

PLANNING PANEL

14 SEPTEMBER 2005

AGENDA

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RELEVANT INFORMATION

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

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

Town and Country Planning Act 1990

Cumbria and Lake District Joint Structure Plan

Copeland Local Plan - adopted June 1997

Copeland Local Plan 2001-2016 2nd Deposit Version

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

Lake District National Park Local Plan - Adopted May 1998

Cumbria Car Parking Guidelines

Department of Transport, Local Government and the Regions Circulars:-

In particular:

22/80	Development Control, Policy and Practice
15/88	Environmental Assessment
15/92	Publicity for Planning Applications
11/95	The Use of Conditions in Planning Permissions

Department of Transport, Local Government and the Regions:-

Planning Policy Guidance Notes

Development Control Policy Notes

Design Bulletins

STANDARD CONDITIONS

In order to save space standard conditions applied to all outline, full and reserved matters consents have been omitted, although the numbering of the conditions takes them into account. The standard conditions are as follows:-

Outline Consent

1. The siting, design and external appearance of the building(s), means of access thereto, and the means of disposal of surface water therefrom, shall be as may be approved by the Local Planning Authority.
2. Detailed plans and drawings with respect to the matters reserved for subsequent approval shall be submitted to the Local Planning Authority within three years of the date of this permission and the development hereby permitted shall be commenced not later than the later of the following dates:-
 - (a) the expiration of five years from the date of this permission
 - or
 - (b) the expiration of TWO years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reserved Matters Consent

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

Full Consent

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

MAIN AGENDA

1 4/04/2592/0

OUTLINE APPLICATION FOR REDEVELOPMENT OF EXISTING
HAULAGE DEPOT FOR RESIDENTIAL PURPOSES FOR 10
DWELLINGS
ALDBY FARM, CLEATOR MOOR, CUMBRIA.
ALDBY DEVELOPMENTS LIMITED

Parish Cleator Moor

- No objections.

A decision on this application was deferred at the last meeting pending investigation with the Highway Authority of the status of the road serving the site.

The Highway Authority have confirmed that the existing road which links the application site to the public road was constructed to adoptable standards some years ago but remains unadopted in accordance with the owners' wishes. This situation, however, does not compromise future adoption of the new estate road.

This application was previously considered on 9 February 2005 when Members resolved to grant outline planning permission subject to the applicant entering into an agreement under Section 106 of the Town and Country Planning Act 1990 to secure highway improvements at the junction of Aldby Grove and Ennerdale Road.

The applicants have now prepared an improvement scheme to secure the build out of the pavement and kerb edge into Ennerdale Road. This will improve visibility at the junction and provide ease of movement for pedestrians.

However, the applicants' agent has suggested that the works could be secured by a "Grampian" condition rather than a Section 106 agreement. In appropriate circumstances Grampian conditions can be an alternative to Section 106 agreements. The conditions are drafted to prevent development commencing without the required works being undertaken.

In this case a Grampian condition is considered simpler and more appropriate than a Section 106 agreement. Furthermore, it is likely that the Council would wish to be consistent and impose a similar obligation on the development of adjoining land which is subject to an application for 12 dwellings (4/05/2350/001 refers) and is referred to later on this agenda.

Recommendation

Approve in Outline

MAIN AGENDA

3. Before development is commenced the proposed highway improvement works at the junction of Aldby Grove and Ennerdale Road as shown on Drawing No. 55651/01.A, received by the Local Planning Authority on 3 August 2005, shall be completed to the satisfaction of the Local Planning Authority in consultation with the Highway Authority.
4. The junction arrangements with Aldby Grove shall be strictly in accordance with the amended plan received by the Local Planning Authority on 28 January 2005.
5. No development approved by this permission shall be commenced until a desk study has been undertaken and agreed in writing by the Local Planning Authority to investigate and produce an assessment of the risk of the potential for on-site contamination. If the desk study identifies potential contamination a detailed site investigation should be carried out to establish the degree and nature of the contamination and its potential to pollute the environment or cause harm to human health. If remediation measures are necessary they shall be implemented in accordance with the assessment and to the satisfaction of the Local Planning Authority.
6. The site shall be drained on a separate system, with only foul drainage connected into the foul sewer.
7. Details of the proposed surface water drainage system, incorporating some form of Sustainable Drainage Scheme, shall be submitted to and approved by the Local Planning Authority before development commences. The approved scheme shall be implemented and become operational before any dwelling is occupied.
8. The carriageway, footways and footpaths 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 dwellings are occupied.

The reasons for the above conditions are:-

For the avoidance of doubt.

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

To ensure the satisfactory provision of drainage facilities to serve the proposed development.

MAIN AGENDA

In the interests of highway safety.

Reason for decision:-

The proposed development provides an acceptable alternative use for this brownfield site and will result in the removal of an incompatible land use in a predominantly residential area. The proposal complies with Policy HSG 4 of the Copeland Local Plan 2001 - 2016 2nd Deposit Version.

2 4/05/2047/0

ALTERATIONS OF REDUNDANT BUILDINGS TO FORM 3
DWELLINGS AND ALTERATIONS TO ACCESS
LOW STOWBANK FARM, KIRKLAND ROAD, ENNERDALE,
CUMBRIA.
MR B WHITFIELD

Parish

Lamplugh

- No objections subject to the sewage system being adequate to take the additional development and that the Highways Authority is satisfied on highway safety as the access is on to a narrow country road used as a commuter route to Sellafield.

Members visited this site on 15 March 2005. The application was subsequently reported to the Council's Planning Panel on 30 March 2005 with a recommendation to refuse but a decision on the application was deferred pending further discussions with the Highway Authority.

Planning permission was refused in February 2004 to convert two redundant sandstone barns into three dwellings. The reason for refusal related solely to the vehicular access onto the public highway which poses a danger to road users due to restricted visibility (4/03/1459/OF1 refers). This current application is a resubmission of the same proposal.

The barns are situated at the western end of the farmyard and face each other. There is an existing access located alongside the gable end of one of the barns. However, it is proposed that this will be blocked-up and an existing field track, some 15 metres to the south, would be used to access the parking and turning area to be provided within the farmyard.

MAIN AGENDA

The Highways Authority has again objected to this application on the grounds that the proposed access has restricted visibility onto the public highway and, as such, falls below minimum standards in relation to current design requirements. The scheme proposes 45 metre visibility splays whilst the Highway Authority is recommending 57 metre splays. In order to comply with this requirement a new access would have to be formed 57 metres from the barns and would involve a long access driveway and removal of hedgerows.

A letter in response to the Highway Authority's comments is annexed to this report. The applicant considers the suggested alternatives to be unviable. However, the applicant proposed to erect a traffic mirror opposite the site access. This mirror would provide visibility into a blind spot.

No response has been received from the Highway Authority in respect of this proposal. However, the use of a traffic mirror is considered to be a substandard method of achieving satisfactory highway visibility. Whilst mirrors can be used to improve existing substandard arrangements, careful consideration should be given before approving new development relying on the use of a traffic mirror.

The highway safety issues relating to this site remain unresolved. Given the physical constraints of the site it is considered unlikely that an appropriate scheme can be formulated compliant with Policy HSG 17 of the Copeland Local Plan 2001-2016 2nd Deposit Version.

Recommendation

Refuse

The increased use of vehicular access onto the public highway resulting from the proposed development would, by reason of substandard visibility, result in additional danger to all users of the road contrary to Policy HSG 17 of the adopted Copeland Local Plan 2001.

4/05/2004/0F1

**Cropredy Hill Farm
Cropredy
Banbury
OX17 1DR**

Tel: 00 44 1295 750662

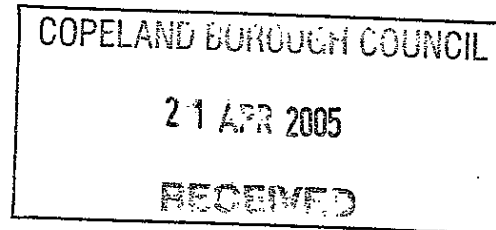
Fax: 00 44 1295 750916

e-mail: peter.frampton@zoom.co.uk

19th April 2005

Mr J A Pomfret
Principal Planning Officer
Copeland Borough Council
Catherine Street
WHITEHAVEN
CA28 7S1

FAO Ms J Ward



Dear Sir,

Town and Country Planning Act 1990
Planning Application 4/05/204/0
Low Stowbank Farm
Kirkland Road Ennerdale

I refer to the site meeting on the 19th April with Ms Ward, and Mr Moultrie on behalf of the Area Surveyor to consider the access arrangements proposed for the above development following receipt of the correspondence dated 10th March from Mr Hayward. As explained the proposed dwellings are not intended as holiday accommodation but will be occupied as permanent dwellings. Indeed the Applicant intends that two of the dwellings will be occupied by members of his family. The dwellings are small dwellings, 1 x one-bedroomed, and 2x two-bedroomed. Future occupiers will become accustomed to the access arrangements and the traffic characteristics on the county highway.

We explored the suggested alternatives as intimated in Mr Hayward's letter. These appeared to be;

- 1) Widening the highway opposite the proposed site access as far as the bend in order to increase the width of the highway. In my opinion this alteration would have a very substantial cost and a significant impact on the character of the area.
- 2) The demolition of the barn fronting the highway. This is proposed as the One-bedroomed unit. The building forms part of an attractive composition of farmstead buildings – its loss would detract from the character of the area.
- 3) The routing of all traffic via the northernmost access. This would not be

be acceptable as it would involve conflict between farm traffic and domestic traffic. Furthermore the movement through the complex of buildings to the proposed dwellings is tortuous.

In my opinion none of the alternatives is appropriate- and more importantly not necessary.

As explained on site- and I believe accepted by Mr Moultrie- the proposed access is an improvement upon both the existing access immediately to the south of Barn 2 which has no vision splay to the north, and the farm track access to the south of the existing wall with the railings. The new access would serve the farm buildings to the south east of the farmhouse and the proposed three small dwellings. Even if these dwellings are occupied by persons not employed on the farm- the exiting traffic in the peak hour is likely to be about 1.5 cars i.e. about one movement every 24 minutes. The impact of the proposed access should have regard to the likely intensity of future use. Mr Moultrie referred to the loss of vision for about 3 seconds as vehicles approach the new access from the north side of Barn 2, albeit vision of these vehicles would be obtained further to the north beyond the bend in the highway. Drivers necessarily approach the bend at slow speeds.

I hence made the suggestion for the installation of a traffic mirror in response to the issue that has been raised. The mirror could be installed opposite the proposed site access. It would enable a driver exiting the new access to see whether any vehicle was approaching from the north up to the bend in the highway. I enclose sample details of traffic mirrors which may be constructed from stainless steel or acrylic. The designs are 'anti-vandal' and weather resistant. In my submission such an installation meets the concern raised by Mr Moultrie.

I am of the opinion the access arrangement as submitted is satisfactory and would not result in a source of danger to users of the highway. The non adherence to standards should not be equated with creating a highway danger. The Government's very clear advice is that standards should be applied with flexibility and have regard to all individual circumstances. In this sensitive rural location the access should be designed to avoid adverse impact upon the appearance and character of the surrounding area.

I have observed low traffic speeds from the north on account of the sharp bend in the carriageway. Furthermore drivers passing a range of farm buildings will ordinarily anticipate that vehicles may emerge from access points. Notwithstanding this viewpoint my Client is willing to erect a traffic mirror; - the precise details of the mirror and its siting can be dealt with by a planning condition. The condition may read as follows:

No development shall commence until details including the design and siting of a traffic mirror to enable vision of approaching traffic from the north has been submitted to and approved by the District Planning Authority. The mirror shall be erected in accordance with the approved details prior to the first occupation of a dwelling.

Ms Ward enquired about the use of the buildings. I enclose a numbered plan and identify the uses to which the buildings are put. As explained the buildings proposed for re-use have outlived their purpose for modern agricultural practices, in being restricted in dimensions for access by machinery, and are not sufficiently ventilated for the satisfactory housing of livestock. A re-use of the buildings subject of this application for non-agricultural purpose does not give rise to a requirement for replacement buildings.

No1: Implement shed

No2: Cattle shed

No3: Loft storage; ground floor mostly empty; open-fronted gable end cattle hovel

No4: Empty

No5 Farmhouse

No6: Application building- empty

No7; Application building- empty

No8; Cattle building

No9; Cattle building

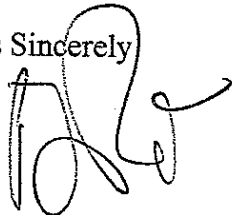
No10; Cattle building

No11; Cattle building

No 12; Sheep building

I trust you will conclude that I have satisfactorily addressed all matters that have been raised and recommend the granting of consent accordingly. I have copied the correspondence and enclosures to enable you to forward a copy directly to Mr Moultrie for his further consideration.

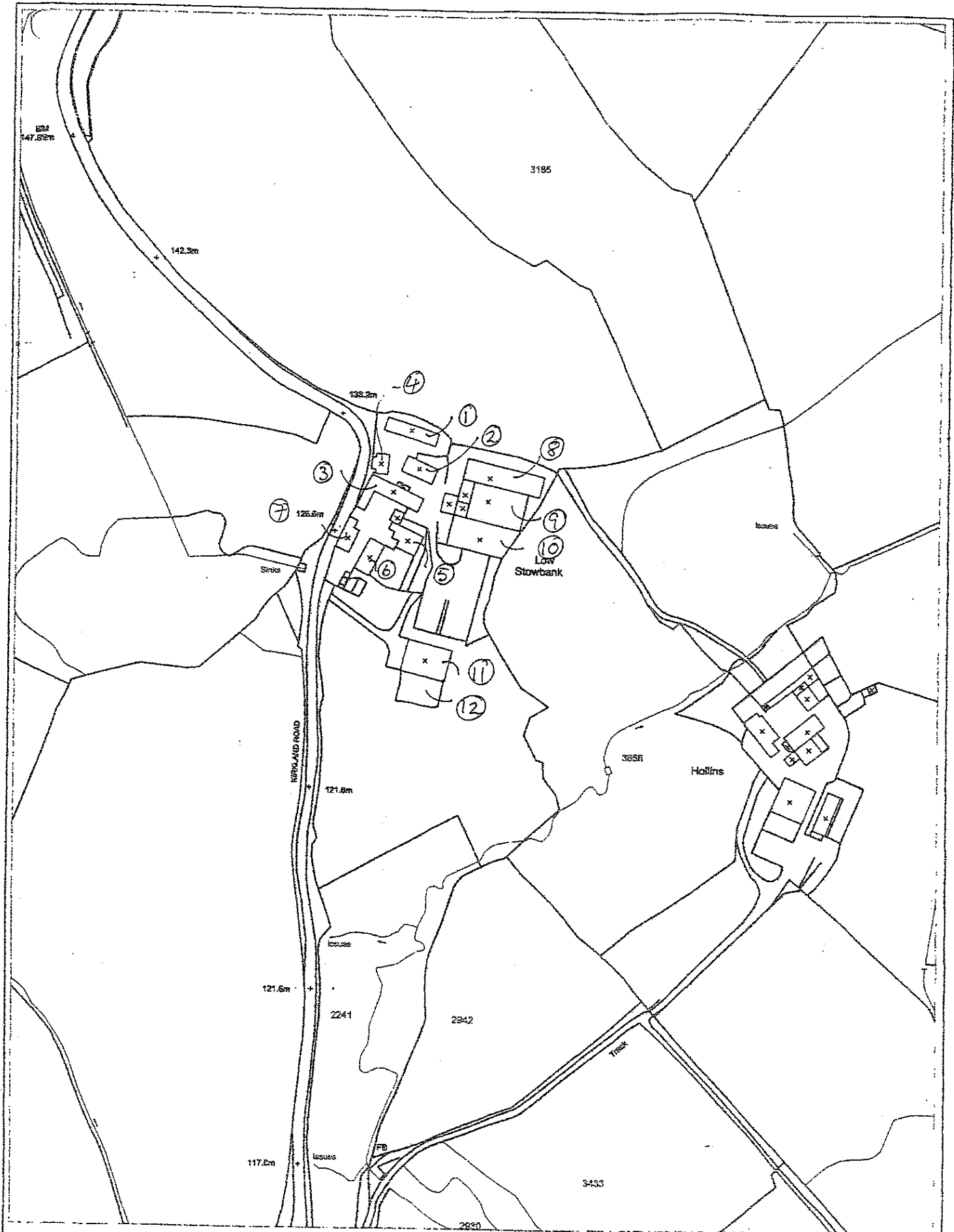
Yours Sincerely



P J Frampton

Enc : Details relating to traffic mirrors
Plan of buildings

Cc Mr B Whitfield
Mr J Moultrie



Low Stowbank Farm, Ennerdale, Cleator.
 Location Plan 1:2500

*Use of Buildings as at April
 2005*

MAIN AGENDA

3 4/05/2349/0

OUTLINE APPLICATION FOR ONE THREE BEDROOM
DWELLING
NOOK FARM, CLEATOR, CUMBRIA.
MISS MYRA O'FEE

Parish Cleator Moor

- No objections.

