recommendation

Site Visit

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21 4/06/2217/0

CONVERSION OF DERELICT BUILDINGS TO HOLIDAY  
ACCOMMODATION AND ERECTION OF HOLIDAY LODGES  
WEDDICAR HALL, WEDDICAR, KEEKLE, CLEATOR MOOR,  
CUMBRIA.  
LAW (CUMBRIA) LTD.

Parish

Weddicar

This application seeks outline planning permission for the conversion of derelict buildings to provide holiday accommodation together with the siting of 60 holiday lodges at the former Weddicar Hall and surrounding restored Keekle opencast coal site.

The 8.93 hectares site lies within a wider Tourist Opportunity site as identified in the Emerging Copeland Local Plan 2001-2016.

The application is presently the subject of extensive consultation.

Although not on the same scale as the proposed leisure development at Lowca which is presently under consideration the proposal nevertheless represents a significant leisure development and, as such, Members are recommended to carry out a site visit before the application is determined.

Recommendation

Site Visit

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## MAIN AGENDA

22 4/06/2226/0

ERECTION OF ONE 12.75M HIGH 2.5KW WIND TURBINE  
(MAST HEIGHT 11M, ROTOR DIAMETER 3.5M)  
ST GREGORY & ST PATRICKS, CATHOLIC INFANT SCHOOL,  
ESK AVENUE, WHITEHAVEN, CUMBRIA.  
MR A DWYER

Parish

Whitehaven

Permission is sought to erect a single 12.75m high wind turbine within the grounds of this infant school. It would be positioned on part of the sloping grassed area adjoining the existing playground to the east of the main school building. This is considered the most suitable siting for harnessing wind energy.

The proposal forms part of a £40,000 eco-school project put forward by the school to cut greenhouse gases. It is the intention that the turbine will help to generate "clean" electricity, using wind energy for use by the school, as well as an educational tool for the children.

In terms of technical specification the slender tapering mast measuring 175mm in diameter at the top and 350mm at the bottom would be some 11m in height with a 2.5kw turbine positioned on top comprising 3 blades with a diameter of 3.5m. It would sit on a foundation of reinforced concrete, be made of poly propylene and be dark grey in colour. A statement submitted in support which details the proposal along with photomontages of how it would look in situ are attached to this report.

The school is situated within a predominantly residential area of the town, surrounded by the estates of Corkickle, Valley Park and Snebro. Many properties overlook the school grounds and it is likely therefore that a proposal of this nature will generate considerable community interest. Widespread consultation has been undertaken as part of the application process and responses are awaited. In view of this and in order for Members to fully appraise the planning issues the proposal raises a site visit is recommended.

## Recommendation

Site Visit



**St Gregory and St Patrick's Catholic Infant School**  
**Renewable Energy Substantiating Statement**4 APR 2006  
RECEIVED

This statement supports the planning application for St Gregory and St Patrick's Catholic Infant School and provides additional and relevant information to the proposed project and planning application.

**1. Introduction**

The planning application is for the erection of a 2.5kW wind turbine on an 11m mast within the school grounds of St Gregory and St Patricks Catholic Infant School, Whitehaven. This turbine forms part of a much larger project encompassing the schools commitment to the local community and the environment.

The school is currently the only permanent status Green Flag Eco School in Cumbria (Green flag is the highest award). The school has achieved this prestigious status through continued commitment from the headteacher, staff and students over a period of time, and is an exemplar project for not only Copeland District Council but also Cumbria County Council.

The school has a planning application submitted for the erection of a new building which will enable it to improve its status as a community facility for local residents. The building will make it possible for the school to become an extended/community school which would be a centre of excellence, offering affordable all day nursery provision (a real need in the town), increased after school care, community health centre, community building and increased out of hours access for the provision of training.

