

**PLANNING PANEL**

**13 SEPTEMBER 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 layout, scale, appearance, means of access thereto and landscaping shall be as may be approved by the Local Planning Authority.
2. Detailed plans and drawings with respect to the matters reserved for subsequent approval shall be submitted to the Local Planning Authority within three years of the date of this permission and the development hereby permitted shall be commenced not later than the later of the following dates:-
  - (a) the expiration of THREE years from the date of this permission
  - or
  - (b) the expiration of TWO years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

### Reserved Matters Consent

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

### Full Consent

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

## RELEVANT INFORMATION

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

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

Town and Country Planning Act 1990

Planning and Compulsory Purchase Act 2004

Cumbria and Lake District Joint Structure Plan

Copeland Local Plan 2001-2016 - adopted June 2006

Lake District National Park Local Plan - Adopted May 1998

Cumbria Car Parking Guidelines

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

In particular:

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

Department for Communities and Local Government (DCLG):-

Planning Policy Guidance Notes and Planning Policy Statements

Development Control Policy Notes

Design Bulletins

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1 4/06/2013/0

CHANGE OF USE TO PROVIDE HOLIDAY PARK AND  
ERECTION OF ASSOCIATED BUILDING COMPLEX  
LAND AT MICKLAM, LOWCA, WHITEHAVEN, CUMBRIA.  
CUMBRIA LEISURE PARK L.L.P.

Parish Lowca

- Support the proposal with reservations regarding traffic through the village.

THE SITE

The development site is located approximately 4km to the north of Whitehaven Town Centre and to the west of the village of Lowca. The site is irregular in shape and extends to 35.37 hectares at Micklam, Lowca. The site comprises largely poor quality agricultural land used for grazing sheep with some dilapidated farm buildings and also includes the former Micklam Brickworks. There are associated concrete hardstandings and derelict buildings associated with this former use in the west of the site.

Steep coastal slopes lead down to the Barrow to Carlisle railway to the west of the site with Andrew's Gill, (a steep sided valley containing a small stream, flowing towards the Irish Sea) and the Lowca Wind Farm to the north. The C4001 Lowca to Harrington road runs along the eastern site boundary with grassed fields, a disused reservoir and the Lowca Rugby League Club to the south. Immediately opposite the site, fronting onto the C4001, there are a number of residential properties. Two recently developed houses, on the site of the former rugby club, are adjacent to the site at its southern extremity.

The site is at a general elevation of between 63m and 80m above Ordnance Datum (AOD) sloping gently towards the west. In the north west corner of the site, adjacent to Andrew's Gill, the upper site levels fall to about 49m AOD. The coastal slopes fall down towards the railway at an elevation of about 10m AOD.

THE PROPOSAL

The proposal is for the change of use of land for a holiday park and a full application for the erection of an associated building complex. The Holiday Park will provide 449 single storey lodges with an associated low rise leisure centre, incorporating swimming pools (indoor & outdoor), a health & fitness suite, a pub/restaurant, theatre/cinema, mini supermarket and guest facilities. External facilities will include tennis courts, five a side pitch, putting green and equipment and cycle hire. A network of roads, footpaths and cycle ways will link the lodges and the leisure centre to the local

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transport network. Lodges will be finished in a variety of external finishes including coloured shiplap, render or log effect.

Access to the site will be gained from the Lowca to Harrington Road (C4001). The proposed site access has been designed to promote road safety and incorporates new footpaths to link to existing public footpaths.

It is intended to phase the development with 93 units in Phase 1 (complete June/July 2007); 69 in Phase 2 (April/May 2008); 78 in Phase 3 (April/May 2009); 147 in Phase 4 (April/May 2010); and 62 in Phase 5 (April/May 2011).

The development will be open throughout the year, 365 days, including Christmas Day and New Year.

Some of the lodges will be offered for sale, with a 25 year leasehold, the remainder will be retained by the owners for rental. A small car park is included within the site for the use of the community.

The application is supported by an Environmental Impact Assessment (EIA) as required under the Town & Country Planning (Environmental Impact Assessment) (England & Wales) Regulations 1999. This is a means of drawing together, in a systematic way, an assessment of a development's likely significant environmental effects.

The EIA contains:

i) a detailed assessment of:

- Ecology
- Landscape and visual impact
- Traffic/Transport - dealt with separately in a Transport Assessment

ii) desk study based assessments of:

- Land use
- Cultural heritage
- Soil
- Water quality/drainage
- Recreation
- Air quality (including impact of traffic)
- Socio-economic
- Construction
- Sustainability

As consideration of the application has progressed and consultation responses have been received, further surveys have been undertaken in relation to ecology, archaeology, land drainage and land contamination.

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The application is also supported by a Transport Assessment which again has been supplemented by additional information requested by the Highway Authority and Highways Agency. The Assessment includes information on traffic generation and traffic assignments, traffic impacts and mitigation measures. The mitigation measures include reference to a proposed Travel Plan, junction improvements and new footways along the west side of the road frontage. In addition a Road Safety Audit has been undertaken.

POLICY CONSIDERATIONS

STRUCTURE PLAN

Whilst the adopted Structure Plan is still the 1991-2006 Plan, the Replacement Structure Plan is now at a very advanced stage with the Modifications Version, following the EIP Panel's report, which was published in September 2005.

The County Council has considered the proposal against the policies as contained in the Modifications Version of the Joint Structure Plan (JSP).

THE MAIN STRUCTURE PLAN POLICIES ARE:

Locational issues:

- ST1 A sustainable Vision for Cumbria
- ST2 Assessing impact on sustainability
- ST3 Principles applying to all new development
- ST5 New development and key service centres outside the Lake District National Park
- ST7 Development to sustain rural communities
- C41 Development on the coast

Regeneration issues:

- ST10 Furness and West Cumbria

Employment issues:

- EM13 Employment land provision
- EM15 Employment development in rural areas

Tourism issues:

- EM16 Tourism

Transport issues:

- T24 The strategic transport networks
- T25 New road building and traffic management
- T30 Transport Assessment

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T31 Travel Plans

Nature conservation issues:

E34 Areas and features of national and international conservation importance

E35 Areas and features of nature conservation interests other than those of national and international conservation importance

Landscape and visual issues:

E37 Landscape character

Historic environment issues:

E38 Historic environment

LOCAL PLAN

The Copeland Local Plan 2001-2016 has now been approved by the Council.

The main Local Plan policies relevant to this application are:

- DEV 1 Sustainable development and regeneration
- DEV 3 Local Centres
- DEV 6 Development in the countryside
- DEV 7 Sustainability in design
- DEV 8 Planning conditions and obligations
- DEV 9 Major development
- TSM 2 Tourism opportunity sites (TOS4)
- ENV 4 Protection of landscape features and habitats
- ENV 12 Landscaping
- ENV 14 Development in the coastal zone
- ENV 15 Undeveloped coast
- ENV 17 Derelict land
- ENV 18 Contaminated land
- ENV 19 Air pollution
- ENV 21 Noise pollution
- ENV 22 Light pollution
- ENV 36 Development affecting sites of local archaeological or historic importance
- ENV 37 Site of potential archaeological importance
- TSP 7 Transport assessments and travel plans
- TSP 8 Parking requirements
- SVC 1 Connections to public sewers
- SVC 4 Land drainage
- SVC 5 Water supply/water resources
  
- PPS 9 Biodiversity and Geological Conservation
- PPG 21 Tourism

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Ancient woodland is a valuable biodiversity resource both for its diversity of species and for its longevity as woodland. Once lost it cannot be recreated. Local planning authorities should identify any areas of ancient woodland in their areas that do not have statutory protection (eg as a SSI). They should not grant planning permission for any development that would result in its loss or deterioration unless the need for, and benefits of, the development in that location outweigh the loss of the woodland habitat.

## CONSULTATION RESPONSES

The development will impact on a wide area and therefore a number of Site Notices have been displayed throughout Lowca. The application has also been advertised in the local press. The applicant arranged a public meeting to explain the proposals to local residents and to listen to their concerns. A wide range of consultations have been sought and the results are reported below. The Planning Panel visited the site in March.

## Parton Parish Council

The Parish Council are concerned that the local surface water and foul drainage does not adversely impact on Parton village. The Council is also concerned about the capacity of the foul sewerage system to cope with the resultant increase.

## Cumbria County Council - Strategic Objection

The County Council considers that the proposal does not lie within either a Key Service Centre as designated by the Structure Plan or a Local Service Centre as identified in the Copeland Local Plan and as a consequence considers that the development fails to satisfy Joint Structure Plan (JSP) Policies ST3 and ST5.

The County Council considers that the development lies in open countryside where Policy ST7 states that development should only be permitted in exceptional cases. Whilst caravan sites have generally been located either on the edge of settlements or in the open countryside, the County Council considers that the scale of this development makes it unacceptable as an exception to Policy ST7.

Furthermore, the site lies within the Immediate Coastal Zone in a stretch of undeveloped coast, comprising large tracts of open land providing valuable habitats, important recreation and leisure resources, with much also in use for agriculture. Protection of its open nature, beauty and tranquility is important. Policy C41 prescribes that development in the undeveloped coast will be permitted where it requires a coastal location and cannot be reasonably located in the developed coast, provided that it is not detrimental to the landscape character and there is no evidence that a coastal location is required. The County Council considers that this development would



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be unacceptable under Policy C41.

The proposal would create both full and part time jobs and there will be important economic spin off for the local economy which would be a key driver in the economic regeneration of the area, supporting Policy ST10.

Whereas part of the site is allocated for employment uses in the Copeland Local Plan 2001, this allocation has been removed in the adopted Local Plan 2001-2016. Given the significant supply of Local Employment Sites within Copeland Borough, the County Council consider that the proposed development would not undermine the strategic employment policies in the Structure Plan. However, Policy EM15 encourages development outside Key Service Centres which promote business and employment opportunities where they are of a scale and type sympathetic to the character of the area within which they are proposed. The County Council consider that the scale and type of development proposed in this application would harm landscape character, and would therefore be contrary to Policy EM15.

Policy EM16 directs new tourism facilities to Key Service Centres and to locations that enable the economic and physical regeneration of an area, where they bring benefit to the local community. It is noted that in rural areas, tourism uses can assist in the diversification of existing businesses and encourage rural regeneration, but proposals will only be supported where their scale can be accommodated without adverse effects on the character and amenity of the local area.

Policy E37 requires that any development or land use change should be compatible with the distinctive characteristics and features of Cumbria's landscape types and sub types. The majority of the proposal lies within Landscape Character Type 5a (Lowland - ridge and valley), with a small part of the site lying within character Type 5d (Lowland - urban fringe). This is a medium scaled landscape that is characterised by pasture with broadleaved and planted woodlands and unimproved land. The site includes medium sized semi-improved pastureland and marshy grassland, linear boundary kest banks, open coastal plateau topography, farm buildings and isolated barns. The County considers that the development would remove these existing landscape features and introduce buildings that would cover a significant area of the local landscape located close to the coastal cliff resulting in a detrimental impact on the strong open pasture landscape character on the plateau and on land that drops towards the coastal cliffs. The County consider that the proposal is similar in size to the village of Lowca and is considered inappropriate to the medium scale landscape characteristics. This is also reflected in the local and medium distance visual impacts of the proposal. Overall the County consider that the proposal would be out of scale and character with the surrounding landscape and would cause significant harm to the landscape character of the area and would therefore not be in accordance with JSP Policy E37. In so doing the

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development would fail to satisfy JSP Policies ST3, C41, EM15 and EM16.

The proposal is adjacent to two County Wildlife Sites and an area of ancient woodland and also has potentially significant biodiversity and nature conservation interest. Policy E35 states that development and other land use changes that are detrimental to areas and features of County Wildlife Sites will not be permitted unless the harm caused to the value of those interests is outweighed by the need for development.

The site lies in an area of high archaeological potential being located within the line of the Roman frontier defence system along the Cumbrian coast between the western end of Hadrians's Wall at Bowness on Solway and the fort at Ravenglass. The site of a Roman signal station which formed one element of this defence system is estimated as being situated in the site. Should significant remains of this feature survive then it is likely that, given the association with the World Heritage Site, they would be considered of international importance and would require preservation insitu. There are also other significant remains which may also survive on the site including a Roman road and 19th century relics comprising Micklam Pit, Micklam Brickworks, a wagon way and a mineral railway. These remains could be damaged or destroyed by the development.

#### County Archaeologist

An archaeological desk-based assessment and geophysical survey has been undertaken and the results have highlighted a number of remains of archaeological interest on the site. These include agricultural relics and a series of features surviving below ground. The results have demonstrated that the remains are unlikely to be of nationally important significance and consequently are not considered worthy of preservation insitu, but are considered to be of sufficient worth to preserve by record. This can be achieved through a programme of further archaeological investigation by the developer. This can be achieved through the inclusion of a negative condition.

In conclusion the County states that the site lies outside any settlement and is in the open countryside. Whilst it is recognised that the development could bring some employment benefits to the area, it is considered that the significant scale of the development in this open countryside location would be harmful to the character and visual amenities of the area. The County agrees that the proposed development would bring economic benefits to this part of West Cumbria. However, on balance, the County considers that the scale and location of the development are inappropriate and would be contrary to JSP Policies ST3, ST5, ST7, EM15, E37 and C41 and, as such, raise a strategic objection to this application.

In the event of the Planning Panel wishing to approve the application the County request further discussions at a joint Member meeting.

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## Highways Agency

The Transport Assessment and Supplementary Note have addressed initial concerns raised by the Highways Agency. The Agency now has no objection to this application being granted consent, as there will be no material impact on the A595 Trunk Road. The decision to proceed with the A595 Parton to Lillyhall Improvements has now been given and a commencement on site is expected in January 2007.

## Highway Authority (Cumbria County Council)

The recent decision by the Secretary of State regarding the Parton - Lillyhall bypass alleviates many of the Highway Authority's concerns relating to the traffic impact of the development on the local highway network.

However, with regards to public transport it is noted that currently there is no Sunday service and after 6.05pm there is no regular service which would serve the site. It is therefore considered that whilst the provision of a shuttle service is a step in the right direction, the developer should negotiate with the operator of bus service no 1 improvements to the service and the possibility of bringing it into the development site. Any improvements to the bus service etc should be secured until such time as it is commercially viable and be operational upon the development opening for business in order to influence travel patterns of staff and visitors from the outset. Consideration should therefore be given to securing the improvements to public transport via a Section 106 Agreement prior to the issue of planning consent.

The outline of the Travel Plan is generally acceptable. However, it would be preferable for it to have included an indication of the intended timescales for its implementation including specific events eg 2 months before occupancy appoint Travel Plan Co-ordinator.

Monitoring and review are essential in order to ensure not only successful implementation of a travel plan but also to ensure that the Travel Plan's targets are achieved. As such the Travel Plan should include a commitment to annual monitoring until at least five years after the occupancy of the final phase (given that the development is to be phased over a number of years). However, it would be preferable for a commitment to be given to carry on monitoring into the future. The County Council has a standard travel survey template which should be used in order to allow consistent monitoring around the County. The results of any monitoring will be shared with the Council's Travel Plan Co-ordinator.

With regard to public rights of way, it is clear that bridleway No 413005 would be affected by the proposed development. The proposal would prevent access to this route from public road No C4001 at grid

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reference NY9844 2221. No development should take place until the bridleway has been diverted under Section 257 of the Town & Country Planning Act. Such a diversion would be processed by the local planning authority.

If any public right of way would be affected such that the public's enjoyment of it is diminished, it should be diverted under Section 257 of the Town & Country Planning Act 1990. It should also be noted that no furniture such as gates should be installed across a public right of way unless it is for the control of livestock. If the safe and unhindered use of any public rights of way that were not to be permanently diverted would be prevented during the development, they should be temporarily closed to the public by means of a Traffic Regulation Order. The Lowca area has a number of routes that have been used as footpaths or bridleways for many years but are not included on the Definitive Map. If any of these routes have been used by the public as of right for at least 20 years then highway rights will have been established. If any of these routes are affected by the development they may need to be diverted under Section 257 of the Town & Country Planning Act 1990.

Subject to the above, consideration should be given to the use of conditions as recommended.

A Stage One Road Safety Audit has been agreed with the County Council Highways Department in respect of creating a new main access to the site, visibility splays, a new footpath, street lighting, ghost island and road markings and extending the 30mph zone.

Allerdale Borough Council (Adjoining LPA)

The scheme must be considered on the basis of the current road network and cannot rely upon the implementation of the A595 improvement scheme which has recently been agreed. The project relies on visitors and staff approaching the site via the junction of the A595 and A597 (Lillyhall traffic lights) travelling westwards in the direction of Harrington and then taking the C4001 in the direction of Lowca. On the basis of recent discussions with the Highways Authority, Allerdale Council understands that the present junction is at capacity and Allerdale therefore wishes to express strong concerns regarding any proposal which would result in a significant increase in the volume of traffic using this junction and which does not provide for appropriate junction improvements.

In view of the response received from the Highways Agency and the Highway Authority, Allerdale has been invited to reconsider their objection.

English Heritage

No need to notify English Heritage under the relevant statutory provisions.

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## United Utilities

If the proposed development were to connect to foul flows into the local Whitehaven waste water treatment works, United Utilities would have concerns in respect of the treatment work's capacity, the effect on the overflow immediately upstream of the works and subsequently the works discharge consent. The Harrington system to the north of the site, which subsequently feeds into the Workington wastewater treatment works is believed to have sufficient capacity to accommodate the foul flows from the proposed site. United Utilities would recommend a connection into this system.

Discussions have taken place between the developer and United Utilities and the intention is to use a pumped rising main from the lower southern end of the site along the track of the former Micklam railway with the pumping station and rising main put up for adoption. The gravity drainage system on the site will remain private and be maintained by the management company.

## Environment Agency

The Environment Agency has commented in respect of flood risk, land contamination, ecology, environmental management, surface water and foul water disposal and waste and recycling.

A desk study for contaminated land and a flood risk assessment (FRA) have been undertaken. The Environment Agency has raised no objection following the contamination report subject to conditions requiring further detailed investigation and works. Similarly the Agency has responded to the FRA, and does not object subject to conditions.

The Agency's preferred option for foul and trade effluent (Swimming pool backwash water) is disposal to the public sewer. The Agency encourages waste minimisation and recycling and seeks the enhancement of key biodiversity within and adjoining the site.

## Environmental Health (CBC)

The Environmental Health Department have been working alongside the Environment Agency and the applicant and have raised issues of contaminated land, land drainage and coast protection issues. There is evidence of slope instability and movement on site. Much of the site would appear to consist of colliery spoil and as such this would make the seaward part of the site unstable. The top soil is very wet despite the lack of recent rain at the time of the site visit. Surface and groundwater on site is likely to be contaminated. As a result of joint working many of these issues have been resolved or can be dealt with by condition.

A SUDS system featuring suitable retention on site (such as ponds) should be deployed and surface water should not drain towards the

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sea, but to Lowca Beck and/or (with permission of the Environment Agency and English Nature) Andrew's Gill.

There are two coal mining shafts on the site; one of which is capped and treated but to an unknown specification and the other has no treatment details at all. Recommend that technical advice should be sought by the developer prior to any works on the site and no activities should be undertaken that may intersect, disturb or interfere with any coal mines without the Coal Authority's permission.

Concerns have been raised regarding noise and dust during the construction period and conditions can be applied to alleviate nuisance.

Coal Authority

The site is within the likely zone of influence on the surface from workings in 6 seams of coal at shallow to 290m depth, the last date of working being 1950. The property is not within the zone of likely physical influence on the surface from any present underground coal workings. There are no existing or pending licences to extract coal by underground methods. The property is not within the zone of likely physical influence at the surface from plans of future workings in their possession. However, reserves of coal exist in the locality which could be worked at some time in the future. Two mine shafts are present on the site. In view of the mining circumstances the developer should seek appropriate technical advice before works are undertaken on site.

Cumbria Tourist Board

Support in principle new investment in new accommodation and facilities, particularly on disused sites outside the Lake District National Park. The proposal would seem to be consistent with both strategic and local planning policy as well as the priorities in the Cumbria Economic Strategy. However, it is a very intensive scheme which lacks sensitive landscaping, local design features and materials and the central leisure complex should be designed and specified to higher standards. The accommodation itself should be built to a high quality specification and incorporate elements of the "Better than Best" initiative currently being promoted by Cumbria Tourist Board.

Cumbria Police

Do not oppose the actual on site planning layout but concerns about capability of all the local approaches - to and from the A595/A597 -on the integrated narrow peripheral roads.

English Nature

No objection to the proposal. The grant of planning permission does

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not absolve them from complying with the relevant law, including obtaining and complying with the terms and conditions of any licences required under Part IV B of Circular 06/2005.

Cumbria Wildlife Trust

Object on grounds of insufficient information on bats, breeding birds, reptiles and amphibians, the effect of the development on the Andrew's Gill County Wildlife Site. Seek a comprehensive survey for great crested newts and reptiles. Concern regarding potential loss of habitat for a range of bird species and suggest that RSPB be consulted.

Woodland Trust

The Woodland Trust objects to the application due to the proximity of Andrew's Gill which is listed on English Nature's Inventory as Ancient Semi Natural Woodland. It is the only block of recorded ancient woodland on the coastal shoreline within Copeland or Allerdale. The ecological significance as a wildlife site is confirmed by a local designation. The Woodland Trust is concerned about the close proximity of the lodges to the wood, the fragile ecosystem and the possibility of public access to the woodland. The Woodland Trust urges the Council to have regard to the guidance set out in PPS 9.

Friends of the Lake District (FLD) (Campaign to Protect Rural England)

FLD wish to object to the proposal. Whilst they accept and support policies aimed at attracting investment and employment to West Cumbria they also emphasise national and local policies relating to the protection of open countryside and coast from inappropriate development. They believe that the effects of the proposal on the character and appearance of the area would be so adverse as to outweigh any benefits of the scheme.

Network Rail

Expressed concerns regarding noise and vibration from the railway, drainage onto the railway and the possibility for fencing to avoid trespass and vandalism.

Economic & Tourism Development Officer (Copeland)

Welcomes the development which would have significant economic development benefits for the Borough. It would provide significant levels of jobs and quality self-catering accommodation which is in short supply at present. If fully developed with the potential to attract over 1000 visitors at any one time, it should help both local retailers and visitor attractions. Suggest that the "centre facilities" are developed in the first phase; this will ensure

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commitment from the developer and job creation at an early stage.

Representations

Eleven individual objections have been received from residents of the village as well as 160 copies of a standard letter, (copy of letter attached)

The objections received included:

- Size of the development in relation to the size of the village - population of holiday village could be twice that of Lowca village.
- Change of a traditional village to accommodate a holiday village, village will lose its identity.
- Impact on individual houses in close proximity to the development.
- Noise and pollution from vehicles travelling to and from the site.
- Noise from activity on the site.
- How will drainage be dealt with?
- Concerns about potential flooding.
- Capacity of the sewerage and water systems.
- Disruption and traffic during construction works.
- Added traffic on the U4011, cars and service vehicles, and impact on school.
- Consider traffic regulations for access only to village.
  
- Need to improve access onto A595 at Church Row.
- Feeder lane to access to site is too short and will lead to tail backs and block the road.
- Access and parking to homes and the school will be an issue.
- Parking area is insufficient and wrongly located.
- Unsuitable site - exposed, windswept and bleak, cliff is eroding, little vegetation grows and landscaping will be difficult.
- Underground mine workings and tunnels.
- Unnatural boundary treatment obscuring views to the sea.
- Visual impact will be substantial.
- Damage to wildlife and habitats and impact on Andrew's Gill.
- Air pollution from vehicle movements.
- Light pollution.
- Important historic site - Roman occupation, four unscheduled archaeological sites lie within development boundary.
- Concern about how the large influx of people using the village will be policed.
- Increased risk of crime.
- Fears for personal safety with hundreds of strangers living in and passing through the village.
- Proximity of the holiday centre to existing dwellings will contravene the Human Rights Act 1998 that "you have the right to the peaceful enjoyment of your possessions".
- Proposal would be contrary to Local Plan policies TSM 1, DEV 6, TSM 4.
- Proposal would be contrary to Structure Plan policies.



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One letter of support for the development has been received for the following reasons:

Job/employment prospects  
Regenerate land  
Bring tourism to West Cumbria

PLANNING ASSESSMENT

This is a complex application and has been subject to a series of consultations and considerable additional information has been requested from the applicant as consideration of the application has progressed.

The issues in considering this proposal can be summarised as:

1. The principle of development on this site
2. The scale of the development and the impact on the village
3. Traffic and road safety issues
4. Technical matters
5. Economic benefits to the local area

1. The principle of development on this site:

There has been significant opposition from local residents to the principle of development at this site, although Lowca Parish Council support the proposal.

The County Council has raised a strategic objection to the application on the grounds that the site lies outside any defined settlement and in the open countryside (a copy of the County's report to their Committee is appended). The site does, however, fall within one of the Tourism Opportunity Sites listed under Policy TSM 2 of the new Copeland Local Plan, namely TOS4 - associated with reclaimed slagbank at Lowca, the Micklam brickworks and the coast to the north. The Plan notes that the Council will encourage the investigation of further potential for tourist attractions throughout the plan area, however, particular potential exists in the locations set out in Table TSM 1, which includes this site. The Plan also notes that opportunities within these locations will be expected to focus on activities to assist interpretation and quiet enjoyment in undeveloped sections rather than hard development. The actual wording of Policy TSM 2, however, is:

"Proposals for large scale tourist development, particularly those which can also provide recreational opportunities for the local population will be permitted in the areas referred to in Table TSM1 so long as they accord with the principles of sustainable design set out in Policy DEV 7 and in particular do not compromise the qualities and character of the undeveloped coast or public access thereto."

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Local Plan Policy DEV 7 refers to Sustainability in Design and covers building materials and design, access arrangements, car parking, loss or damage to important natural conservation interests, landscapes, archaeological sites, waste minimisation, recycling and renewables, impact on the environment and capacity of services. These issues have been addressed in the application and the environmental statement, supplemented by additional information received.