This application seeks outline planning permission to erect a single dwelling on this remote farm located between Egremont and Wath Brow.

The site is located outside the settlement boundaries defined in the Copeland Local Plan 2001-2016 2nd Deposit Version. However, Policy HSG 5 exceptionally supports proposals for dwellings in the countryside arising from social and economic conditions. Typically these are agricultural workers' dwellings.

The applicant has submitted a letter in support of her application, a copy of which is attached. Whilst the case relates to the operation of a holding the applicant is employed full time as a teacher. In these circumstances, even with a proven need, the applicant would not qualify as a person solely or mainly employed in agriculture.

Notwithstanding the above, it is recognised that due to family circumstances additional accommodation may be required. It has been suggested that extended or annexed accommodation to the existing farmhouse would represent the most appropriate solution in meeting the need. However, the applicant is seeking determination of this application as it stands.

In view of the circumstances the proposal cannot be justified as being compliant with Policy HSG 5.

Recommendation

Refuse

By virtue of its location outside defined settlement boundaries and in the absence of exceptional circumstances arising from local social and economic conditions, the proposal is considered to represent non-essential development in the countryside contrary to Policy HSG 5 of the Copeland Local Plan 2001-2016 2nd Deposit Version.

4 / 0 5 / 2 3 4 9 / 0 0 1
Nook Farm
Cleator
Cumbria
CA23 3EY
Tel: 01946 820371

Copeland Council
Catherine Street
Whitehaven
Cumbria

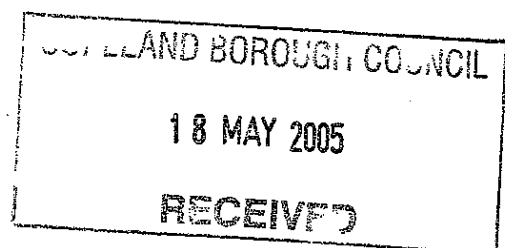
Dear Sir or Madam:

Subject: Outlying Planning Application

Further to my planning application I would like to state my reasons for applying.

The farm is owned by T.G.O'Fee Ltd of which I am a director along with my father. My father Tom O'Fee, who is 68 years old, runs the farm with the help of one employee. Currently on the farm there are 120 suckler cows with 70 young cattle and 150 breeding ewes, which are lambing as I write. The stock on the farm is of very high quality and we pride ourselves on the care and welfare that we take regarding our animals. We breed Belgium Blue Cattle, which are known for their lean, well-muscled meat. Yet this does present some calving problems requiring many assisted births of sometimes 70kg calves throughout the year. Also with the ewes that are a Texel breed, again lambing problems can occur and assistance is necessary to ensure the lives of lambs are saved.

Over the past few years my father has suffered ill health due to a serious fall, which has left him with very little mobility in his left arm. This makes his working life very difficult but he perseveres all the same. Also a recent prostrate scare



unfortunately led us to sell 700 sheep due to the difficulty of physically lambing the sheep. It had taken some 10 years to breed those quality ewes and many sheep dealers sought after the lambs they produced. My father has been constantly warned by his doctors to avoid any bruising and stress due to two previous heart attacks he had after my mother's death. With his high level of medication he finds it more and more difficult to cope. Only recently did we find out that he has a serious hernia and will shortly be subjected to abdominal surgery. Many routine farming tasks have now become very difficult for him. He has had to change his physical workload, which has now become my responsibility. My father and I are very committed about the breeding and welfare of the animals and the nature and immense wildlife found on this farm. We feel this farm is our lifelong interest and passion.

I myself am a full time Biology Teacher at a local school and a mother of 2 young children aged 3 and 2. My partner looks after our children full time.

At every opportunity my family, and myself willingly and most enjoyably help on the farm both before and after school and at weekends. Even if this means calving or lambing during the night, because my father is unable to do this anymore on his own. Such is the difficulty and time restraints that we have had to move in with my father during lambing time so I can be on hand and on site as much as possible. The necessity is to live close at hand to provide not only care for the farm but also care for my father, my own families needs and my own work needs.

The piece of land we are applying for is next to the farmyard. It is a piece of scrubland that is not used for agriculture. We feel this is the best position to site a functional dwelling with regards to the farms needs and also does not impact on the surrounding area by being hidden from view.

COPELAND BOROUGH COUNCIL

18 MAY 2005

RECEIVED

I hope I have stated clearly enough the reasons for this application and the necessity of it. You are most welcome to contact me if you wish for further clarification on any of these points.

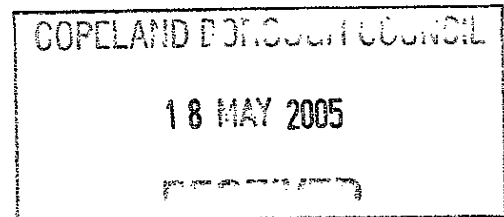
Thank you, for your consideration,

Yours sincerely

Myra O'Fee

MO'Fee

4 / 0 5 / 2 3 4 9 / 0 0 1



MAIN AGENDA

4 4/05/2350/0

OUTLINE APPLICATION FOR 12 RESIDENTIAL DWELLINGS
LAND OFF, ALDBY GROVE, CLEATOR MOOR, CUMBRIA.
MR & MRS E COOK

Parish Cleator Moor

- No objections.

Together with planning application 4/04/2592/001 a decision on this application was deferred at the last meeting pending an investigation of the status of the road serving the site.

The Highway Authority have confirmed that the existing road which links the application site to the public road was constructed to adoptable standards some years ago but remains unadopted in accordance with the owners' wishes. This situation, however, does not compromise future adoption of the new estate road.

The application seeks consent to erect 12 dwellings on this 0.47 hectare site currently used as a haulage depot. The site fronts onto Aldby Grove and adjoins existing terraced housing on Ennerdale Road.

Although the proposal is submitted in outline an indicative layout drawing is provided. This shows a cul-de-sac arrangement of twelve detached and semi-detached houses. The layout generally appears to be acceptable. However, careful consideration will be required at the detailed design stage to minimise the risk of overlooking to Ennerdale Road properties.

On 9 February 2005 the Council resolved to grant planning permission for 10 dwellings on the adjoining site (4/04/2592/0 refers). This is subject to an obligation to carry out highway improvements at the junction of Aldby Grove and Ennerdale Road. The need to implement these works applies equally to this development.

No objections have been received in response to statutory consultation and publicity procedures. However, the Highway Authority raise a number of technical issues in relation to highway design. The applicants comments that this is an outline application and the details will be incorporated into the reserved matters application.

This proposal would result in the redevelopment of a significant brownfield site compliant with the Council's Interim Housing Policy and the Copeland Local Plan 2001-2016 2nd Deposit Version. The proposal should secure the removal of an incompatible use and implementation of necessary highway improvements.

Recommendation

MAIN AGENDA

Approve in Outline

3. Before development is commenced the proposed highway improvement works at the junction of Aldby Grove and Ennerdale Road as shown on Drawing No. 55651/01.A, received by the Local Planning Authority on the 3rd August 2005, shall be completed to the satisfaction of the Local Planning Authority in consultation with the Highway Authority.
4. No development approved by this permission shall be commenced until a desk study has been undertaken and agreed in writing by the Local Planning Authority to investigate and produce an assessment of the risk of the potential for on-site contamination. If the desk study identifies potential contamination a detailed site investigation should be carried out to establish the degree and nature of the contamination and its potential to pollute the environment or cause harm to human health. If remediation measures are necessary they shall be implemented in accordance with the assessment and to the satisfaction of the Local Planning Authority.
5. The site shall be drained on a separate system, with only foul drainage connected into the foul sewer.
6. Details of the proposed surface water drainage system, incorporating some form of Sustainable Drainage Scheme, shall be submitted to and approved by the Local Planning Authority before development commences. The approved scheme shall be implemented and become operational before any dwelling is occupied.
7. The carriageway, footways and footpaths 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 dwellings are occupied.

The reasons for the above conditions are: _

For the avoidance of doubt.

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

To ensure the satisfactory provision of drainage facilities to serve the proposed development.

MAIN AGENDA

In the interests of highway safety.

Reasons for decision:-

The proposed development provides an acceptable alternative use for this brownfield site and will result in the removal of an incompatible land use in a predominantly residential area. The proposal complies with Policy HSG 4 of the Copeland Local Plan 2001-2016 2nd Deposit Version.

5 4/05/2365/0

2 DORMER BUNGALOWS
RAILWAY CUTTING, LAKELAND AVENUE, WHITEHAVEN,
CUMBERIA.
GRUNDY & WALLER CONSTRUCTION

Parish Whitehaven

This application seeks consent to erect two dormer bungalows in a section of former railway cutting adjoining Lakeland Avenue.

The site is 28 metres wide and it is proposed to construct a private road along the northern boundary of the site. The proposed dwellings would be sited along the southern boundary at an angle to the access road. A cross sectional detail shows how the development will be accommodated on the site. The applicants have also confirmed that they would create a public right of way through the cutting.

The site is within the settlement boundary for Whitehaven as defined in the Copeland Local Plan 2001-2016 2nd Deposit Version. Policy HSG 4 supports appropriate forms of small scale housing development within defined settlement boundaries. Furthermore, the site is considered to be previously developed land. In principle, the proposal is considered to comply the Council's Interim Housing Policy.

However, the Highway Authority recommends refusal on the grounds that the site has insufficient frontage to secure adequate visibility. The site frontage is approximately 26 metres and a visible splay of 90m x 2.4m x 90m is required.

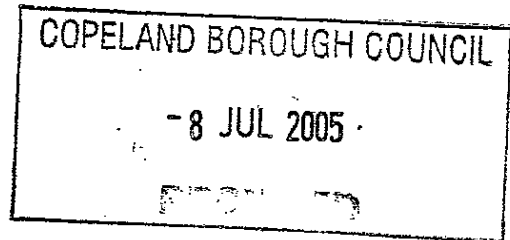
One letter of support and eight letters of objection have been received. The objections can be summarised as follows:-

1. Loss of amenity - the area is a car-free pathway and play area.

Our Ref: BPE/2005/14/09_L050605_01
Your Ref: TP/JS/4/05/2365/OF1

5th July 2005

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



Dear Mr. Pomfret,

Re: Proposed 2 No. Dormer Bungalows Development @ railway cutting – Lakeland Avenue, Kells, Whitehaven.

Further to your letter dated 22nd June 2005, enclosing the letter received by you from Mr & Mrs Richardson, 98 Buttermere Avenue. In our opinion a number of the points made are not justified or the concern of the Planning Department, however please find below our client's response to the points made.

- A. Loss of amenity. Our client owns the site and currently has no objection to there neighbours using the land, in fact as part of this proposal we have noted a footpath along the site to give access to the section of our client's land that will not be used as part of this proposal.
- B. Loss of privacy. The length of the objector's garden is currently 20 meters to the boundary; we have allowed a further 2 meters within our scheme. We have also orientated the proposed dwelling in such a fashion that the proposed dwellings are rotated at 45°. This in fact means that none of the windows directly overlook the houses located on Buttermere Avenue, and that the distance between any window openings is far greater than 21 meters. We have also designed a dwelling type that has a lower ridge line than the surrounding dwellings, incorporating the first floor within the roof void in order to have less impact on the surrounding area.

Regarding the point on the value of properties. In our opinion the value of the surrounding properties in fact will increase rather than decrease, due to a redundant section of overgrown un-managed land being transformed into a well laid out sympathetic development of two detached dwellings.

- C. Destruction of wildlife. The development will consume only a small part of the railway cutting, we therefore do not feel that it would destroy the wildlife habitat. We will however take advice on this point by a specialist profession and agree any action that should be taken before construction work commences.

Cont:

Consultant Building Surveyors & Engineers

THE GROVE Belgrave Road Birkdale Southport PR8 2DZ T: 01704 562 675 F: 01704 560 959
E: office@paulennis.co.uk www.paulennis.co.uk Registered in England No. 04940981 VAT Registration No. 844607811

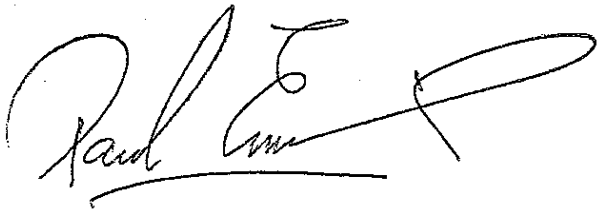


- D. Drainage. A soak-away will only be installed after a percolation test has been carried out as is the requirement from the Building Control Department. If it is deemed that the ground is not suitable then the surface water will drain to the main drain. Two additional dwellings will not have a noticeable impact on the local infrastructure.
- E. Noise & pollution. The construction of two timber framed dwellings would have a time scale for construction of three months; construction would be very low key and would be carried out during normal working hours. We do not feel that a significant amount of noise and pollution would be created.

Regarding security, this will be greatly improved as there would no longer be waste land at the rear of the dwellings.

Our client is enthusiastic about this small scheme and would be willing to undertake any conditions you feel appropriate. We look forward to your response in this matter.