As part of the ongoing Eco Schools work it was important to the headteacher, staff and pupils to begin looking at renewable energy and build on the work the school is already doing on energy efficiency and reducing energy consumption. Integrating renewable energy technologies will start to move the school towards its target of being carbon neutral. The existing boiler is shortly to be replaced with a more energy efficient gas boiler which will be supplemented by solar water heating. This commitment to sustainability will also be integrated into the new community building which will be heated independently by a Ground Source Heat pump. The wind turbine is seen as a key part of the project and is fully supported by staff, students and governors. It will be an exciting high profile opportunity to educate students, their families and the wider community about issues of sustainability and in particular energy use and efficiency.

More importantly it will be a beacon to sustainability – one of small-scale electricity production appropriate for the local community. It is important for smaller scale renewable technologies to be integrated into an urban environment to demonstrate the viability of such schemes. Something that is currently limited across Cumbria. By installing a small turbine in an urban area we hope that many of the myths that surround wind generation can begin to be dispersed.

The wind turbine alone will not produce enough electricity for the schools full requirements, however it will supplement electricity needs and offset fossil fuel consumption equivalent to about 10% of the schools current electricity requirements. The turbine is rated at 2.5kW - at  $12\text{ms}^{-1}$  and is advised by the manufacturers to likely generate some 4000 kwh over a year. This would directly reduce the school's demand from the grid for power. On a simple basis the value of the electricity is some £360 (5p / kWh plus 4p for ROC). The wind speed for the site was derived from NOABL DTI data that gave  $5.2\text{ms}^{-1}$  at a height of 10m.

We have opted for a 2.5kw turbine as we believe this is appropriate to the urban setting of the school whilst at the same time offering vast educational value to the area, which to date has had negative press surrounding many proposed wind projects both large and small. Wind energy is highly visual helping students and the wider community begin to relate energy generation with their

own energy consumption. We also hope that the turbine will become a symbol of what the school stands for.

To date the project has endeavoured to be a model of openness, with significant resources being committed in advance of the formal planning application to informing and consulting with the project's neighbours and stakeholders.

## **2. Policy Framework**

The proposal is fully in accordance with policy EGY1 of the Copeland Local Plan which identifies the Council's support for the broad principles of sustainable development and more specifically for the generation of power from the wind and the need to cut carbon dioxide emissions. The school is confident it has looked at and assessed the guidelines as laid out in both the current Local Plan and the Joint Cumbria and National Park Structure plan'.

In addition the project meets with guidelines as laid out in PPS22 and fits with current UK Government's policy which hopes to achieve 10% of the nation's electricity production via renewable sources by 2010 - the UK currently has only 2.9% of its electricity supply met from renewable sources.

The wind turbine although relatively insignificant in terms of its electricity output will act as an important landmark in the strategy towards increased generation and use of renewable forms of energy within the local community of Whitehaven and the Copeland District.

## **3. Technical Information**

The turbine is manufactured by the Kilmarnock based Proven Engineering Products Ltd. It has a rated power output of 2.5kW at a wind speed of 12 metres/second. It has a 3 bladed rotor fabricated from polypropylene. The rotor diameter is 3.5m. The hub height is 11 metres giving the turbine a maximum overall height (to the tip of a vertical rotor blade) of 12.75 metres. The mast is tapered, hinged and self-supporting (i.e. no guy wires). The diameter at the top of the mast is 175mm and at the bottom of the mast 350mm. The turbine is fitted with a mechanical calliper brake which is cable operated from the base of the tower. The foundations consist of 1m<sup>3</sup> of reinforced concrete.

See Appendix 1 & 2 for additional information as required.

The turbine will be installed by a local company Turbine Services who has extensive experience in the installation of turbines of this scale. The turbine will require basic annual maintenance which will be carried out by the installers

## **4. Noise**

Please see Appendix 1 and Appendix 3 'Noise Emission Report' for further technical information relating to noise.

## **5. Site Selection**

The final site selection was decided upon taking into account not only maximum wind speed but also community feedback and issues as highlighted within the current Copeland Local Plan. The best site for the turbine is on the North West boundary of the school where the highest wind speeds are offered, and where the turbine can get maximum benefit from the prevailing wind direction (NNW). Issues that have been taken into account before final site selection was made were:

- 4.1 *Impact on Local Landscape Character* (Criterion 1 of Policy GY1) – The proposed site for the turbine is in an urban location and will therefore have minimal impact on the landscape character of the area. The turbine has an overall height of some 12.75 metres and is broadly equivalent in its visual impact to a telegraph pole (11m) many of which can be

seen in the vicinity. Although there are areas in the local area protected under 'Urban Greenscape' it is not felt this will have an impact on these areas.