The Developer held joint discussions with Planning Officers from the County Council and your officers prior to the application being prepared to explore any potential objections to the principle of the development. County Officers did not raise objections as a matter of principle at that stage and the developers proceeded to prepare the application and the accompanying environmental statement and transport assessment. Further discussions have taken place with the County Officers following receipt of their strategic objection but these have failed to resolve the disagreement. The County Officers have confirmed, however, that the Copeland Local Plan policies take precedence over the Structure Plan.

2. The scale of the development and the impact on the village:

The County Council considers that the significant scale of the development in this open countryside location would be harmful to the character and visual amenities of the area and makes the point that the development would have an adverse impact on the landscape. However, the area is not covered by any landscape protection policies in either the Structure Plan or Local Plan.

Objections raised by residents of the village refer to the size of the development in relation to the size of the village, stating that the population of the holiday village could be twice that of Lowca village. They are concerned about the change of a traditional village to accommodate a holiday village; the village will lose its identity. They also feel that the visual impact will be substantial.

The applicant has been asked to address the issue of impact of the development on nearby residents and the boundary treatment has been amended and individual lodges have been relocated in certain sensitive areas.

3. Traffic and road safety issues:

Whilst supporting the application Lowca Parish Council express their reservations regarding traffic through the village. Local residents' concerns regarding traffic include:

Noise and pollution from vehicles travelling to and from the site. Added traffic on the C4001, cars and service vehicles, and impact

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on school.

Consider traffic regulations for access only to village.

Need to improve access onto A595 at Church Brow.

Feeder lane to access to site is too short and will lead to tail backs and block the road.

Access and parking to homes and the school will be an issue.

Parking area is insufficient and wrongly located.

Whereas the Cumbria Police do not oppose the actual on site planning layout they have concerns about the capability of all the approaches - to and from the A595/A597 - on the integrated narrow peripheral roads.

The application was accompanied by a Transport Assessment which has been considered by the Highways Agency, due to its impact on the trunk road, and also the County Council as Highway Authority. The applicant has been required to provide additional information to satisfy the two agencies. This includes a Stage One Road Safety Audit which has been agreed with the County Council Highways Department in relation to proposals to improve the access to the site and relocate the 30mph zone.

The Secretary of State has recently approved the Parton to Lillyhall Improvement Scheme, which will improve the junction onto the A595 north of Distington and take traffic off the C4001 Lowca to Harrington road.

The Highways Agency now raises no objection to this application being granted consent, as there will be no material impact on the A595 Trunk Road.

Allerdale Council feels that the scheme must be considered on the basis of the current road network and cannot rely upon the implementation of the A595 improvement scheme which has recently been agreed. The project relies on visitors and staff approaching the site via the junction of the A595 and A597 (Lillyhall traffic lights) travelling westwards. Allerdale Council is of the opinion that the present junction is at capacity and therefore wishes to express strong concerns regarding any proposal which would result in a significant increase in the volume of traffic using this junction and which does not provide for appropriate junction improvements. The Highway Authority, however, raises no objection to the proposal subject to conditions.

4. Technical matters:

Many of these issues have been pursued in greater detail during the consideration of the application.

Further ecological surveys have been undertaken which has led the County Council to withdraw its objections on these grounds.

## MAIN AGENDA

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An archaeological desk-based assessment and geophysical survey has been undertaken and the results have highlighted a number of remains of archaeological interest on the site which are considered to be of sufficient worth to preserve by record. This can be achieved through a programme of further archaeological investigation by the developer and can be controlled through the inclusion of a negative condition.

Discussions have proceeded with United Utilities regarding the treatment of foul sewage from the site. It has been agreed that this will be disposed of to the north, to the Harrington treatment plant.

Issues of land contamination, drainage and land stability have been discussed in length with the Council's Environmental Health staff and the Environment Agency. A flood risk assessment has been prepared and surveys of land contamination and stability have been undertaken and assessed by the above agencies. It is felt that these matters can now be adequately controlled by planning conditions.

There have been concerns about the proximity of the development to adjoining residential areas. The developer has agreed to set the development further away into the site and incorporate an integrated landscaping scheme. The details of this could be covered by condition.

5. Economic benefits to the local area:

Information provided by the applicant states that, in the latest year that statistics were available, holiday parks as a whole generated a tourism spend of more than 3.2 billion in the UK. A significant change over the last two years has been the advent of high quality timber clad lodge developments. Demand for this type of accommodation is growing at a rate of 16% per year. Short to medium leisure breaks combine to provide 78% of tourism trade in Cumbria.

The estimated cost of the development is in the order of 80 to 90 million pounds. During construction the developer will utilise, wherever possible, local contractors and local labour. It is anticipated that about 50 jobs will be created during the main construction phase of the project which is programmed over 3 years. There will be significant beneficial impact on the local economy in providing construction jobs and through local supply of building materials.

When the complex is complete and in the high season (April to September) it is estimated that about 120 to 130 persons will be employed across various sectors including leisure, catering, administration and maintenance. This workforce will be supplemented by about 50 part time staff who will be required on

MAIN AGENDA  
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change over days. It is estimated that between 40,000 and 55,000 visitors will visit the site each year with an anticipated medium stay of 4 to 7 days with some longer stays. With an average tourist spend of £57.50 (STEAM 2003) per staying night the value to the local economy is of the order of £9 million to £20 million per annum. Guests at the development will support the local and regional tourist trade ie visitor attractions and catering. Non tourism businesses will also benefit through the local supply chain and general retail trade.

The government's advice note PPG 21 Tourism, recognises the importance of tourism as a contributor to the local economy and employment and expects local plan policies generally to be aimed at facilitating tourism development.

The Copeland Local Plan states that the aim is to continue to increase visitors to West Cumbria by 5% a year, representing in Copeland another 500 jobs over the next ten years.

Copeland's Economic & Tourism Development Officer welcomes the development which would have significant economic development benefits for the Borough. It would provide significant levels of jobs and quality self-catering accommodation which is in short supply at present. If fully developed, with the potential to attract over 1000 visitors at any one time, it should help both local retailers and visitor attractions.

In its submission the County Council recognises that the development could bring some employment benefits to the area.

A letter of support for the development has been received quoting the following benefits:

- Job/employment prospects
- Regenerate land
- Bring tourism to West Cumbria

Cumbria Tourist Board support in principle new investment in new accommodation and facilities, particularly on disused sites outside the Lake District National Park. The proposal would seem to be consistent with both strategic and local planning policy as well as the priorities in the Cumbria Economic Strategy.

## CONCLUSION:

In considering this proposal your officers have had regard to national planning policies through PPG 21, the Structure Plan, Copeland's Local Plan, Copeland's Economic and Tourism aims as well as site specific issues such as archaeology, ecology, land stability, drainage, contamination, foul sewerage and traffic issues.

MAIN AGENDA  
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The balance which has been sought has been to welcome the economic benefits to the area whilst attempting to minimise the impacts of the development on the local community. Through consultations with a number of technical bodies and by seeking further information from the applicant, many of the concerns have been addressed and additional controls can be imposed by planning conditions.

The County Council have indicated that should the Planning Panel recommend that permission be granted, they may wish to have further discussions at a joint Member meeting.

Due to the scale of the proposal the application must be referred to the Secretary of State unless the Council resolves to refuse the application.

Recommendation

That the application be referred to the Secretary of State with a recommendation that the Council is minded to approve, subject to the following conditions:-

2. This permission relates to the following plans:-

No CO2 Plan of central leisure complex  
- Elevations of central leisure complex  
No E02 Sections of central leisure complex  
- Elvaston Lodge details  
- Riber Lodge details  
No D01 Lodge details  
- Peveril Lodge details  
all received 11 January 2006

No 05-C-10435/3 Site boundary - received 24 March 2006  
- Site layout - received 16 August 2006

3. None of the lodges shall be occupied as permanent dwellings and shall only be occupied as holiday accommodation as confirmed by the developer's agent in his letter to the Local Planning Authority dated 23 March 2006.

4. Phasing of the development shall be in accordance with the schedule submitted by the developer on 6 July 2006, unless otherwise agreed in writing with the Local Planning Authority.

MAIN AGENDA  
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5. The development shall not open for business until such time as the site access, extension of the 30mph speed limit, footway and associated street lighting together with appropriate traffic calming measures have been completed in accordance with such details that form part of an agreement with the Highway Authority under Section 278 of the Highway Act 1980, unless otherwise agreed in writing with the Local Planning Authority.
6. The development shall not commence until the new site access, including visibility splays providing clear visibility of 4.5 metres by 90 metres measured down the centre of the access road and the nearside channel line of the major road have been provided at the junction of the access road with the County highway. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicles or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be planted or be permitted to grow within the visibility splay which obstruct the visibility splays. The visibility splays shall be constructed before general development of the site commences so that construction traffic is safeguarded.
7. The proposed development shall not open for business until a suitably qualified and experienced person or organisation has been appointed to act as Travel Plan Co-ordinator. The position of Travel Plan Co-ordinator shall be maintained for a period of at least five years from the opening of the holiday village.
8. Within 6 months of the development opening for business, the developer shall prepare and submit to the Local Planning Authority for its approval a revised Travel Plan based upon staff/customer surveys which shall identify the measures that will be undertaken by the developer to encourage the achievement of a modal shift away from the use of private cars to visit the development to sustainable transport modes. The measures identified in the Travel Plan shall be implemented by the developer within 12 months of the development (or any part thereof) opening for business.
9. An annual report reviewing the effectiveness of the Travel Plan and including any necessary amendments or measures shall be prepared by the developer/site operator and submitted to the Local Planning Authority for approval.
10. Before development commences a landscaping scheme shall be submitted to and approved by the Local Planning Authority and such a scheme shall:

MAIN AGENDA  
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- a) include details of all boundary treatments, including earth modelling, planting and fences and/or screen walls.
  - b) set out a timetable for carrying out the scheme.
  - c) make provision for the maintenance and replacement where necessary of trees and shrubs planted in pursuance of the scheme.
  - d) be implemented within the first planting season following the commencement of occupation of the site.
  - e) particular attention should be given to the landscaping alongside the C4001 frontage and to strengthening the planting adjoining Andrew's Gill.
11. No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water run-off limitation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved programme and details and should comply with the findings of the White Young Green Flood Risk Assessment report A29798 FRA 01 Revision P1.
12. No development approved by this planning permission shall be commenced until:
- a) A supplementary site investigation has been designed for the site. This should be submitted to and approved in writing by the Local Planning Authority prior to that investigation being carried out on the site.
  - b) The site investigation and subsequent risk assessment have been undertaken in accordance with details approved in writing by the Local Planning Authority.
  - c) A Method Statement and remediation strategy, based on the information obtained from b) above has been submitted to and approved in writing by the Local Planning Authority. The development shall then proceed in strict accordance with the measures approved.
  - d) Work shall be carried out and completed in accordance with the approved method statement and remediation strategy referred to in c) above and to a timescale agreed in writing by the Local Planning Authority: unless otherwise agreed in writing by the Local Planning Authority.
13. No development approved by this planning permission shall be commenced until a scheme for treating the mine shafts on the site has been submitted to and approved by the Local Planning Authority.
14. No development approved by this planning permission shall be commenced until full details of the foul sewerage and disposal have been submitted to and approved in writing by the Local Planning Authority.



MAIN AGENDA

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15. No development approved by this planning permission shall be commenced until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.
16. Hours of construction working shall be limited to between the hours of 8.00am and 6.00pm on weekdays, between 8.00am and 1.00pm on Saturdays, with no working on Sundays or Bank Holidays.
17. No development approved by this planning permission shall be commenced until full details of wheel washing facilities for construction vehicles are submitted to and approved in writing by the Local Planning Authority and such scheme shall be implemented before construction works commence.
18. No lodge shall be occupied unless and until a car park is provided and made available for community use, as indicated on the plan received by the Local Planning Authority on 16 August 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.

Permanent dwellings in this location would be contrary to Local Plan Policy.

To ensure that the highway network can accommodate the traffic associated with the development.

To support Local Transport Plan Policies and Structure Plan Policies.

In the interests of highway safety.

To aid in the delivery of sustainable transport objectives.

To support Local Transport Plan Policies LD4 and Structure Plan Policy T31.

In order to enhance the appearance of the development and minimise the impact of the development in the locality.

To prevent the increased risk of flooding.

To enable a risk assessment to be undertaken.

08 MAR 2006

RECEIVED

Mrs M Bound  
Planning Committee  
Copeland Borough Council  
Copeland Centre  
Catherine Street  
Whitehaven Cumbria

Name -  
Address .

Dear Madam

**RE: PROPOSED HOLIDAY VILLAGE AT MICKLAM LOWCA.**  
**PLANNING NUMBER - 4/06/2013/0F1**

I wish to object to the proposed above named development on the following grounds:-

**Road Safety**

- Children's safety and other vulnerable people in our community - I am concerned about the increased volume of traffic as predicted if the development goes ahead
- There is inadequate road structure within the village and surrounding area to cope with the amount of traffic anticipated

**Loss of Rural Area**

- I am concerned that Lowca will lose its identity as a rural village
- The Holiday Village will be at least three times the size of the village
- The visual impact will have a detrimental affect on the whole of the village

**Adverse Environmental Impact**

- Sewerage - The United Utilities Waste Water Plaut at Parton is at full capacity and will therefore be unable to cope with additional demand. The developers proposal for a new on site foul sewer will result in adverse environmental impact
- Surface water - as has been proved already in the village the present drainage system is inadequate
- Loss of wildlife habitat - I am concerned that the new proposed development borders on the Conservation Site of Andrew's Gill
- Increase of - Pollution Noise Light Waste/litter

**Archaeological**

- I am concerned about the loss of several Roman and Medieval sites

**Security**

- I am concerned there could be up to 2000 transient people per week in and around the village for 12 months of the year

**I am a resident of Lowca and strongly object to the proposed Holiday Village and the adverse affect it will have on Lowca's rural identity.**

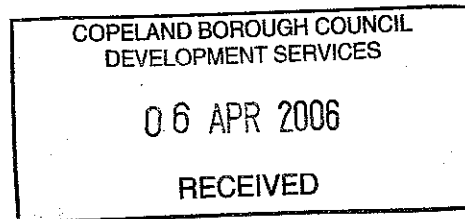


COUNTY COUNCIL

Economy, Culture  
and Environment

Your ref: 4/06/2013  
Our ref: S0104/4/06/2013

5 April 2006



Mr Pomfret  
Principal Planning Officer  
Copeland Borough Council  
The Copeland Centre  
Catherine Street  
Whitehaven  
Cumbria CA28 7SJ

Transport and Spatial Planning  
The Courts, Carlisle  
Cumbria CA3 8NA  
Fax: 01228 606755  
Telephone: 01228 606739  
kathryn.holliday@cumbriacc.gov.uk

Dear Mr Pomfret

**TOWN AND COUNTRY PLANNING ACT 1990, SCHEDULE 1, PARAGRAPH 7  
CONSULTATION ON PLANNING APPLICATION**

The County Council's Development Control and Regulation Committee considered the following application at its meeting on 30 March 2006.

**Reference No:** 4/06/2013  
**Location:** Land at Micklam, Lowca, Cumbria  
**Description:** Change of use to provide holiday park and erection of associated building complex  
**Applicant:** Cumbria Leisure Park LLP

The Committee resolved that an objection to the application be raised on the grounds set out in the report considered at the meeting of 30 March 2006.

A copy of the report to that meeting is enclosed.

Should you or your Development Control/Planning Committee make a contrary recommendation my Council may wish to have further discussions at a joint member meeting. I should also be grateful if you would send me a copy of the Decision Notice for my records.

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If this application is subsequently the subject of an appeal I should be grateful if you would keep me informed.

Yours sincerely

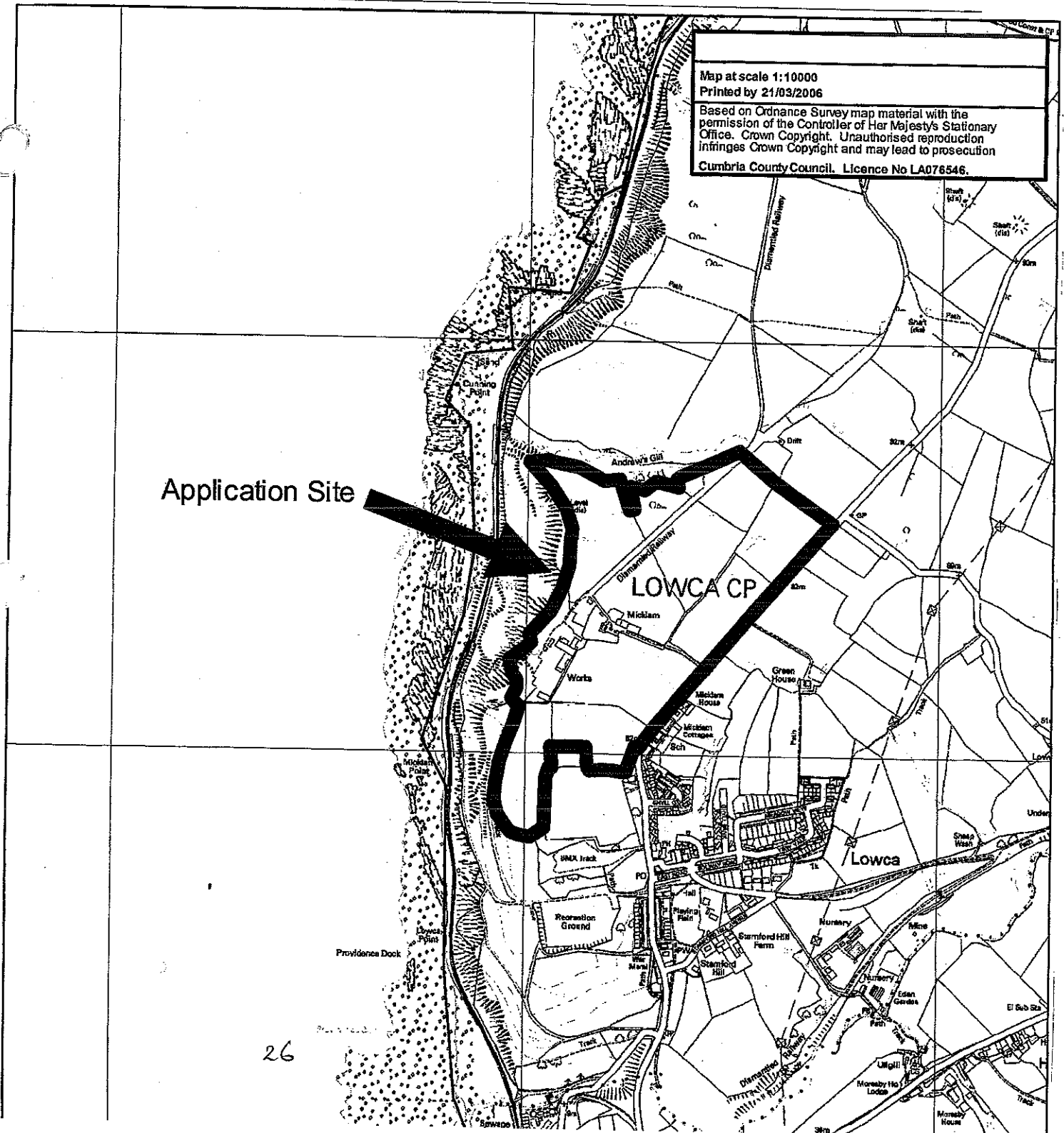
Kathryn Holliday  
Senior Planning Officer

23

**DEVELOPMENT CONTROL AND REGULATION COMMITTEE**  
**30<sup>th</sup> March 2006**  
**A Report by the Head of Transport and Spatial Planning**

District Copeland  
Application No 4/06/2013  
Applicant Cumbria Leisure Park LLP

**PROPOSAL** Change of use to provide holiday park and erection of associated building complex.  
Land at Micklam, Lowca, Whitehaven

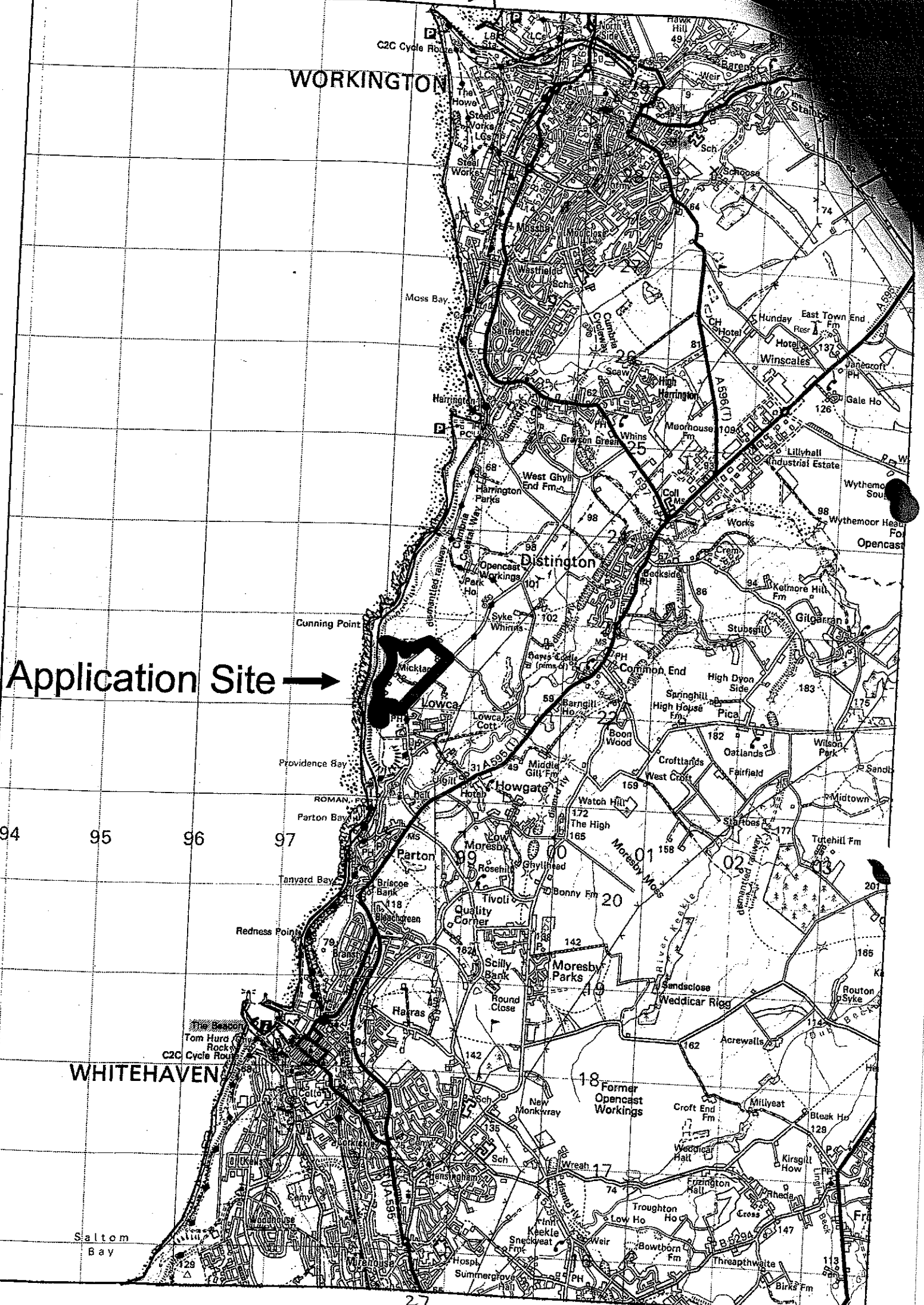


WORKINGTON

Application Site →

94 95 96 97

WHITEHAVEN



## 1 RECOMMENDATION

- 1.1 That an objection is raised to the application and that the application should be refused on the grounds that the proposal would be contrary to Policies ST3, ST5, ST7, EM15, E37 and C41 of the Structure Plan.
- 1.2 Due to the lack of information supplied with the application, an objection is raised on the grounds that the proposal cannot be adequately assessed against JSP Policies E34, E35 and E39.
- 1.3 Due to the lack of information supplied with the application, an objection is raised on the grounds that the proposal cannot be adequately assessed against JSP Policy E34 and E38
- 1.4 It is requested that delegated powers in respect of an appeal are given to the Head of Transport and Spatial Planning to respond to the submission of satisfactory further information by the applicant in respect of item 1.2 above.
- 1.5 The County Archaeologist already has delegated powers to make further comments in respect of item 1.3 above.
- 1.6 There are a number of issues in the Transport Assessment that must be resolved in order to satisfy the transport concerns relating to the proposed leisure development. These are set out in paragraphs 3.38 – 3.41 below. These matters will be taken up with the District Local Planning Authority under existing delegated powers.

## 2 THE PROPOSAL

- 2.1 Cumbria County Council has been consulted by Copeland Borough Council on detailed proposals for a holiday park and associated leisure complex. The County Council has been consulted on this application as it involves a significant tourist/leisure proposal, which could generate significant levels of traffic and could harm the character of the landscape.
- 2.2 The proposed site lies to the northeast of the village of Lowca and covers an area of 46.13 hectares. The site includes a former brickworks and farm buildings, but is made up largely of agricultural land. The applicants state that 4ha of land is brownfield, the remainder is greenfield.
- 2.3 The proposal incorporates 440 single storey detached lodges together with a separate associated and enclosed leisure complex, which includes swimming/fitness facilities, pub/restaurant, theatre/cinema, mini supermarket and other guest facilities.
- 2.4 It is proposed that access to the site will be from the C4001 Lowca to Harrington road and that a network of roads, footpaths and cycleways within the site will link the lodges and the leisure centre to the local transport network.
- 2.5 The applicant states that the scheme would take three years to complete, with the first lodges and appropriate operational parts of the leisure centre occupied within the first year.
- 2.6 An Environmental Statement and a Transport Assessment have also been submitted with the application.