Yours sincerely,



B. Paul Ennis BSc(Hons), MBE, MCIOB, MFPWS, MInstLM.
Chartered Building Consultant
For and on behalf of **Paul Ennis Associates Limited**



MAIN AGENDA

2. Loss of privacy.
3. Devaluation of property.
4. Destruction of wildlife habitats.
5. The use of soakaways will add to problems of standing water in the area.
6. Noise and pollution from building works.
7. The land is contaminated.
8. Disturbance of the site will result in vermin being released from the site.

A letter from the applicant's agent addressing these concerns is attached to this report.

Due to the characteristics of the site an acceptable form of development is considered to be difficult to achieve. In the absence of satisfactory highway visibility at the access onto Lakeland Avenue the proposed cannot be supported.

Recommendation

Refuse

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

6 4/05/2421/0

OUTLINE APPLICATION FOR DETACHED DWELLING
13, ASBY ROAD, ASBY, CUMBRIA.
MR C ROBERTS

MAIN AGENDA

Parish Arlecdon and Frizington

- No comments received.

This application seeks outline planning permission for a detached dwelling on this vacant site adjoining existing residential development on Asby Road. Until recently the site was occupied by a derelict end terraced house which has now been demolished following intervention by the Council under the Housing Acts.

In June 2004 a full application was submitted to erect a detached house on the plot (4/04/2381/0F1 refers). The application was subsequently withdrawn following officer advice that the proposal represented a substandard form of development.

The plot is relatively small and has a slightly irregular shape. At the narrowest point the plot is 8.5m wide which results in difficulties in achieving minimum separation distances to plot boundaries. Furthermore, it is unclear how a dwelling can be sited to:-

1. Minimise its impact on neighbouring properties.
2. Provide satisfactory access and car parking.
3. Provide satisfactory garden space commensurate with the size of house proposed.

A letter of objection has been received from a neighbouring resident who considers the plot to be too small to satisfactorily accommodate a detached house.

The applicant has declined to provide any further details.

In the absence of satisfactory details it has not been demonstrated that a detached dwelling can be accommodated on the site compliant with Policies HSG 4 and DEV 7 of the Copeland Local Plan 2001-2016 2nd Deposit Version.

Recommendation

Refuse

In the absence of sufficient details to the contrary, the development of a detached house on this site is likely to result in reduced standards of residential amenity to both existing and future residents, particularly in terms of siting, access, car parking and amenity space contrary to Policies HSG 4 and DEV 7 of the Copeland Local Plan 2001-2016 2nd Deposit Version.

MAIN AGENDA

7 4/05/2430/0

RETROSPECTIVE APPLICATION FOR THE ERECTION OF
RAISED DECKING AREA TO REAR OF DWELLING
25, MERLIN DRIVE, MORESBY PARKS, WHITEHAVEN,
CUMBRIA.
B FLEMING

Parish Moresby

- 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 31 August 2005.

Retrospective planning permission is sought for an area of raised decking to the rear of this detached house on the ongoing estate development at Moresby Parks.

The decking is accessed from patio-type doors at first floor level and also from steps leading up from the rear garden. The floor area is 4.3 metres by 4.8 metres and the decking is 2.7 metres above ground level and 2.6 metres away from the boundary with the neighbouring house at its nearest point.

Five letters of objection have been received from neighbouring residents whose concerns can be summarised as follows:-

1. loss of privacy from overlooking
2. the decking is visually unpleasant
3. there is noise nuisance when people are using the decking area.

Policy HSG 20 of the Copeland Local Plan 2001-2016 2nd Deposit Version supports domestic extensions but only in certain circumstances. Criterion 3 requires that domestic extensions "would not create potential noise nuisance, security or privacy or overlooking problems for residents of either the parent property or adjacent dwellings".

In my opinion the decking area as constructed fails to satisfy this criterion and, as such, is at variance with Policy HSG 20.

Given the retrospective nature of the application, if Members are minded to support the recommendation to refuse planning permission authorisation to proceed with enforcement action is also sought to secure removal of the unauthorised structure.

MAIN AGENDA

Recommendation

Refuse

By virtue of its scale and location the decking area as constructed causes demonstrable harm in terms of overlooking and resultant loss of privacy to neighbouring residential properties and, as such, is at variance with Policy HSG 20 of the Copeland Local Plan 2001-2016 2nd Deposit Version.

8 4/05/2432/0

OUTLINE APPLICATION FOR BUNGALOW AND GARAGE
PLOT 3, ALDBY GROVE, CLEATOR MOOR, CUMBRIA.
MR & MRS R GRAHAM

Parish Cleator Moor

- Concerns regarding adequate access.

In July 2002 outline planning permission was granted for two dwellings on a site fronting Aldby Grove (4/02/0511/001 refers). One bungalow has been built and the second has recently received reserved matters approval (4/05/2433/0R1 refers).

This proposal seeks outline planning permission to erect a third plot to the rear of the approved development. Access to the proposed site would be gained via a driveway between the two bungalows. A garage and turning area are proposed within the plot.

An indicative layout plan has been submitted to demonstrate how the bungalow can be accommodated on the plot. The proposed bungalow would be approximately 14 metres from the rear elevation of the existing frontage bungalow. Furthermore, the rear elevation of the proposed bungalow would be between 7 metres and 12 metres from the side elevation of No. 3 Aldby Grove.

The proposal is considered likely to give rise to amenity problems, particularly in terms of loss of privacy and overlooking. In this respect the applicants have been requested to submit details demonstrating how the site can be developed without giving rise to such amenity problems. No details have been provided.

Policy HSG 4 of the Copeland Local Plan 2001-2016 2nd Deposit Version supports small scale housing development in the form of infilling or rounding off within existing settlements. However, the proposal

MAIN AGENDA

should comply with other policies in the plan to ensure a satisfactory form of development. This particularly relates to Policy HSG 8 which provides minimum separation distances.

Recommendation

Refuse

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

9 4/05/2468/0

OUTLINE APPLICATION FOR A DWELLING
ADJACENT TO, 35, LOOP ROAD NORTH, WHITEHAVEN,
CUMBRIA.
MR & MRS MACKAY

Parish Whitehaven

Members visited this site on Wednesday, 31 August 2005 to fully appraise the material planning issues relating to this outline planning application to construct a dwelling on an area of garden land adjacent to 35 Loop Road North.

The site is considered to represent an attractive feature adjacent to the A595 trunk road. In order to accommodate the development it is proposed to fell eight trees of varying maturity. Also, an open stream runs through the site which will require realignment.

It is proposed to widen the existing access onto the trunk road to serve both 35 Loop Road North and the proposed new dwelling. The Highways Agency raise no objections to the proposal subject to any works being undertaken in accordance with Highway Agency Standards.

Three letters of objection have been received from residents of Coronation Drive which adjoin the rear boundary of the site. The objections can be summarised as follows:-

1. The proposed property will block out light and result in a loss of privacy.
2. The proposal involves the loss of mature trees and wildlife habitat.

MAIN AGENDA

3. Disturbance of the waterway will result in problems with vermin.
4. The development would be out of character with the area.

The site is located within the settlement boundary for Whitehaven as defined within the Copeland Local Plan 2001-2016 2nd Deposit Version. Accordingly, a presumption in favour of infill housing development exists by virtue of Policy HSG 4. In determining this application, however, due regard should be given to the existing amenity value afforded by its natural landscape features.

Although the application site is not specifically identified as an Area of Local Landscape, unlike the larger Midgley Gill area on the opposite side of the A595, Policy ENV 9 of the Emerging Local Plan goes on to state that "The amenity value of any area of public or private open space where there are proposals for development will be considered". Trees and woodland in urban areas contribute greatly to our built environment and, in the case of the application site, afford a green wedge within an otherwise built-up frontage.

On balance retention of this attractive natural feature is considered to outweigh the presumption in favour afforded by Policy HSG 4 of the Copeland Local Plan 2001-2016 2nd Deposit Version.

Recommendation

Refuse

The presumption in favour of allowing this infill residential development afforded by Policy HSG 4 of the Copeland Local Plan 2001-2016 2nd Deposit Version is outweighed by the resultant loss of its natural features, including the felling of eight trees and the realignment of the existing watercourse, which Policies DEV 7 and ENV 9 of the Plan seek to protect.

10 4/05/2484/0

BARN CONVERSION TO FORM A SINGLE DWELLING
KEEKLE GROVE, WHINNEY HILL, CLEATOR MOOR,
CUMBRIA.
MR A SHIEL

14 SEP 03
MAIN AGENDA

Parish

Cleator Moor

- No objections.

This application seeks consent to convert this derelict barn to create a single dwelling. Keekle Grove is accessed via a long, unmade track from Whinney Hill. The barn is adjacent to an existing house which is in separate ownership.

The barn is in a ruinous condition with no roof or internal structures and partially collapsed walls. Policy HSG 17 of the Copeland Local Plan 2001-2016 2nd Deposit Version supports the conversion of rural buildings to dwellings subject to criteria. Criterion 3 requires the building to be structurally sound and capable of accepting conversion works without significant rebuilding, modifications or extensions. It is considered that the barn could not be converted without significant rebuilding and, therefore, the proposal is at variance with Policy HSG 17.

Furthermore, the application does not provide any details of parking, turning and garden space to serve the proposed dwelling. These facilities are considered to be essential for family sized housing in an isolated rural location.

The Highway Authority comments that car parking and turning arrangements are required. Also, upgrading the existing access arrangements should be considered, including some surfacing work and provision of passing places.

Two letters of objection have been received from the owners of the adjacent house and the agricultural tenant who farms the adjoining land. A copy of the neighbour's letter is attached to this report. The agricultural tenant simply states that the barn should be used for farming purposes.

Recommendation

Refuse

The building is in a derelict condition and is considered to be structurally incapable of accepting the proposed conversion works without significant rebuilding and modifications. Furthermore, the proposal is served by sub-standard vehicular access, turning and parking arrangements contrary to Policy HSG 17 of the Copeland Local Plan 2001-2016 2nd Deposit Version.

FAO The Development Services Mangers
Copeland Borough Council
Catherine Street
Whitehaven
Cumbria

Mr & Mrs C M Pears
Keekle Grove
Whinney Hill
Cleator Moor
Cumbria

COPELAND BOROUGH COUNCIL

25 July 2005

- 4 AUG 2005

RECEIVED

Dear Sir

RE: Application for barn conversion to single dwelling at Keekle Grove, Whinney Hill, Cleator Moor. Mr Shiel, 04/25/2484/0.

With reference to the above planning application we write to log our objection. The reasons for this objection are based on the following points:

1. On inspection of the plans we note that field number 8447 and 7339 have been marked, as being owned by Mr Shiel this is not the case. Field number 8447 has been sold off in total and so too has the top proportion of field number 7339.
2. The application also states that existing drains will disperse excess water. The barn in question has no drainage points at all. The only drain on site belongs to the barns we own and we refuse the use of this. Another point to note is that our barns are in a higher position than the proposed conversion anyway and as water will naturally run to its lowest point the majority of any excess water could not be directed to our drain anyway. The lowest point on the proposed site is our garden giving us concerns about flooding. We refuse to give permission to allow our land to be excavated in order to put in drainage sites.
3. The application states that waste will be disposed of through the existing foul supply, there are no mains sewage facilities at this site. Our property is serviced by a private septic tank and we will not allow this conversion to use our facilities. We also have concerns about where a new septic tank would be located given the fact that land owned by Mr Shiel immediately adjacent to the barn is so limited, and we have unlimited access over all of this land anyway. Doesn't a septic tank have to be a certain distance away from a residence? We also have a young child, we do not want her to have access to a septic tank which as we know can easily spill out if not emptied and maintained regularly. I have serious concerns about health and safety implications for our family and visitors due to this facility.
4. The current water supply comes down the access track with repair and upkeep costs being our responsibility. There is no indication on the planning application

as to the proposed conversions responsibility for the upkeep/repair costs of this service. On this basis we raise another objection.

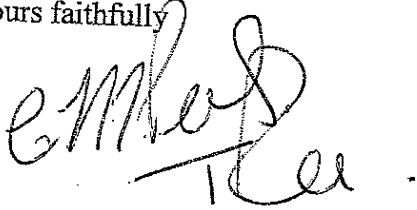
5. The access to the barn is via a dirt track owned by Mr Shiel over which we have access at all times. Until a couple of months ago the track was virtually impassable by vehicle and totally inaccessible by foot due to its flooding, rough terrain and cattle and sheep having free movement over it (Mr Shiel rents the land out for farming purposes). Several conversations regarding the track with Mr Sheil resulted in nothing being done about our restricted access. The condition of the track was so bad that it was effecting the land adjacent (not belonging to Mr Shiel), resulting in conflict with that owner. Mr Shiel failed to rectify the track leaving us no alternative but to hire contractors to repair the track costing us £1200.00 of which we have had no contribution from Mr Shiel. Due to Mr Shiel renting out his land to a local farmer who uses the track with very large tractors and farm equipment. Now only a few months after having the track repaired its condition is beginning to deteriorate and flood again. I am very concerned about the ongoing access problems and believe that more traffic arising from the barn being converted into a residential dwelling will only add to these. I also would like to log the following concerns: ownership of the track, responsibility, repair, health and safety issues in terms of track condition and the free movement of stock on the track and lastly access to my water supply.
6. The barn is not a detached building, we own two smaller barns which are adjacent to Mr Shiels'. Indeed there is a shared party wall. Part of which has collapsed due to the barn being without a roof for many years and so being open to all weather elements. Mr Shiel refused to have this repaired when approached by us. I also note that on the planning application this missing gable wall has been drawn as being present and as having a window this is not the case. I do not want a residential property adjacent to my barns.
7. The application states that no trees will be affected by the conversion, we believe this is not the case, we have a very large tree growing to the bottom gable of the barn, its limbs are clearly visible as protruding over the barn.
8. The barn has virtually no adjacent ground to it at all. The land to the front is our vehicle/pedestrian access so cannot be used for garden purposes. Both end gables of the barn join our property so there is no land there. The walled area to the rear of the barn, belongs to us, and is used for keeping livestock. Due to the lack of ground available to the barn I question where vehicles would park, where gardens would be provided (given we have further access rights over adjoining land owned by Mr Shiel so it has to have open access) and where services would be located i.e. septic tank.
9. The barn also provides a home for many bats, which are a pleasure to see circulating in an evening, and is also home for a native barn owl that has again this year successfully reared its owlet. Please do not upset such precious wildlife.

As housing professional myself I urge you to decline this application which will destroy yet another one of our heritage barns. Especially, as in my opinion this conversion is for nothing more than monetary gain as Mr Shiel approached us to buy

the barn from him several months ago, we explained to him at that time we would only want the barn as an agricultural building so his market valuation price based on conversion was unrealistic to us. There is no doubt that the barn in question originally belonged with the house Keekle Grove. This property is one of the oldest houses in our area with its origins tracing back to the families involved in our local mining and railway economy. As such I urge you to allow this house depicting our history to be left alone and not surrounded by modern conversions which are totally out of character.