- 4.2 *Areas of local Landscape Importance (Policy 9)* – There are two protected green areas in the local vicinity of the school. However due to the proposed location of the turbine in relation to these area in our opinion there will be minimal impact.
- 4.3 *Disturbance to local residents (Criterion 2 of Policy GYY2)* – Due to the urban nature of the site this has been the key area for consultation to ensure that the siting takes into accounts any concerns or issues raised by local residents. Visual impact was one of the main concerns raised by residents and the proposed siting of the turbine has therefore been moved down the hill slightly enabling visual impact to be minimised (although this does not offer maximum wind speed (5.2m/s)). A consultant from Turbine Services has been involved from the outset to ensure that the siting will have minimal impact in relation to noise, flicker and reflected light. The nearest houses are at least 60 metres from the proposed location and benefit by being generally upwind of the installation – in addition to this the boundary hedge and trees in front of the nearest properties will result in a degree of additional attenuation. Generally the turbine will be at its quietest when there is little wind i.e. if it is a still and quiet day the turbine will be still and quiet. The turbine will make more noise in strong winds when other objects such as trees will generally contribute equally or greater to the background noise. Please see the attached planning pack as provided by Proven Engineering for further information. In addition this pack has information on effects on telecommunication which have been proven to be minimal.
- 4.4 *Effect on Historic conservation or Wildlife Interests(Criterion 3 of Policy EGY1)* – N/A
- 4.5 *Effect on Highway Safety(Criterion 4 of Policy EGY1)* – Due to the urban nature of the school roads run along two boundaries of the grounds. However by siting the turbine down the hill to minimise visual impact we are at the same time minimising visibility from the road on the North side of the grounds. The turbine will not be visible from the south side due to cover from buildings.
- 4.6 *Cumulative effect of the Turbines (Criterion 5 of Policy EGY1)* – The small scale of this project is unlikely to lead to significant adverse cumulative effects in the locality. However there are no other plans for further turbines in the area to our knowledge.
- 4.7 *Electromagnetic Disturbance (Criterion 6 of Policy EGY1)* – Please see enclosed planning pack for further information
- 4.8 *Removal of the turbine (Criterion 7 of Policy EGY1)* – If at the end of the turbines useful life it is removed rather than updated the turbine can easily be removed and the concrete base grassed over returning it back to its original use.

## **6. Consultations and Publicity**

It was the intention of the school from the outset to ensure that the scheme neighbours and stakeholders had a real opportunity to find out about the whole project (including the wind turbine), ask questions and comment upon the plans for the turbine at St Gregory and St Patricks School.

Due to the urban location of the school we believe that wide community consultation is key to the success of this project. Working with CLAREN we began the process to involve local people and raise awareness about the project with emphasis on the wind turbine which was most likely to cause concerns within the local vicinity.

A letter and questionnaire was hand delivered to over 80 local residents inviting them to attend the first of our planned consultation events on the 21<sup>st</sup> September 2004. This invitation also was given to school governors, local partners, planning officers and councillors. The event ran from 7.00pm – 9.00pm at the school with a presentation on the proposed project and representatives on hand from CLAREN, renewable energy consultants and the headteacher to answer any question and address any concerns about the proposed technologies and in particular the turbine installation. This was well attended by around 30 local residents and although many had concerns about the erection of a wind turbine most left with their concerns addressed. A follow up meeting was arranged for Early October to update residents on the progress of the project and address any outstanding concerns. Only four residents turned up to this event. In addition we have offered

residents the opportunity to attend a site visit to see a similar operational turbine but to date know one has expressed an interest in this.

In parallel to this we have also sent a letter along with the questionnaire home with all pupils informing parents of the proposed project and asking them to return the questionnaire. We have kept parent and residents updated on the ongoing development of the project with regular updates and letters. In addition consultation events on the wider project involving the development of a community facility and wider services are continuing, with the renewable energy integrated into these events.