### 3 STRATEGIC ISSUES

3.1 The remit of the County Council as a Strategic Planning Authority is to consider whether these applications would materially conflict with or prejudice the implementation of any policy contained within the Structure Plan. Whilst the adopted Structure Plan is still the 1991-2006 Plan, the replacement Structure Plan is now at a very advanced stage with the Modifications Version, following the EIP Panel's report, which was published in September 2005. This proposal has been considered against the policies as contained in the Modifications Version of the Structure Plan.

3.2 It is considered that the main strategic issues raised by the application and relevant Structure Plan (SP) Policies are:

Locational issues:

ST1: A Sustainable Vision for Cumbria

ST2: Assessing impact on sustainability

ST3: Principles applying to all new development

ST5: New development and key service centres outside the Lake District National Park

ST7: Development to sustain rural communities

C41: Development on the coast

Regeneration issues:

ST10: Furness and West Cumbria

Employment issues:

EM13: Employment land provision

Tourism issues:

EM16: Tourism

Transport issues:

T24 – The strategic transport networks

T25: New Road building and traffic management

T30: Transport Assessments

T31: Travel Plans

Nature Conservation issues:

E34: Areas and features of national and international conservation importance



E35: Areas and features of nature conservation interests other than those of national and international conservation importance

Landscape and Visual issues:

E37: Landscape character

Historic Environment issues:

E38: Historic Environment

Locational Issues:

3.3 JSP Policy ST3 requires all proposals for development to seek locations consistent with Policies ST5, and ST7, which assist in reducing the need to travel, and which then follow a sequential approach to site selection, giving priority to the reuse of existing buildings worthy of retention, followed by the reuse of previously-developed land, and only then the use of previously undeveloped land. Policy ST3 requires sites that are or will be made accessible by public transport, walking or cycling. This policy also requires development to avoid the loss or damage to, and wherever possible enhance, restore or re-establish important nature conservation features, and avoid the loss of or damage to, and wherever possible enhance important or distinctive conservation features including landscapes, buildings, archaeological sites, historic parks and gardens and visually important public and private open spaces.

3.4 JSP Policy ST5 identifies Key Service Centres to be the focus of new development, which in the case of Copeland Borough includes Whitehaven, Millom, Egremont and Cleator Moor.

3.5 JSP Policy ST7 allows for small scale development to help sustain local services, meet local needs or support rural businesses in towns and villages defined as Local Service Centres in Local Plans and Local Development Frameworks. The Policy states that it will be the exception for new development to be located in the open countryside.

3.6 The proposal does not lie within either a Key Service Centre as designated by the Structure Plan, or a Local Service Centre as identified in the Copeland Local Plan. The development must therefore fail to satisfy JSP Policies ST3 and ST5.

3.7 Instead, it lies in the open countryside where Policy ST7 states that development should only be permitted in exceptional cases. Whilst it is accepted that caravan sites have generally been located either on the edge of settlements or in the open countryside, it is considered that the scale of the development proposed here makes it unacceptable as an exception to Policy ST7 in this particular location.

3.8 Further to this, the site lies within the Immediate Coastal Zone in a stretch of undeveloped coast. The undeveloped coastline comprises large tracts of open land providing valuable habitats, important recreation and leisure resources, with much also in use for agriculture. Protection of its open nature, beauty and tranquillity is important. Built development, including tourism facilities, should therefore be directed to the developed coast consistent with JSP Policy ST5 and ST7. As set out above, it is considered that this proposal is not consistent with JSP Policies ST5 or ST7.

3.9 JSP Policy C41 prescribes that development in the undeveloped coast will be permitted

where it requires a coastal location and cannot be reasonably be located in the developed coast, providing it is not detrimental to the landscape character. In this regard, the proposal will have a detrimental impact on landscape character and there is no evidence that a coastal location is required. The proposal does not therefore satisfy JSP Policy C41.

#### Regeneration issues

- 3.10 JSP Policy ST10 gives highest priority to those measures that will secure regeneration within Furness and West Cumbria. Development will be concentrated in Barrow, Maryport, Ulverston, Whitehaven and Workington. It states that opportunities will be promoted to sustain and enhance employment, secure investment, develop social and community facilities, support the role of town centres and enable refurbishment and environmental improvements.
- 3.11 The applicants state that Micklam Farm will aid diversification of the economy suggesting that there will be 120-30 persons employed at the complex, plus a further 50 part time staff. This employment would be seasonal. Guests at the development will support the local and regional tourist trade and non tourism businesses will also benefit through the local supply chain and retail trade. The applicants further suggest that the proposal could be a key driver in the economic regeneration of West Cumbria, contributing to sustaining local communities.
- 3.12 It is recognised that the proposal could indeed bring about enhanced employment opportunities in this part of West Cumbria.

#### Employment land issues

- 3.13 The adopted Copeland Local Plan 2001 identifies 1.05ha employment allocation at the former Micklam brickworks site. This allocation has been deleted in the emerging Copeland Local Plan 2001-2016 2<sup>nd</sup> Deposit Version.
- 3.14 The JSP Policy EM13 requires a rolling requirement of 5ha of Strategic Employment Sites, 13ha of Local Employment Sites, 10 ha of Business/Science Park Sites between the Plan period 2001-2006 within Copeland Borough.
- 3.15 JSP Policy EM14 states that the development of existing employment sites, premises and land allocations for non-employment or mixed uses will be considered where it can be demonstrated that over the JSP period either the site or premises is likely to remain unsuitable for employment purposes, or the retention of the site or premises in employment use is not needed to meet the requirements of Policy EM13, including the requirement that each Key Service Centre retains an appropriate supply of land within the Local Employment Site market sector.
- 3.16 The most up-to-date Cumbria County Council Employment Land Availability Schedule (March 2004) indicates that there was at 31<sup>st</sup> March 2004: 56:10ha of Strategic Employment Land; 57:08ha of Local Employment Land; and 12:70ha of Business Park land.
- 3.17 In view of the significant supply of Local Employment Sites within Copeland Borough, it is considered that the proposed development would not undermine the strategic employment policies in the JSP.

- 3.18 However, Policy EM15 encourages development outside Key Service Centres which promote business and employment opportunities where they are of a scale and type sympathetic to the character of the area within which they are proposed. Developments will be encouraged where they utilise existing well-suited buildings, especially traditional structures that make a positive contribution to landscape character, and do not have adverse transport impact. It is considered that the scale and type of development proposed in this application would harm landscape character, as set out in the sections below. For these reasons the development would be contrary to Policy EM15.

#### Tourism issues

- 3.19 JSP Policy EM16 directs new tourism facilities to Key Service Centres and to locations that enable the economic and physical regeneration of an area, where they bring benefit to the local community.
- 3.20 It is noted that in rural areas, tourism uses can assist in the diversification of existing businesses and encourage rural regeneration, but proposals will only be supported where their scale can be accommodated without adverse effects on the character and amenity of the local area.

#### Landscape and visual issues

- 3.21 JSP Policy E37 requires that any development or land use change should be compatible with the distinctive characteristics and features of Cumbria's landscape types and sub types. As set out above, JSP Policies ST3, C41, EM15 and EM16 require that the scale, nature and location of the development should not have a detrimental impact on the landscape.
- 3.22 The majority of the proposal lies within Landscape Character Type 5a (Lowland - ridge and valley), with a small part to the south of the site lying within character Type 5d (Lowland - Urban fringe) (Cumbria Landscape Classification 1996). This is a medium scaled landscape that is characterised by high wide ridges and small narrow valleys. The land is dominated by pasture with broadleaved and planted woodlands and unimproved land.
- 3.23 The site comprises semi improved pastureland, marshy grassland, farm buildings, and a former brick works. The fields are bounded by remnant kest walls (hedges removed/died) wire fences and some hedgerow trees. A disused mineral railway line intersects the site and it is understood that some areas to the west of the brickworks have been in filled, levelled and grassed since 2004.
- 3.24 The distinctive elements that contribute to the landscape character include a matrix of medium sized semi-improved pastureland and marshy grassland, linear boundary kest banks, open coastal plateau topography, farm buildings and isolated barns.
- 3.25 It is considered that the proposal would seek to remove these existing landscape features and introduce buildings that would cover a significant area of the local landscape located close to the coastal cliff. This would have a detrimental impact on the strong open pasture landscape character on the plateau and on land that drops towards the coastal cliffs.
- 3.26 The scale of the proposal is similar in size to the existing village of Lowca and is

considered inappropriate to the medium scale landscape characteristics. This is also reflected in the local and medium distance visual impacts of the proposal.

- 3.27 Overall it is considered that the proposal would be out of scale and character with the surrounding landscape, and would cause significant harm to the landscape character of the area and would therefore not be in accordance with JSP Policy E37. In so doing the development would fail to satisfy JSP Policies ST3, C41, EM15 and EM16.

#### Nature Conservation issues

- 3.28 The proposal site is adjacent to two County Wildlife Sites and an area of ancient woodland and also has potentially significant biodiversity and nature conservation interest.
- 3.29 JSP Policy E35 states that development and other land use changes that are detrimental to areas and features of County Wildlife Sites will not be permitted unless the harm caused to the value of those interests is outweighed by the need for development. Where development is permitted the loss of nature conservation interest should be minimised and where practicable mitigation should be provided. Policy E34 is also relevant to this proposal as it provides protection for statutory protected species. Policy E39 states that development that includes measures to regenerate and upgrade rural, urban and urban fringe environments, both built and natural, will be supported, particularly where this protects, enhances or restores biodiversity, landscape and amenity value.
- 3.30 An Environmental Impact Assessment of the proposal has been undertaken and the Environmental Statement has been submitted in support of the planning application. The County Council has several fundamental concerns regarding the content of the Environmental Statement and these are set out in Appendix 1.
- 3.31 The ES should assess the site and adjacent land value for wildlife, the direct and indirect impacts of the development and propose specific protection, mitigation and enhancement measures. There are no detailed plans, or detailed descriptions, of the protection, mitigation or habitat enhancement measures for the wildlife of the site. The ES also refers on several occasions to options that could be considered or suggested further work. This is not considered acceptable, and Copeland Borough Council should give careful consideration as to whether the Environmental Statement is deficient and under Circular 2/99 Environmental Impact Assessment paragraph 2 would have to be refused if outstanding information is not provided.
- 3.32 It is therefore recommended that a revised ES incorporating the additional survey work, assessment of impacts and proposals for mitigation be submitted before the application is determined. Until such work is submitted, it is not possible to satisfactorily assess the proposal against JSP Policies E34, E35 and E39.

#### Historic Environment issues

- 3.33 The proposal site lies in an area of high archaeological potential. It is located within the line of the Roman frontier defence system along the Cumbrian coast between the western end of Hadrian's Wall at Bowness on Solway and the fort at Ravenglass. The site of a Roman signal station which formed one element of this defence system is estimated as being situated in the proposed development site. Should significant remains of this feature survive then it is likely that, given the association with the World Heritage Site,

they would be considered of international importance and would require preservation in situ. Other significant archaeological remains may also survive on the site including a Roman road and 19<sup>th</sup> century industrial relics comprising Micklam Pit, Micklam Brickworks, a wagon way and a mineral railway. These remains would be damaged or destroyed by the proposed development.

- 3.34 JSP Policy E38 states that measures will be taken to identify, record, protect, conserve or enhance areas, sites, buildings and settings of archaeological, historic and architectural importance. Proposals which damage, obscure or remove important archaeological sites will not be permitted unless the harm caused to their importance and intrinsic interest is clearly outweighed by the need for development.
- 3.35 Further archaeological information of the proposed development site is therefore required before a planning decision can be taken. This information should be obtained by means of a full archaeological desk-based assessment, site visit and where appropriate field evaluation.
- 3.36 The results of this assessment should allow for the fuller consideration of the presence/absence, nature, extent, quality and survival of archaeological remains within the development area. An informed judgement can then be made as to whether any planning consent will need to include provision for the recording in accordance with JSP Policy E38.
- 3.37 JSP Policy E34 protects areas and features of national and international conservation importance from development detrimental to their characteristics. Should the above assessment and any subsequent recording demonstrate that there are features of national or international conservation importance then this policy will also apply whereby development detrimental to their characteristics would only be permitted in exceptional cases. At present the application cannot be adequately assessed, until sufficient supporting information has been submitted.

#### Transport / accessibility issues

- 3.38 It is considered that there are a number of issues in the Transport Assessment that must be resolved in order to satisfy the transport concerns relating to the proposed leisure development. These are:-
- The assessment should be undertaken on the basis of the existing highway situation, i.e. without the A595 improvement scheme.
  - The site access junction to be redesigned with a design speed of 70kph to reflect the relocation of the 30mph speed limited.
  - Consideration of providing traffic calming measures in the vicinity of the site access junction.
  - A Stage 1 Road Safety Audit should be undertaken for the proposed new access and any proposed alterations to the existing highway infrastructure (traffic calming measures, proposed dropping off lay-by for school etc).
  - Provision of weekday TRIC's output sheets to allow trip generation to be checked.
  - Peak hour junction turning counts to be undertaken at the A595/C4001 and A597/C4001 junctions. These junctions should then be assessed using junction modelling software to quantifiably consider capacity problems.
  - Assessment of parking provision for the site should be undertaken in accordance with Structure Plan.

- Improved public transport provision to serve the development
- 3.39 With regard to public rights of way, it is clear that bridleway No.413005 would be affected by the proposed development. The proposal would prevent access to this route from public road No.C4001 at grid reference NY9844 2221. No development shall take place until the bridleway has been diverted under Section 257 of the Town & Country Planning Act. Such a diversion would be processed by the District Local Planning Authority.
- 3.40 The Lowca area has a number of routes that have been used as footpaths or bridleways for many years but are not included on the Definitive Map. If any of these routes have been used by the public as of right for at least 20 years then highway rights will have been established. These routes will therefore need to be diverted under Section 257 of the Town & Country Planning Act 1990.
- 3.41 These matters will be taken up under delegated powers.

#### Local Member Issues

- 3.42 A number of points have been raised by the Cumbria County Council Local Member (see Appendix 2) and these are summarised below.
- Traffic problems and use of Lowca as a 'rat-run' and resulting safety concerns
  - Drainage – localised flooding and blocked drainage occurs regularly, suspected inadequate drainage provision.
  - Village of Lowca would in effect see population increase of 100%
  - Concerns over consultation with community (These concerns have been forwarded to Copeland Borough Council and awaiting response)
  - Question whether the employment opportunities be permanent or for life of the build
  - Would there be a detrimental environmental effect?
  - Mines situated in the area.

## 4 CONCLUSIONS

- 4.1 The site lies outside any defined settlement and in the open countryside. Whilst it is recognised that the development could bring some employment benefits to the area, it is considered that the significant scale of the development in this open countryside location would be harmful to the character and visual amenities of the area.
- 4.2 Due to the lack of information supplied with the application, the proposal cannot be adequately assessed against JSP Policies E34, E35 and E39.
- 4.3 Due to the lack of information supplied with the application, the proposal cannot be adequately assessed against JSP Policy E34 and E38.
- 4.4 There are a number of issues in the Transport Assessment that must be resolved in order

to satisfy the highway concerns. These are set out in paragraphs 3.38 – 3.41 above.

- 4.5 It is considered that the proposed development would bring economic benefits to this part of West Cumbria. However, on balance it is considered that the scale and location of the development are inappropriate. It is recommended that the application should be refused on the grounds that the development would be contrary to JSP Policies ST3, ST5, ST7, EM15, E37 and C41.

**Rob Terwey**  
**Head of Transport and Spatial Planning**

**Contact**

Kathryn Holliday, Carlisle, tel. 01228 606739

**Background Papers**

Planning Application File Reference No. 5/06/2013

**Electoral Division Identification**

Mr C Ross, Distington and Moresby

**Appendix 1: Comments on the Environmental Statement by Cumbria County Council**

**Summary of key issues:**

The following lists the key biodiversity issues with regards to this Environmental Assessment in relation to the development.

1. Lack of development details, details of impacts on the wildlife of the site, detailed mitigation and enhancement measures.
2. The habitat survey is generally weak and with insufficiently detailed habitat descriptions and target notes, and hence it is difficult to assess the site. Target notes should provide detailed habitat and plant community information (species plus their abundance) for the identified locations.
3. Further survey work is required before the Environmental Assessment is complete. Several of these survey requirements have been highlighted in the ES – great crested newts, bats and breeding birds. In addition the area is known to be important for barn owls and an assessment is required of both the use of the buildings as nesting sites and of the importance of the surrounding land for hunting. The ES has highlighted the potential importance of the site for passage, over-wintering and breeding wading birds (e.g. curlew) but surveys are required for an informed assessment of the effects of loss of this land.
4. The ES does not show the exact location of the County Wildlife Site or quote the citation.
5. There appears to be no assessment of value of the identified biodiversity features within the ES.
6. The impact assessment of the development on the current information is incomplete, and needs to be amended in the light of new information. In particular no assessment is given of the potential effects of the public access and disturbance that may occur as a result of

the development.

7. Protection measures for the County Wildlife Site are not given, other than reference to fencing of a 20-30 metre buffer zone during construction (Paragraph 15.5, Page 88).
8. The marshy grassland at the north of the site may have significant value for wading birds. An improved assessment is required.
9. Protection and mitigation measures for the features of importance are vaguely referred to in the ES. These should be clearly stated with commitment for them to be achieved.
10. There is no detailed landscaping and habitat enhancement scheme.
11. The English Nature Scoping opinion highlighted many issues that have not been considered. All of these issues should have been considered and reported upon.

#### Detailed comments on the Environmental Statement

Page 10 3.2 (b)	Structure Plan Policies – see policy context above.
Page 11 3.2 (c)	PPS9 – see policy context above.
Page 18 5.5	Impact of Development: What is the scale of the proposed buffer zone ? Insufficient detail given in plan DO1. How will the site be protected? 5.5 does not discuss habitat/species mitigation and enhancements – where are these proposed?
<b>Nature Conservation section</b>	
Page 40 onwards	<p>The Phase 1 Habitat Survey and site description is, in my opinion, not done to a Phase 1 standard. Map ECO-01 shows the habitats mapped in the usual way, but the habitat descriptions provide limited information on species present..</p> <p>Target notes in Phase 1 are designed to provide specific detailed community and species information. The target notes here refer mainly to locations with a bit of physical description, and are not detailed enough to be target notes themselves.</p> <p>The marshy grassland description on page 44 omits the key information, which is what rush and sedge species are found – this is relevant.</p> <p>There is insufficient information to determine what is actually on the site.</p>
Page 58	<p>Target note 15:</p> <p>I visited the site on 9 March 2006 and noted that the upper slopes of the southern half of the coastal grassland had been extended, levelled, and reseeded. This has been done between the timing of the aerial photograph held by CCC (believed to be 2004) and the Habitat Survey of 2005. Below this ground active slippage is taking place.</p>
Page 40 7.3.1	The species list given doesn't provide any indication of species abundance and there is no list for the marshy grassland habitat.
Page 43	Coastal grassland: CWS's are not selected by this organisation alone. CWS's are selected by a Selection Panel of experts including English Nature, CCC, Envy Agency, LDNPA ecologist, RDS, and other species experts.
Page 44	Some bat roost and bird breeding potential identified – further survey is required to determine whether bats and birds, especially barn owls, use the



	buildings. Protection measures should drawn up. Any protection measures for bats would require a DEFRA licence.
Page 45	Standing water areas: if potential for amphibians, especially great crested newts, this needs to be determined before permission is given. If present proposals need to be presented to protect the great crested newts (DEFRA licensing requirement)
Page 45 – 48 7.4.2	Protected species: The report identifies the strong possibility of woodland, grassland and scattered and dense scrub, hedgerows and buildings supporting breeding birds, and identifies the species recorded at the time and the potential. A breeding bird survey would be required. The report also refers to the susceptibility of wintering birds to recreational disturbance. Barn owls are known to be important in this area. They may be breeding in the buildings and use the site for feeding. A survey is required.
Page 47	A Great Crested Newt survey of the pond is advised, and presence should be known before permission is granted, not conditioned. The nearest GCN record to here is 10km but this European Protected Species is likely to be under-recorded in this area.
Page 47	Similarly for bat species.
Page 48	Reptile surveys were recommended.
Page 49 7.5	Summary: <ul style="list-style-type: none"> <li>• The most valuable habitats were identified, with a buffer zone proposed – but where is this buffer zone?</li> <li>• Surface run-off was identified as a key issue – how will it be dealt with?</li> <li>• Breeding bird information was not provided (due to survey timing).</li> <li>• The use of the site by bats was not ascertained. The suggestion that a watching brief be used may not be sufficient. A further assessment of the use of all of the buildings should be made before this is taken further.</li> <li>• GCN survey is recommended before development but permission should not be granted until surveys are carried out (April – June) and, if GCNs are found then suitable mitigation will be required.</li> <li>• Reptile survey is recommended.</li> </ul>
Page 51 7.6	Potential ecological impacts and mitigation <ul style="list-style-type: none"> <li>• Para 1 highlights that this ES is clearly an interim document. It is therefore insufficient for determination of the planning application without further surveys and mitigation proposals.</li> <li>• Buffer zones cannot be proposed as mitigation for habitat loss. A buffer zone of sufficient size would help to protect the County Wildlife Site but mitigation for habitat loss requires habitat creation and enhancement.</li> <li>• It is proposed to fence the buffer zones during construction – what about after construction? The proposal to carry out GCN survey during the development is not acceptable. This must be done before permission is granted. GCNs require a significant area of terrestrial land as well as the pond itself, so if they are present design measures would be required that may significantly affect the development.</li> <li>• The proposed water feature is completely surrounded by development and is unlikely to fulfil any useful biodiversity purpose with the degree of disturbance it is likely to receive.</li> </ul>

	<ul style="list-style-type: none"><li>• I would wish to see significant habitat creation proposals.</li><li>• The wet grassland to the north west is suspected of supporting feeding flocks of wintering birds. What screening is proposed? Suggestions are made about using land to the north but (a) do birds use the site to the north? (b) this would need to be part of a S106 agreement. Is the ES proposing creation of scrapes and wetter areas to the north? If so this should be shown on a plan.</li><li>• Long term conservation and maintenance: It is very likely that cessation of grazing on the coastal slopes will be detrimental as I would expect they would become bracken and scrub dominated. So measures need to be taken to continue management of the County Wildlife Site and other areas not developed.</li></ul>
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**Appendix 2: Local Member comments**

37



14 FEB 2006

Officer,  
Council,  
Planning

*Councillor for the Electoral Division  
of Distington & Moresby*

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**Re.: Ref. No. 4/06/2013. - Land at Micklam, Lowca, Whitehaven.**

plan which was submitted to Copeland Burgh Council, but have attended several Parish where general reference had been made to the proposed Leisure Park without, I may add, me to register an interest or indicate whether or not they were supportive of the proposal or myself.

It appears to have been a guarded acceptance of the idea as it was seen as a way forward to develop its image. However, it was felt that until everyone knew more about the proposal, no more was done. As you are probably aware, Kathryn, Lowca has been plagued by traffic problems ever since the U4011 roadway has been used as a "rat-run" when the A595 has been closed down. Therefore villagers tend to have a very militant and suspicious attitude reflecting their desire for a satisfactory solution to this problem. We were successful in allocating some funding for improvements, but only after a fatality on the road. Historically and even now, accidents occur on a regular basis. A further problem could be access/egress to the A595 as, even if the sign gets the "go ahead" at the Public Enquiry, it will not affect the problems of access and

adequate drainage. Over several years to my knowledge, localised flooding and blocked drains have occurred locally. Though part of the blame may be put down to lack of proper maintenance, more blame is due to that of inadequate drainage provision in the first place. Lowca, being a former mining village, had their initial drainage system provided by the mines and will be fairly old. As was the case with the adjoining village of Parton was flooded on more than one occasion, there is no reliable drainage plan in existence. This may or may not be true, but the people of Lowca are concerned over this issue.

The initial Proposed Planning Application has been amended and is now larger than the original. The Application as it now stands would, in effect mean, that the village of Lowca would experience an increase of over 100% within a short period of time- albeit, possibly seasonal. If the sewage and traffic issues are resolved satisfactorily, I would be hesitant in deciding whether or not to support or oppose the Application in question.

There are some concerns locally that they were not properly consulted on this project. Apparently the village of Parton had plans of the proposed project presented at their Parish Council but it does not appear to have happened with the Lowca Parish Council. A deputation from the village confronted the Lowca Parish Council voicing their displeasure at not being kept informed in the process.

40

These questions may or may not be relevant in the planning process, but these questions I would like to have

and the D.C.&R. Committee Members have to reach a decision on the above Planning that they are important and as local member I would also be interested in why a Public Hall, especially since it will so drastically alter the village environment and impact on the village.

an area which could be classified as deprived and a proper Project could be of value to it opportunities, but would these jobs be permanent, or only for the life of the build? Is the village part of a ward which is classified as rural. Would there be a detrimental impact?

I understand my concerns Kathryn. I know that some of what I have said may not be relevant - or otherwise - a Planning Application, but I did feel that I should give you as much as possible to help you understand the communities concerns. Perhaps a site visit would be possible to increase the size of a community by over 100%, even for some parts of the year can be especially in a rural village.

MAIN AGENDA

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To enable refinement of the conceptual model.

To enable the development of a Method Statement and Remediation Strategy.

To ensure that the proposed site investigation and remediation strategy will not cause pollution of the ground and surface waters both on and off site.

In the interests of health and safety.

In order that the capacity of existing sewerage facilities is not exceeded.

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

In order to ensure that any possible nuisance arising from the construction works is minimised.

To minimise potential hazards.

Reason for decision:-

This major leisure development will bring welcome economic benefits to the area whilst environmental and visual impacts of the development have been mitigated by the incorporation of landscaping measures. In general terms the development is deemed to be compliant with the relevant policy objectives of the adopted Copeland Local Plan 2001-2016.