Finally, planning consent has been given to Mrs Shiel on Crossfield Road, Cleator Moor for a new property, this again makes us believe that the barn is purely for profit purposes. We appreciate your time and attention in reading this letter and hope that you will take the above points into consideration when making your decision.

Yours faithfully

A handwritten signature in dark ink, appearing to read 'C M Pears', written in a cursive style.

Mr & Mrs C M Pears

MAIN AGENDA

11 4/05/2498/0

ALTERATION WORK TO PROVIDE LIVING ACCOMMODATION
WINSKALES MOOR PIT, EGREMONT, CUMBRIA.
MR M SULLIVAN

Parish St Johns Beckermat

- No comments received.

This application seeks consent to convert the first floor of this former pit building into a two bedroomed flat.

The building occupies a remote, elevated site to the south of Egremont. In 2000 planning permission was granted to use the building as a workshop (4/00/779/0 refers). At the same time a neighbouring building was converted to stables (4/00/869/0F1 refers). In 2002 planning permission was granted to site a caravan for security purposes (4/02/342/0F1 refers). This consent was renewed until 30 June 2006 under planning permission 4/04/2374.

Internally, the building would retain a workshop on the ground floor with two bedroomed accommodation above. Externally, it is proposed to render the walls and retain the existing slate roof. Three velux roof lights are proposed in each roof slope.

Access to the site is via a long, unmade track. The Highway Authority raise no objections subject to the surfacing of the first 10 metres from the public highway and a scheme of passing places.

A letter of objection and a letter of support have been received in respect of the application. The objector states that the building is visible on the sky line. Also, as a pit yard the site is not safe to build on. The supporter is a customer of the applicant and confirms that he provides a useful service in this rural area.

Proposals to convert rural buildings to residential use should be considered in the context of Policy HSG 17 of the Copeland Local Plan 2001-2016 2nd Deposit Version. Given the characteristics of this building and its location the proposal does not easily relate to the criteria of Policy HSG 17. A site visit is considered to be the most effective means of assessing the proposal prior to its determination.

Recommendation

Site Visit

MAIN AGENDA

12 4/05/2500/0

ERECTION OF SEVEN DWELLINGS
SITE OF, FORMER GARAGE (BENNETTS GARAGE),
HOLBORN HILL, MILLOM, CUMBRIA.
MR BRIAN HILL

Parish Millom

Planning permission is sought to redevelop the now vacant "Bennett's Garage" site at Holborn Hill to provide the following accommodation:-

- 3 No. three bedroomed houses
- 3 No. two bedroomed apartments
- 1 No. two bedroomed maisonette

The proposed new development would be two/three storeyed, spanning over and to either side of a central vehicular access serving 12 parking spaces to the rear. An emergency only access would also be provided to the rear lane.

The site is situated within the Millom Conservation Area boundaries and a concurrent application for Conservation Area consent to demolish the existing buildings and structures on site is also under consideration (4/05/2676/0C1 refers).

A combination of rusticated, smooth and roughcast painted render is proposed for external wall finishes under natural grey slated roofs. Traditionally styled small paned windows and panelled doors are also proposed.

Representations have been received from the residents of 7 nearby households and whilst there is some general support for the proposed redevelopment of this site the following concerns have been raised:-

1. There is no need for further housing development in Millom.
2. The proposed number of dwellings is excessive for the site.
3. There is no provision for childrens' play or outdoor drying facilities.
4. Demolition of the existing garage will remove an existing retaining wall, thereby jeopardising the stability of neighbouring property.
5. Increased parking problems for existing neighbouring residents.
6. Proposed rear emergency access on the rear lane will create a danger for children who use this area to play. Construction

(1)

Objection to the Proposed Development Plan at the Conserved Area, Bennetts Garage Holborn Hill (Village) Millom.

Modern History of the Holborn Hill area and Bennetts.

The present buildings started life as a stack yard, called The Shield, attached to the Lord Nelson Inn. The Inn has, over some hundreds of years, been converted into private housing. Many of these "Inn" buildings are protected by Copeland Borough Councils Conservation Area.

This account has been added to fully understand the present feelings and fears of those living close to the proposal site.

Bennetts Garage operated as a thriving business for 50 years or more with little or no complaint, had good relations with its neighbours, was well kept and well run. On the retirement of the owners the Garage was bought by Mr. a builder. For 10 years the garage traded but relations with neighbours deteriorated and a steady flow of complaint started, initially to Mr. , but later to other authorities including CBC. Environment Health. The garage was unable to keep staff and the business failed in the early 1990s before the building was abandoned. The buildings deteriorated from that seen in the aerial photograph (P2) to the dangerous dereliction, the condition it is in today. (P3).

The Bennetts site has, according to the planning application, been sold to Mr. a builder from . During the sale period, three years ago, the garage was gutted, its contents, hydraulic ramps, and heavy machinery, removed. It is thought that at this time a concrete mixer fell from a lorry crushing and permanently injuring one of Mr work-force. The doors to the premises, by now fastened up with age, were broken open; in some cases pulled off their hinges, and, the building empty, the doors were left open, back and front, allowing access to any one. It was months before the doors were secured, and many more before CBC. Enforced on Mr. the removal of several dangers on-site. These included masonry overhangs, slate roofs, where children had been playing under. Some time later a safety- fence was erected (p4) at the rear of the garage to prevent accident to those freely able to access the site. The fence, a simple remedy to prevent dangerous access, was only erected after a long battle CBC; they, "not wanting to spend any of there own money on it". Other Authorities were involved in making the building safe, eg. The Police, Health and Safety, Ombudsman, and Environment Agency. Problems continue with access, requiring action by neighbours.

Letters were written to Mr. advising him on the safe removal, (to where and how) of more than 30 tons of garage waste, and the penalties for not doing so properly, and the certification required. This waste was dumped by Mr.

employees onto neighbouring land. It included toxic waste, sump oil, inside (and outside) 40 gal. drums, fuel oil, body shells, tractor tyres etc. There was so much waste that it was too much for the Neil Price lorry sent to receive it. A JCB. had to be

(2)

employed for a day to remove it. The remainder was dumped in a pile at the rear of the garage for some other unfortunate neighbour to look at. It is still there.

On a piece of land, from which much of the waste was removed, Mr. _____ claimed ownership. At the last instant, just before a High Court Action ensued, Mr. _____ was told by the Land Registry that he did not own the land. Had the other party backed out at any stage up to the High Court Action they would have lost the land. It is possible that other people in this area have lost land in similar circumstances. It is probable that had the land gone to Mr. _____ the current planned number of seven dwellings would have been eight, with all the dangers of encroachment that that would entail.

In the past few years we have spoken to Mr. _____ twice. First when he and his workforce broke down a door on adjoining premises to take levels. He had no Rights over the adjoining land but claimed them. He was asked if he owned the garage site, replied, "no, but in the process of buying it". It was pointed out to him that he did not own this land, and told to repair the door. He was also made aware of the difficulties of developing the site, the asbestos roofs, large underground fuel tanks, and polluted ground, and the "hill nature" of the ground, also the conservation status of the buildings. He was told to confirm his boundaries with the Land Registry.

The second meeting, when he demanded of one resident that all the vehicles parked be removed. He made these demands having run the length of the back lane with an iron bar in his hand. Both instances were, reported to the Police. Negotiations in Millom seem to be conducted with an iron bar in hand. During this exchange Mr. _____ was offered the full historic details for the site (enclosed) (the same details supplied to CBC. Planning/Conservation over the past four years) documented from 1760, and asked if one building in particular could be incorporated into the planned build? It was explained to Mr. _____ that a sketch plan, had been supplied to CBC. Planning, three years ago, trying to resolve, social and economic issues.

During the time Mr. _____ has had the buildings, front and rear, have not been secured and slates have been shed into the front street and graffiti not removed.

There is a similar garage close by, the owner is well known and respected, and the business is run in harmony with its neighbours.

Crime

It has been said that Bennetts, an inert piece masonry, is the cause of serious and petty crime in the area. It is not. The cause is that the sites value is the same whether derelict or not. Because of this a speculator can keep, or even raise its value without maintaining the buildings. When buildings become unsafe CBC.s Buildings Dept., should ensure safety. This building has been unsafe for more than 10 years. CBC. have known about this but have been unable to fully rectify the situation. Mr. Sandiland states, "he recently visited the site". The

dangers he saw then still exist. Why, is it because the council (and others) need to have the site dangers, as an argument in order to pull it down? (In Queen Street, Millom, is a wonderful old Church, much battered by the same builder, that owned Bennetts. In new hands, this building is being transformed into housing, the very best of the old with the best of the new, and at a profit. We in Holborn Hill have, and are encouraging this here.

Neighbours have, over the last quarter of a century been trying to, police, to safe guard the site, for example stopping children walking on asbestos roofs, repairing the drains and guttering to prevent flooding, explaining to children the consequences of playing under masonry overhangs.

The building is dangerous but the cause is speculative owners! The social effects of these owners, are felt all over Holborn Hill, and Millom, and else where. To allow buildings to become dangerous, to wantonly dump 30 tons of rubbish onto other peoples property is harassment and shows a complete disregard for Criminal Law, Civil Law, Planning and Building Law. And if stated, that it is happening all over town, it will be no news to anyone here.

Because the CBC. have failed, to fully remedy these dangers other authorities have had to deal with them. For example, Health and safety, "they cannot assist as no work is going on on-site".

In one disastrous case (not this building but the same players) a local man tried to have remedied, some "cowboy" building work. He took advice from, the then, Council Building Control. When these Council Officers were run off the site by the builder he asked for help from various agencies, solicitors and MP., etc. The interventions of these all failed, so he asked a friend to help with a submission to the national press. Before the media could be contacted the gentleman committed suicide. On hearing of this case, what would you do if confronted with a similar situation, perhaps, with the same builder? "Keep a low profile." That is what is happening in Millom. People have, quite understandably, fortified their houses and do not respond to injustice unless driven to by the threat of the resulting mealy. Harassed by a neighbour they move. Rather than suffer the obvious effects of crowded housing developments, they move. IF THEY CAN.

Power shifts from Civic Societies to irresponsible greedy developers. Planning Law and Building Regulation are flouted, four houses are built where space exists for one, buildings approach within feet of neighbours, (and cemeteries restricting burial). Houses are built not to plan, bungalows become houses, sewage plants are built in fields not owned by the developer and without planning permission; they fail leaving the owners to sort out the problem. Long and bitter struggles ensue with developers, some getting to the Royal Courts of Justice London. Whole communities are driven from their homes, their houses demolished, first by vandals, then by developer/Council, to be replaced by holiday dwellings, this latter, is part of Copelands Millom Plan! Historic buildings are torn down, Bankhouse, Churches, Chapels, schools, barns, old houses, in this case part of the Lord Nelson Inn. It is done, by the council with no explanation by the council inspite of frequent requests for same.

The occupants of an old house, had used all their money to fight a case of land theft at Manchester Courts, the 92 year old was then harassed by the neighbour, stones were thrown over a party wall and a piece of slate was found sticking into the front door of the house. The media are also targets; an editor had his two classic cars stolen. A Rolls and a Jaguar; these were driven into Hodbarrow Hollow. Later the newspaper window was smashed. In Holborn Hill sixteen cars had all their tyres slashed; the Castle Public House had ALL its windows broken, and the WPC. attending, had her windscreen smashed while attending. The Landlord left, as did the subsequent one, because of the noise and thuggery emanating, then, from the Plough Public House next door. Nearly all of Holborn Hills windows have been smashed, the residents harassed, assaulted, their cars stolen, jumped on, or paint striped, gates stolen, doors kicked in, the list is endless. A man had a stolen car fired in the drive- way, he was an old man, and he later died, possibly due to the inhalation of smoke which penetrated the house.

These are the effects we feel daily. The daily routine, is there any nasty letters in the post? Look out the window, have they pinched gate, urinated on the path, broken any one-else's windows, wrecked the car or stolen it altogether? The planners may want to appease their critics by knocking down, yet another old building, and put something much worse than a Conserved ruin in its place, but that will not cure the cause, only reward the unlawful way, and reward those who brought it about.

In some cases the speculators we complain of, the cause, are speculators, builders and landlords. The pubs they run have been and are the centre of Police activity. After hours drinking, noise, intimidation, vandalism, violence. Before this they had been quiet local pubs., they were then enlarged and had their quiet nature changed. We have two,(had, one is much better thanks to the Police and the present enlightened landlord), one at each end of the street, and in both cases they were changed with planning permissions from CBC. Planning. One devoured the house next door and left the occupants of the next house in the row, living next to a pub. Not a house. The other used up £50,000 worth of grant aid for a new roof, what was wrong with the old one? They also demolished the old barn, Conserved just the year before, but every effort, letters to CBC. Planning, to find out what is happening; those letters remain unanswered?

Across the road from Bennetts, and The Lord Nelson, is Bankside, high density housing. It replaced Bankhouse, a nice Victorian building, CBC.s offices. CBC. , having fully renovated this house, perhaps £10,-20, 000, pulled it down! It had a nice piece of grass around it where kids used to play. The only bit of grass for about 200 houses in Holborn Hill aloan! Bankside has now ten houses to replace the one. The development is known as the accident waiting to happen. Its designed in dangers encourage children to run across the road to the shop at the other side; from blind alley-ways, doorways, encouraged dangerous car-parking, and lorry reversing/ turning while delivering to the shops and vehicles driving along the pavement! Front doors open straight onto the pavement! The Police and council, (Millom Town Council) have recently visited, Bankside to try and iron out the traffic, and vandalism problems here that spill out into Holborn

Hill. At least two of Banksides residents are trying to move out. These houses belong to the local authority. There is graffiti at Bankside to, these are new built. All of this the planning authority is fully aware of, they built it. They have received numerous complaints over a period of three years, since they built it.

A riot occurred in Millom some time ago. It resulted in half of Milloms Police Force being hospitalised. These problems were caused by, " Whitehaven people being brought into the area"

The Planned Proposal.

With any reasonable planning authority, these plans would have been rejected outright, indeed not been encouraged in the first place. However, because of CBCs. history this cannot be relied upon. The whole of Hodbarrow mining communities, including Hornblowers of Liverpool, concrete and terracotta, Steel Green Terrace and Concrete Square. They have placed the caravans that replaced them on shafts 590 ft deep and others 7metres below the high water mark. They have destroyed the Mines hospital, the brick and tile coming from Densel/Dickinson brickworks here in Millom. This next door to the oldest, now destroyed barn. The knocked down Cains Cottages and replaced them with an imported "Cornish Village" look-alike. They have allowed the P3 building and others at the Tannery to blight the lives of those living nearby. They have destroyed all the Cornish Beam, and winding engines at Hodbarrow. This site could have been, a ready made Beemish. If this issue goes to public enquiry it will be the sixth that some of us have been to. The whole of the iron works site was destroyed. The only thing left is the plug, the solidified iron left in the blast furnace, left untapped by a demoralised workforce. Perhaps, they knew what was to come. They did try to blow it up, but to quote a furnace-man, "it didn't work they only succeeded in inventing a cannon." You may think that this is a complete list of the destruction of the speculator/ Council, it is not.