See Appendix 4 for examples of letters and questionnaires sent to local residents. Similar versions of these were also sent to parents, governors etc.

A number of residents and parents took the time to return the questionnaire and generally the response was positive. The questionnaire focussed on the views of the residents and parents on the installation of the wind turbine.

Of the 360 questionnaires distributed (80 local residents and 280 parents) 46 questionnaires were returned. This is about a 13% respondent rate.

63% of the replies supported the project, 13 % had no opinion (although interestingly they took the time to return the questionnaire) and 24% were against the project.

There is a lot of support for the project and the benefits that a project of this type can have to not only pupils but the wider community. Comments included:

- Our children are the decision makers of the future, it is important that they start to understand and discuss energy supply and global warming however I think that the children should not be frightened by global warming at an early age
- Anything which reduces the damage being done to the environment can only be a wonderful thing. It is also bringing the importance of our responsibilities for our world to the next generation – well done St Gregorys, hope other schools follow the lead
- Great idea go for it!!
- It will show council and government that this sort of project is viable on a small scale

Concerns about the project can easily be categorised into 6 main groups namely:

- Visual impact including clarification of size
- Appropriateness of its location in an urban environment
- Noise
- Cost, who is paying for it and when will it pay for itself
- House prices – belief that it would lower house prices
- Safety

As outlined above we have tried to minimise the concerns raised by local residents when siting the turbine by minimising visual impact. Other concerns which are often unfounded such as the lowering of house prices etc we have tried to alleviate at the events.

The project has received a lot of local media coverage which has been supportive of what the school is trying to achieve (see appendix 5). Articles can also be viewed at [www.whitehavennews.co.uk](http://www.whitehavennews.co.uk).

If successful this project can provide a demonstration site to alleviate many of the concerns communities tend to have before they embrace a project of this type. Data collected can be used to act as a local example of how change really can be done locally.

## **7. Statutory Consultees**

The school has consulted with the whole school community including parents and children. The school has also held open meetings with local residents. We have kept local people informed of the planned proposal through letters and news paper articles.

Please see Appendix 6 for a selection of supporting letters

## **8. Safety Assessment**

The British Wind Energy Association states that there has never been any injury anywhere in the world involving a wind turbine. 'Proven' turbines, designed and fabricated in Scotland are renowned for their strength and durability. 'Proven' make reference to one of their units withstanding 120mph winds in the Scottish Highlands without damage.

The tower is fabricated from galvanised steel and is designed to hinge down for inspection and maintenance thus there is no requirement for working at height.

The rotor is equipped with a cable-operated disk brake, which can be engaged from the base of the tower.

An assessment of the risks has identified that injury due to falling from a height or being struck by rotating blades if individuals endeavour to climb the tower are the greatest hazards. The tower is in principle no different to 11kV wooden electricity poles, which have at most only a simple barbed wire surround above 3 metres height to discourage ascent.

The turbine is intrinsically safe from an electrical standpoint as the generator generates at 24 volts. This means that the cable contained within the tower and underground to the charge controller and inverter is low voltage and would present no hazard if the cable armour and insulation were compromised.

## **9. Additional Information**

Enclosed supporting information for the application including this document:

- Maps showing location of turbine
- Photo Montages for proposed turbine
- Appendix 1 - Proven Engineering Ltd WT2500 Planning Pack
- Appendix 2 – Technical information sheets
- Appendix 3 – Proven WT2500 wind turbine noise emission report
- Appendix 4 - Community Consultation letters and questionnaires
- Appendix 5 - Local Press Cuttings
- Appendix 6 – Letters of Support

Additional information regarding wind energy is available from the following sources:

- British Wind Energy Association [www.bwea.com](http://www.bwea.com)
- Proven Engineering Products Ltd [www.proven.co.uk](http://www.proven.co.uk)
- Planning Policy Guidance Note 22 and Annexes, Renewable Energy, Department of the Environment, (February 1993)