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2 4/06/2178/0

DEVELOPMENT OF 2 2-BEDROOM DWELLING HOUSES, 10  
3-BEDROOMED DWELLING HOUSES, 12 3/4-BEDROOM  
DWELLING HOUSES & 6 GARAGES  
LAND ADJACENT TO, MILLOM ROAD &, KING STREET,  
MILLOM, CUMBRIA.  
GORSEY DEVELOPMENTS LIMITED

MAIN AGENDA

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Parish

Millom

- No objections.

Planning permission is sought to erect 24 dwellings on this 0.49 hectares site adjacent to Millom Road and King Street in Millom. The site is currently cleared with the previous use having been as a parking area for haulage vehicles.

The proposed development would be served by a central access onto Millom Road. In order to achieve this access an existing redundant building will be demolished. Following amendments to the site layout, the Highways Authority have raised no objections, subject to conditions.

The proposed development would incorporate both two and three storeyed development with 2, 3 and 3/4 bedroomed accommodation. It is proposed to finish all the properties with grey roof tiles, dry dash render and facing brick with art stone heads and cills.

The boundary to the rear of the site rises up to the Cumbria Coastal Way which leads onto the Duddon Sands. The three storey dwellings are proposed to be located adjacent to this boundary to take advantage of this outlook.

An objection was received from the Environment Agency as insufficient information was originally submitted for this site which is known to have accommodated former contaminate uses. However, suitable site surveys have been carried out to the extent that the Agency has now withdrawn its objection, subject to suitable conditioning.

Although the site is not an allocated housing site within the adopted Copeland Local Plan 2001-2016, the proposal performs well in terms of the overall Local Plan objectives.

As previously developed land in a key service centre the proposal scores highly against the sequential test set out in Policy DEV 4. It is also acceptable under Policy HSG 4 of the adopted Local Plan which permits the residential redevelopment of previously developed land within settlement boundaries.

The proposal is considered to represent an acceptable form of development which will secure the regeneration of this town centre site.

Recommendation

Approve (commence within 3 years)

MAIN AGENDA  
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2. Permission in respect of site layout shall relate solely to the amended Drawing No G45/0615-2 Rev B received by the Local Planning Authority on 21 July 2006.
3. Before development is commenced, further site investigation is required to define the source of contamination from which an options appraisal and risk assessment can be developed. The further investigation work and remedial strategy shall be carried out to the satisfaction of the Local Planning Authority.
4. The carriageway, footways, footpaths, cycleways etc shall be designed, constructed, drained and lit to a standard suitable for adoption and in this respect further details, including longitudinal/cross sections, shall be submitted to the Local Planning Authority for approval before work commences on site. No work shall be commenced until a full specification has been approved. These details shall be in accordance with the standards laid down in the current Cumbria Design Guide. Any works so approved shall be constructed before the development is complete.
5. Ramps shall be provided on each side of every junction to enable wheelchairs, pushchairs etc to be safely manoeuvred at kerb lines. Details of all such ramps shall be submitted to the Local Planning Authority for approval before development commences. Any details so approved shall be constructed as part of the development.
6. No dwellings or buildings or structures shall be commenced until the access roads, as approved, are defined by kerbs and sub base construction.
7. No dwellings shall be occupied until the estate road, including footways and cycleways to serve such dwellings, has been constructed in all respects to base course level and street lighting where it is to form part of the estate road has been provided and brought into full operational use.
8. There shall be no vehicular access to or egress from the site other than via the approved access, unless otherwise agreed in writing by the Local Planning Authority.
9. Access gates, if provided, shall be hung to open inwards only away from the highway.
10. Details of all measures to be taken by the applicant to prevent surface water discharging onto or off the highway shall be submitted to the Local Planning Authority for approval prior to development being commenced. Any approved works shall be implemented prior to the development being completed and shall be maintained operational thereafter.

MAIN AGENDA  
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11. The whole of the access area bounded by the carriageway edge, entrance gates and the splays shall be constructed and drained to the specification of the Local Planning Authority in consultation with the Highway Authority.
12. The unadopted tarmac turning areas shall be designed, constructed, drained and lit to the satisfaction of the Local Planning Authority and in this respect further details, including longitudinal/cross-sections, shall be submitted to the Local Planning Authority for approval before any work commences on site. No work shall be commenced until a full specification has been approved. Any works so approved shall be constructed before the development is completed.
13. The development shall not be brought into use until visibility splays providing clear visibility delineated by straight lines extending from the extremities of the site frontage with the highway to points 2.4m along the centre line of the access drive measured from the edge of the adjacent highway has been provided. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind shall be erected, parked or placed, and no trees, bushes or other plants shall be planted or be permitted to grow within the visibility splay which obstruct the visibility splays.
14. Full details of the surface water drainage system shall be submitted to and approved by the Local Planning Authority prior to works commencing on site.
15. No dwelling shall be occupied until the footway along Millom Road has been widened to 1800mm and the pedestrian crossing point on Millom Road has been completed in all respects to the satisfaction of the Local Planning Authority in accordance with a specification which has first been approved by the Local Planning Authority and as indicated on Drawing No G45/0615-2B.

The reasons for the above conditions are:-

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

For the avoidance of doubt.

In the interests of highway safety.

To ensure a safe form of development which poses no risk of pollution to water resources or human health.



MAIN AGENDA

Reason for decision:-

An appropriate form of housing development on this previously developed town centre site compliant with Policies DEV 4 and HSG 4 of the adopted Copeland Local Plan 2001-2016.

3 4/06/2262/0

REFURBISHMENT AND EXTENSION OF EXISTING THREE STOREY RESIDENTIAL BUILDING TO FORM 11 NO. FLATS WITH ASSOCIATED EXTERNAL WORKS EAGLESFIELD, BEACH ROAD, ST BEES, CUMBRIA. KEEKLE ESTATES

Parish St Bees

- No objections in principle to the conversion of the existing building to form flats but a number of concerns were identified with the current application which the Parish Council believes need to be addressed. The concerns are itemised below:-
- The plan includes the replacement of the existing single storey annex with a 3 storey building linked to the main house. This will create a very large building which will dominate the local area and because of its size it will have a significant impact on the neighbourhood. It is noted that the character of the main house will be retained but the proposals for the 3 storey addition will be out of character with the main house and neighbouring buildings. Although not visible from the front, the new addition will be visible from other aspects eg from Coach Road.
- The planned development has windows and balconies which will overlook adjoining properties and affect the privacy of neighbours.
- The number of car parking spaces may not be sufficient for 11 flats.
- Some of the proposed car parking is on the east side of the property and appears to be accessible only from the lane adjoining Victoria Terrace. This is narrow and at present only serves the four houses on Victoria Terrace. The visibility is poor for vehicles exiting onto Beach Road.
- The current drainage and sewer arrangements may not be sufficient to deal with the increased demand from 11 flats.
- The plan indicates storage areas for wheelie bins but there are concerns about the practicalities of refuse collection. There is no pavement outside the property and the additional bins from 11 flats would cause a significant nuisance on the roadside.
- It appears that the flats are likely to be prestige developments.

MAIN AGENDA  
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The recently published Parish Plan showed that local residents did not wish to see further executive-style development and believed that the priority should be to provide low cost starter homes.

- The application (section 18) indicates that this is part of a larger development which is not the subject of this application but does not provide the additional detail required.

An application to refurbish and extend this substantial 3 storeyed Victorian property, currently partly in use as a single private dwelling. Fronting onto Beach Road it is intended to convert the existing building into 5 flats (4 x 2 bedrooms and 1 x 1 bedroom) and demolish the existing single storey detached dormitory block at the rear to make way for a 3 storey extension. This will provide an additional 6 x 2 bedroomed flats.

Vehicular access will be achieved by modifying the existing access to the west to serve 11 on-site parking spaces. Use of the existing shared access to the east will also be retained to serve 4 parking spaces on the east side of the building.

The proposal will involve upgrading the existing building with minimal external alterations to the front elevation. The 3 storey rear extension, whilst of a contemporary design, serves to compliment the existing building. New design features comprising extended gables in to provide enclosed bay windows, rear balconies, and a glazed roof atrium are considered acceptable. Proposed external finishes proposed of roughcast walls, sandstone panels and slate roofs link it visually to the existing property.

Members will recall that it was resolved at the 24 May 2006 meeting to visit the site before determining this application. This site visit took place on 31 May 2006. Negotiations have since been ongoing to seek improved vehicular access arrangements.

The Highway Authority have expressed concern over the proposed access arrangements and initially requested that a speed survey be undertaken to establish suitable visibility splays at the site entrance. Visibility as proposed onto the adjacent Beach Road is very restricted.

Ten letters of objection have been received from local residents, one of which contains 7 signatures, and another from a planning consultant representing the residents of 1-4 Victoria Terrace (inclusive) together with the residents of two neighbouring properties. Concern is expressed on the following collective grounds:-

- 1) Parking provision is substandard. There is a lack of adequate parking for the extension as only 15 spaces are proposed when 24 are required.
- 2) The main access is blind to the east and west. Increased use

MAIN AGENDA

would constitute a serious traffic hazard.

- 3) The access lane to the east is private and the applicants have no legal right to use it for this purpose.
- 4) The scale of the new extension - it almost doubles the existing floorspace.
- 5) The new extension would be dominant and oppressive. The proximity of the new 3 storey block would deprive neighbouring residents of their privacy, quiet enjoyment of their homes and block sunlight to gardens.
- 6) Possible loss of boundary trees which afford an amenity screen between Eaglesfield and the neighbouring property 'Somerby'.
- 7) The capacity of the existing sewerage system to cope with the new development.
- 8) Proposed windows will overlook adjacent properties, thereby affecting privacy.
- 9) The proposal is part of a larger scheme for which permission has not yet been sought.
- 10) The positioning of wheelie bins will affect access.
- 11) The use of the private access for construction vehicles would adversely affect private drains underneath and is a safety concern for local children who use it for playing.
- 12) No objection to the conversion of the existing building per se, only the new extension at the rear.
- 13) The proposal constitutes an overintensive form of development which will lead to a reduction in amenity for adjacent residents.
- 14) Question the need for more executive housing in St Bees.

Four further letters of objection have been received following re-consultation on the amended plans. These collectively express concern that the main issues/objections raised have not been addressed and that only minor alterations to improve amenity have been undertaken.

The matters raised regarding the scale of the extension are relevant. Whilst the proposed rear 3 storey extension is large it is, on balance, considered to fit in with the scale and massing of the existing building without dominating it. Concerns in relation to overlooking and impact on neighbouring properties have to a certain extent been overcome via the amended scheme.

MAIN AGENDA

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The key issue from a planning perspective is vehicular access and on-site parking. Vehicles egressing from the proposed access to the west have very restricted visibility to the east and west to the detriment of highway safety. The amended scheme demonstrates only minor modifications to the access which do not satisfactorily address the visibility concerns. The existing access to the east, which it is also proposed to use, also has restricted visibility. In addition, parking within the site is inadequate with only 15 spaces proposed when a minimum of 24 is required.

The Highway Authority in their consultation response have reiterated their request for a traffic speed survey to be undertaken by the applicants to establish the minimum visibility splays required and a plan submitted to demonstrate that these can be achieved on land within the applicant's control. The applicant's agents have so far declined to provide this information and have now requested the application be determined.

In the absence of adequate highway information to determine the minimum visibility splays required at the accesses, and in view of the fact the amended scheme demonstrates substandard access arrangements and parking serving the development, I have no alternative other than to recommend refusal.

Recommendation

Refuse

Due to the substandard design of the access and the restricted site frontage, there is inadequate visibility for vehicles emerging from the site, representing a risk to highway safety contrary to Policies DEV 7 and HSG 8 of the adopted Copeland Local Plan 2001-2016.

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4 4/06/2378/0

OUTLINE APPLICATION FOR AGRICULTURAL WORKERS  
DWELLING  
LAND ADJACENT TO, BRACKENTHWAITE, WILTON, EGREMONT.  
MR T DIXON

MAIN AGENDA

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Parish

Haile

- No comments received.

Outline planning permission is sought to erect an agricultural worker's dwelling on this farm holding to the east of Wilton village.

The farm unit is along a track, and is based around two previous steadings at High House and Brackenthwaite. The lane also provides access to two private dwellings.

The proposed siting of the dwelling would be along the lane between High House and Brackenthwaite, in a location that is viewed as not impacting on any of the existing dwellings. The owner of the nearest dwelling has stated that he has no objections to the dwelling in its proposed location.

An independent agricultural appraisal supports the requirement for a third worker to be present on the holding. One of the two farmhouses is occupied by the farmer and his wife, Mr & Mrs Dixon, and the other by the farmer's son, Mr T Dixon.

The appraisal notes, however, that a small cottage and a farm house on another steading is owned by the applicants. The agent has provided a written response which is appended to the report together with the consultant's appraisal.

In conclusion, I would agree that the cottage provides an unacceptable level of accommodation and that at a distance of approximately 4 miles the farmhouse at Cobra Castle cannot be classed as meeting the local need for an additional farm worker dwelling.

Therefore, it has been satisfactorily demonstrated that the need is justified in accordance with Policies DEV 6 and HSG 5 of the adopted Copeland Local Plan 2001-2016.

Recommendation

Approve in Outline

3. The occupation of the dwelling shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or a widow or widower of such a person and to any resident dependants.
4. All matters relating to the layout of the site, the means of access, parking and turning within the site shall be reserved for subsequent approval by the Local Planning Authority at the detailed design stage.

**BRACKENTHWAITE, WILTON, HAILE, EGREMONT**

**REPORT ON THE AGRICULTURAL NEED RELATING TO A  
PROPOSED PERMANENT AGRICULTURAL WORKER'S DWELLING**

Capita Symonds  
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Cornmarket  
PENRITH  
Cumbria  
CA11 7HP

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August 2006

CAPITA SYMONDS

**BRACKENTHWAITE, WILTON, HAILE, EGREMONT – REPORT ON A  
PROPOSED PERMANENT AGRICULTURAL WORKER’S DWELLING**

**1.0 Introduction**

1.1 This report has been prepared at the request of the Copeland Borough Council who on 30 June 2006 asked if I would report on the agricultural need in relation to a proposed permanent agricultural worker’s dwelling at Brackenthwaite, Wilton, Haile, Egremont. Brackenthwaite is farmed as part of High House Farm, Wilton, Egremont by Mr & Mrs T Dixon.

1.2 I met Mrs Eileen Dixon on behalf of the applicants on 12 July 2006 and subsequently inspected the steading at High House Farm. I also inspected the application site adjacent to Brackenthwaite. The following information was provided on behalf of the applicants.

**2.0 Land Occupied**

2.1 High House Farm extends in total to approximately 243ha (600 acres). All of this land is owned and occupied by the applicants with the exception of approximately 20ha (50 acres) which is rented on a permanent basis. Most of the land is situated with the Less Favoured Area and most is classified as Severely Disadvantaged.

2.2 A considerable proportion of the farm is situated adjacent to the farm steading as shown on one of the plans attached to the application but there is a block of land situated at Cobra Castle, approximately 2 – 3 miles away towards Egremont.

### 3.0 Livestock

3.1 The following livestock are currently kept on this holding.

3.1.1 Around 225 dairy cows. These are mostly Holstein crosses and produce on average around 7,000 litres of milk per cow per year. These cows calve all the year round. The male calves from these cows are sold off the holding at about 4 weeks of age and the better quality heifer calves are reared as replacements for the dairy herd.

3.1.2 300 breeding ewes. These are mostly Swaledales. The lambs from these sheep are sold fat off the holding.

3.2 At one time this farm carried up to 1,000 breeding ewes, these numbers have been reduced as the dairy cow numbers have steadily been increased.

3.3 The farm is run as an organic farm with no artificial fertilizers or chemical sprays and minimal use of antibiotics on the livestock.



#### 4.0 Cropping

4.1 The following crops are currently grown on this farm.

4.1.1 30 ha (74 acres) of whole crop grain, which is cut and ensiled for feeding to the livestock in the winter months.

4.1.2 65 ha (161 acres) of grassland made into silage at 2 cuts per year.

4.1.3 The remainder of the farm is in grass for grazing the livestock.

#### 5.0 Farm Buildings

5.1 The farm buildings at the High House steading comprise a traditional range of buildings now used for general storage purposes, together with a more modern range of portal steel framed buildings. These include provision of cow cubicle housing for the dairy cows in the winter months with a central feeding passage and covered silage pits and general loose housing for the livestock. There is a modern milking parlour and bulk tank room. Slurry is stored in a lagoon and there is a specialist dirty water separation unit to provide compost from the farm wastes, all of which are returned to the land as part of the organic process. At the Brackenthwaite steading is a small range of traditional buildings used for general storage purposes.

5.2 There has been significant investment in new farm buildings and fixed equipment in recent years.

## 6.0 Domestic Buildings

6.1 At the High House steading is a stone built farmhouse under a slate roof. It has three bedrooms, a box room, bathroom, kitchen, dining room and living room. To the rear of this property is High House cottage which is a one-bedroom property.

6.2 At the Brackenthwaite steading is a stone built, slate roofed house which has 4 bedrooms, bathroom, kitchen, living room, sitting room and utility room.

6.3 At the block of land at Cobra Castle is an existing farmhouse. This dwelling is approximately 3 miles from High House Farm. The applicants advised that it had a very difficult access.

## 7.0 Labour and Residence

7.1 Mr Terence Dixon and his son Thomas both work full time in the business. They primarily deal with the daily milking, the calving of cows and the lambing of the breeding ewes.

7.2 Mrs Eileen Dixon assists with the farm work, particularly at lambing time and with the calves. She also deals with the paperwork for the business.

- 7.3 They employ a full time farm worker, who deals principally with the tractor work on the farm.
- 7.4 They use contractors for specialist tasks including silaging and ploughing.
- 7.5 Mr Thomas Dixon lives in the farmhouse at High House Farm and Mr Terence and Mrs Eileen Dixon live in the farmhouse at Brackenthwaite.
- 7.6 The farmhouse at Cobra Castle is let out to a person not involved in the farming business, as is the one bedroom cottage adjacent to High House Farm.
- 7.7 The full time employee lives off the holding.

**8.0 Other Information**

- 8.1 The applicants advised that they were continuing to build up the number of dairy cattle on the farm, which was leading to an increase in labour requirement. They also advised that the fact that the farm was now an organic farm also increased the labour requirement. They therefore wished to employ a further full time employee and believed they needed to provide a dwelling on the holding, in close proximity to the farm buildings to enable them to attract a suitable employee, and for that person to be on hand to deal with out of hours emergencies.

9.0 **PPS7 and the Need for Agricultural Worker's Dwellings**

9.1 The need for Agricultural Workers Dwellings is covered in Planning Policy Statement PPS7 "Sustainable Development in Rural Areas" and in particular Annex A of that publication.

9.2 Guidance is given on the criteria to be met for Agricultural Worker's Dwellings and in relation to a permanent Agricultural Worker's Dwelling these criteria are set out in paragraph 3 of Annex A to PPS7.

These criteria are:-

*i) There is a clearly established existing functional need.*

There is a clearly established existing functional need on this holding at the present time arising from the care of the livestock, particularly during the winter months when the cattle are housed in the buildings, when they are calving throughout the year and in the spring when the breeding ewes are lambing. There will also be a functional need throughout the year for various animal husbandry tasks.

- ii) *The need relates to a full time worker or one who is primarily employed in agriculture and does not relate to a part time requirement.*

I have calculated the labour requirement on this holding based on the current numbers of livestock and the current cropping practices and I can advise that there is a labour requirement in the region of 5 full time workers. This includes the use of contractors for specialist tasks.

- iii) *The unit and the agricultural activity concerned have been established for at least 3 years, have been profitable for at least 1 of them, are currently financially sound and have a clear prospect of remaining so.*

This business has been established at High House Farm for considerably in excess of three years.

Financial viability can be defined as offering a competent person the prospect of a sufficient livelihood. In practice this can mean a Net Farm Income after all expenses such as feed, fertiliser and property maintenance, at least equivalent to an Agricultural Worker's minimum wage, which is currently in the region of £11,600 per annum. I have calculated the Net Farm Income that is likely to be achieved on this farm from standard published figures in relation to the current levels of stocking and cropping and I am able to advise that it is financially viable.

- iv) *The functional need could not be fulfilled by another existing dwelling on the unit or any other existing accommodation based in the area, which is suitable and available for occupation by the workers concerned.*

Today it is only really necessary for specialist workers to live on or immediately adjacent to agricultural holdings. This is to be available at most times in case animals or agricultural processes require essential care at short notice and to deal quickly with emergencies that could otherwise cause serious loss of crop or products, or in this case losses of livestock, particularly when the dairy cows are calving and the breeding ewes are lambing.

In the present case I am of the opinion that in the interests and the well-being of the livestock, for the efficient running of the holding and overall security it is essential that 3 full time workers, actively involved in the management of this unit be present on or immediately adjacent to it. The existing dwellings at High House Farm and Brackenthwaite will fulfil the functional need for 2 of those 3 full time workers.

This then leaves an outstanding requirement for an additional worker to be resident on or immediately adjacent to this holding as a whole unit. At the present time, there are 2 additional dwellings on this unit, ie at Cobra Castle and the cottage to the rear of High House Farm, which are currently let to persons not involved in the farming business.

In my view, the presence of the 2 workers in the High House property and the Brackenthwaite property would be sufficient to deal with immediate emergencies with the ability to call on a further worker either based at Cobra Castle or in the cottage at High House if either of those two dwellings were to be occupied by a worker involved in this business.

- v) *Other normal planning requirements for example in relation to access or impact on the countryside are satisfied.*

These are beyond my instructions.

## 10.0 Conclusions

I therefore conclude by advising as follows:-

1. There is a clearly established existing functional need in relation to this holding for 3 full time workers, actively involved in the management of this unit to be resident on, or immediately adjacent to this holding.
2. The labour requirement based on the existing stocking and cropping is calculated at approximately 5 full time workers including the use of contractors and therefore the labour requirement test is met.

3. The business has been established for many years and is currently financially viable and therefore the financial test is met.
4. The existing farmhouses at High House Farm and Brackenthwaite currently meets the requirement to house 2 of the 3 full time workers that need to be resident on or immediately adjacent to this holding.
5. One of the other two dwellings on this unit, ie at Cobra Castle or the cottage to the rear of High House could be adequate to house the additional worker required to be resident on or immediately adjacent to it.



A G Jackson BSc FRICS FAAV  
4 August 2006



# David Hetherington

Environmental And  
Planning Services

5/24

Environmental Stewardship Scheme

Entry Level Scheme

Higher Level Scheme

Water Level Management Plans

Planning Applications

Agricultural Appraisals for Farm Dwellings



Simon Blacker

Copeland Borough Council

PO Box 19

The Council Offices

Catherine Street

Whitehaven



You Ref: SB/4/06/2378/0

11-Aug-06

Dear Simon,

Outline Application Agricultural Workers Dwelling  
Land Adjacent to Brackenthwaite, Wilto, Cumbria.

Following our conversation this yesterday I can confirm the details of the cottage (Bothy) attached to High House Farm.

The dwelling adjoining High House was originally one up one down Bothy which would be used to provide accommodation for a single farm worker who would most likely eat with the family. The upstairs was later divided into two rooms measuring 3.35x3.20 & 3.35x2.86 downstairs there is a small bathroom 2.86x1.40max and a living room/kitchen 4.57x3.20 which has 1m taken off for the kitchen area across one end. The rooms were separated from the main dwelling when the farm was in financial need and the 1st floor was split to provide accommodation for two contractors who were working at Sellafield. The property is not plumbed for a washing machine and the fridge was under the stairs when occupied by contractors.

The present occupier is a single lady who is a family friend, she has the fridge in the living area and is unable to put in a dining table due to lack of space. One wall of the property is very damp as it is dug back into the bank and it is so close to the livestock housing that the cows can be heard from within the house.

Good stockmen are hard to find particularly those who are willing to work to the more exacting standards of an organic farm such as High House. The property in question is only habitable for a single person and it would be impossible to get a married couple, to live in it.

Terry & Eileen Dixon are nearing retirement age and although they will remain actively involved in the running of the farm they feel that it is essential to have an additional younger worker living on site to help handle emergencies. Alan Dixon mentioned Cobra Castle which is another property owned by the Dixons, in his conclusion he states that "There is a clearly established existing functional need in relation to this holding for 3 full time workers, actively involved in management of this unit to be resident on, or immediately adjacent to this

6, Carlton holding".

Stanwix

Carlisle

CA3 9NP

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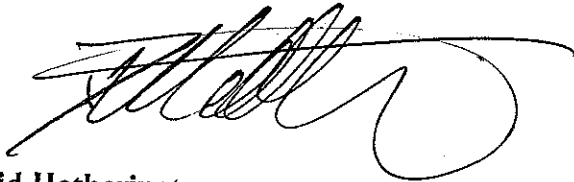
E-mail: info@davidhetheringtoneps.com

At 4 miles distance we do not consider Cobra Castle to be immediately adjacent to the holding and it is too far from the farm to house an essential worker. Mr Jackson also agreed that the farm had sufficient stock and cropping to employ 5 fulltime workers including the use of contractors, which was the conclusion I reached.

Because of the condition of the cottage, its size and the intention of the Dixons to incorporate the cottage back into the farm house, I was not shown it when I made my site visit to do the agricultural appraisal. I apologise for this and can assure you that there was no intention to try and mislead.

I would be obliged if you would consider this additional information in the light that Alan Jackson recognised the need to have three dwellings in close proximity to High House.

Yours sincerely,



David Hetherington

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MAIN AGENDA

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The reasons for the above conditions are:-

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

The Local Planning Authority would not be prepared to grant planning permission for the erection of a dwelling on this site except for occupation by persons so employed.

In the interests of highway safety.