We have continually asked CBC. to give us information on this plan, they have failed to do so. It leaves the objectors with more work to do to cover every possible aspect, (or give up). First trying to get information from CBC., then from other bodies and bringing there weight to bear, CBC know the difficulties and use it to bring about more unwanted development. We have been harassed during the preparation of this report. We have tried to prevent this situation. Particularly since attempts were made to demolish the Mission Room attached to the Lord Nelson. We have done everything possible to prevent, what is to us, is another potential housing disaster. Bankside is a disaster, in it or outside it. The mistakes made here at Bankside, are to be made again with this development site. The planning officer was asked, if the plan "could be built using this plan"? The reply, " yes." There are no details (it is described as, a detailed plan), on lighting, drainage, pavements, surface treatment, surface water treatment, surface contours, retaining walls, how are the boundary walls to be treated? eg. How demolition of a building will take place while preserving the wall and what it retains. It takes for granted that the conserved buildings be demolished. Will their

assets be striped and taken elsewhere? The reason they were conserved was stop one developer knocking them down, now they are saying to another demolish. This and other aspects of this Conservation Area show no consistency. Slates on one roof plastic tiles on another; this is inside Bennetts area and elsewhere. The Planning Officer has to show consistency in the Conservation Area. With the buildings and the materials gone, so to will go the history. There has been no effort put into the compatibility of the replacement materials, walls, roof, windows. It will overlook on all sides, with a battery of windows, North, South and West, will block the light to present homes North and East.

"Safe by design"

There will be many unlit places for vandals to loiter, now pavement on the "fly under" making access by foot dangerous. Vehicular access is dangerous, entry exit and turning, at front and rear and this will spill out onto Holborn Hill, Duke Street back lane, Duke Street and Horn Hill. Parking spaces are tight, too few, leading to maneuvering problems. This and access front and rear will make dangers for those on foot particularly children who have consistently been robbed of their play areas. There is no demarcation to show who goes where, their rights, no where to hang washing, who tidies up, and where do the bins go? Most of the windows to the West will look straight at a retaining wall, if it is possible to build it, and the patio doors will open within feet of it. All these windows will be starved of light as will, as will those to the East. The remainder will overlook houses especially to the South and North. It is not thought possible to build at the 0.6 metre stagger in height so the building regs. will probably be breached, if they are, and there are many residents, overlooking will increase.

The building approaches the East side boundary wall to within one metre. This will block the light, already poor, into these existing houses. This will breach the Garage Covenants.

All the above overlooking problems, and many others, are caused by the intensive three-storey design, and will lead to the building dominating all around.

Emergency services cannot negotiate Duke Street back lane corners, nor can the refuse collectors, nor the proposed rear exit. Spill over car parking will exacerbate. Access to the back lane will put childrens safety at risk.

It is still possible to build houses with gardens front and rear, and that would follow the style of those houses close by, and it would be possible to build to profit.

The planning Officer has to show a NEED. There is a mass exodus from Copeland, Houses are not selling, a few metres from this development, a house stood empty for two years before being bought by the local housing association. These occupants have expressed the wish to move as have two, in Bankside.

The Planning Officer needs to show consistency in a Conservation Area. There is none. Roofing, walls, windows doors, this is the cheapest option.

MAIN AGENDA

traffic will add to this danger.

7. Bats reside in one or more buildings.

8. Asbestos roof covering will require safe removal.

A petition containing the signatures of 62 residents of Millom has also been received, the preamble to which states:

"We the undersigned welcome the reinstatement of the derelict buildings, Bennetts Garage, into houses which reflect the character of the area whilst conserving the historic buildings.

The present dangerous and dilapidated buildings have been a cause of stress for more than twenty years, a whole generation. Nothing has been done to rectify this situation. What is done with the site must meet the needs of the existing residents as well as the new intake of people. Consideration must be given to the exclusion of the existing and possible future antisocial behaviour, vandalism, thefts and intimidation. The present residents have had enough! has to be stated that the overall wellbeing of residents can be achieved by avoiding further high-density housing."

A neighbouring resident has elected to address the Panel when the application is determined. A copy of his letter is appended to this report.

In order that the material planning issues relating to this application are fully taken into account when the application is determined a prior site visit by Members is recommended.

Recommendation

Site Visit

13 4/05/2513/0

1 NO. BUNGALOW AND PUBLIC CAR PARK
FAIRLADIES, ST BEES, CUMBRIA.
STORY HOMES

MAIN AGENDA

Parish

St Bees

- Support the proposal and further agree to accept title and responsibility for the subsequent management of the car park, the attached copy e-mail from the Parish Council Chairman refers.

Members visited this site on Wednesday, 31 August 2005.

The approved layout for this residential development at the southern end of St Bees incorporates a 20 space car park in the north west corner of the site, linked to the village Main Street by a pedestrian footpath required by virtue of condition 13 of the Notice of Grant of Outline Planning Permission dated 28 February 2001 (4/00/0785/001 refers). The sole means of vehicular access and egress is via the new estate road.

This detailed application seeks permission to provide a 17 space car park on the previously approved site (viz. a reduction of 3 spaces) together with a three bedroomed detached bungalow adjacent to the road frontage of the plot. The design and external finishes for the bungalow would be similar to dwellings already constructed and occupied on the estate.

In response to statutory publicity afforded to this application, 12 letters have been received from residents of Fairladies together with a letter from a resident of Main Street who considers that the car parking spaces should be free. Nine of the letters from Fairladies residents are "pro-forma", a copy of which is appended to the report together with the three individual letters and accompanying petition containing the signatures of 32 residents of Fairladies.

In response to the concerns raised I would point out that the siting of the car park has not changed since the original grant of planning permission. All purchasers of Fairladies properties would, therefore, have been able to ascertain this information prior to purchase. As regards future maintenance, St Bees Parish Council has agreed to accept title and responsibility as previously reported and reaffirmed by the applicants, the attached copy letter dated 31 August 2005 refers.

In the absence of demonstrable harm resulting from this revision to part of the Fairladies layout, planning permission ought to be granted in accordance with Policies HSG 4 and DEV 7 of the Copeland Local Plan 2001-2016 2nd Deposit Version.

Recommendation

Approve

Tony Pomfret

From: PETER SMITH [peter.gpsmith@btinternet.com]
Sent: 23 August 2005 11:24
To: Ian Storey
Cc: Jane Donaldson; Doug Sim; Tony Pomfret
Subject: Fairladies planning application for bungalow and 17 place car park:4/05/2513/0F1

Ian,

As per our telephone call, I can confirm that on 22 August the St Bees Parish Council meeting agreed to support your planning application dated 21 July 2005 for a bungalow and 17 space car park. The Parish Council further agreed to accept title and responsibility for the subsequent management of the car park. The agreements are based on your commitments, viz:

- Title transfer will be without fee. Story Homes will fund all your legal costs
- The standard and design detail, including drainage, lighting and retaining wall, will be agreed with the Parish Council
- Story Homes will arrange for and fund independent inspection during and on completion of construction
- Story Homes will provide a twelve month warranty from handover

NB I have informed Tony Pomfret separately, but copied him in courtesy. I asked him to seek confirmation that CCC will adopt the footpath, and mentioned our enthusiasm for wheelchair / pushchair access on the footpath.

Regards

Peter Smith
Chairman of St Bees Parish Council

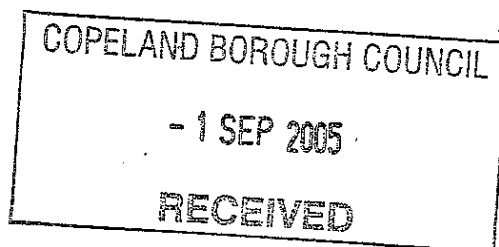


Our ref: SH024/D/030/02
Your ref: TP/FQ/4/05/2513/0F1

Burgh Road Industrial Estate
Carlisle Cumbria CA2 7NA
Tel: 01228 640850
Fax: 01228 640851

31 August 2005

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



FAO Mr T Pomfret

Dear Tony

Proposed Bungalow and Public Car Park, Fairladies, St Bees

Thank you for your letter of 10 August. I trust you received my message that discussions were taking place with Peter Smith of St Bees Parish Council, hence the delay in issuing a formal response to your letter.

I am pleased to confirm that our discussions with the Parish Council have been successful to date and agreement has been reached (subject to detailed legal contract) for the transfer of the car park to the Parish Council after its construction. I enclose a copy of an e-mail from Mr Smith confirming this to be the case.

Subject to granting of Planning Consent, it is our intention to formalise this agreement with St Bees Parish Council prior to construction commencing.

I trust you will take this letter as our response to your own letter and to Mr Craig's letter of 9 August. Please contact me if you require any further information or clarification.

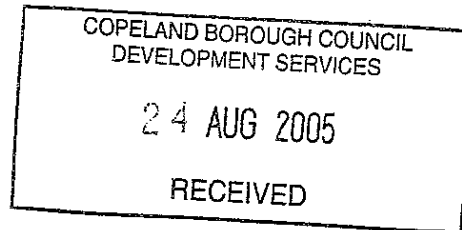
Yours sincerely

Ian Storey
Land & Development Manager

Enc

1 Fairladies
St Bees
CA27 0AR

JA Pomfret
Development Services Manager
Copeland Borough Council
Copeland Centre
Catherine Street
Whitehaven
Cumbria.



Application Number: 4/05/2513/0

18th August 2005

Dear Mr. Pomfret,

I am writing to object the application for planning permission to build a bungalow and car park, with application number as above, on the Fairladies estate on St Bees.

My main objection is the inaccessibility of the car park which will mean that cars have to travel the length of the Fairladies estate to access it. The estate has a large number of young children on it who at the moment are used to being able to roam a very quiet cul-de-sac. Only responsible drivers use the road to gain access to the houses on the estate. A car park in this location would present a real danger to these children with the potential for irresponsible 'boy-racers' terrorising the neighbourhood. No end of traffic calming measures would solve the problems raised by siting the car park as planned, which in my opinion would only be resolved by placing it elsewhere.

There would be a large potential for gangs of youths congregating to skate board, smoke, take drugs and generally be a nuisance, as seems to be the case in other sites of this nature in the area, and I would suggest that the location in the centre of a quiet residential area is wholly inappropriate. I also would not welcome the fly-tipping and burnt-out cars which seem very common on car parks of today.

I would question if the residents of St Bees Main street would use the car park, when faced with a significant walk whenever they want to ferry shopping into their house for example. Why was this car park not planned for the other end of the Fairladies estate where it would have been far more appropriate and accessible for other residents of St Bees?

I believe you have been in contact with one of the residents of our estate on this subject and to date no agreement has been reached as to who will adopt and pay for the upkeep of the car park. In my opinion this will have a massive impact on the nature of the car park, e.g. pay and display would have a much higher turnover of cars than residential only parking. I would suggest this must be resolved before planning permission can be granted.

To site the car park as planned would irrevocably change the nature of the estate to the detriment and decrease the value of all the properties in the vicinity.

I would like to attend any public meetings regarding this planning permission if you could inform me of the dates when these would be held.

I would urge you to adopt my arguments and reject the planning permission and I look forward to hearing from you.

Yours faithfully.

M. WATTERS.

COPELAND BOROUGH COUNCIL
DEVELOPMENT SERVICES

15 AUG 2005

RECEIVED

Mr & Mrs T McCarron
Seacliffe House
31 Fairladies
ST BEES
Cumbria
CA27 0AR
01946 823661

11th August 2005

Dear Mr Pomfret

PLANNING PERMISSION FOR REF:4/05/2513

Thank you for your letter dated 3rd August 2005 regarding the above mentioned planning permission for Story Homes.

We should be grateful if you would note that we are both **against** any amendments to the original planned site and object. We purchased our property from Story Homes after being advised, from their sales team, that we would have an uninterrupted view of the Golf Course and St Bees Head. There would be a house built to the left of our view, of which we have no objections. But directly in front of us would be a car park for the residents of St Bees to use. This we were told would be accessed from the rear of Fairladies barn.

We now believe that the car park will be accessed through the estate and that a bungalow will be built in front of us. **This is not satisfactory to ourselves.** We will then have a view of the side of a garage, and the bungalow apex roof will block out any view we have of St Bees Head.

We were also told from the sales team that we paid an increased price for the house, due to the fact that we would have a premium view! To reflect this the price that we paid was a significantly higher figure than the normal asking price for the Arundel style house.

Would it be possible for you to build the car park where you want the bungalow and vice versa, as this may not interfere with our view as much. We are quite happy with the plans for the car park if we can still have our view.

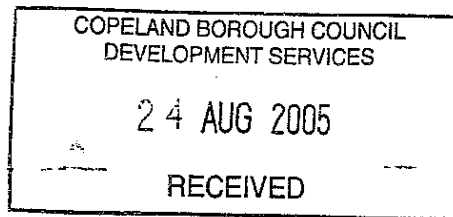
We should be grateful if you would advise us of any further developments.

Yours sincerely

Tony & Patricia McCarron

Mr K Wild
41 Fairladies
St Bees
Cumbria
CA27 0AR

JA Pomfret
Development Services Manager
Copeland Borough Council
Copeland Centre
Catherine Street
Whitehaven
Cumbria
CA28 7SJ



Application No: 4/05/2513/0

23rd August 2005

Dear Mr Pomfret,

I am writing to object to the proposed planning permission, application number 4/05/2513/0

No thought has gone into the safety of our children on the Fairladies Estate.

At the moment children and parents feel at ease with children crossing and using the road to call for and play with friends as the only traffic using the road are residents who are well aware of the number of children in the local area and drive accordingly.

All this would be changed should the go ahead be given for the car park to be situated at the end of a residential area.

I also believe that as things stand at the moment, it is unclear who will maintain the car park should planning permission be successful, surely something as important as this should be made clear before any planning application is considered.

I use the main St Bees car park on a regular basis and I see cars using this car park at speed with little or no thought for other road users and pedestrians.

There is also the inevitable congregation of sometimes rowdy young teenagers who smoke, skate board and get involved in other activities that are wholly unsuitable in a public place.

There is no reason why the sort of anti social behaviour that is unfortunately part of our society and is occurring at the main St Bees car park will not also occur at the proposed new car park on the Fairladies Estate.

The main difference here is that the proposed new car park would be situated at the end of a very quiet, safe residential road that is used by children of primary school age and no thought what so ever has gone into their safety or the way that this safe environment would be destroyed should planning permission be granted.

I would like to attend any further public meetings regarding this planning permission.

Yours Faithfully

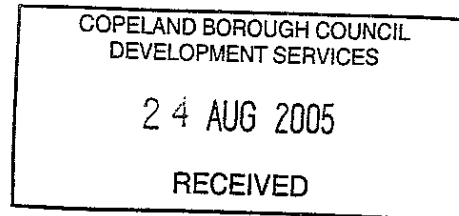


23rd August 2005

Your reference 4/05/2513/0*001*4
Grid reference 25 97154 11516

Mr & Mrs M Armitage
35 Fairladies
St. Bees
Cumbria
CA27 0AR

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



Dear Sir,

Representation in respect of: -

1 No. Bungalow and Public Car Park, Fairladies, St Bees, Cumbria.

Thank you for the opportunity to submit representations in respect of the above proposals.