COPELAND BOROUGH COUNCIL

04 APR 2006

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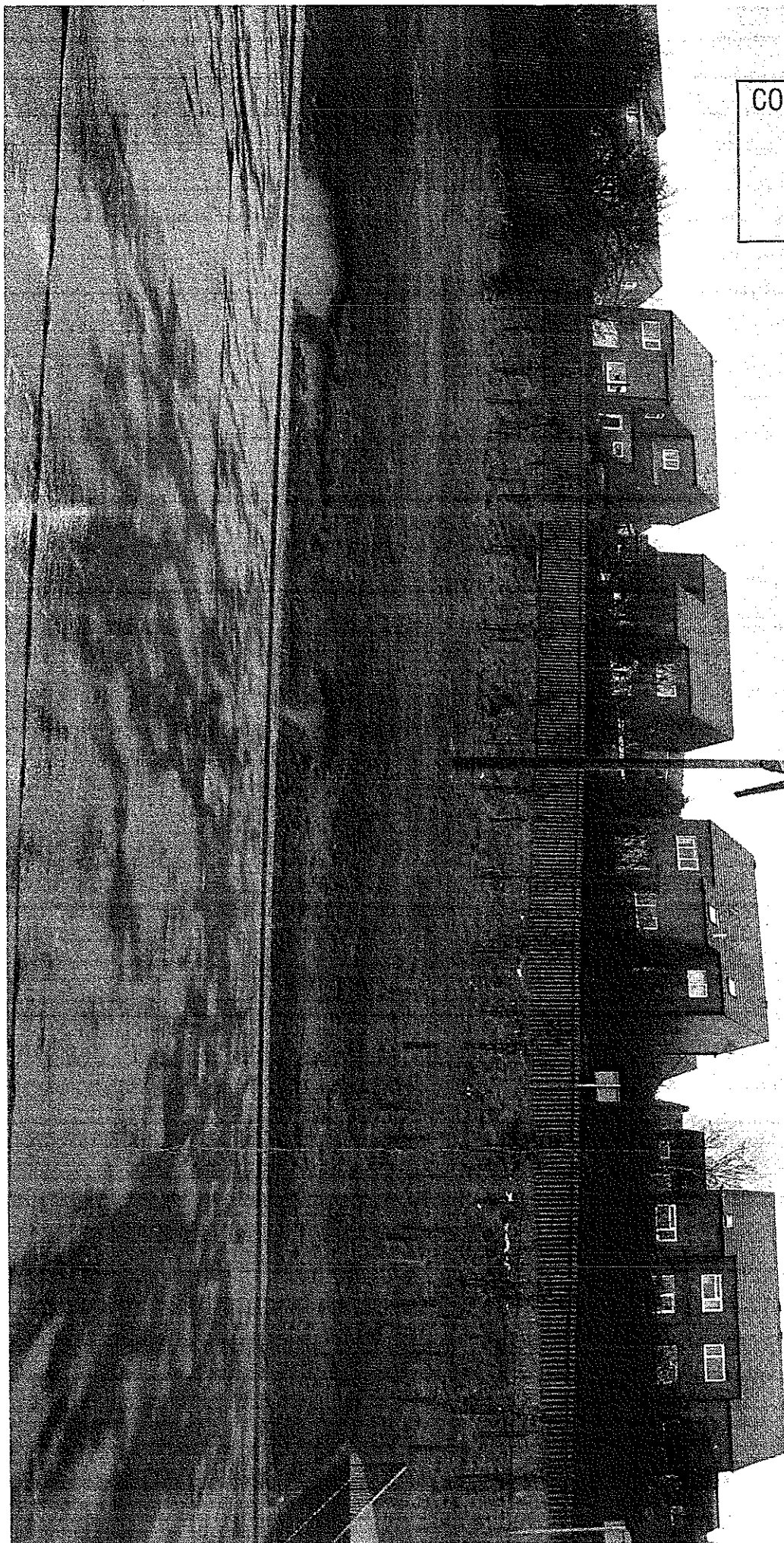


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COPELAND BOROUGH COLLEGE

04 APR 2006

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Schedule of Applications - DELEGATED MATTERS