Reason for decision:-

The erection of a dwelling in this location is considered acceptable on agricultural need grounds in accordance with Policies DEV 6 and HSG 5 of the adopted Copeland Local Plan 2001-2016.

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5 4/06/2429/0

ADDITION OF WINDOW INTO GABLE END AND ERECTION OF  
CONSERVATORY ONTO REAR OF PROPERTY  
19, FAIRLADIES, ST BEES, CUMBRIA.  
MRS HARRISON

Parish St Bees

- No comments received.

A decision on this application was deferred at the last meeting to enable Members to visit the site. The site visit took place on Wednesday 30 August 2006.

Planning permission is sought to erect a 4.4m x 3.3m conservatory to the rear of this detached property at the Fairladies estate, St Bees. An additional gable end window is also proposed.

Given the difference in topography the proposed conservatory will be raised 1.8m from the garden level in order to be on line with the existing ground floor level of the property.

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

1. Due to the elevated position of the conservatory privacy of adjacent houses and gardens would be considerably reduced.

MAIN AGENDA  
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2. If the proposal was granted consent it would set a precedent.
3. The gable end window looks directly into the garden of No 17 which again would be an intrusion of privacy.
4. Works have already commenced on site, with the removal of the original decking area.

In response to concerns raised a letter has been received from the applicant's agent confirming that both side elevations of the conservatory and the gable end window will contain obscure glazing. Furthermore, the opening lights on the side elevation of the conservatory facing No 17 have also been removed and will now be fixed units.

Following consultation on the amended scheme the adjoining owner at No 21 has now rescinded his objections. However, the adjoining owner of No 17 still expresses concerns on the grounds previously stated.

In my opinion this revised scheme which incorporates obscure glazing materially addresses the concerns raised and, as such, the proposal accords with Policy HSG 20 of the adopted Copeland Local Plan 2001-1016.

Recommendation

Approve (commence within 3 years)

2. Notwithstanding the submitted details received by the Local Planning Authority on 14 June 2006 the side elevations of the conservatory and the additional gable end window shall be fitted with obscure glazing as confirmed by the applicant's agent in his letter to the Local Planning Authority dated 24 July 2006 and shall be so maintained thereafter.
3. Notwithstanding the submitted details received by the Local Planning Authority on 14 June 2006 the opening lights in the side elevation of the conservatory facing No 17 Fairladies shall be removed as confirmed by the applicant's agent in his letter to the Local Planning Authority dated 24 July 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:-

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Acceptable alteration and extension to this existing property in accordance with Policy HSG 20 of the adopted Copeland Local Plan 2001-2016.

6 4/06/2449/0

ERECTION OF ONE DWELLING WITHOUT OCCUPANCY RESTRICTION  
CLARACK HOUSE, SCALEGILL ROAD, MOOR ROW, CUMBRIA.  
MR R GREGGAIN

Parish Egremont

- Object as it is against one of the conditions when the original application was granted. Feel that this should remain in place, removing it could lead to ribbon development.

Planning permission was originally granted to construct dwellings on this and the neighbouring plot in 1986 (4/86/0777 refers). Both dwellings were approved subject to a condition restricting their occupation to a person employed in the then adjoining garage business.

In 1987 permission was granted to remove the condition on plot 1, leaving plot 2 only with the condition restricting occupancy (4/87/1107 refers).

In 2003 planning permission was granted to change the use of the commercial premises adjacent to plot 2 to its current use as a haulage business (4/03/0622/0F1 refers). An application then followed in 2004 to alter the dwelling design on plot 2 to a dormer bungalow. This was approved subject to a Section 106 Agreement and a condition restricting the occupancy of the dwelling to a person solely or mainly employed in the haulage business occupying the adjoining land, or a widow/er of such a person or resident dependants (4/04/2455 refers).

This proposal seeks approval for the dormer bungalow on plot 2 (4/04/0244/0F1 refers) without the occupancy restriction applying.

In the attached supporting statement from the applicant's planning consultant the main argument for the case centres on the assertion that a precedent has already been set for this by removal of the condition in 1987 for plot 1 and that a condition remaining on plot 2 is over-restrictive.

TPA

**TELFORD PLANNING ASSOCIATES**

TOWN PLANNING CONSULTANTS, ISABELS HOUSE, BECKFOOT, SILLOTH, CUMBRIA, CA7 4LA  
 Phone: 016973 32361 Mobile: 07769 806787 Fax: 07092 276454 Email: eric\_telford@hotmail.com

Head of Planning Services,  
 Copeland Borough Council,  
 Catherine Street,  
 Whitehaven,  
 Cumbria.

1st March 2006

COPELAND BOROUGH COUNCIL  
 DEVELOPMENT SERVICES

19 JUN 2006

RECEIVED

Dear Sir,

**PROPOSED DWELLING, PLOT 2, SCALEGILL ROAD, MOOR ROW.  
 PLANNING APPLICATION 4/04/2455**

I have examined the history of the development of the site subject to the above application and the recent decision to approve the revised proposal for Plot 2. That approval is subject to an Agreement under Section 106 of the Act and a condition on the planning permission (Condition 2).

I have discussed the matter briefly with Mr Pomfrett and expressed my concern at the need to control the occupation of the dwelling on this site. I am instructed by the applicant's Solicitors to advise on the reasonableness of the occupancy restriction and the method by which the Council seek to impose that restriction. Having offered that advice I now submit an application for the erection of the dwelling without an occupancy restriction.

The two dwellings to be erected on this and the adjacent site were clearly outside the settlement limits of Moor Row. When planning permission was first granted for the two plots under reference 4/86/0777, both properties were the subject of a condition restricting the occupation to a person employed in the adjoining garage business. Whilst the construction of that condition was open to question it was not challenged by the applicant at the time.

When Plot 1 was to be developed, the owner found it difficult to raise finance while the occupancy condition remained in place. Planning application 4/87/1107 was submitted to remove the condition and the Council subsequently approved that application. In so doing, the Council, indeed the Full Council at their meeting on the 3<sup>rd</sup> November 1987, approved a dwelling outside the settlement limits contrary to their established policies because the applicant could not obtain finance.

Such a reason for setting Local Plan and National Guidelines aside has regularly been rejected as it is not considered to be an *exceptional circumstance arising from local, social and economic conditions*. However, this relaxation must be considered to be a precedent which becomes a material consideration in the determination of further, similar applications

TPA

in the vicinity.

The attached application seeks to allow the dwelling approved under reference 4/04/2455 to be constructed and occupied without any restriction on the occupancy in line with the Council's decision on the adjoining plot. The application requires the Council to consider whether it is both reasonable or necessary to restrict the occupation of the dwelling having regard to the decision to relax the condition on the adjoining plot.

The proposed dwelling is between the approved dwelling and the village boundary. The Council have approved the relaxation of the occupancy condition on a property further from the village boundary for reasons which are not in accordance with the current provisions of Policy HG5. Whilst the decision to relax was made before the adoption of the current Local Plan, similar policies were to be found in the Borough Council's Settlement Policy 1982 and the North East Copeland Local Plan (Policy 3E) which were applicable at the time.

The decision to relax the condition on the adjoining plot, for no reason which could be considered to be an *exceptional circumstance*, has created a precedent and I would ask you to consider the current application in the same way. It is unreasonable to fetter the enjoyment of one property and grant planning permission to the adjoining property without any occupancy control whatsoever.

The fact that the applicant has applied for the dwelling to provide security and to prevent fly-tipping at the haulage depot, that is not a sound planning reason to control the occupancy of the property. As Paragraph 42 of Circular 11/95 states, an unreasonable condition cannot be legitimized just because it has been agreed by the applicant. See *City of Bradford v S.O.S. & McClean Homes* 26/3/86. Whilst I accept that in normal circumstances, a dwelling on this site would be contrary to current Local Plan policies, these are not normal circumstances.

It would appear that the Council have been over restrictive in the way in which this property has been granted consent; to impose a condition **and** require an Agreement under Section 106 of the Act. The control you seek to impose as set out in the Third Schedule of the Agreement is exactly the same as the wording of Model Condition 46 of Circular 11/95:

*The occupation of the dwelling shall be limited to a person solely or mainly employed or last employed in the business occupying the plot edged red on the attached plan, or a widow or widower of such a person, or any resident dependents.*

Moreover, Paragraph 12 of Circular 11/95 in referring to Planning Obligations states:

*It may be possible to overcome a planning objection to a development proposal equally well by imposing a condition on the planning permission or by entering into a planning obligation under Section 106 of the Act. The Secretaries of State consider that in such cases the local planning authority should impose a condition rather than to seek to deal with the matter by means of a planning obligation. This is because the imposition of restrictions by means of a planning obligation deprives the developer of the opportunity of seeking to have the restriction varied or removed by an application or appeal under Part III of the Act if they are or become inappropriate or too onerous.*

TPA

I must also draw your attention to Paragraph 101 of Circular 11/95:

*101. Conditions tying the occupation of dwellings to that of separate buildings (eg. Requiring a house to be occupied only by a person employed by a nearby garage) should be avoided. However, exceptionally, such conditions may be appropriate where there are sound planning reasons to justify them eg. Where a dwellings has been allowed on a site where permission would not normally be granted .....*

I would suggest that when the two properties were approved outside the settlement limits such a condition may have been justified. However, there would now appear to be no sound planning reason for continuing to impose such a restriction by either condition or a legal agreement.

I would suggest in the first instance that it is unreasonable and unnecessary to impose any restriction as a result of the precedent previously created by the Council. Moreover, I would suggest that to impose a condition and require an Agreement under Section 106 of the Act is wholly contrary to the advice offered in Circular 11/95.

To assess the reasonableness of this restriction, I must make you aware of the burden which has been placed on my client and his small haulage business. The property being constructed is being funded by the haulage business as my client cannot obtain a full mortgage due to the reduced security value of the property. There is a general recession in haulage at the present time and my client has over the past 12 months lost several major contracts. The business is now nearing a point where it may not be able to continue and this is partly due to the burden brought about by the funding of the dwellinghouse. By removing the condition and being able to obtain a full mortgage, my client can re-invest that money back into his small business and give it the lifeline it requires. He cannot raise funds through the banks for the either the business or the dwellinghouse while this situation continues.

This onerous restriction is the very burden which Circular 11/95 advises against. In the circumstances and having regard to the granting of planning permission for an unrestricted property beyond this site, I would ask the Council to allow this application and in so doing the Section 106 Agreement will be superceded.

Yours faithfully,

Eric Telford.



MAIN AGENDA  
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Irrespective of the reasons why the condition on plot 1 was removed this application has to be considered on its own planning merits.

The key consideration in determining this application is whether the supporting case is sufficient to outweigh the policy presumption against allowing new residential development outside development boundaries as referred to in Policy DEV 4 of the adopted Copeland Local Plan 2001-2016. Policy HSG 5 of the Plan states that outside the settlement boundaries defined by Policy DEV 4 new housing development will not be permitted except where it is required to meet exceptional circumstances arising from local social and economic conditions. The Policy goes on to say that all planning permissions granted in accordance with this policy will be subject to a planning obligation or condition limiting occupation of the dwelling(s) solely to persons who can demonstrate an exceptional social or economic need.

In my opinion there is no justification for granting an unfettered planning permission to construct a dwelling outwith the development boundaries defined in the adopted Copeland Local Plan 2001-2016.

Recommendation

Refuse

The application fails to demonstrate exceptional circumstances whereby planning permission ought to be granted for a dwelling on this site without an occupancy restriction as the site lies outwith the development boundaries for Moor Row. The proposal, therefore, is at variance with Policy HSG 5 of the adopted Copeland Local Plan 2001-2016.

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7 4/06/2457/0

OUTLINE APPLICATION FOR 114 DWELLINGS COMPRISING  
OF DETACHED AND SEMI-DETACHED AND TERRACED HOUSES  
PLUS APARTMENTS  
LOW ROAD, WHITEHAVEN, CUMBRIA.  
WEST CUMBRIA LAND LLP

## MAIN AGENDA

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Parish

## Whitehaven

A major proposal which seeks outline consent for the erection of 114 dwellings on a brownfield, designated housing site at Low Road in Whitehaven. The application is accompanied by a design statement, archaeological survey and a Flood Risk Assessment.

Formerly occupied by a workhouse and hospital, this 3.24 ha site has been vacant since the mid 1960's and is now extensively covered in scrub vegetation. Situated some 1.5km to the south of Whitehaven town centre this sloping site is bounded to the north by the cemetery; Low Road to the east; Woodhouse Road to the south and open land and vacant former Council housing to the west.

In terms of planning policy the site is identified in the adopted Copeland Local Plan 2001-2016 as land for housing with existing planning permission, outline consent for housing development having previously been granted in 2001 (4/01/0681/001 refers). A reserved matters application for 17 dwellings on part of the site was subsequently approved in 2002 (4/02/0080/0R1 refers).

The indicative amended drawing accompanying this application demonstrates that a variety of house types, including blocks of 2 and 3 bedroomed terraces; 3 bedroomed semi-detached; detached dwellings and flats can be accommodated on the site with adequate spacing and a good standard of amenity being achieved.

Vehicular access would be via two junctions onto Low Road, the main one to the south serving 90 dwellings and a secondary one to the north serving 24 flats and associated parking.

The Highway Authority raise no objection to the amended scheme and are satisfied that adequate visibility at the northern access can now be achieved.

A letter of objection has been received from residents of Burnt Houses which are situated opposite the northern end of the site. The grounds for objection can be summarised as follows:-

1. The proposed new highway junction is considered hazardous.
2. The impact of the additional traffic generated on Low Road by 114 new dwellings.
3. The site should be left to conserve the wild life and trees there.
4. Properties would overlook their house.
5. There is no need to build new dwellings when existing ones nearby are to be demolished.
6. The rural character of the area will be lost.
7. The development will devalue their houses.

In response to these concerns I would comment as follows:-

- a) There are no objections from the Highways Authority, subject to

MAIN AGENDA  
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- appropriate conditions being imposed.
- b) The site has no designated protection as there is no recognised wildlife value. The trees are not deemed worthy of protection by means of a Tree Preservation Order.
  - c) The separation distance between existing dwellings on Low Road and the proposed new development exceeds the minimum 21 metres required by Policy HSG 8 of the adopted Copeland Local Plan 2001-2016.
  - d) The adopted Local Plan recognised the site as one for new housing development.
  - e) The site occupies an urban rather than rural setting.
  - f) Likely affect on property values is not a material planning consideration.

From a planning point of view the scheme is considered to represent an acceptable form of development on a brownfield site which is allocated for housing in the adopted Copeland Local Plan 2001-2016 by virtue of Policy HSG 1.

## Recommendation

## Approve in Outline

3. Permission shall relate solely to the amended Development Layout Plan (Rev A) received by the Local Planning Authority on 10 August 2006.
4. The site shall be drained on a separate system with foul drainage only connected into the foul sewer.
5. Development shall not commence until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the Local Planning Authority.
6. Development shall not commence until a desk study has been undertaken and agreed in writing by the Local Planning Authority to investigate and produce an assessment of the risk of the potential for on-site contamination. If the desk study identifies potential contamination a detailed site investigation shall be carried out to establish the degree and nature of the contamination and its potential to pollute the environment or cause harm to human health. If remediation measures are deemed necessary they shall be implemented in accordance with the assessment and to the satisfaction of the Local Planning Authority.
7. No development shall commence until it has been agreed with the Local Planning Authority which trees shall be retained on the site and incorporated as a feature of the development. A detailed tree survey shall be carried out confirming this and identifying the position, species, size, and health of each tree and submitted to the Local Planning Authority for approval.

8. Before development commences, details of the specification and position of fencing for the protection of the retained trees from damage during the course of development shall be submitted to the Local Planning Authority for written approval.
9. The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought onto the site for the purposes of the development and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.
10. No tree within the site shall be cut down, uprooted or destroyed, nor shall any tree be topped or lopped without the prior written consent of the Local Planning Authority. Any such approved topping or lopping shall be carried out in accordance with the British Standards on Tree Work BS 3998 and BS 5837.
11. If within a period of two years from the completion of the development any retained tree is uprooted, destroyed, or dies, another tree shall be planted at the same place. That tree shall be of a size, species and be planted at such a time as agreed in writing by the Local Planning Authority.
12. Full details of the soft landscaping works shall be submitted to and approved in writing by the Local Planning Authority before development takes place.
13. 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.
14. No development shall commence until detailed drawings showing the development and means of access thereto have been submitted to the Local Planning Authority for approval. Any such approved means of access shall be completed in accordance with the approved details before any of the dwellings are occupied.

MAIN AGENDA  
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15. The carriageway, footways, footpaths, cycleways etc shall be designed, constructed, drained and lit to a standard suitable for adoption and in this respect further details, including longitudinal/cross sections, shall be submitted to the Local Planning Authority for approval before work commences on site. No work shall be commenced until a full specification has been approved. These details shall be in accordance with the standards laid down in the current Cumbria Design Guide. Any works so approved shall be constructed before the development is complete.
16. The development shall not be brought into use until visibility splays providing clear visibility delineated by straight lines extending from the extremities of the site frontage with the highway to points 2.4m along the centre line of the access drive measured from the edge of the adjacent highway has been provided. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind shall be erected, parked or placed, and no trees, bushes or other plants shall be planted or be permitted to grow within the visibility splay which obstruct the visibility splays.

The reasons for the above conditions are:-

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

For the avoidance of doubt.

To ensure a satisfactory drainage scheme.

To reduce the risk of flooding by ensuring provision of a satisfactory means of surface water disposal.

To adequately protect the existing trees on the site in the interests of amenity.

To ensure the implementation of a satisfactory landscaping scheme.

In the interests of highway safety.

Reason for decision:-

The proposed erection of 114 houses on this vacant brownfield site represents a satisfactory form of development in accordance with Policy HSG 1 of the adopted Copeland Local Plan 2001-2016.

MAIN AGENDA

8 4/06/2458/0

THREE STOREY TOWN HOUSE  
LAND ADJACENT, 30, CROSSFIELD ROAD, CLEATOR MOOR,  
CUMBRIA.  
MR & MRS K DAVISON

Parish Cleator Moor

- Have reconsidered the proposal since the last meeting and now object for the reasons stated in the attached letter dated 23 August 2006.

A decision on this application was deferred at the last meeting to enable Members to visit the site. The site visit took place on Wednesday 30 August 2006.

Outline planning permission for a detached town house on allotment gardens located to the rear of Crossfield Road was refused in April 2004 (4/04/2140/0 refers). The reason for refusal was as follows:-

"The proposal constitutes an undesirable form of backland development resulting in potential overlooking and loss of privacy to the adjacent dwellings and, as such, is contrary to Policy HSG 4 of the adopted Copeland Local Plan 2001 and Policy HSG 4 of the Copeland Local Plan 1st Deposit Version."

In May 2006 an application for the erection of a three storey town house on a site fronting Crossfield Road was withdrawn (4/06/2252/0F1 refers).

This resubmission once again seeks consent to erect a three storey, four bedroomed town house on this site situated between an end of terrace property and a detached bungalow on Crossfield Road, Cleator Moor. The site is presently occupied by a garage type structure.

The town house would be sited 1.0m from the adjacent end terrace property and 2.4m from the boundary with the adjoining property to the north. The property would be in line with the existing terrace frontage.

Externally the proposed town house would be finished in smooth painted render, a slate roof and UPVC sash windows.

Letters of objection has been received from both adjoining property owners. The grounds for objection can be summarised as follows:-

1. This is the second time in two years that planning permission has been applied for on this land. We can see no change in

MAIN AGENDA

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circumstances from the last refusal.

2. Loss of light to gable end terraced property.
3. Overlooking and loss of privacy.
4. The height and closeness to the bungalow would be claustrophobic and completely block light to their garage, utility room and garden.
5. Although built in line with the existing Victorian terrace, the proposed house would protrude 12 feet in front of the adjoining bungalow.
6. The proposal would lower the value and affect the re-sale of the objectors' properties.

In response to concerns raised and following the site visit I would comment as follows:-

- (a) An amended plan has now been received removing the first floor of the proposed rear annex so as to minimise the impact of the proposed development on the rear kitchen and conservatory at No 30 Crossfield Road through loss of natural light.
- (b) The previous refusal which the objectors make reference to was not on this site but an area of allotments situated to the rear of Crossfield Road. This particular site did not have direct road frontage and constituted backland development.
- (c) Issues relating to property values are not material planning considerations in the determination of an application and should be disregarded.
- (d) No objections have been received from statutory consultees, subject to conditions being attached to any subsequent approval.

In conclusion, the amended proposal is now considered to represent an acceptable residential infill plot situated within the Cleator Moor settlement boundary compliant with Policy HSG 4 of the adopted Copeland Local Plan 2001-2016.

Recommendation

Approve (commence within 3 years)

2. Development shall be carried out strictly in accordance with the amended plans received by the Local Planning Authority on 6 August 2006.

**CLEATOR MOOR TOWN COUNCIL**  
THE SQUARE \* CLEATOR MOOR \* CUMBRIA CA25 5AP

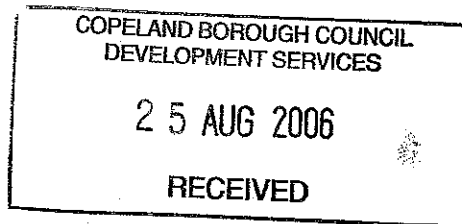
Telephone 01946 810242

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Mr T Pomfrett  
Copeland Borough Council  
Development and Environment  
The Copeland Centre  
Catherine Street  
WHITEHAVEN  
Cumbria CA28 7SJ

23<sup>rd</sup> August 2006

Dear Mr Pomfrett



**04/06/2458/OF1 - Mr and Mrs Davidson Application**

**Land at 30 Crossfield Road - Storey Town House**

The above application was reviewed by the Town Council in July with no objections recorded. Mr Murray attended yesterdays council meeting (as did Mr and Mrs Johnson and Ms Whelan, neighbours of 30 Crossfield Road) and appraised members of his concerns regarding this development.

The main issues were as follows:

- Building a property of this size would increase the likelihood of subsidence problems in an area that is known to be largely undermined. Neighbouring bungalows have been built on a raft to combat this problem. This would be a high development sitting on a small footprint and have a heavier load.
- The driveway to Mr Johnson property would have a concealed entrance and pose a risk to pedestrians and other car users. Accessing the road from the drive would be dangerous due to the proposed three storey building as well as parked cars. Parking in the road is already at capacity, especially in the evening.
- Building the property would significantly reduce the light into the living room, kitchen and conservatory of Mr Murray's home. All the other properties on this road have only single storey extensions to the rear. Applications to build two storey extensions have been rejected by the planning panel on previous occasions.



- There would be limited access to maintain Mr Murray's property if this development was to go ahead.

I have enclosed documentation delivered to me by Mr Murray and a letter endorsing these comments by Mr Johnson.

In light of information presented to councillors, could you please amend your records, to a comment of objection with regard to this application.

Yours sincerely



Mrs Helen Gilmour  
Clerk to the Council

MAIN AGENDA

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3. The access drive shall be surfaced in bituminous or cement bound materials, or otherwise bound, and shall be constructed and completed before the dwelling is occupied.
4. Access gates, if provided, shall be hung to open inwards only away from the highway.
5. Details of all measures to be taken by the applicant to prevent surface water discharging onto or off the highway shall be submitted to the Local Planning Authority for approval prior to development being commenced. Any approved works shall be implemented prior to the development being completed and shall be maintained operational thereafter.
6. Before the dwelling is occupied that part of the existing footway crossing not required for the driveway shall be reinstated in accordance with the details which have been submitted to and approved by the Local Planning Authority.

Reasons for the above conditions:-

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

For the avoidance of doubt.

In the interests of highway safety and environmental management.

Reason for decision:-

An acceptable form of residential infill development in accordance with Policy HSG 4 of the adopted Copeland Local Plan 2001-2016.

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9 4/06/2464/0

DWELLING  
LAND ADJACENT TO 9, LOW KELLS, WHITEHAVEN,  
CUMBERIA.  
D LOWRY

Parish

Whitehaven

A decision on this application was deferred at the last meeting to enable Members to visit the site. The site visit took place on Wednesday 30 August 2006.

Planning permission is sought for the erection of a single dwelling on this area of garden land situated adjacent to the applicant's end terrace property at Low Kells, Whitehaven.

The proposed three bedroomed dormer style bungalow with integral garage would be sited 1.9m from the boundary with the existing end terraced property.

The proposed development would have no direct road frontage and would be accessed via an unmade, narrow lane that runs to the rear of the existing Low Kells terrace. An existing detached garage situated at the end of the lane would be demolished to allow access to the site.

Proposed external finishes comprise grey concrete roof tiles, dry dash rendered walls and white upvc doors and windows.

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

1. Access to the dwelling would be via a private, narrow lane which is in an appalling state. The lane would be damaged further by an increase in traffic and the use by heavy vehicles linked to such a development.
2. Damage could be caused to the dwellings that back onto this lane by the increase in traffic and heavy vehicles.
3. There is no pavement and the back yards of existing properties step right out onto the lane. The increase in traffic could be a danger to disabled residents and young children.
4. The access lane needs to be kept clear for emergency vehicles.
5. Utility services are harboured under the lane's surface, they may be interfered with/damaged.
6. Such a development would set a precedent for future sporadic development.

No objections have been received from statutory consultees.

Policy HSG 4 of the adopted Copeland Local Plan 2001-2016 states that:-

"Within the defined limits of settlements prescribed by Policy DEV 4 proposals for housing redevelopment involving existing buildings or previously developed land will be permitted in accordance with the

MAIN AGENDA

provisions of Table HS8 and subject to the requirements of other plan policies."

The site is located at the edge of an existing residential area, within the settlement boundary for Whitehaven as defined by the adopted Copeland Local Plan. However, the site has no direct road frontage, is accessed via a narrow, unmade lane and would result in the loss of parking and amenity space which currently serves the existing end terraced property.