There are strong objections amongst the residents of Fairladies against the siting of a car park at the very end of the Fairladies development. These views are well documented in a letter signed by every resident of Fairladies which was hand delivered to yourself on 28th May 2005. I should be grateful if you would formally accept that letter as part of this representation (copy attached).

Now that the planning application and plans are available there are still a number of issues that remain unaddressed as set out below.

1. The car park has, in my opinion, been badly planned at the far end of the Fairladies development requiring users of the car park to drive from the bus turnaround on Main Street all the way through the residential area to get to the car park. Users of the car park will have to drive past the very many children who play on the street during holidays, at weekends and evenings. This is unacceptable and I strongly object to the siting of this car park with the currently planned access via Fairladies. The current plans for the car park put the children at significantly higher risk of road injury and this is unacceptable to me and every other resident of Fairladies.
2. There are no public open spaces on the Fairladies development and therefore children have to use the quiet street in which to play together. I have been told by Copeland Borough Council that this a matter of policy due to the unacceptable cost of maintaining and securing such open spaces. If it is policy which denies the children a public open space upon which to play together then those in authority who set that policy should have due regard to the safety of those children who are forced to play in the streets because of lack of other facilities. I object to the siting of the car park because the Council has not ensured the provision of public open spaces for children and therefore the Council owes a duty of care to the children who play together in the

streets. The siting of this car park significantly increases the risk of injury to children playing in the street.

3. The car park with 17 spaces will also create nuisance on this quite cul-de-sac road causing significantly increased traffic at the head of the cul-de-sac, increased noise and disturbance to immediate residents when the car park is used, particularly early morning and late at night. I object to the car park on this basis.
4. The planning application provides no details of who will be responsible for the car park,
 - Who will own the car park
 - Who will be responsible for maintaining the car park
 - Who will be responsible for keeping the car park clean and tidy
 - Who will be able to use the car park
 - How will charging be applied at the car park
 - Who will be responsible for security at the car park

These issues are very important and I ask that this information be made available publicly for consultation before any decision is made on the planning application

5. Car parks in and around Copeland Borough Council are increasingly targeted by young irresponsible drivers who gather in car parks, race in and out of car parks, spinning and screeching wheels and generally causing trouble in the neighbourhood. These problems are still not fully resolved in the nearby St Bees beach car park. I object to the car park on the basis that it will attract this behaviour, which is unacceptable in a residential neighbourhood and will endanger the public.
6. Another problem on the increase in the borough is that of skate boarders congregating in car parks. The council recognises these issues and is struggling with tackling the problem. To add a car park in this residential area will merely bring the problem to Fairladies.
7. The council has a policy of minimising public open spaces on new developments because of the problems associated with managing those spaces and maintaining a respectable neighbourhood. Those same problems associated with public open spaces apply equally (if not more so with the problem of young irresponsible drivers) to car parks and I object to the siting of the car park at the end of the quiet cul-de-sac location at Fairladies.

I urge the Council to take these valid objections into account when considering the planning application. I should be grateful if you would also provide details of any public meetings where this application can be discussed so that I may attend and participate in the decision making process.

Yours faithfully,

M Armitage.

A. Armitage

Mark and Anne Armitage.

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

28 May 2005

Dear sir,

Fairladies St Bees: - Potential Public Car Park.

There is much debate in the village and local press regarding the potential for a car park at Fairladies, St Bees. The debate seems to be focussed on a number of factors including - whether building works should be stopped until the car park is completed, who will use the car park, whether Main Street will still be busy with other parked cars despite up to 20 Main Street residents using alternative parking, whether double yellow lines should be enforced on Main Street, etc. Nowhere in the debate is the voice of the residents of Fairladies heard.

This letter, signed by every occupied household on Fairladies, St Bees, sets out the residents' view of why they should be very much involved in the debate and why their views must be considered.

Fairladies is a large development made up almost exclusively of family sized homes. It is no surprise therefore that the majority of residents are families many of whom have young children. There is an excellent community spirit amongst the residents and the children often meet to play together. An unusual aspect of the development is the lack of public open spaces. Nowhere on the development are there safe areas where children can play off the street. Consequently, children play on the streets at the lower northern end of the phase 1 development. This is a cul-de-sac location with little traffic and where one or more parents can easily keep an eye over the children playing. The residents are always vigilant when driving through Fairladies and often drive at a 'snails-pace' to ensure the safety of the children. There are at least 14 children aged 7 or under living on the cul-de-sac with many other small children on the remainder of the phase 1 development. Children are at play early evenings and weekends and can be seen happily playing on the street with bikes, scooters, roller skates, go-karts, wheeled cars and balls.

The proposed car park, for use by residents from Main Street, at the very end of the residential cul-de-sac which is used by large numbers of young children (as described above) is potentially unsafe and unreasonable. In planning terms the location of the car park is far from ideally positioned. With up to 20 car spaces in the car park there will be a minimum of 40 additional vehicle movements every day and many more where car users come and go more than once per day. The scope for additional traffic at weekends, when the children are out playing the most, could be significant. If each car park user used their cars only twice each day on the weekend, there would be an additional 160 vehicle movements through a street highly active with playing children. The potential for an

accident would be very high, particularly as the car park users will not have their own children playing in the street and will inevitably be frustrated by the situation. In winter with poor visibility and icy conditions the risks are even greater.

The lives of our children should not be put at risk. St Bees does need a cohesive strategy to alleviate the parking problems on Main Street, but not at the expense of increased risk to children playing outside or walking to/from school in poor weather and in icy conditions. A car park should be sited with access directly on to Main Street, away from residential streets, perhaps near the bus turnaround, and should have sufficient capacity to cater for the seasonal demand in summer as well as the local year round demand. If we are to solve the parking problem, it should be done with the consensus of all affected parties, in a considered manner, be of benefit to the whole of the community and should not resolve a problem on one street to create a different problem on another.

The residents of Fairladies, St Bees, as signed below, urge the authorities to take these material facts into account when determining the position of the potential car park at Fairladies.

Signed by: -

Name	Address	Signature
M. ARMITAGE	35 FAIRLADIES, ST BEES	M. Armitage
A. ARMITAGE	35 FAIRLADIES, ST BEES	A. Armitage
B. CLARKE	27 FAIRLADIES, ST BEES	B. Clarke
P. CLARKE	27 FAIRLADIES, ST BEES	P. Clarke
P. HAMAND	37 FAIRLADIES, ST BEES	P. Hamand
G.M. HAMAND	37 FAIRLADIES, ST BEES	G.M. Hamand
Ken Owen	25 FAIRLADIES ST BEES	Ken Owen
A. DORAN	25 FAIRLADIES ST BEES	A. Doran
KARL DORAN	39 FAIRLADIES ST BEES	K. Doran
Kevin Wild	41 FAIRLADIES ST BEES	K. Wild
A. WILD	41 FAIRLADIES, ST BEES	A. Wild
A. KELLY	23 FAIRLADIES ST BEES	A. Kelly
A. KELLY	23 FAIRLADIES ST BEES	A. Kelly
N. ROSSITER	19 FAIRLADIES ST BEES	N. Rossiter
A. JAFFRAY	17 FAIRLADIES ST BEES	A. Jaffray
E. CRAYSTON	11 FAIRLADIES ST BEES	E. Crayston
D. MATHER	9 FAIRLADIES ST BEES	D. Mather

MAIN AGENDA

2. The car park hereby approved shall be constructed to adoptable standards and brought into operational use prior to the bungalow being occupied.

Reason for condition:-

To facilitate early operational use of the car park for the benefit of future users.

Reason for decision:-

An acceptable revision to the approved layout in compliance with Policies HSG 4 and DEV 7 of the Copeland Local Plan 2001-2016 2nd Deposit Version with future maintenance responsibility for the car park being taken over by St Bees Parish Council.

14 4/05/2526/0

TWO STOREY & SINGLE STOREY EXTENSIONS AND A
CONSERVATORY
7, LITT PLACE, THREAPLANDS, CLEATOR MOOR,
CUMBRIA.
MR K DAVIES

Parish Cleator Moor

- No comments received.

Planning permission is sought to extend this semi-detached house as follows:-

- two storey extension to gable to accommodate ground floor living room with two bedrooms above.

- a single storey extension to the two storey extension to provide a utility room

- rear conservatory measuring 3.3m x 3.6m.

External finishes, including the roofing tiles, will match the existing house.

The proposed extensions will more than double the size of the existing house and will, at one point, be within 650mm of the boundary with the neighbouring property to the west. The proposal as originally submitted incorporates a bedroom window in the gable

MAIN AGENDA

elevation of the two storey extension which would have overlooked the neighbouring property. In response to objections from the neighbour an amended plan has now been received showing the omission of this window.

Policy HSG 20 of the Copeland Local Plan 2001-2016 2nd Deposit Version presumes in favour of proposals for extensions or alterations to existing dwellings so long as:-

1. The scale, design and choice of materials involved respect the character of the parent property with the use of pitched roofs wherever practical.
2. They would not lead to a significant reduction in daylighting available to either the parent property or adjacent dwellings.
3. They would not create potential noise nuisance, security or privacy or overlooking problems for residents of either the parent property or adjacent dwellings.
4. They would not result in a loss of 50% or more of the undeveloped curtilage of the parent property.

In my opinion there are two potential causes for concern:-

1. The scale of the proposed extensions in relation to the parent property.
2. The rear conservatory is within 4 metres of the boundary with the bungalow to the rear and less than 20 metres distant from habitable room windows in the rear elevation of the bungalow. Notwithstanding the existing hedge and trees along this boundary, the elevated position of the conservatory and the fact that the trees are deciduous creates the potential for overlooking and resultant loss of privacy. The owner of the bungalow has submitted a letter of objection against the proposed development, a copy of which is appended to this report.

In order to fully assess these material planning considerations a site visit is recommended before the application is determined.

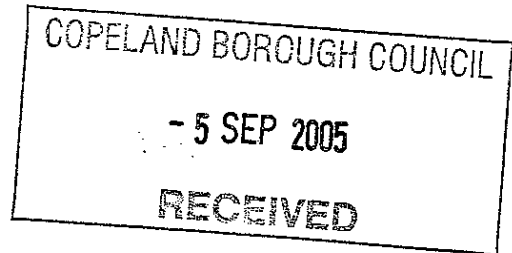
Recommendation

Site Visit

The Bungalow
Bowthorn Road
Cleator Moor
Cumbria
CA25 5JG

3 September 2005

Mrs P A Pomfret
Planning Assistant
Development Services
Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven Cumbria
CA28 7SJ



Dear Mrs Pomfret

Two Storey and Single Storey Extensions and a Conservatory, 7 Litt Place, Threaplands, Cleator Moor (Application ref no 4/05/2526/0F1)

Following receipt of your letter regarding the above proposed development, I would like to formally submit my objections to this planning application, for the following reason;

1. The conservatory, which from the plans provided is to be constructed in the existing garden of 7 Litt Place, appears to be in close proximity of the existing fence and hedging which separates the two properties. The plans supplied are not drawn to scale and as such it is not possible to assess just how close the conservatory will be to this boundary. I am extremely concerned with regard to the impact this may have on my privacy as the complete rear aspect of my property directly faces the planned development including our bedroom, bathroom, kitchen and dining area.
2. As a resident of this address for some 45 years I think it is important to draw attention to the area's long history of local flooding. This local area flooding occurred on a fairly regular basis until recent years when the Threaplands estate was first developed. At this time the local residents specifically requested the installation of a land drain to remedy the flooding problem as part of the overall development. A land drain was installed and this drain runs along the length of the rear boundary of my property. Again I am concerned that this development might interfere with this land drain resulting in an increased risk of further flooding.
3. From the plans of the development provided I feel that the overall scale of this development is inappropriate for the size and situation of the existing property.

If you require any further information please do not hesitate to contact me.

Yours sincerely

A handwritten signature in dark ink, appearing to read "J. Towers".

J C Towers

MAIN AGENDA

15 4/05/2529/0

GARAGE, KITCHEN, UTILITY AND BEDROOM EXTENSION &
CONSERVATORY
29, CROSS LANE, HENSINGHAM, WHITEHAVEN, CUMBRIA.
MR & MRS BENSON

Parish . Whitehaven

This application seeks consent to extend this semi-detached house as follows:-

1. A front single storey "lean-to" extension to provide a porch and extend the garage forwards by 2.0 metres.
2. An extension to the existing gable to provide an extended kitchen and enlarged bedroomed accommodation. This element would be 350mm from the plot boundary.
3. A 4.85m x 3.9m single storey rear extension accommodating a utility and games room. Again, this element would be 350mm from the boundary.
4. A 3m x 3m conservatory immediately adjoining the opposite boundary to the single storey extension.

The proposal reduces the driveway length to approximately 4.0 metres. As such, the Highway Authority comment that the required two on-site car parking spaces cannot be achieved. Each space should measure 6.0m x 2.4m. The property is sited opposite a junction where a reduction in parking standards is likely to pose a risk to highway safety.

Letters have been received from two adjoining owners. One resident is solely concerned that any damage caused during the construction phase is made good. The other owner expresses the following concerns:-

1. The garage will come forward of the building line.
2. The conservatory is raised and will result in a loss of privacy.
3. Care should be taken to protect existing drainage arrangements.
4. The house will have no rear access.
5. The proposed house wall will be un-neighbourly.
6. The size and design of the proposal will be detrimental to amenity.

It is considered that the siting of the conservatory, by virtue of its location and floor level, will give rise to problems of loss of

MAIN AGENDA

privacy and overlooking. Furthermore, the proposed extension results in an expanse of wall immediately adjacent to the boundary which is likely to have an adverse affect on the neighbouring property.

The applicants have been requested to consider amending the scheme both in respect of the design and the provision of on-site car parking. However, the applicants have requested that the application should be determined as submitted.

Recommendation

Refuse

By virtue of their siting, scale and design the proposed extensions and alterations will result in problems of overlooking and loss of privacy together with an adverse visual impact on neighbouring residential properties. Furthermore, the proposal results in a loss of available off-street parking to the detriment of highway safety and local amenity contrary to Policies HSG 8 and HSG 20 of the Copeland Local Plan 2001-2016 2nd Deposit Version.

16 4/05/2534/0

EXTENSION TO EXISTING GLASSHOUSE
WOODLAND NURSERIES, LOWCA, WHITEHAVEN, CUMBRIA.
BLOMFIELDS

Parish Lowca

- No comments received.

Planning permission for a 45m x 36m glasshouse extension towards the north eastern end of these long established wholesale horticultural nursery premises was granted in December 2001 (4/01/0743/0F1 refer

In order to meet continuing demands from existing retail customers it is now proposed to further extend this glasshouse to provide an additional 2574 sq m floorspace. The new development would be 60m long, its width varying from 38.4m to 51.2m to take account of existing landform.