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4/06/2084/0	Distington	FOUR BEDROOMED DETACHED DWELLING  LAND ADJACENT TO, GILGARRAN HOUSE, GILGARRAN, DISTINGTON, CUMBRIA. RYAN TAYLOR
4/06/2106/0	Whitehaven	CONSTRUCTION OF 2 NO. ACCESS RAMPS TO PROVIDE ACCESS FOR DISABLED PERSONS ST JAMES CHURCH, HIGH STREET, WHITEHAVEN, CUMBRIA. PCC OF ST JAMES'S CHURCH
4/06/2135/0	Whitehaven	LISTED BUILDING CONSENT TO CONSTRUCT 2 NO. ACCE RAMPS TO PROVIDE ACCESS FOR DISABLED PERSONS ST JAMES CHURCH, HIGH STREET, WHITEHAVEN, CUMBRIA. PCC OF ST JAMES CHURCH
4/06/2072/0	Arlecdon and Frizington	EXTENSIONS AND ALTERATIONS TO FORM DINING ROOM UTILITY ROOM AND ENLARGE GARAGE 56, ASBY ROAD, ASBY, CUMBRIA. MR & MRS S WILBY
4/06/2074/0	Parton	ERECTION OF TWO STOREY EXTENSION  12, FOUNDRY ROAD, PARTON, WHITEHAVEN, CUMBRIA. MR & MRS O'DRISCOLL
4/06/2077/0	Egremont	RESUBMISSION FOR EXTENSION ENLARGED TO FRONT OF EXISTING DWELLING ON TWO STOREYS WHITEGATE HOUSE, WHITEGATE, EGREMONT, CUMBRIA. MR L JOHNSTON
4/06/2080/0	Whitehaven	CONSERVATORY  7, HIGH GROVE, WHITEHAVEN, CUMBRIA. MRS IRVING
4/06/2083/0	Whitehaven	TWO STOREY GABLE EXTENSION  1, KIRKSTONE ROAD, MIREHOUSE, WHITEHAVEN, CUMBRIA. MR & MRS K THOMPSON
4/06/2086/0	Whitehaven	GROUND FLOOR BATHROOM EXTENSION  27, HIGHLAND VIEW, BRANSTY, WHITEHAVEN, CUMBRIA MR C GREARS
4/06/2088/0	Whitehaven	KITCHEN, DINING ROOM, BEDROOMS AND ENSUITE EXTENSION AND DETACHED SINGLE GARAGE 1, HAIG AVENUE, BRANSTY, WHITEHAVEN, CUMBRIA. MR D MELLON
4/06/2091/0	Moresby	REAR CONSERVATORY



		19, EDEN DRIVE, MORESBY PARKS, WHITEHAVEN, CUMBRIA. ROLAND SCOTT LAWSON
4/06/2093/0	Whitehaven	SINGLE STOREY EXTENSION TO REAR OF DWELLING  126, ULLSWATER AVENUE, WHITEHAVEN, CUMBRIA. MR A BRUCE
4/06/2095/0	St Johns Beckermest	REMOVE PREFAB GARAGE AND REPLACE WITH BLOCK BUI GARAGE/STORE 12, EHEN ROAD, THORNHILL, CUMBRIA. MR C SLATER
4/06/2103/0	Egremont	EXTENSION TO PROVIDE STUDY, SHOWER ROOM AND UTILITY ROOM 1, VICTORIA VILLA, MOOR ROW, EGREMONT, CUMBRIA. MR & MRS P ATKINSON
4/06/2105/0	Egremont	TWO STOREY EXTENSION  1, SPRINGFIELD GARDENS, BIGRIGG, EGREMONT, CUMBRIA. MR & MRS I STANTON
4/06/2114/0	Whitehaven	SUN LOUNGE/DINING EXTENSION TO REAR OF DWELLING  3, CROSS LANE, WHITEHAVEN, CUMBRIA. MR & MRS P FULTON
4/06/2116/0	Moresby	ERECTION OF SECTIONAL GARAGE  1, RAILWAY COTTAGES, MORESBY PARKS, WHITEHAVEN, CUMBRIA. MR M BLACKBURN
4/06/2117/0	Egremont	DETACHED DOUBLE GARAGE  1, BANK END COTTAGES, BIGRIGG, EGREMONT, CUMBRIA. MR D CREIGHTON
4/06/2120/0	Whitehaven	LISTED BUILDING CONSENT TO INSTALL A SMALL TV SATELLITE DISH ON REAR ELEVATION 4, GOLDEN LION COURT, WHITEHAVEN, CUMBRIA. GOLDEN LION COURT LTD
4/06/2121/0	Whitehaven	ERECTION OF UPVC PORCH TO FRONT OF DWELLING  GHYLLSIDE, OAKBANK, WHITEHAVEN, CUMBRIA. MR & MRS ASHBRIDGE
4/06/2126/0	Egremont	ADDITION OF ROOF CANOPY AND BAY WINDOW TO FRONT ELEVATION 8, CROFTLANDS, BIGRIGG, EGREMONT, CUMBRIA.