Furthermore, the site is situated adjacent to the former Kells School site which is an allocated housing site and, as such, there is no demonstrable need for further sporadic residential development in this area of Whitehaven.

Recommendation

Refuse

The site is considered unsuitable for residential development due to its location on the edge of this established residential area, with no direct road frontage and substandard access arrangements via an unmade back lane. Furthermore, the proposal would result in the loss of amenity and parking space serving the adjacent property contrary to Policies HSG 4 and HSG 8 of the adopted Copeland Local Plan 2001-2016.

10 4/06/2469/0

SLUDGE PACKAGING PLANT BUFFER STORAGE  
SELLAFIELD, SEASCALE, CUMBRIA.  
BRITISH NUCLEAR GROUP SELLAFIELD

Parish St Bridgets Beckermert

- No comments received.

A new plant is proposed centrally located within the Sellafield site near Building B30 which will provide a facility in which to treat and store the waste sludge currently held in B30.

The application is accompanied by an Environmental Statement, a copy of the non-technical summary of which is appended to this report. The full Environmental Statement is available for inspection in the Development Control office.

The Magnox Fuel Storage Pond was built at Sellafield to store Magnox

## MAIN AGENDA

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fuel from nuclear reactors prior to reprocessing. The pond was operated from 1959 to 1985. The material now remaining in the pond comprises sludge, quantities of fuel and miscellaneous radioactive waste. The Magnox Fuel Storage Pond is one of a number of legacy ponds at Sellafield.

The purpose of the project is to design, construct and commission a sludge storage facility linked to the existing Magnox Fuel Storage Pond from which sludge will be transferred to the proposed Buffer Storage Facility (BSF) where it will be settled out and the liquid portion decanted.

The removal of sludge and its subsequent storage are key steps in the remediation of the Magnox Fuel Storage Pond and, as such, the proposed development plays a crucial role in the wider decommissioning of the Sellafield site and will result in a significant environmental improvement, facilitating the safe storage of radioactive Magnox sludge until it can be processed into a stable product suitable for longer term storage.

The BSF will consist of a reinforced concrete box structure, a services annexe and a pipebridge section for connection to the Magnox Fuel Storage Pond. The BSF will measure approximately 49m x 27m with an overall height of 15.5m, above which a ventilation stack will extend approximately a further 5 metres.

Aerial discharges from operation of BSF will be subject to authorisation limits determined by and reported to the Environment Agency. No environmentally important non-radiological aerial discharges are anticipated.

The main liquid effluent stream associated with the operational BSF will be from decanting the supernate from the storage vessels. Liquid supernate will be transferred from the BSF to a settling tank prior to onward transfer to an existing Sellafield liquid effluent treatment facility.

Given the size and height of the facility and its central location within the Sellafield Separation Area the building, which will be of solid concrete wall construction, will be relatively inconspicuous as it will blend in with the surrounding buildings, especially when viewed from off-site locations.

The Health and Safety Executive raise no objections on nuclear safety grounds.

## Recommendation

Approve (commence within 3 years)

## **BUFFER STORAGE FACILITY ENVIRONMENTAL STATEMENT**

### **NON TECHNICAL SUMMARY**

#### **INTRODUCTION**

*The Sellafield site is owned by the Nuclear Decommissioning Authority and operated by British Nuclear Group Sellafield Ltd, and it is the UK's nuclear fuel reprocessing facility. The site also contains waste management and decommissioning facilities, and the now non-operational Calder Hall nuclear power station.*

*The Magnox Fuel Storage Pond was built at Sellafield to store Magnox fuel from nuclear reactors prior to reprocessing. The pond was operated from 1959 to 1985. The material now remaining in the pond comprises sludge, quantities of fuel and miscellaneous radioactive waste. The Magnox Fuel Storage Pond is one of a number of Legacy Ponds at Sellafield.*

*The purpose of the project is to design, construct and commission a sludge storage facility linked to the existing Magnox Fuel Storage Pond. Sludge will be transferred from the Magnox Fuel Storage Pond to a Buffer Storage Facility (BSF) where it will be settled out and the liquid portion decanted.*

*The removal of sludge and its subsequent storage are key steps in the remediation of the Magnox Fuel Storage Pond. Remediation of the Magnox Fuel Storage Pond is one of the key risk reduction activities required for the safe decommissioning of the Sellafield site. As such, the proposed development plays a crucial role in the wider decommissioning of Sellafield site and will result in a significant environmental improvement.*

*This Environmental Statement relates to the proposed construction of the BSF, and has been prepared in order to satisfy the requirements set out in the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. This report provides details of the proposed development, the design requirements of the facility and the environmental issues associated with it. The impacts that the development may potentially have on the environment are identified and assessed and the measures taken to mitigate these impacts are detailed.*

#### **DESCRIPTION OF THE DEVELOPMENT**

*There is currently a requirement to build an interim storage facility (the BSF), adjacent to the Magnox Fuel Storage Pond, which is capable of storing radioactive Magnox sludge until it can be processed into a stable product suitable for longer-term storage. Construction and operation of the BSF is a risk reduction project and once complete is expected to result in a significant improvement to the storage of Magnox sludge on the Sellafield site.*

The BSF will consist of a reinforced concrete box structure, a services annexe and a pipebridge section for connection to the Magnox Fuel Storage Pond. The BSF will have dimensions of approximately 27m x 49m and the top of the roof module is expected to be approximately 15.5m above ground level. In addition, a ventilation stack is expected to extend approximately 5m higher than the roof module level. The BSF will have a design life of 25 years.

The BSF will contain three steel Buffer Storage Vessels (BSV) and associated plant for the receipt and buffer storage of sludge from the Magnox Fuel Storage Pond.

Sludge will be retrieved from the Magnox Fuel Storage Pond as dilute slurry. The slurry will be pumped from the Magnox Fuel Storage Pond to the BSF. Once in the BSF, the slurry will be directed to one of the BSVs and the sludge allowed to settle out under gravity. After the appropriate settling period has passed the liquid will be decanted and pumped to existing effluent treatment facilities on the Sellafield site.

What is now the Sellafield site was first developed during World War II as a Royal Ordnance Facility. Records show that the proposed BSF site lies on an area of land that previously contained structures associated with TNT nitration. Later industrial buildings were constructed on the site, which have recently been demolished.

A stage gate approach has been adopted for the option appraisal and design of the BSF. Different options for the design and operation of the facility were considered during optioneering exercises. The outcome was the chosen design described in this report.

## EVALUATION OF ENVIRONMENTAL IMPACTS

### Aerial

Aerial discharges from construction activities are expected to be limited to the creation of small amounts of dusts and exhaust fumes. Dust control strategies will be employed to minimise the impact during construction. Emissions from vehicles and machinery are anticipated to be minimal in comparison to the overall emissions from vehicles associated with the Sellafield site.

Aerial discharges from operation of the BSF will be subject to, and will comply with discharge authorisation limits as determined by and reported to the Environment Agency. Aerial discharges are expected to be radiological in nature; no environmentally important non-radiological aerial discharges are anticipated.

A number of measures have been adopted within the design of the BSF to minimise the creation of aerial releases in the first instance. However, where aerial discharges are produced they will be passed through High Efficiency Particulate Air (HEPA) filters to ensure that discharges to the environment are minimised.

**Liquid**

Liquid discharges during construction will be limited to surface run-off from rainfall events which will be managed as part of the construction with a system of interceptor drains and catch pits installed if necessary. In addition, accidental spillages of fuel, oil or other liquids associated with the construction will be managed through the implementation of appropriate spill management techniques and provision of associated equipment.

The main liquid effluent stream associated with the operational BSF will be from decanting the supernate from the storage vessels. Liquid supernate will be transferred from the BSF to a settling tank prior to onward transfer to an existing Sellafield liquid effluent treatment facility. The liquid effluent treatment facility discharges to sea following treatment and is subject to discharge authorisation limits as determined by and reported to the Environment Agency.

Liquid discharges from the BSF will be monitored to ensure they are acceptable for receipt at the liquid effluent treatment facility. If necessary caustic and polyelectrolyte can be added at the BSF to alter pH and solids content respectively.

**Solid**

During construction approximately 2,900m<sup>3</sup> of potentially contaminated spoil is expected to be generated from excavations. Where practicable excavated material will be used for other purposes on the Sellafield site, such as landscaping.

Solid waste arising from the operational facility will be minimal and limited to spent filters, contaminated redundant equipment, protective clothing, cleaning materials and other miscellaneous secondary waste. Where practicable the creation of solid waste will be minimised, however where solid waste is produced from normal operations it will be disposed of via approved Sellafield site disposal routes.

**Energy Use**

The first conservative estimates of annual energy consumption for the BSF are in the region of 2,450 MWh. This equates to the release of approximately 1,080 tonnes of carbon dioxide per year from the electricity used by the BSF, and is comparable in terms of energy use to a small/medium sized educational facility.

**Traffic**

Traffic movements during construction of the BSF will be limited to the deliveries of raw materials, plant and equipment. It is estimated that the delivery of construction materials and equipment for the BSF will require an average of approximately 35 vehicular visits per week over the duration of the construction, or approximately 2,200 total vehicular visits to the site. It has recently been estimated that approximately 4,500 vehicles visit the Sellafield site per day. Traffic movements will be managed through a Traffic Management Plan to be produced prior to the construction operations beginning. There is not expected to be any traffic movements to or from the BSF of note during its operation



**Noise and Vibration**

*Machinery likely to create high noise levels will be used in the construction of the BSF, most notably in the form of excavators. Noise from these sources is expected to be high compared to background levels in the local vicinity, but is not expected to affect receptors outside the Sellafield site. The effect of additional noise during construction on workers on the construction site and in the surrounding buildings will be addressed through detailed construction method statements and work safety plans.*

*Noise from the operational facility will be minimal and is not expected to be noticeable from existing sound levels in the area. The main source of noise from the facility will be the ventilation system. Noise and vibration from the operation of the facility is not expected to affect the noise and vibration levels at the site boundary.*

**Landscape and Visual Impact**

*Given the size and height of the facility and its location, in the central part of the Sellafield site, the landscape and visual impact of the proposed development is anticipated to be low. The external surfaces of the facility will be solid concrete walls, which are expected to blend in with the surrounding buildings. The existing buildings surrounding the facility and the wider Sellafield site dominate the visual nature of the area and it is considered very unlikely that the new building will be easily distinguishable from any off-site location.*

**Geology and Hydrology**

*The geology below the proposed site of the BSF is described as being made up primarily of made ground, comprising an upper layer of tarmac and hardcore, which rests on clayey sands and gravels. Below the made ground is silty sand and gravel.*

*The hydrology of the site indicates that the groundwater beneath the proposed construction site is approximately 9m below ground level. The River Calder is located some 350m east of the proposed development site and the River Ehen is approximately 1100m to the south-west. Due to the industrialised nature of the Sellafield site much of the incident rainfall is captured by the site drainage network and directed to consented discharges into the River Calder.*

*The geology and hydrology of the proposed site of the Buffer Storage Facility are not expected to be affected by the construction of the facility.*

**SOCIO-ECONOMIC**

*Whilst it forms a part of the wider strategy for Sellafield, the Buffer Storage Facility is not expected to have a significant socio-economic impact. Work created by the project is expected to be associated with the construction of the facility and as such will be transient. The operation of the facility is not expected to create additional economic opportunities as it will be an internal process carried out by existing Magnox Fuel Storage Pond operators.*

**CONCLUSIONS**

*Construction of the BSF is one part of the wider British Nuclear Group strategy to remediate the Magnox Fuel Storage Pond. The construction and operation of the BSF will have an impact on the environment. However, this must be viewed in the context that the wider project, to remove and safely store sludge from the ageing Magnox Fuel Storage Pond, will result in a reduction in risk and hence deliver a significant environmental improvement to the Sellafield site.*

*The main environmental issues associated with the BSF are the excavation of potentially contaminated soils, and the additional aerial and liquid discharges arising from operations. Each of these issues has been appropriately controlled or mitigated within the project.*

The reason for the above condition is:-

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

Reason for decision:-

The proposed development will facilitate the removal and safe storage of sludge from the ageing Magnox Fuel Storage Pond, thereby delivering a significant environmental improvement to the Sellafield site, compliant with Policy NUC 2 of the adopted Copeland Local Plan 2001-2016.

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11 4/06/2482/0

CONVERSION OF FORMER SHOP AND OFFICES INTO CIVIL  
WEDDING CEREMONIAL AREA AND RELATED FUNCTION  
SUITE  
THE CLOCKTOWER, MARKET SQUARE, MILLOM, CUMBRIA.  
MR & MRS S FEARON

Parish                      Millom

- No objections.

At the last meeting Members resolved to defer a decision on this application to enable a site visit and also for the status of the area beneath the clocktower to be verified both in terms of ownership and highway control. The site visit took place on Wednesday 30 August 2006.

Since the last meeting it has been established that the area beneath the clocktower belongs to the building. This is not disputed by the Highway Authority who point out, however, that ownership is not the sole issue but rather the Highway Authority's duty to protect and assert the public's right to pass and re-pass over what is clearly part of the adopted highway.

The application seeks permission to change the use of these former shop and offices into a civil wedding ceremonial area and related function suite. This prominent Market Square building in the Millom Conservation Area has been vacant for some time. The proposal would see the ground floor used as a ceremonial area with a mezzanine level added as a gallery area and the upper floor used as a function suite.

In response to statutory consultation procedures Cumbria Highways

MAIN AGENDA  
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have recommended that the application be refused on the grounds that the proposal would result in the enclosure of the highway where it passes beneath the clocktower. This arrangement is considered unacceptable from a highways point of view. This enclosure would involve fitting glazed doors to the archway on the front elevation and constructing dwarf walls in the openings on the flank elevations with armoured glass above. A gradient would be provided within the archways to afford full disabled access to the building.

A letter of objection has been received from the occupiers of neighbouring business premises, a copy of which is appended to this report together with the applicants' response thereto. Also appended is a copy of a letter of support from a resident of Millom.

In land use terms the proposal is considered commendable insofar as it will bring a community use back into this prominently sited building. No external alterations are proposed other than those relating to the archway openings beneath the clocktower. The proposed works to the flank elevation openings are not articulated on the submitted drawings but are described in the attached letter from the applicants dated 15 August 2006.

Should Members, with the benefit of the site visit, resolve to grant planning permission then a condition of approval could require the stopping-up and associated diversion of the affected part of the highway beneath the clocktower under the provisions of Section 257 of the Town and Country Planning Act 1990, if Members are satisfied that it is necessary to do so to enable the approved development to be carried out.

In conclusion, I consider the above course of action to be appropriate in enabling this development to be carried out as it will bring about wider regeneration benefits for the town and secure a viable future for this presently vacant building prominently located within the Millom Conservation Area.

## Recommendation

- Approve (commence within 3 years)
2. Notwithstanding the submitted details, further drawings detailing the proposed enclosure of the archways beneath the clocktower shall be submitted to and approved in writing by the Local Planning Authority before the use hereby approved becomes operational. Works shall be carried out strictly in accordance with the approved drawings.
  3. Before the works referred to in condition 2 above are commenced the stopping-up and associated diversion of the affected section of highway shall be applied for and secured under the provisions of Section 257 of the Town and Country Planning Act 1990.

**MILLOM EXHIBITION AND RETAIL CENTRE LTD**

c/o 112, Market Street

Millom  
LA18 4AL  
Cumbria

TEL: (01229) 773232 /  
773303 / 777579



Simon Blacker  
Planning Officer  
Copeland Borough Council  
The Copeland Centre  
Catherine Street  
Whitehaven  
CA28 7SJ

My Ref: SB1/170706  
Date: 17th July 2006

Dear Mr. Blacker

Re: **CONVERSION OF FORMER SHOP & OFFICES INTO CIVIL WEDDING CEREMONIAL AREA AND RELATED FUNCTION SUITE /Planning Application No. 4/06/2482/OF dated 5th July 2006**

Thank you for sending us through the plans for this proposed development so quickly.

Whilst we welcome any inward investment into Millom town, there are a number of, both, observations and severe concerns on our part concerning what is being proposed. These I will attempt to list in some sort of order for your information.

**EXTERIOR OF BUILDING**

- 1) When, as lessees of the Clocktower building, The Clocktower Gallery Ltd. applied to renew the existing fascia windows with UPVC replacements, they were informed that all windows and doors had to be of the hardwood type. This was in order that the rules governing the new status of the Market Square, as a Heritage Area, were to be observed in any development affecting the public aspect of the building.  
We would like to be assured that this is still the case and that the new development will reflect these regulations in, what can only be described as, the highest profile 'public' building in Millom.
- 2) We are also concerned at the conflicting accounts, from both the developers and the Town Council, as to who is responsible for the running and maintenance of the Town Clock. A public copy of any agreement made to date concerning this matter would help to put our minds, and those of residents, at some rest.
- 3) More worrying is the proposal to seal off the under part of the Clock Tower that crosses the pavement/public right of way (See App.A). This proposal interferes with a public right of way that has been in existence since the property was built and its subsequent access rights to the Market Hall. Moreover, should this aspect be passed, the existing pavement that runs in front of the Clock Tower would be insufficient for both pedestrians and disabled users without extending into the parking spaces in front of the tower. Once again, when the Clocktower Gallery Ltd. sought advice to do just this they were informed that it stood no chance of being passed by your offices in 2003.

## INTERIOR OF BUILDING

Ever since the 1930's the Clocktower building and the Market Hall, behind and adjoined to it, have been inextricably linked, both structurally and in common use. This has resulted in common access between the buildings and a criss-crossing of utility supplies, not to mention the absence of a party wall below the 1<sup>st</sup>. floor level of the Clocktower building. The plans you have sent us do not begin to address the structural details of just how the developers plan to go about separating the buildings on a permanent basis.

For example:

- 1) The party wall that needs to be built, according to the current Act, shows no detail of the structure, materials, etc. or how the developers intend to build such a structure through a heavily reinforced Mezzanine floor and existing glass reinforced roof supported by cast iron girders. As heavily reinforced as the mezzanine floor is, it will not be sufficient to support the proposed extension in the plans. Moreover, removing part of the mezzanine to build from the ground up would put our side at risk of collapse without new support structures sited on our property. We would need this to be addressed in order to keep future options open concerning possible removal of the mezzanine our side. However, no representation has been made to us about our views on this matter which is of extreme importance to our property in that it remains completely isolated from the new development.
- 2) We have serious concerns, also, concerning the boundary line between our property and the proposed new downstairs toilets (*See App.B*). If the plans have been drawn to scale, then there is insufficient room to fit the amount of proposed new toilet facilities in the actual space that exists. Even more worrying is how water and foul water drainage will be routed from the positioning of these new facilities. The water supply to the Clocktower building currently passes through our property from the back street and the current foul water drains through pipes beneath and in our property (*See App.C*) and to date no discussions or arrangements have been entered into whether, and on what terms this will continue or not.
- 3) There are no details on the plans as to what form the proposed new roof will take. How will our adjoining glass roof be fitted to the proposed extension structure without compromising the strength of our existing roof?
- 4) We have an electric supply in our name, situated in the Clocktower building, that supplies power to our property and an existing lessee below it. Before work commences, we will require the developer to re-site our supply panel on our property so that it does not, a) interfere with the proposed changes in the front building and, b) interrupt power supply to our property. No details of utilities are on the plans.
- 5) One of the most important issues we have concern with is the access to our property. The existing owners have refused us access across their property, access that has been in force for over 100 years according to Town Council records. We are currently considering applying for an Easement of Necessity as the only access we have at present is by stepladder to the rear of our building. Some negotiated agreement needs to be reached before building work that abuts our property can begin as any proposed development will need access to our property in order to complete the proposed development properly.
- 6) Finally, for now, there is the issue of Health & Safety and insurance against damage to our property. We have no intention of being held responsible for accidents, damage and health & safety violations that impact on our property as a result of any part of the proposed development.

3/

In closing, we would like to suggest that most of these problems can be addressed if somebody actually made a site visit to the WHOLE of the two properties in order to visually appreciate the nature of the problems that the developers face in this proposed project.

In general, the above list tends to cover our objections to the proposed development and we look forward to your response in the near future,

Yours sincerely

A handwritten signature in black ink, consisting of a large, stylized initial letter followed by a long, horizontal stroke.

Pp The Directors

The Clock Tower  
3 Market Square  
Millom  
Cumbria  
LA18 4HZ

15<sup>th</sup> August 2006

FAO Planning Committee  
Copeland centre  
Whitehaven  
Cumbria

COPELAND BOROUGH COUNCIL  
DEVELOPMENT SERVICES

16 AUG 2006

RECEIVED

Re planning Application No 4/06/2482/OF dated 5<sup>th</sup> July 2006  
Conversion of Former Shop and Offices into Civil Wedding Ceremonial Area and  
Related Function Suite

Dear Sirs

We would like the opportunity to reply to the full Committee in respect of the objection raised by the Highways Department. We originally contacted the Highways department in May when considering if the project was viable regarding having metal grilles put around the ground floor of the Clock Tower as it is used as a toilet at night, also a shelter from the rain and general hang out area by teenagers, there is extensive graffiti, old food and wrappers, vomit and various other unpleasant specimens left on a regular basis. We were given a reference no 101098 and approximately 10 working days after the phone call we were contacted by the Highways dept who stated as we own the land under the Clock Tower it was a planning permission issue not Highways, hence why it was submitted in the planning permission, we also approached local councillors and the Town Clerk to sound out whether it would be a perceived problem, the feedback was it was a solution to a known problem.

After these discussions we took on board the Architects suggestions that it would be more aesthetic to enclose with a low dwarf wall sloped to discourage seating with armoured glass for safety and to enhance the natural beauty of the archways. Within the archways a gradient is to be used to provide full disabled access to the building, we are installing a disabled lift, which will allow access to the function suite upstairs as well. The other two entries are high steps due to the age of the building so to have the required disabled access would encroach onto the pavement.

The footpath has actually been extended to follow the line of the Clock Tower so has always been designed for Public access around the Clock Tower, if the area was enclosed there is adequate room for the public to walk around the tower remaining on the same pavement, there is ample room for pushchairs and wheelchairs as we have tested this.

We have spoken to a large number of Millom residents who regularly use the square and the general consensus of opinion is that it will only enhance and that it is known locally as the public toilet and they have been complaining for quite a long time for something to be done.

We intend to have the building sandblasted at a cost of approx 15k to bring it back to former glory and in line with all the other buildings in the square, the alterations of installing the glass will cost approx 20k with the disabled ramp, all of which we are personally funding without any help from grants. The main reason the building was



put up for sale was because the building was deteriorating and funds were not available for necessary repairs, the building is in a prime location in the square which is currently being regenerated by a number of commercial businesses none of whom have any objections to our proposals, they are of the opinion that it will help Millom by bringing in much needed trade to local businesses i.e. hotels bed and breakfasts restaurants hairdressers florists caterers and local shops, also tourism as we will be advertising nationally and bringing trade into the area

There is a need in Millom for a civil wedding venue as the Registry office is depressing and very few local people choose to marry there, choosing to travel through to Barrow which results in lost trade to Millom, there is a suggestion that the Registry office at Egremont is under threat of closure due to being unable to comply with disability requirements through lack of funding.

We consider the enclosed vestibule as very important to be able to reassure couples getting married that they will not have to walk through dirt and take photos with graffiti present, also with the disabled ramp for access it would be a safety hazard if the sides were not enclosed, we intend to render the inside of the vestibule to cover up the recent repair work making it in keeping with the rest of the building. It will also resolve the problem of nesting seagulls and other birds.

We have had a lot of interest re the function room for meetings and businesses and local people for parties and anniversaries and from groups as well as couples getting married in local churches for their receptions rather than getting married in Millom and having to travel for the receptions.

Many ideas and proposals have been suggested for the Clock Tower it is a unique building, also an awkward size and shape that doesn't lend itself to many ideas, this scheme is perfect keeping the building intact as originally designed, will be a focal point for the community, well used by the community, it has stood mostly unused for approximately 7 years.

We feel that the vestibule is necessary for us to be able to proceed with our plans, if permission was not granted we would not proceed with the Civil Venue licence as we could not guarantee being able to provide a pleasant area for couples to get married within and outside the venue or access for disabled guests

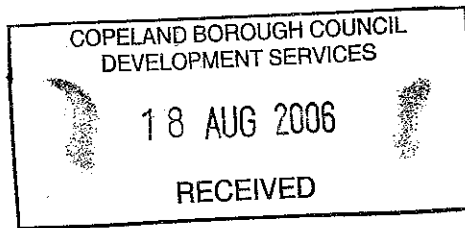
Yours sincerely

Mr and Mrs Fearon

Mr T. Pomfret  
Copeland Borough Council  
The Copeland Centre  
Catherine Street  
Whitehaven  
Cumbria  
CA28 7SJ

20<sup>th</sup> August 2006

Dear Mr Pomfret



**Re: Planning Application 4/06/2482/0  
Conversion of Former Shop and Offices into Civil Wedding Ceremonial Area and Related  
Function Suite. The Clocktower, Market Square, Millom**

I am writing in support of Mr and Mrs Fearon's application for permission to convert the above said buildings. Whilst I was initially opposed to the sale of public buildings belonging to the town, I believe the proposed change of use, to be beneficial to the town and will bring the buildings back into public use. I also accept that Millom Town Council has not got the resources to maintain the buildings, whereas private investment has the potential to vastly improve them.

I enclose a copy of the title plan, which does indeed show that the land the Fearon's wish to enclose, under the clock tower, was included in the transfer from Millom Town Council to Neil Price Limited. Though the subsequent transfer to Mr and Mrs Fearon has not yet appeared on H M Land Registry, I am confident that the estate in land was transferred in its entirety. I am certain Copeland's Legal Officer can confirm this point. The land they propose to enclose is an open porch and not part of the public highway.