On-site earthworks will be required to achieve a level site but there is sufficient surplus material already on site to negate the need to import material. The existing landform to the north west will effectively screen the proposed development from residential properties within the village whilst existing hedgerows provide some screening from more distant views from the A595 trunk road to the

MAIN AGENDA

north and east.

The applicants point out that during Spring/Summer 2005 they were employing 30 staff, the majority of whom being full time and living within Lowca village. Further expansion would create more job opportunities.

In response to statutory consultation and notification procedures no adverse comments have been received. Glasshouse roof water will be stored in a 23000 litre capacity retention tank and used for irrigation of plants in the proposed new glasshouse. Any surplus overflow would be minimal and fed into an existing 600mm culvert via a 100mm pipe.

Recommendation

Approve

Reason for decision:-

The proposed development facilitates continued viability of this long established wholesale horticultural nursery business and will have no significant adverse visual impact given its setting adjacent to existing glasshouses and the rising landform to the north west.

17 4/05/2537/0

INSTALLATION OF A RADIO BASE STATION COMPRISING A
18M HIGH SLIM LINE MONOPOLE FOR 3 NO. SHROUDED
ANTENNA AND 1 NO. TRANSMISSION DISH WITH TWO
EQUIPMENT CABINS LOCATED AT THE BASE OF THE TOWER
JUNCTION OF, HIGH ROAD, WILSON PIT ROAD,
WHITEHAVEN, CUMBRIA.
HUTCHISON 3G

Parish

Whitehaven

Full planning permission is sought to install a 18 metre high galvanised monopole on the grassed verge area at the junction of High Road and Wilson Pit Road, immediately to the south of the Huntsman site.

The monopole would support 3 No. antennae together with a 0.3m diameter transmission dish. In addition, two equipment cabins would be sited at the base of the monopole.

MAIN AGENDA

The site is bounded by existing 2.1m high chainlink security fencing and a 7m high disused BT pole is presently sited on adjacent land.

Although the site occupies an elevated position it is well screened from Sandwith village to the south by the intervening landform within the Huntsman site. The nearest housing at Woodhouse estate is some 250m to the north.

The installation is required to provide 3G coverage to the Whitehaven area. A declaration of conformity with ICNIRP exposure guidelines accompanies the planning application.

In accordance with statutory requirements the application has been advertised both on site and in the local press but no representations have been received to date.

To summarise, the proposed monopole occupies a location well distant from residential properties adjacent to an industrial site where visual detractors already exist in the form of street lighting and floodlighting columns; security fencing and a redundant BT pole where its visual impact will be insignificant.

Recommendation

Approve

Reason for decision:-

The proposal represents an acceptable form of telecommunications development adjacent to an industrial site where its visual impact will not be significant given the presence of existing detractors such as street lighting and floodlighting columns and security fencing. The proposal is, therefore, deemed to be in accordance with Policy SVC 8 of the Copeland Local Plan 2001-2016 2nd Deposit Version.

18 4/05/2542/0

TEMPORARY DWELLING AND AGRICULTURAL BUILDING
(SINGLE STOREY LOG CABIN)
FIELDS 128, 129, 130, RED BECK, SALTER, CUMBRIA.
MR K & MRS L MOSSOP

MAIN AGENDA

Parish

Lamplugh

- No comments received.

Full planning permission is sought to erect an implement shed and store together with a temporary dwelling on this 2.24 hectares site at Red Beck, Salter.

The rural site is part of a wider area of County Landscape importance adjacent to the River Ehen and is accessed via a generally single track unclassified road which runs between Wath Brow and Kirkland over a distance of some 3.5 miles, the application site being approximately 1.5 miles from its junction with the A5086 at Wath Brow.

The proposed implement shed and store measures 13.8m x 9.2m with a monopitched roof increasing from 3.1m to 4.0m in height. The steel framed structure would be clad using green plastisol box profile sheeting. Approximately 10% of the roof area would comprise roof lights. The proposed temporary dwelling would be in the form of a timber lodge/log cabin.

The intention is to operate a "Box Scheme" from the site, details of which as provided by the applicants are appended to this report. However commendable the proposal is in principle, the determination of this application must be based on the suitability or otherwise of this particular site to accommodate the proposed use.

Permission was refused in May 2004 for an outline planning application by the same applicants for a single storey dwelling and poultry farm on this same site (4/04/2250/001 refers), the grounds for refusal being as follows:-

"In the absence of a demonstrable agricultural 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 and the Copeland Local Plan 2001-2016 1st Deposit Version together with Planning Policy Guidance Note 7 "The Countryside - Environmental Quality and Economical and Social Development".

A more recent Notice of Intention, again by the same applicants, to construct an implement shed and store on the site was withdrawn in June 2005 (4/05/2369/0 refers).

Planning Policy Statement 7 "Sustainable Development in Rural Areas" sets out the Government's key principles for such development, a copy extract of which is appended to this report.

This application does not relate to an existing agricultural activity. Instead it would introduce a new business use that is unrelated to the site except in terms of land ownership. Policy RUR

MAIN AGENDA

1 of the Copeland Local Plan 2001-2016 2nd Deposit Version sets out criteria against which proposals for employment use in rural areas should be assessed, criteria 3 and 4 of which respectively require that:-

3. the use would be compatible with the character and appearance of the surrounding landscape or built environment, and
4. the use would not have a significant adverse traffic impact.

Policy HSG 5 of the plan presumes against new residential development outside defined settlement boundaries except where it is required to meet exceptional circumstances arising from local social and economic conditions.

Policy HSG 6 goes on to state that:-

"Where a new rural enterprise is not yet viable planning approval for a permanent dwelling will not be granted. However, in such circumstances and where there is a reasonable prospect of viability being achieved within the medium term (up to 3 years), a temporary permission for a residential caravan may be granted subject to other plan policies and an appropriate external colour finish".

Policy ENV 6 of the Plan seeks to protect areas designated as Landscapes of County Importance from inappropriate change.

Letters of objection have been received from the residents of four detached properties located adjacent or in close proximity to the site. The grounds for objection can be summarised as follows:-

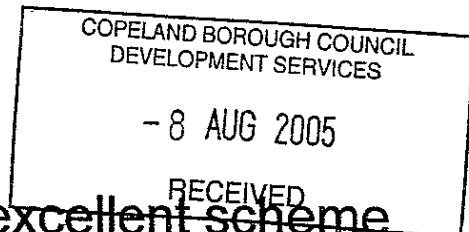
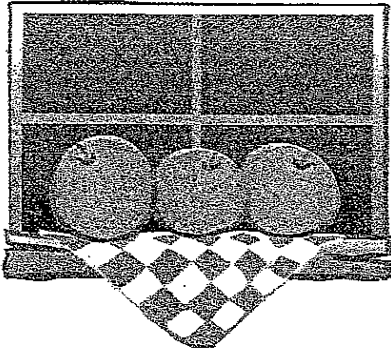
1. There is no justification for such an inadequate development which will compromise an area of outstanding natural beauty.
2. Adverse environmental effect on the adjacent River Ehen due to waste and run-off. This would compromise the SSSI and SAC status of the river banks and adjacent land.
3. Access to the site is unsuitable along a long, narrow road. Increased traffic would represent a danger to walkers and cyclists along this popular route.
4. More suitable industrial premises are available in the locality.

In my opinion there is no justification to support this application. The proposed use demonstrably could operate from existing commercial premises within or next to a town or other service centre where accessibility would be much better in terms of incoming deliveries, distribution and staff/customer movements.

Recommendation

What is The 'Box Scheme?'

4 / 0 5 / 2 5 4 2 / 0 F 1



This is an excellent scheme which is totally supported and encouraged by the government.

The scheme involves working with local farmers, growers, egg producers, small food manufacturers and suppliers of good quality 'Cumbrian Produce.

It's rather like a small 'Cumbrian co-operative.

The fresh local produce is collected, loaded into the agricultural building, sorted into boxes and then made ready for local delivery.

A marketing/ advertising campaign would promote the scheme and encourage members of the local community to get involved in the scheme. The customer would simply telephone, place their order for either all, or perhaps only one of the boxes, give their names, addresses, choice of delivery day and simply sit back and wait for their boxes to arrive.

To save on unnecessary and excessive waste,

the box would be re-usable. The box would simply be collected the following delivery. The customer would receive fresh local produce at a competitive price and have the benefit of free delivery. They would also have the benefit of knowing that the scheme is helping local people and creating jobs.

The benefits to the suppliers involved are amazing! Small local farms and food producers are really struggling to compete with supermarket giants and many of them will not survive by the end of this year. This really gives them all a chance to survive!

Should this scheme be as successful as is anticipated, many jobs will be created. Packers, drivers and administration personnel will eventually be needed!

In a nutshell this scheme is (Groundbreaking!) Disabled, housebound, elderly, single mums and dads, busy working families and the health conscious would be provided with a most valuable local service.

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DEVELOPMENT SERVICES

- 8 AUG 2005

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Why we need to live on our **land**

4 / 0 5 / 2 5 4 2 / 0 F 1

A considerable amount of money is to be invested into the proposed development plan. It is without doubt essential that proper security is provided for that investment. Insurance companies would insist that every precaution was taken to ensure that the site was properly secured.

However, the most important reason for us to have to live on the land is the requirement for adequate toilet and restroom facilities. The average working day would be 10 hours. The department of Health and Safety stipulate that it is a legal requirement for these facilities to be provided, especially since food handling will be involved.

Adequate shelter from extreme heat, snow or rain would have to be provided.

Cold storage would have to be installed and temperature monitored at most times.

To invest such a large amount of money in this project, it really is an essential need to live on site.

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- 8 AUG 2005

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History/skills/experience of applicants

Mr and Mrs Mossop are local business people. They own an extremely busy and very successful general store/greengrocers/delicatessen. As well as this, they also have a fruit and vegetable wholesale business, garden ornament manufacturing business and outside catering business.

Mrs Mossop has tremendous marketing and sales experience, having worked in media advertising and has held several senior positions in sales. Mrs Mossop has managed hotels and restaurants.

The couple employ six permanent staff and also employ casual staff for catering events.

Subject to planning consent, they would be in a position to create at least 10 new jobs in the first two years and possibly more in the third year.

The couple have totally researched the viability of their proposed new enterprise.

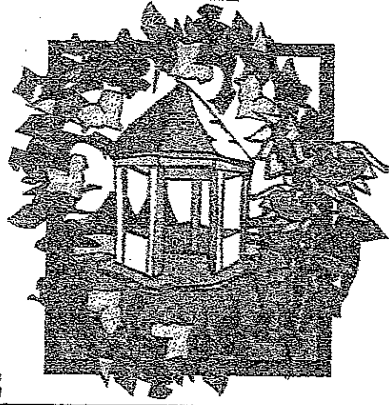
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- 8 AUG 2005

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Rural Craft/ Garden

4 / 0 5 / 2 5 4 2 / 0 F 1



ornaments

Since 2001, Mr & Mrs Mossop have been producing an extensive selection of garden ornaments.

The couple began with only a few small moulds. Through sheer hard work and determination, they built up their collection and now have over 200 moulds including many that they have produced themselves.

The quality of their work is first class. The couple have been guests on BBC Radio Gardening programme, featured in the 'Whitehaven News' and are well known throughout the local community. They have supplied the following garden centres and retail outlets.

- Hayes garden world
- Muncaster Castle
- Boonwood garden centre
- The Lakes Home centre
- Grassroots Nursery (Cumbria County Council)
- Flowertime florists
- Seaton garden centre
- Foxfield garden centre
- Hill top garden centre
- Bayview garden centre
- Longlands garden centre

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- 8 AUG 2005

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The couple have received trade enquiries from 'Greece, Cyprus and the Canary Islands.

The couple produce the most wonderful collection of wildlife

Card-baths and planters. The range includes owls; deer; foxes; squirrels; badgers; rabbits and many others.

The interest in their work has been amazing!

People from all over the country travel to 'Cleator Moor' to buy their products, thus helping the local economy.

The couple have received no funding whatsoever from any agencies.

However, DEFRA, subject to planning permission, are prepared to offer funding for this rural craft.

There is tremendous work involved in this craft and with the right funding, agricultural buildings and support, many jobs could be created for this particular scheme.

Rural craft workshops could be set up and so on.

The planters and troughs would be used for the wildflowers and flowering shrubs and so on.

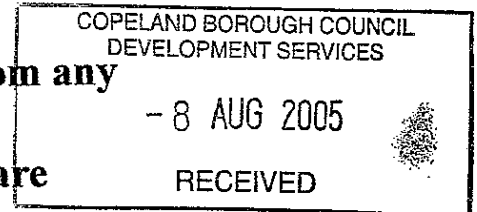
The average woodland planter, containing wildflowers or shrubs would retail at approximately £25.

Mr & Mrs Mossop are members of 'Made in Cumbria'

Their work has been sold at 'Keswick Farmers Markets and many agricultural shows throughout the County.

No retail activity would take place on their land.

It is very rare to come across such excellent quality workmanship, determination, enthusiasm and total commitment. Both Mr & Mrs Mossop have both had very serious medical problems and operations, yet they have continued throughout to work like what can only be



described like 'Trojans'

Wildflowers, trees, hardy herbs, shrubs



4 / 0 5 / 2 5 4 2 / 0 F 1

COPELAND BOROUGH COUNCIL
DEVELOPMENT SERVICES

- 8 AUG 2005

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Mr and Mrs Mossop have consulted with government departments, including the Deputy Prime Minister, secretary for environment and rural affairs, English Nature with regards to environmental issues and rural development and on their recommendations, have developed another terrific plan to use their land in a way that is profitable and yet totally responsible.

They plan to create areas of native wildflowers, hardy herbs, shrubs, trees such as Oak, ash and Beech. The wildflowers would be grown for commercial use, to be used for hanging baskets, planters and cut flowers etc. The shrubs and herbs would also be grown for commercial purposes.

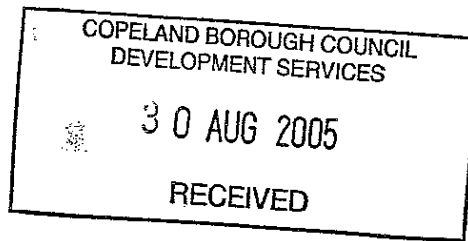
The benefits to the land are outstanding!

Under no circumstances, would any pesticides or chemicals be used.

The land is ideal for this kind of production.

This project would most certainly enhance the landscape, attract more birds, butterflies and other insects.

Being nature lovers, Mr and Mrs Mossop plan to apply for a country stewardship award.



KLM General Store
27/28 High Street
Cleator Moor
Cumbria
CA25 5LB
Tel. (01946) 815763
26th August 2005

Dear Tony,

Re- our telephone conversation on the 26th August, regarding your suggestion of using an alternative site for our proposed development plan. One of the suggestions you made was to lease an industrial unit.