		MR GEORGE
4/06/2128/0	Egremont	DINING ROOM EXTENSION  76, BECK GREEN, EGREMONT, CUMBRIA. MR & MRS SHORT
4/06/2020/0	Cleator Moor	DEMOLITION OF BUILDING ERECTION OF 3 NO. DWELLINGS LAND TO THE REAR OF, KILN BROW, CLEATOR, CUMBRIA MR T STONES
4/06/2113/0	Moresby	DETACHED HOUSE  PLOT 316, 32, MERLIN DRIVE, MORESBY PARKS, WHITEHAVEN, CUMBRIA. MR & MRS P COOMBE
4/06/2037/0	Seascale	MAKING TWO DWELLINGS INTO ONE DWELLING AND DETACHED GARAGE/WORKSHOP AT REAR OF DWELLING 70-71, WASDALE PARK, SEASCALE, CUMBRIA. MR & MRS P MINNIKIN
4/06/2048/0	Haile	NOTICE OF INTENTION FOR EXTENSION TO SILAGE ST  HIGH HOUSE, WILTON, EGREMONT, CUMBRIA. T DIXON
4/06/2051/0	Millom	NEW FRONT EXTENSION AND REPLACEMENT OF ROOF SHEETING PORT HAVERIGG, CAR CENTRE, HAVERIGG, MILLOM, CUMBRIA. W MILLIGAN & SONS LTD.
4/06/2082/0	Seascale	ERECTION OF A TWO STOREY DWELLING AND DOUBLE GARAGE FERNSTOCK LAND TO THE REAR OF, 28, SCAWFELL CRESCENT, SEASCALE, CUMBRIA. MR & MRS WARWICK
4/06/2094/0	Millom	ERECT GROUND FLOOR KITCHEN EXTENSION AND FORM N ROOF TO EXISTING GARAGE 28, MOOR ROAD, MILLOM, CUMBRIA. MR K J THOMPSON
4/06/2096/0	Millom	EXTENSIONS TO DWELLING  24, BANKHEAD, HAVERIGG, MILLOM, CUMBRIA. MR R BROCKLEBANK
4/06/2100/0	Seascale	BEDROOM AND BATHROOM EXTENSION  22, SCAWFELL CRESCENT, SEASCALE, CUMBRIA. MR & MRS SIMCOCK

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4/06/2146/0	Lowside Quarter	NOTICE OF INTENTION FOR SILAGE PIT  GIBB TARN FARM, BRAYSTONES, CUMBRIA. BRIAN NOBLE
4/06/2085/0	Whitehaven	TRADITIONAL SHOP FRONT  POST OFFICE, 12, TANGIER STREET, WHITEHAVEN, CUMBRIA. PAULINE M HAILES
4/06/2133/0	St Bridgets Beckermeth	RENEWAL OF TEMPORARY PERMISSION FOR A SINGLE STOREY BUILDING TO SERVE AS A TRAINING FACILITY SELLAFIELD, SEASCALE, CUMBRIA. BRITISH NUCLEAR GROUP