I accept the fact that the Fearon's own the estate in land does not automatically entitle them to do as they please with it. The Highways Authority is justified in expressing concern regarding the possible restriction of highway use. The Planning Panel was also right postpone a decision, until the matter could be thoroughly investigated. However, the pavement in front of the porch, which does form the public highway, is sufficiently wide to allow passing and re-passing by pedestrians, wheelchair users and by babies' pushchairs. I noted Cllr. F McPhillips is aware of this fact.

Additionally, I have observed that the pedestrians have generally avoided passing under the clock tower. This is because vandals and rowdy crowds tend to congregate under it, which is intimidating at night. During the day it was not used due to the filth of rubbish and chewing gum along with the stench of urine. Enclosing the area would vastly improve the general environment in the town square, removing a place where graffitists and inebriates can be hidden.

I had the pleasure of speaking to Mrs Fearon yesterday, but I would appreciate it to be noted that I did not introduce myself or inform her I would speak on her behalf. I merely wish to express support for the business venture and believe this to be reasonable use of an attractive old building within the Millom Conservation Area. The proposal does not substantially alter the external appearance of the building, beyond the enclosure of the entrance porch and is fully compliant with ENV 26 of the Copeland Plan.

**"Development within Conservation Areas --- will only be permitted where it preserves or enhances the character or appearance of the Conservation Area ---. In Particular it should;**

- 1. respect the character of existing architecture and any historical associations by having due regard to the positioning and grouping of buildings, form scale detailing and use of traditional materials.**

2. respect existing hard and soft landscaping features including open space, trees walls, surfacing
3. respect traditional street patterns plot boundaries and frontage widths.
4. improve the quality of the townscape."

In considering development proposals within conservation areas, local planning authorities are to ensure that s. 72 (1) Listed Buildings and Conservation Areas Act 1990 "**special attention shall be paid to the desirability of preserving and enhancing the character and appearance of the local area**". The status Millom Town Square as a Conservation Area is a material planning consideration in determining planning applications in the area. I believe this application is in accordance with the areas particular architectural and historic interest and enhances the appearance of the Conservation Area.

If permission is not granted there is a danger the building will be shut up and in remaining empty will only degenerate into dereliction and become a haven for anti-social behaviour. The project is a positive means of preserving a prominent aesthetically pleasing building. Enclosure of the entrance is reasonable and necessary for the success of the business. Mrs Fearon cannot have brides trailing their dresses through filth. She will be complying with the requirement under the Disability Discrimination Act by having a wheelchair ramp placed in the entrance, which will take up a significant amount of the space under the clock tower.

Millom needs to attract new business if it is to prosper. Enterprising people are to be commended for investing their capital in the town. The function suite will provide local jobs and be of benefit to surrounding business in the square, like the hairdressers and the County Court Hotel. The overall enhancement of the appearance of the area is more likely to attract tourists, which will give a positive boost to trade in general. The business also provides the town and surrounding rural hinterland with a much needed service. Whilst there is a Registry Office serving the utilitarian purpose of performing civil weddings, couples getting married generally want a place that provides a sense of occasion in a pleasant environment. Millom's Registry Office is not the most romantic place in which to tie the knot!

Whilst this above point may not be considered a material consideration by the panel it is of relevance to Copeland's commitment to regeneration in the borough.

I understand that further investigation, a site visit and consultation with the Highways Authority is the correct course of action. Mrs Fearon informed me that she was not aware that anyone from the Highways Authority had visited the premises. I hope that through negotiation and appropriate checking procedures the Highways Authority can reconsider its recommendation, so a solution beneficial to all parties can be achieved.

I thank you for considering this matter.

Yours sincerely



Mrs Jane Micklethwaite

cc: Millom Town Council  
Cllr. McPhillips  
Cllr. Scurrah

MAIN AGENDA

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The reasons for the above conditions are:-

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

To ensure a satisfactory standard of development within the Millom Conservation Area.

In compliance with Section 257 of the Town and Country Planning Act 1990.

Reason for decision:-

Subject to the stopping-up and associated diversion of the affected section of highway beneath and adjacent to the clocktower the proposal is considered to represent an acceptable alternative use for this presently vacant and prominently located building within the Millom Conservation Area.

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12 4/06/2527/0

OUTLINE APPLICATION FOR DORMER BUNGALOW  
LAND AT, CASTLE VIEW, COMMON END, DISTINGTON,  
CUMBRIA.  
MR & MRS C D HUNTER

Parish                      Distington

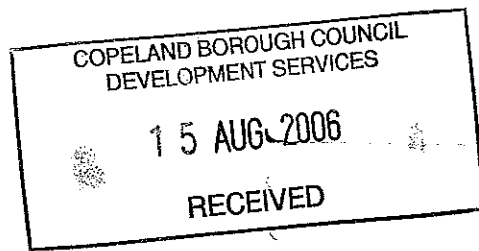
- No comments received.

Outline planning permission is sought for the erection of a detached dormer bungalow on this previously developed site adjacent to the A595 trunk road at Common End, Distington.

This now heavily vegetated site is located outside the settlement boundaries as defined by the adopted Copeland Local Plan 2001-2016. Policy HSG 5 states that new housing development will not be permitted outside settlement boundaries unless it is to meet exceptional circumstances arising from local social and economic conditions.

In support of their application the applicants have submitted a letter setting out their local need case. A copy of this letter is appended to this report.

It is considered that the local need case put forward is not



Mr and Mrs C D Hunter  
37 Woodlands Avenue  
Hillcrest  
WHITEHAVEN  
Cumbria  
CA28 6tf.

14<sup>th</sup> August 2006

Dear Rachel Carrol

With reference to your letter RC/4/06/2527/001 dated 7<sup>th</sup> August 2006, regarding planning approval for a dormer bungalow at Castle View, Common End, Distington. I confirm that I wish to proceed for planning permission for the above, with the following details hopefully enhancing my request.

The land in question adjoins my mother's property 'Melrose', and such a development would be perfectly acceptable to her. She is in her late seventies and is recovering from a serious illness, and with my wife and I living in close proximity this would be advantageous to both her and ourselves.

Having myself been born and raised at 'Melrose', which I part own, I am only too well aware of the need for such a development to enhance rather than detract visually and if such permission was granted I would ensure that would be the case.

Perhaps a visit with me by yourself or staff would clarify the situation. But in any case I would suggest from a compassionate as well as visual aspect my request for approval be granted.

Yours sincerely

Handwritten signature of C. D. Hunter

C D Hunter

# COPELAND BOROUGH COUNCIL

The Copeland Centre, Catherine Street, Whitehaven, Cumbria, CA28 7SJ



Town and Country Planning Act 1990.

4/2006/2527

## NOTICE OF REFUSAL OF CONSENT

Mr & Mrs C D Hunter  
37 Woodland Avenue  
Hillcrest  
WHITEHAVEN  
Cumbria

### OUTLINE APPLICATION FOR DORMER BUNGALOW

Land at Castle View, Common End, Distington, ,  
Mr & Mrs C D Hunter

The above application dated 20 July 2006 has been considered by the Council in pursuance of their powers under the above mentioned Act and has been REFUSED for the following reasons (s):

In the absence of a demonstrable local need the proposed dwelling constitutes non-essential development in the countryside and, as such, is contrary to Policy HSG 5 of the adopted Copeland Local Plan 2001-2016.

Please read the accompanying notice

31 August 2006

Development Services Manager

sufficient justification to override the strong policy presumption against development.

Recommendation

Refuse

In the absence of a demonstrable local need the proposed dwelling constitutes non-essential development in the countryside and, as such, is contrary to Policy HSG 5 of the adopted Copeland Local Plan 2001-2016.

13 4/06/2535/0

TWO STOREY EXTENSION TO PROVIDE GARAGE, BEDROOMS  
AND PLAYROOM  
3, THREAPLANDS, CLEATOR MOOR, CUMBRIA.  
MR & MRS G SANGHA

Parish

Cleator Moor

Planning permission is sought to erect a two storey extension to the side of this semi-detached property which occupies a substantial corner plot on the Threaplands estate, Cleator Moor.

Measuring 11.45m in length by 4.4m in width, the extension would be set back 0.3m from the existing house frontage and project 4.0m beyond the existing rear elevation.

Internally, the extension would provide a garage, playroom and WC at ground floor level with two bedrooms above. Externally, proposed finishes and windows would match the existing house.

Letters of objection have been received from two nearby property owners to the west. The grounds for objection can be summarised as follows:-

1. The extension will cause loss of light.
2. If permission is granted this will encourage the owners of No 5 Threaplands to resubmit their application that was withdrawn in May 2006.
3. The property is on a higher level than the objectors' properties and the extension would give a feeling of being fully enclosed and blocked in.

MAIN AGENDA  
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In response to these concerns I would comment that the rear elevations of the objectors' properties are sited 16.5m away from No 3 Threaplunds and would be a minimum of 21.5m from the proposed extension.

In my opinion it is considered highly unlikely that the proposed extension would have any adverse impact on neighbouring/nearby properties and, as such, the proposal is considered to be in accordance with Policy HSG 20 of the adopted Copeland Local Plan 2001-2016.

Recommendation

Approve (commence within 3 years)

The reason for the above condition is:-

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

Reason for decision:-

An acceptable domestic extension in accordance with Policy HSG 20 of the adopted Copeland Local Plan 2001-2016.

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14 4/06/2549/0

CHANGE OF USE TO BED AND BREAKFAST ACCOMMODATION  
THE BEACHCOMBER, PARTON, WHITEHAVEN, CUMBRIA.  
KAREN CLARK

Parish

Parton

- No comments received.

A previous application to change the use of this former club situated on part of Parton foreshore to bed and breakfast accommodation was withdrawn in June this year (4/06/2270/0 refers) in order for a Flood Risk Assessment (FRA) to be prepared.

This proposal represents a resubmission which is now accompanied by an FRA.

Members will recall that the site was visited in June this year in view of the flood risk issues and the objection then raised by the Environment Agency on these grounds.



MAIN AGENDA

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The scheme will involve the installation of new windows and construction of a single storey extension to the rear to provide improved kitchen/laundry/cellar facilities.

Eleven ensuite bedrooms are proposed. Nine of these will be located on the first floor with 2 accessible ones on the ground floor. Proposed external finishes comprise roughcast walls under a slate roof with upvc windows.

Vehicular access will be via the existing subways to a public car park beyond. Parking for 12 cars will now be provided within the site boundary.

The area to the immediate rear of the building will be cleared to provide a "sitting out" area.

Whilst the use proposed, in itself, is acceptable for the building the key issue here is whether this is a suitable location. The building is situated in a high flood risk (level 3) area being located on the shoreline. The FRA confirms that there is little in the way of additional measures that can be undertaken to prevent flooding in this sea front location, given that existing coastal defence measures are already in place. It proposes that a management plan be put in place to ensure evacuation should flooding occur. The Environment Agency, however, maintain their objection to the proposal on the grounds of flood risk, the attached letter dated 22 August 2006 refers.

However commendable the proposed alternative use for these premises may be, the objections on the grounds of flood risk as expressed by the Environment Agency are considered to outweigh the benefits of the proposal.

Recommendation

Refuse

The flood risk associated with the proposal, which includes accommodation for disabled people at ground floor level, and the fact that access to and egress from these foreshore premises is restricted to two narrow subways beneath the West Coast railway line, is considered unacceptable and at variance with Policies ENV 14 and ENV 16 of the adopted Copeland Local Plan 2001-2016 and guidance contained in Planning Policy Guidance Note 25 "Development and Flood Risk".

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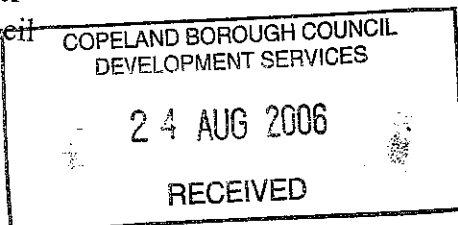
Our Ref : NO/2006/005922-1/1  
Your Ref : 4/06/2549



ENVIRONMENT  
AGENCY

Date : 22 August 2006

Principal Planning Officer  
Copeland Borough Council  
Copeland Centre  
Catherine Street  
Whitehaven  
Cumbria  
CA28 7FJ



Dear Sir

**APPLICATION NUMBER: 4/06/2549**  
**CHANGE OF USE TO BED AND BREAKFAST ACCOMMODATION**  
**THE BEACHCOMBER, PARTON, WHITEHAVEN**

Thank you for referring the above application and accompanying Flood Risk Assessment (FRA) completed by Derek Evans Architect dated July 2006 in support of the above application which was received on 11 August 2006.

The FRA has been completed to an acceptable level of detail and included consultation with the Environment Agency to obtain up to date tidal flood levels, however, there remains several areas of concern.

One of our areas of concern is the discounting of surface water flooding (Section 5.2.1) from the FRA. Although we accept that Copeland Borough Council have carried out some improvement works to an existing surface water culvert we would not consider that this would necessarily eliminate all the surface water flooding issues experienced at this location as only one aspect of the surface water infrastructure has been improved. Section 4.3 of the FRA confirms that during high tides surface water has been unable to discharge freely (i.e. become 'tide locked') resulting in flooding to the railway subways. The two subways adjacent to the Beachcomber Club are the only pedestrian and vehicular access to the property and as such any localised surface water flooding would restrict, if not prevent, pedestrian and vehicular access to the Beachcomber Club.

Turning now to the possibility of tidal flooding affecting the Beachcomber Club. The FRA has confirmed a series of extreme tidal levels and the 0.5% annual probability tidal level (1 in 200 year) is given as 5.72 mAOD. This figure, provided by the Environment Agency, is a still water level and does not allow for tidal surge and wave action. Tidal surge and/or wave action could result in the overtopping of the tidal defence structure. There is a small 'wave deflection wall' constructed around the Beachcomber Club which was built as part of the defence scheme, confirming the possibility of overtopping of the defence. The tarmac parking area to the rear of the defence embankment has been contoured to shed splash water away from the property and towards the subways. This is confirmed in the ground levels

provided in Appendix C of the FRA. This would also contribute to the amount of flood water in the vicinity of the two railway subways again compromising access and egress. The existing floor level of the Beachcomber Club has been given in the FRA as 6.52 mAOD which is significantly lower than the existing car park level. Section 6.1 of the FRA confirms that the building is at direct risk of tidal flooding during severe conditions and also confirms that for less severe events access and egress will be compromised due to the subways being inundated with water. Section 6.2 of the FRA also confirms that due to the location of the building the possibility of flooding has to be accepted.

There is also the possibility of the combination of a high tide event coupled with a heavy rainfall event. A joint probability analysis study could not be expected for such a small development proposal, but it should be considered in some way and as previously mentioned surface water flooding has been discounted from the FRA.

We would accept that the conversion of the existing Beachcomber Club could incorporate several 'flood proofing' measures as detailed in Section 6.0 of the FRA. These could include consideration of floor coverings and skirting boards which are less likely to be affected by the ingress of water. The siting of services can also be amended such that they are situated at a higher level to minimise flood damage.

We are concerned, however, that the present proposal is to provide disabled accommodation at the ground floor level. Whilst, as mentioned above, the conversion of the existing building can be carried out in a way which can make it more 'flood resistant' the issue remains that flooding of the building and most importantly the only access/egress routes will occur. This will severely restrict, and possibly prevent, emergency access or egress. The only mitigation proposed is to register with the Environment Agency to receive tidal flood warnings.

Therefore, in view of the above comments, we must maintain our OBJECTION to the current proposal on the grounds of flood risk.

To reiterate, our concern is the proposal to provide disabled accommodation at ground floor level to a building which may suffer flooding but the access to the building is limited to two subways below the existing railway line. These may be subject to frequent inundation thus limiting access and egress. A situation may arise that emergency access was required to persons within the building but this could not be achieved due to the access restrictions. We would not necessarily object to the conversion of the Beachcomber Club to provide a facility at this location but would remain concerned at accommodating disabled people at ground floor level in an area subject to tidal and fluvial flooding.

A copy of this letter has been sent to the agent.

Yours faithfully

*D Ferguson*

**DOREEN FERGUSON**  
**Planning Liaison Officer**

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15 4/06/2558/0

OUTLINE APPLICATION FOR A DWELLING  
GARDEN LAND TO, WHITE WINGS, LINGMELL, SEASCALE,  
CUMBRIA.  
MR E C & MRS J CARNALL

Parish                      Seascale

- No comments received.

Outline planning permission is sought for a dwelling in the garden of White Wings, Lingmell, Seascale with only the means of access to be approved at this stage.

The area of land to be separated for the proposed dwelling measures 23 metres by 23 metres and would be served by a joint access with the existing dwelling, which will require the demolition of the existing garage to 'White Wings'. This would lead onto the unadopted private lane which, in turn, is accessed from a junction off Gosforth Road.

The Highways Authority have raised no objections to the proposal, but advise that adequate on-site turning facilities for both dwellings should be secured.

An indicative plan has been submitted with the application to demonstrate how a dwelling could be positioned on the site.

Five letters of objection have been received from local residents. Their concerns can be summarised as:-

1. The access lane and sewer are under shared and private ownership respectively.
2. The access lane is in a poor condition.
3. The proposed dwelling would reduce light to existing properties.
4. More housing is not needed in Seascale.
5. The positioning would not conform to the building line.
6. The proposed dwelling would result in the loss of a garden area.

In response to the issues raised I would comment firstly that the ownership of the sewer and lane are civil issues which should not affect the determination of this application. Although the lane is in a poor state this is the responsibility of the owners, and the Highway Authority are satisfied with the condition of its junction onto the public highway. The dwelling type is not confirmed with this application but any reserved matters application would need to ensure that the siting and design conform with the housing design standards

MAIN AGENDA

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in the Local Plan. Housing stock for the area is dealt with in the policies of the Local Plan, against which the application is considered. Finally, the positioning of the dwelling is not confirmed at this stage but it is considered that both houses would be able to retain an acceptable curtilage area.

As garden land of a dwelling, the proposal is classed as previously developed land. This factor, along with the site being located within the settlement boundary for Seascale, means the proposal is favourably considered under Policy HSG 4 of the adopted Copeland Local Plan 2001-2016

Recommendation

Approve in Outline

Reason for decision:-

An acceptable brownfield infill housing development in accordance with Policy HSG 4 of the adopted Copeland Local Plan 2001-2016.

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16 4/06/2561/0

TWO BEDROOM, KITCHEN, SITTING ROOM, UTILITY ROOM  
EXTENSION  
64, HOLLY BANK, THE HIGHLANDS, WHITEHAVEN,  
CUMBRIA.  
MRS M BAKER

Parish                      Whitehaven

Planning permission is sought to erect a two storey extension to the side of this semi-detached property on The Highlands estate, Whitehaven.

Measuring 11.25m in length by 4.65m in width, the proposed extension would be in line with the existing house frontage and project 3.3m beyond the existing rear elevation.

In terms of accommodation the extension will create an additional living space, enlarged kitchen and utility room at ground floor level with two additional bedrooms and an en-suite bathroom above. Externally, the extension would be finished to match the existing property.

A single letter of objection has been received from a neighbouring property owner situated to the rear. The grounds for objection can

MAIN AGENDA

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be summarised as follows:-

1. No 64 is in an elevated position above the objectors' bungalow and already looks down into the rear of this property.
2. The extension will bring No 64 nearer to the rear of the objectors' property.
3. The new rear bedroom has a balcony/viewing area and is in an elevated position. This will overlook the objectors' main bedroom, conservatory and garden/patio, imposing on privacy.
4. The extension would block light to the objectors' garden area.
5. The extension would increase surface water draining into the rear of the objectors' garden.
6. Devalue the objectors' property.

In response to these concerns an amended plan has been submitted omitting the proposed French doors and balustrade and replacing them with a window to match existing first floor rear windows.

In my opinion 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 adopted Copeland Local Plan 2001-2016.

Recommendation

Approve (commence within 3 years)

2. Permission in respect of floor plans and elevational treatments shall relate solely to the amended plan received by the Local Planning Authority on 1 September 2006.
3. Permission in respect of site layout shall relate solely to the amended plan received by the Local Planning Authority on 23 August 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 domestic extension in accordance with Policy HSG 20 of the adopted Copeland Local Plan 2001-2016.

MAIN AGENDA

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17 4/06/2568/0

DEMOLITION OF BUILDING AND REMOVAL OF BUILDERS  
YARD, ERECTION OF 5 NO. DWELLINGS  
LAND TO THE REAR OF, KILN BROW, CLEATOR, CUMBRIA.  
MR T STONES

Parish                      Cleator Moor

- No objections.

Following a site visit by Members an application for the demolition of a redundant building and the erection of 3 No dwellings on this site was refused in April 2006 (4/06/2020/0 refers). The reason for refusal was as follows:-

"The proposed development, by virtue of its setting and design, is considered likely to give rise to problems of overlooking and resultant loss of privacy for the residents of Kiln Brow properties at variance with Policy HSG 8 of the Copeland Local Plan 2001-2016 2nd Deposit Version."

Consent is now sought for demolition of the same building and the erection of 5 No dwellings on this former builders' yard to the rear of Kiln Brow, Cleator.

The proposed dwellings comprise a pair of semi-detached houses on the site of the existing building and a terrace of 3 houses on the former builders' yard itself. On-site car parking is provided for within the site.

In terms of accommodation each dwelling will provide a living room, kitchen and toilet at ground floor level with three bedrooms and a bathroom above.

External finishes comprise flat grey concrete roof tiles, self coloured wet dash rendered walls and white upvc windows with sand and cement surrounds.

There is local opposition to this development. Four letters of objection have been received from residents living in the vicinity, the grounds for objection being summarised as follows:-

1. Access and the parking situation along Kiln Brow is already dangerous. The development would worsen the situation and could cause an accident.

MAIN AGENDA

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2. Increased parking within this communal area would restrict deliveries being made to the local pub.
3. The access and yard is not suitable for heavy goods/construction vehicles which could cause damage to existing properties and the existing residents' cars.
4. The proposed dwellings would overlook 7 Kiln Brow and result in a loss of light.
5. 7 Kiln Brow would lose its view of the National Park and devalue the property.
6. The construction works would reduce the quality of life for those residents who work night shifts.
7. Circumstances haven't changed since the previous application was refused in April 2006.

This application seeks to overcome the previous grounds for refusal by resiting the proposed dwellings so as to achieve the required separation distances set out in Policy HSG 8 of the adopted Copeland Local Plan 2001-2016. In doing so the development is unlikely to have any adverse impacts by way of overlooking in relation to the rear of Kiln Brow properties.

Concerns regarding loss of view, property values and disturbance during the construction phase are not material planning considerations in the determination of an application.

In my opinion this revised scheme for residential development on this brownfield site complies with both Policies HSG 4 and HSG 8 of the adopted Copeland Local Plan 2001-2016.

Recommendation

Approve (commence within 3 years)

2. Permission in respect of site layout shall relate solely to the amended plan (Drawing No 2005.19.04) received by the Local Planning Authority on 1 September 2006.
3. Full details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority prior to such development commencing.

The reasons for the above conditions are:-

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



MAIN AGENDA

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For the avoidance of doubt.

In the interests of amenity.

Reason for decision:-

An acceptable form of residential development on a brownfield site in accordance with Policies HSG 4 and HSG 8 of the adopted Copeland Local Plan 2001-2016.

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18 4/06/2571/0

PARKING BAY FOR MOBILE REFRESHMENT VEHICLE  
STATION YARD, LANCASHIRE ROAD, MILLOM, CUMBRIA.  
D & M ROSS

Parish                      Millom

- Comment that permission should be refused as the proposed site will cause a hazard when entering/exiting the recreation centre car park and the addition of a mobile refreshment vehicle in the town centre during the day is not required.

Planning permission is sought for a parking bay for a mobile refreshment vehicle at Station Yard, Lancashire Road, Millom.

The proposed area of land is approximately 7m x 14m and the vehicle would be sited at the location between the hours of 7.30am and 5pm.

The area of land is located between the accesses and car parks serving a supermarket, leisure centre and a soon to open builders' merchants. The Highways Authority have raised no objections to the proposal as the site does not affect the adopted highway, but have raised the issue of the safety aspect of this type of facility in this location.

It is considered that the issues raised by the Town Council and Highways Authority are valid objections. The lack of a safe and convenient access and the safety problems caused to pedestrians and road users mean that the application is contrary to Policy DEV 7 of the adopted Copeland Local Plan 2001-2016 and is therefore recommended for refusal.

Recommendation

Refuse

MAIN AGENDA

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By virtue of its nature and siting the proposed development would constitute an unacceptable safety hazard to both pedestrians and road users visiting the adjacent commercial premises, at variance with Policy DEV 7 of the adopted Copeland Local Plan 2001-2016.

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19 4/06/2572/0

ENGINEERED DRUM STORE 1: REVISION OF PLANNING  
CONDITION NO. 5 (PLANNING REFERENCE 4/99/0711/0)  
SELLAFIELD, SEASCALE, CUMBRIA.  
BRITISH NUCLEAR GROUP SELLAFIELD

Parish                      St Bridgets Beckermest

- No comments received.

The attached letter from British Nuclear Group sets out in detail the background to this application.

In the circumstances outlined it is considered reasonable to permit an extension of time for the complete removal of bulk plutonium contaminated material for the Low Level Waste Respository at Drigg for a further period of 9 months viz until 30 September 2007.

Recommendation

That condition 5 of planning permission reference 4/99/0711/0 be amended to allow for the continuation of the removal for treatment and/or storage of bulk PCM currently held at the LLWR at Drigg until 30 September 2007.

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COPELAND BOROUGH COUNCIL

- 7 AUG 2006

RECEIVED

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

Direct tel: 01925 832712  
Direct fax: 01925 835864

Your ref:  
Our ref: KS0031/pce

04 August 2006

Dear Mr Pomfret

**Re planning application reference 4/88/0978/0 for Engineered Drum Store, Sellafield, planning condition 5, last amended by planning application reference 4/99/0711/0**

The above permission contains Condition 5 which reads as follows:-

“All Intermediate Level Waste (including Plutonium Contaminated Material) currently held at the Drigg site shall be removed to the Sellafield site for treatment and/or storage by 31 December 2006.”

PCM at the Low Level Waste Repository (LLWR) at Drigg is contained in a variety of containers including 400 litre drums and 200 litre drums as well as other items that are to be crated for retrieval. In May 2000, the total number of such items was estimated at 9,081, of which the drums comprised 8,790 items. Over the intervening period, 4 out of the 5 magazines and the PCM Drum Store have been cleared of items of bulk PCM, such that only an estimated 34 PCM items together with 480 PCM drums remain to be retrieved. The 480 PCM drums are expected to be retrieved by 31 December 2006 for transfer to Sellafield. Magazine 9 contains an estimated 34 PCM items which require retrieval, assay and transfer to Sellafield.

However, as a result of the discovery of an item in Magazine 9 in 2005 with a higher than expected inventory, some delays to the retrievals operations schedule have occurred. Whilst the safety case for the retrieval of this item of PCM from Magazine 9, had to be revised to provide an additional safety case for this item as a result of this discovery, the retrievals programme has been re-scheduled in order to minimise the delays which resulted and to accelerate the retrieval activities.

Nevertheless, this unexpected delay has challenged the retrievals programme overall, especially as the estimated 34 PCM items in Magazine 9 referred to above may prove difficult to assay and repackage. Because of the uncertainty which has consequently arisen as to the timescale for the complete removal of bulk PCM safely, British Nuclear Group Sellafield Limited wishes to apply for an amendment to the above planning permission to allow for an extension of time for the complete removal of bulk PCM from the LLWR at Drigg to Sellafield until 30 September 2007.

It should be noted that the retrieval of Intermediate Level Waste including PCM from the LLWR is a phased operation. The first phase involves the removal of bulk PCM. The second phase involves the removal of non-PCM items as part of the decommissioning of the magazines.

The current inventory of non-PCM items in the magazines total approximately 340 items; comprising an estimated 200 uranium residue drums (which are Low Level Waste and will not therefore require transfer from the LLWR), and an estimated 140 uranium residue containers. Recent studies show that these containers can almost certainly be classified as LLW but the final characterisation and sentencing of these wastes can only be confirmed by assay following the completion of the removal of bulk PCM from the magazines, and the removal of these containers from the magazines. It is therefore very unlikely that any of these containers will be classified as Intermediate Level Waste. However, if this very low probability scenario does materialise, then further assessment will be required prior to transfer to Sellafield, including the consequential impact on completing the retrieval and transfer of Intermediate Level Waste by 30 September 2007.

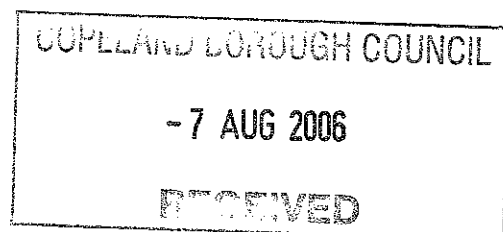
By way of further background information, the decommissioning of the magazines and PCM Drum Store at the LLWR may result in further PCM and Intermediate Level Waste secondary waste arisings; such decommissioning work is required to be completed by 31 December 2010 under Cumbria County Council's permission for the PCM retrievals operations at the LLWR. We are not requesting any change to this date.

The operations which would take place up to the revised date will be routine activities which will not deviate from the routine operations currently carried out. As a result, there will be no change to the current traffic and noise levels.

British Nuclear Group Sellafield Limited will continue to work towards the safe removal of all bulk PCM from the LLWR as soon as possible, and is strongly committed to achieving the 31 December 2006 date. However, it is also considered prudent to apply for the amendment outlined above in good time before the expiry of the time specified in the current planning permission.

This letter therefore comprises British Nuclear Group Sellafield Limited's application under section 73 of the Town and Country Planning Act 1990 for Condition 5 to be amended to allow for the continuation of the removal for treatment and/or storage of bulk PCM currently held at the LLWR at Drigg until 30 September 2007 as outlined above.

113



MAIN AGENDA

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20 4/06/2584/0

AMENDED ACCESS AND PARKING  
PLOTS 5-7, GARLIESTON COURT, CORKICKLE,  
WHITEHAVEN, CUMBRIA.  
REED GRAHAM DEVELOPMENTS LTD.

Parish                      Whitehaven

Following a site visit by Members planning permission for a revised scheme to construct 5 No apartments on plots 5-7 of this ongoing Garlieston Court housing development within the Corkickle Conservation Area was granted on 8 March 2006 (4/05/02817/0F1 refers). The approved scheme incorporates associated parking for 8 cars accessed via Garlieston Court.

Planning permission is now sought for an amended access and parking arrangement whereby five parking spaces would be accessed via a proposed new access off the unclassified road to the rear of Victoria Terrace. This would necessitate demolishing a section of the existing stone boundary wall. Three parking spaces would continue to be provided in front of the proposed development, accessed directly from Garlieston Court as at present. The revised proposal would facilitate some additional soft landscaping in front of the apartments

In response to statutory consultation procedures the comments of the Highway Authority are still awaited.

Letters of objection have, however, been received from/on behalf of neighbouring residents of Victoria Terrace, copies of which are appended to this report.

In order that Members may fully appraise the relevant planning issues associated with this proposal and, in particular, its impact on neighbouring properties on Victoria Terrace a site visit is recommended before this application is determined.

Recommendation

Site Visit

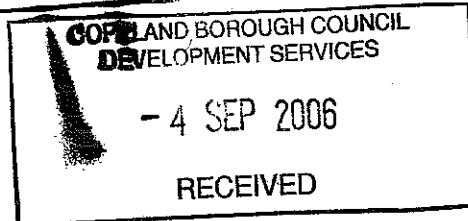
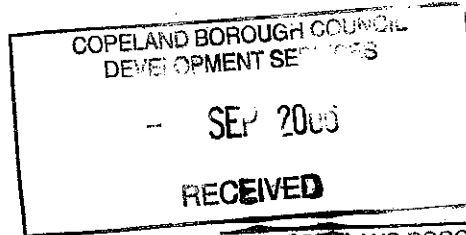
Lyndhurst,  
3 Victoria Terrace,  
Corkickle,  
Whitehaven,  
CA28 8AB.

(Hm)

Your reference: 4/06/2584/0\*001\*3

30 August 2006

Development Services,  
Copeland Borough Council,  
The Copeland Centre,  
Catherine Street,  
Whitehaven,  
Cumbria,  
CA28 7SJ.



For the attention of Mr T Pomfret

Dear Sir,

**Amended Access and Parking – Plots 5-7 Garleston Court, Corkickle**

I refer to your letter dated 21 August 2006 inviting representations in response to the above planning application. I object to the proposed development for a number of reasons.

Highway Safety

Corkickle is characterised by narrow streets and terraced housing generally without off street parking facilities. As a result of these factors parking conditions are routinely extremely congested. The lane between the rear of our property and the Garleston development is no different in this respect. Cars are generally parked along the Garleston side of this lane. Due to the narrow width of the lane it is not possible to drive past such cars without mounting the footway to the rear of No. 1 Victoria Terrace. Although signage indicates that Front Corkickle is to be used for access only, it is common practice for drivers to use it as a through road, if for no other reason than to avoid the traffic lights. As a result traffic levels and speeds are higher than might otherwise be expected.

The DETR publication *Places, Streets and Movement- A companion guide to Design Bulletin 32-Residential roads and footpaths* says that to enable drivers emerging from a minor road or access to see and be seen by drivers proceeding along the major road unobstructed visibility is needed within an area defined by X and Y distances. The guidance indicates that an X distance of 2 metres is required and if it is assumed that traffic speeds will not exceed 20mph on Front Corkickle, a Y distance of 33 metres. The sightlines available to drivers emerging from the lane onto Front Corkickle are extremely limited, due to high boundary walls, parked cars and the vertical alignment of the lane. Drivers emerging from the lane do so without being able to see vehicles approaching along Front Corkickle until after they have joined the road. Furthermore, parked cars along Front Corkickle close to this junction reduce the available road width to the extent that drivers emerging from the lane often have to mount the footway opposite as they turn onto the road.

In addition to being used for on street parking the lane is used by vehicles to access Cappella Casa (one dwelling) and two parking spaces at the rear of No.1 Victoria Terrace, as well as pedestrian access to the rear gates of Nos. 2 and 3. The proposal involves the creation of a new access point at the bottom of the lane leading to a car parking area, which, judging by the number of spaces, is intended to serve three of the new dwellings. The proposal would significantly increase the frequency of use of the junction between the lane and Front Corkickle and with it the likelihood that drivers will emerge from the lane when vehicles approaching along Front Corkickle have insufficient time to stop in order to avoid a collision. The proposed development would also increase the likelihood of vehicles coming into conflict with pedestrians using the footways close to the junction.

The access point to the proposed car park would be directly alongside that serving Cappella Casa. The approaches to these gateways from the respective parking areas would be angled towards one another such that the paths of vehicles emerging from the entrances would cross almost immediately. There is a 1.8 m high close boarded fence between the two properties and so it is unlikely that drivers emerging simultaneously would see one another in time to avoid a collision. When considering this point it is also worth remembering that there are likely to be parked vehicles along the Garlieston side of the lane, reducing the available width to a single lane at best. The use of the lane as proposed would also greatly increase the likelihood of drivers meeting part way along it and having to reverse back onto the main road or into the car park.

The rear gates of Nos. 2 and 3 Victoria Terrace open directly onto the lane. The proposal would materially increase the likelihood of passing cars coming into contact with pedestrians emerging from these gates, including our young children.

In conclusion the proposal would significantly increase the levels of traffic using the lane and add to highway safety problems on Front Corkickle. It would unacceptably harm the safety and convenience of road users. Planning permission was granted for the dwellings on plots 1-7 on the basis that they would be accessed from the existing Garlieston access road. This access is sufficiently wide to allow two-way traffic and the junction with Front Corkickle is far superior in terms of intervisibility between drivers.

#### Noise and Disturbance

The lane adjoins the rear wall of our house and the boundary wall of our back garden. This section of our house contains our kitchen and two bedrooms, each of which is served by windows either in the southeastern or southwestern elevation. At present the only vehicles passing by this part of our property along the lane are those associated with Cappella Casa. As a result the surroundings are relatively quiet. The vehicle noise associated with cars entering, leaving and manoeuvring within the proposed car park close to the rear of our house would significantly increase the level of noise and disturbance that we would experience when using these habitable rooms and our rear garden. The proposal would unacceptably harm our living conditions.

*Planning Policy Statement 1: Delivering Sustainable Development* indicates that good design should contribute positively to making places better for people. Design which is inappropriate in its context, or which fails to take opportunities for improving the quality of an area and the way it functions, should not be accepted. Policy DEV7 of the *Copeland Local Plan 2001-2016* requires development by design and choice of location to create or maintain reasonable standards of general amenity. The proposed development would conflict with these policy requirements.

I assume the reason for this application relates to the applicant's proposed residential development of land at the rear of the Chase Hotel, Ref. 4/06/2585/0, which presumably would be accessed from the Garlieston site. Developments such as this are not supported by national policy. *Planning Policy Guidance Note 3: Housing* does not encourage development that would make more efficient use of land at the expense of the quality of the environment. In any event, surely it would be better to use the Garlieston access road, which has been designed to modern standards, to accommodate all increases in traffic related to Garlieston and the Chase site, rather than further overloading the sub-standard streets of Corkickle.

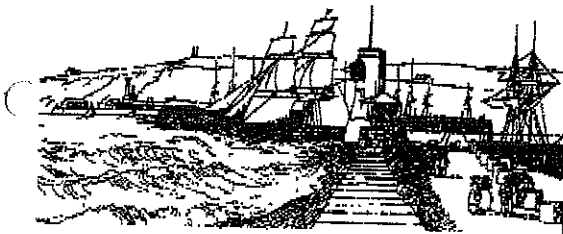
Given the harm that would result from the proposal I hope that the Council will refuse planning permission in this case.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Ian Jenkins', written in a cursive style.

Ian Jenkins





Whitehaven, Cumberland

**H. F. T. GOUGH & CO.**  
SOLICITORS & COMMISSIONERS FOR OATHS

(42)

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The Development Services Manager,  
Copeland Borough Council,  
DX 62904,  
WHITEHAVEN  
BY FAX 01946 598306

Your ref  
Our ref MTS/LG/10110-2  
Contact Mr. M. T. Sandelands  
Date 4 September 2006

Dear Sir,

Planning Application: 4/06/2584/OF1  
Amended Access and Parking Proposals  
Plot 5-7 Garlestone Court, Whitehaven.

We are instructed by Mr Ian Todd of Cappella Casa, Victoria Terrace, Corkickle, Whitehaven.

Mr. Todd objects to the above proposal on the grounds that it will have an adverse effect on highway safety and the amenity of local residents.

The existing access and car parking arrangements are considered to be acceptable and there appears to be no reasonable justification for providing a secondary access from Victoria Terrace.

The approved Scheme provides access solely from the estate road to serve the Garlestone Court development. The revised arrangements do not provide any additional car parking spaces. The only marginal benefit in the Scheme is the inclusion of a small amount of landscaping to the front of the development.

It should be noted that if the developer particularly wishes to include landscaping in this area a similar effect could be created by locating car parking spaces to the rear of the property, by using an access from the turning head. Also, there is sufficient space to provide two car parking spaces in the area between the existing stone wall to Victoria Terrace and the development. This is approximately in the position of parking space 5 on the proposed Scheme.

Our Client's specific concerns regarding the Scheme are as follows:-

Cont....

**PARTNERS**

J. C. Taylor (H. M. Coroner) D. Li. Roberts, LL.B. Solicitor - Advocate (Higher Courts Criminal) R. J. Eastoe, BSc.  
\* Claire Madden, LL.B. \* S.F.P. Ward, LL.B. M.A. Little, LL.B. \* Elizabeth C. Sandelands, LL.B. Ryan T. Reed LL.B.  
Legal Executives: Denise Mounsey FILEX. Jacqui Herbert FILEX.

Regulated by the Law Society

This Firm does not accept service of documents by e-mail

\*Member of the Children Panel \*Advanced Member of the Family Law Panel \*SFLA Accredited Specialist \*Member of APIL  
\*Member of the Criminal Law Solicitor Association

Cont....(2)

Use of Lane to the Rear of Victoria Terrace.

The lane to the rear of Victoria Terrace is narrow and already heavily congested from existing residents parking. As you will be aware the lane already serves the Carr Gomm Society property which has a relatively high demand for parking for carers and visitors. A commercial photographer also has his studio at Victoria Terrace. At peak times this results in customers parking on the lane. In addition there are two further residential properties including our Clients.

The problem is further exacerbated by the fact that particularly during the evenings and weekends residents of Front Corkickle use the lane for parking. This causes problems in relation to the parking of vehicles at the junction of the lane and Front Corkickle. Our Client regularly has to request the removal of vehicles in order to gain access to his property. Also, due to inconsiderate parking, vehicles gaining access to the lane regularly have to encroach onto the Carr Gomm Society's property. Our Client is actively seeking a solution to this problem in conjunction with the Carr Gomm Society nevertheless the provision of access and car parking to the flats will further exacerbate this problem.

The provision of a parking court in this position is likely to encourage visitors to the flats to gain access via the lane. It is our Client's belief that when visitors are unable to park in the parking court they are more likely to park inconsiderately in the lane or on Front Corkickle thus causing problems by existing residents. Similarly, there is a potential for service vehicles to gain access via the lane.

The Access.

The access arrangements from the proposed parking court onto the lane are substandard. Due to the position of the existing 1.8m high timber boarded fence and the alignment of the access with our Client's driveway vehicles would be emerging blind from the parking court. Quite clearly this would increase the risk of collision with vehicles exiting our Client's property. It should be noted that our Client's driveway is steeply sloping thus reducing visibility due to the position of the boundary fence.

Tree Replacement.

Our Client is aware that a mature lime tree protected by a Tree Preservation Order was removed from this site in the approximate position of the parking court. A consent to remove this tree was subject to a condition that a suitable replacement was provided. The proposed layout does not appear to provide a suitable location for the replacement tree. It should be noted that the application for the removal of the tree was in the name of a Mr. Cook but nevertheless relates to land which is now the subject of this proposal.

Our Client does not object to the development as approved which incorporates a safe and convenient means of access from the existing estate road. However, the proposal which is currently before the Council would result in significant problems of highway safety in relation to the lane to the rear Victoria Terrace and on Front Corkickle.

Cont....

Cont....(3)

It incorporates a substandard access arrangement. Furthermore, it would exacerbate existing problems of on street parking in this narrow lane causing inconvenience and loss of amenity to the residents of Victoria Terrace.

The proposal does not provide a safe and convenient access and egress and does not incorporate appropriate and safe provision for car parking. Therefore the proposal in contrary to Policy DEV 7 of the Copeland Local Plan 2001-2016 and the Council would be justified in refusing the application.

It has been suggested to our Clients that this revised arrangement is proposed because the developer wishes to carry out further development to the rear of the Chase Hotel and has been advised that the estate road does not provide sufficient capacity of the scale of development proposed. Clearly this cannot be material planning consideration in the determination of this current proposal. It is our Client's view that the proposed revised arrangements are substandard the development should be carried out in accordance with the approved Scheme.

Yours faithfully,

H.F.T Gough + Co

HFT Gough & Co

MAIN AGENDA

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21 4/06/2585/0

3 NO. 2 BEDROOMED APARTMENTS AND 1 NO. 4  
BEDROOMED DETACHED HOUSE WITH GARAGE  
LAND ADJOINING GARLIESTON COURT &  
THE CHASE HOTEL, CORKICKLE, WHITEHAVEN, CUMBRIA.  
REED GRAHAM DEVELOPMENTS LTD.

Parish                      Whitehaven

This recently received application for full planning permission to construct a four bedroomed detached house with garage together with a block of 3 two bedroomed apartments is presently the subject of statutory consultation and notification procedures.

The site is situated within the Corkickle Conservation Area and would be accessed via the ongoing residential development at Garlieston Court. Existing houses at Calder Avenue flank the south western boundary of the site with the Chase Hotel being located immediately to the north east. The site previously formed part of the hotel grounds.

In order to fully assess the likely impact of the proposed development on existing neighbouring developments within this Conservation Area setting a site visit by members is recommended before the application is determined.

Recommendation

Site Visit

22 4/06/9016/0

VARIATION OF CONDITION 1 OF PLANNING PERMISSION  
4/06/9004 TO ALLOW CONTINUATION OF BULK PCM  
REMOVAL UNTIL 30.9.07  
LOW LEVEL WASTE REPOSITORY, DRIGG, HOLMROOK,  
CUMBRIA.  
BRITISH NUCLEAR GROUP LTD.

Parish                      Drigg & Carleton

This application should be considered in the context of application reference 4/06/2572/0F1 considered earlier on this agenda. It also seeks permission to extend the period for the completion of the removal of bulk PCM from the LLWR at Drigg by nine months until 30 September 2007, thereby aligning both Copeland and County matter approvals.

Recommendation

Permission be granted

Schedule of Applications - DELEGATED MATTERS

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4/06/2372/0	Whitehaven	LISTED BUILDING CONSENT FOR ALTERATIONS TO TOURIST INFORMATION CENTRE TO IMPROVE DISABLED THE MARKET HALL, MARKET PLACE, WHITEHAVEN, CUMBRIA. COPELAND BOROUGH COUNCIL
4/06/2461/0	Whitehaven	CONSTRUCTION OF PITCHED ROOF OVER EXISTING FLAT GARAGE ROOF 21, HIGHFIELDS, WHITEHAVEN, CUMBRIA. MR KEITH PICKUP
4/06/2475/0	St Johns Beckermat	FORMATION OF A DORMER WINDOW TO THE REAR OF THE MAIN ROOF 16, SCURGILL TERRACE, EGREMONT, CUMBRIA. MRS A SMITH
4/06/2478/0	Haile	EXTENSION TO PROVIDE SUN LOUNGE AND UTILITY 5, HAILE PARK, HAILE, EGREMONT, CUMBRIA. MR & MRS M CLOUGH
4/06/2481/0	Whitehaven	TWO BEDROOM EXTENSION 10, BEATTY CLOSE, BRANSTY, WHITEHAVEN, CUMBRIA. MRS ROBINSON
4/06/2493/0	Cleator Moor	EXTENSION TO CREATE BEDROOM, UTILITY AND SHOWER TODHOLES COTTAGE, TODHOLES ROAD, CLEATOR MOOR, CUMBRIA. MR J LANCASTER
4/06/2495/0	Egremont	ERECTION OF A TWO STOREY EXTENSION 63, JOHN STREET, MOOR ROW, CUMBRIA. MR & MRS MURPHY
4/06/2496/0	Egremont	SINGLE STOREY EXTENSION 22, BRIDGE END, EGREMONT, CUMBRIA. R SHIELD
4/06/2497/0	St Bees	DETACHED GARAGE TO REAR 2, HOLE HOUSE COTTAGES, MOOR ROW, CUMBRIA. ALEX WILSON
4/06/2499/0	Whitehaven	DOUBLE GARAGE CROSTHWAITE HALL, ROSEMARY LANE, WHITEHAVEN, CUMBRIA. MR P BENNETT
4/06/2500/0	St Johns Beckermat	TWO STOREY EXTENSION TO BUNGALOW

Schedule of Applications - DELEGATED MATTERS

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		BRAMALEA, DENT ROAD, THORNHILL, EGREMONT, CUMBRIA. MR & MRS BAILEY
4/06/2504/0	Whitehaven	REAR EXTENSION TO FORM UTILITY AND TOILET  27, SANDRINGHAM AVENUE, RED LONNING, WHITEHAVEN CUMBRIA. MRS G PATTINSON
4/06/2511/0	Whitehaven	ERECTION OF A SINGLE STOREY EXTENSION  11, HORSFIELD CLOSE, HENSINGHAM, WHITEHAVEN, CUMBRIA. MR & MRS M KEENAN
4/06/2513/0	Whitehaven	SUN ROOM EXTENSION AND BEDROOM EXTENSION TO PROVIDE BATHROOM 8, ROUND CLOSE PARK, WHITEHAVEN, CUMBRIA. T WILLIAMS
4/06/2474/0	St Bees	APPLICATION TO FELL ONE DUTCH ELM TREE AND ONE DEAD TREE (TYPE UNKNOWN) PROTECTED BY A TREE CROFT HOUSE, ST BEES, CUMBRIA. JUDITH CRISP
4/06/2476/0	Whitehaven	LISTED BUILDING CONSENT FOR REPAIR AND REPLACEMENT OF WINDOWS AND DOORS TOLL BAR COTTAGE, BRANSTY ROAD, WHITEHAVEN, CUMBRIA. ALAN P CONGDON
4/06/2488/0	Whitehaven	REAR SINGLE STOREY EXTENSION TO PROVIDE DISPENSARY, CONSULTATION ROOM & STORE FOR A 59, MEADOW ROAD, MIREHOUSE, WHITEHAVEN, CUMBRIA MR JOHN URWIN
4/06/2503/0	Arlecdon and Frizington	ILLUMINATED ADVERT SIGNS  DALESIDE GARAGE, ROWRAH, FRIZINGTON, CUMBRIA. J EDGAR & SON LTD.
4/06/2509/0	Whitehaven	CHANGE OF USE FROM PUBLIC OPEN SPACE TO PRIVATE GARDEN LAND LAND TO REAR OF, 246, HIGH ROAD, KELLS, WHITEHAVEN, CUMBRIA. PATRICIA SUAFOA
4/06/2523/0	St Bees	NON ILLUMINATED ADVERT SIGN  THE GEOFFREY SCHOFIELD LABORATORIES, WESTLAKES SCIENCE & TECHNOLOGY PARK, MOOR ROW, CUMBRIA. BIL SOLUTIONS LTD.

Schedule of Applications - DELEGATED MATTERS

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4/06/2524/0	St Bees	CREATION OF ADDITIONAL CAR PARKING SPACE AND ANCILLARY DEVELOPMENT THE GEOFFREY SCHOFIELD LABORATORIES, WESTLAKES SCIENCE & TECHNOLOGY PARK, MOOR ROW, CUMBRIA. BIL SOLUTIONS LIMITED
4/06/2450/0	Millom	SINGLE STOREY REAR EXTENSION TO DOMESTIC PROPER  47, GAMMERSCROFT, MILLOM, CUMBRIA. MR N RICE
4/06/2452/0	Millom Without	ENLARGEMENT OF EXISTING SLURRY PIT  WATERBLEAN, THE HILL, MILLOM, CUMBRIA. R FALCONER & SON
4/06/2467/0	St Johns Beckermat	DETACHED DOUBLE GARAGE  WINSCALE MOOR PIT, EGREMONT, CUMBRIA. MR M SULLIVAN
4/06/2472/0	Millom	RAISE EXISTING DWELLING TO FORM SECOND FLOOR BEDROOMS AND FIRST FLOOR STUDY/HOBBY ROOM BRONWOOD, 136, MAIN STREET, HAVERIGG, MILLOM, CUMBRIA. MR D P MELLEN
4/06/2480/0	Millom	EXTENSION  32, BUTTERMERE DRIVE, MILLOM, CUMBRIA. MR & MRS HIGH
4/06/2483/0	Millom Without	ERECT 2 STOREY EXTENSION TO EXISTING DWELLING A REPLACE EXISTING SEPTIC TANK WITH BIO DISK BRACKEN BECK, UNDERHILL, MILLOM, CUMBRIA. MR W G ATKINSON
4/06/2489/0	Lamplugh	APPLICATION TO FELL ONE ELM TREE PROTECTED BY A TREE PRESERVATION ORDER THE SPINNEY, LAMPLUGH, WORKINGTON, CUMBRIA. MRS J CARROLL
4/06/2479/0	St Bridgets Beckermat	ERECT A SINGLE STOREY PREFABRICATED BUILDING  SELLAFIELD, SEASCALE, CUMBRIA. BRITISH NUCLEAR GROUP