Under no circumstances are we prepared to consider this option for the following reasons outlined below;

- 2001-2002, Keith and I, did in fact lease an industrial unit from 'English Estates.' The rent was astronomical, as were the business rates.
- The majority of the business's there at that time were forced to employ security guards because of the constant vandalism to the units.
- On more than one occasion we had to telephone the police because of youths tearing around the estate on motorbikes and in cars.
- DEFRA would not be prepared to fund our project being operated from an industrial estate.
- Our main plan involves retail and not industry, which would require us to apply for a change of use.
- As already stated, Keith and I, had fully intended to be involved with the countryside stewardship schemes. How on earth would we be able to carry out these responsible duties in an industrial unit.
- We are both devastated at this suggestion and should planning be refused, we will simply have no alternative but to abandon this wonderful plan and will also be forced to close down our General store as this plan would have indeed helped to meet the ever increasing costs involved in running the business.
- This will result in yet another empty shop in 'Cleator Moor' and more of us relying on state benefits, including ourselves, thank you very much.

We will of course appeal.

Having purchased the land for the reason of working it and receiving some sort of income from it, we are now awaiting suggestions of how our land could be put to good use. We finance the maintenance of the dykes and hedges and yet we are expected to just leave the land un-used.

Furthermore, we still have not received official notification from 'English Nature' that the river has been designated an SSSI, site. This error, has cost us money.

I suggest that the conservation officers for that area take the time to inspect the dwellings at 'Red Beck' as they will be surprised to see that the surface water from the dwellings is simply running along the road directly into the river!

We currently use the back store for the packing of the boxes, there simply is not the room, should we receive many more enquiries.

Yours Sincerely

Mrs Lauren & Mr Keith Mossop

National Planning Policies

KEY PRINCIPLES

1. Sustainable development is the core principle underpinning land use planning. The following key principles should be applied in combination with all the policies set out in this PPS:

- (i) Decisions on development proposals should be based on sustainable development principles, ensuring an integrated approach to the consideration of:
 - social inclusion, recognising the needs of everyone;
 - effective protection and enhancement of the environment;
 - prudent use of natural resources; and
 - maintaining high and stable levels of economic growth and employment.

The approach to planning for sustainable development is set out in more detail in Planning Policy Statement 1 (PPS1).

- (ii) Good quality, carefully-sited accessible development within existing towns and villages should be allowed where it benefits the local economy and/or community (e.g. affordable housing for identified local needs); maintains or enhances the local environment; and does not conflict with other planning policies.
- (iii) Accessibility should be a key consideration in all development decisions. Most developments which are likely to generate large numbers of trips should be located in or next to towns or other service centres that are accessible by public transport, walking and cycling, in line with the policies set out in PPG13, *Transport*. Decisions on the location of other developments in rural areas should, where possible, give people the greatest opportunity to access them by public transport, walking and cycling, consistent with achieving the primary purpose of the development.
- (iv) New building development in the open countryside away from existing settlements, or outside areas allocated for development in development plans, should be strictly controlled; the Government's overall aim is to protect the countryside for the sake of its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, the wealth of its natural resources and so it may be enjoyed by all.
- (v) Priority should be given to the re-use of previously-developed ('brownfield') sites in preference to the development of greenfield sites, except in cases where there are no brownfield sites available, or these brownfield sites perform so poorly in terms of sustainability considerations (for example, in their remoteness from settlements and services) in comparison with greenfield sites.

MAIN AGENDA

Refuse

The proposal represents non-essential development in an area of County Landscape importance contrary to Policies RUR 1, ENV 6, HSG 5 and HSG 6 of the Copeland Local Plan 2001-2016 2nd Deposit Version together with Planning Policy Statement 7 "Sustainable Development in Rural Areas". Moreover, the access road serving the site is substandard in terms of its width and alignment to safely accommodate the additional traffic generation which can reasonably be anticipated from such a commercial use.

19 4/05/2551/0

REDEVELOPMENT OF JAMES PARK HOMES TO ALLOW FOR
THE SITING OF NO MORE THAN 36 PARK HOMES AND
GARAGES
SMITHFIELD CARAVAN SITE, SMITHFIELD ROAD,
EGREMONT, CUMBRIA.
MR A JAMES

Parish Egremont

- Comments not yet received.

Smithfield Caravan site has been established for over 45 years and is generally in a run down state.

Full planning permission is now sought to redevelop the site by replacing the caravans with a maximum of 36 modern mobile homes, each with an accompanying prefabricated garage.

The proposal is more fully described in the attached letter from the applicants' agents.

In order to fully appraise the proposal and its likely impact a site visit is recommended before the application is determined.

Recommendation

Site Visit

Our Ref: TMB/PBJ/C6222

10 August 2005

Head of Health and Built Environment
Copeland Borough Council
Catherine Street
Whitehaven
Cumbria
CA28 7NY

COPELAND BOROUGH COUNCIL
DEVELOPMENT SERVICES

11 AUG 2005

RECEIVED

16 Grosvenor Court,
Foregate Street,
Chester CH1 1HN

Telephone: 01244 328141
Facsimile:
01244 343232 (Valuation, Rating & Sales)
01244 344551 (Planning)
Website: www.charlesfjones.co.uk

F.A.O. Mr M Sandelands

Dear Sir,

**PROPOSED SITING OF NO MORE THAN 36 PARK HOMES TOGETHER
WITH RESPECTIVE SINGLE GARAGES AND SCREEN PLANTING AT
JAMES PARK HOMES (FORMERLY KNOWN AS SMITHFIELD CARAVAN
SITE) EGREMONT FOR MR A JAMES**

Please find enclosed herewith my Client's Planning Application in respect of the above together with cheque in the sum of £1785 to cover the Application Fee. The fee calculation is clarified on the attached statement herewith.

In considering this Application I would ask that you treat this letter as forming part thereof.

The enclosed Application is submitted because the existing Planning Consent reference no.4/96/0531/0 dated 12.09.96 is due to expire on the 30 September 2006, this temporary Consent has been periodically renewed over the years.

My Client has recently acquired the subject mobile home park and is currently in the process of redeveloping it to a high standard, however, in order to protect his interest in perpetuity this Application is submitted and accordingly seeks permanent consent as clearly the subject park has been found to be acceptable in planning terms for a very considerable period of time.

The original Smithfield Caravan Site has in fact been established for over 45 years and today is located within a residential area of Egremont and consequently it falls within the defined settlement limit. The site was initially used to house workers from the nearby nuclear power station at Sellafield but this no longer occurs and it operates as a residential mobile home park offering park homes to anyone wishing to acquire.



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Advisors to NCC, NPHC, HCA, NFU, BALPPA, CC, Regional Advisors to BH&HPA

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Registered Office as above.

You will recall from our site visit on the 14.04.2005 that most of the mobile homes on the upper part of the park are in a very poor state of repair and these are being progressively removed from the park. Some of these caravans are in fact up to 30 years old and give the impression of the park being in a very run down state.

My Client is proposing to replace these out of date caravans with modern mobile homes. The type of mobile homes he proposes to site can be seen on the lower part of the park and are sited on pitches 1,2,3 & 5. I also enclose herewith a selection of the type of mobile home my client wishes to site on the subject park.

Please note that in this respect the subject Application is in essence part retrospective in that these mobile homes have already been sited together with their respective Compton garages.

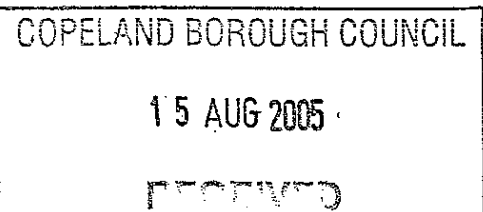
Attached herewith please note the 1.500 site layout plan which shows 30 mobile homes comprising 24 twin units and 6 single width caravans. I would emphasise that this is an indicative layout of what my Client proposes to site but this layout may well change depending on market demand for the type of mobile home to be sited in the future.

You will note from your file that the existing mobile home park has consent for 45 park homes but it is considered that to redevelop the park with that type of mobile home would not achieve the standard of development our Client seeks. He would, therefore, be prepared to limit the maximum number from hereon to no more than 36 park homes, albeit that he ideally would wish the development to comprise 30, in accord with the indicative layout.

I do not foresee any difficulties in the Application proceeding in this way and should Consent be granted a condition can be imposed restricting the total number that can be sited to 36 but requiring the submission of an amended layout plan if it is altered in any way to that which forms part of the subject Application.

Each mobile home will be provided with its own single garage. The garages will be identical throughout the park and these will comprise Compton garages and I attach hereto details of the type of garage which will be sited. As mentioned Compton garages have already been provided for plots 1,2,3 & 5 on the attached 1.500 layout plan; similarly this can be dealt with by way of an appropriate condition requiring the submission of further details should their size and or design require to be changed.

The site already benefits from a belt of planting along its' boundaries and this will be further enhanced by supplementary planting where necessary as indicated on the 1.500 layout plan.

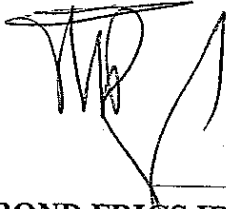


In summation the proposal if approved will secure the beneficial redevelopment of the subject park to a very high standard and this has already been illustrated in the lower part of the park by way of the redevelopment already carried out. By granting permanent Consent to the subject proposal the Planning Authority would be able to bring the park into full control thus ensuring that it attains a high standard of development in perpetuity. This can only be regarded as a substantial planning gain within this residential locality and I trust you will be able to look at the Application in a favourable way.

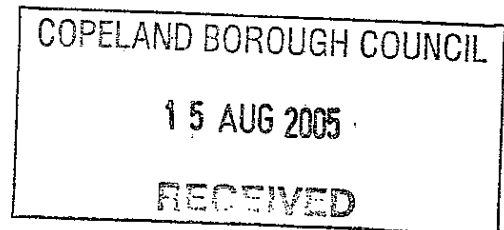
I trust you will find our Application to be in order but should you require any further information please do not hesitate to contact me.

Yours faithfully

CHARLES F. JONES & SON LLP



T M BOND FRICS IRRV



Schedule of Applications - DELEGATED MATTERS

4/05/9012/0	Cleator Moor	CONSTRUCTION OF CSO SCREENING CHAMBER KIOSK, STONE ACCESS ROAD AND LOCALISED GROUND LAND OFF, BROOKSIDE, ADJACENT TO KANGOL FACTORY CLEATOR, CUMBRIA. UNITED UTILITIES PLC
4/05/2211/0	Cleator Moor	TWO STOREY DWELLING LAND ADJACENT TO, THE JOB CENTRE, HIGH STREET, CLEATOR MOOR, CUMBRIA. MR & MRS B WATSON
4/04/2725/0	St Johns Beckermest	RELOCATION OF BUILDING BUSINESS INCLUDING ERECTION OF STORAGE BUILDING AND OFFICE WESTON, BECKERMET, CUMBRIA. MR B ATKINSON
4/05/2321/0	Egremont	NEW SHOPFRONT AND RAMP FOR DISABLED WHEELCHAIR USE 67-68, MAIN STREET, EGREMONT, CUMBRIA. MOSS PHARMACY
4/05/2433/0	Cleator Moor	BUNGALOW PLOT NO. 1, ALDBY GROVE, CLEATOR MOOR, CUMBRIA. MR & MRS R GRAHAM
4/05/2481/0	Whitehaven	ERECTION OF A DWELLING PLOT 4, JOHNSON CLOSE, SANDWITH, WHITEHAVEN, CUMBRIA. MR & MRS C BENN
4/05/2499/0	Egremont	ALTERATIONS AND IMPROVEMENTS TO SHOP FRONT 50, SOUTH STREET, EGREMONT, CUMBRIA. MR ALI FAEZI
4/05/9009/0	Millom	NEW ARTIFICIAL TURF PITCH AND CHANGING PAVILION MILLOM SCHOOL, SALTHOUSE ROAD, MILLOM, CUMBRIA. PROPERTY & TRANSPORT SERVICES UNIT
4/05/2386/0	Arlecdon and Frizington	ERECTION OF UPVC CONSERVATORY TO FRONT ELEVATIO 1, DENT VIEW, ARLECDON PARKS ROAD, CUMBRIA. MR & MRS WATSON
4/05/2423/0	Whitehaven	GARAGE 11, STANLEY VIEW, MIREHOUSE, WHITEHAVEN, CUMBRI MR D SMITH
4/05/2435/0	Moresby	FIRST FLOOR EXTENSION OVER EXISTING GARAGE AND CONSTRUCT BALCONY TO REAR OF PROPERTY

Schedule of Applications - DELEGATED MATTERS

		3, MANESTY RISE, LOW MORESBY, WHITEHAVEN, CUMBRIA. MR C L MURRAY
4/05/2440/0	Parton	GARAGE, BATHROOM AND KITCHEN EXTENSION 18, SEVEN ACRES, PARTON, WHITEHAVEN, CUMBRIA. MR AND MRS FYFE
4/05/2441/0	Cleator Moor	CONSERVATORY 22, THREAPLANDS, CLEATOR MOOR, CUMBRIA. MR G SAVAGE
4/05/2446/0	Cleator Moor	TWO STOREY GABLE EXTENSION 18, JOHN COLLIGAN WALK, CLEATOR MOOR, CUMBRIA. MR & MRS P RIELLY
4/05/2450/0	St Johns Beckermest	CONVERSION OF EXISTING GARAGE TO A DINING ROOM NEW ATTACHED GARAGE AND STORE 11, BECK RISE, BECKERMET, CUMBRIA. MRS WILKINSON
4/05/2460/0	Whitehaven	SINGLE STOREY EXTENSION TO REAR FOR SUN ROOM 7, GARLIESTON COURT, WHITEHAVEN, CUMBRIA. MR J SMITH
4/05/2461/0	Egremont	CONSERVATORY 9, PENZANCE STREET, MOOR ROW, CUMBRIA. MR/S PURVES
4/05/2463/0	Cleator Moor	GARAGE GARAGE SITE, PLOT 99, MILL HILL, CLEATOR MOOR, CUMBRIA. MR F McCRORY
4/05/2464/0	Cleator Moor	TWO STOREY EXTENSION 28, BORDER AVENUE, CLEATOR MOOR, CUMBRIA. D EDWARDS
4/05/2466/0	Moresby	ERECTION OF GARAGE WHINGARTH, LOW MORESBY, WHITEHAVEN, CUMBRIA. MR BOB MEAN
4/05/2469/0	Whitehaven	INTERNAL REFURBISHMENT WITH NEW SHOPFRONTS, FASCIAS AND SIGNAGE 73-74, KING STREET, WHITEHAVEN, CUMBRIA. SIGNET TRADING LTD.

Schedule of Applications - DELEGATED MATTERS

4/05/2476/0	Whitehaven	LISTED BUILDING CONSENT FOR ERECTION OF ONE MULTI-WAY SATELLITE DISH TO SUPPLY 8 APARTMENTS 83, LOWTHER STREET, WHITEHAVEN, CUMBRIA. PAUL HARRISON
4/05/2477/0	Whitehaven	ILLUMINATED FASCIA SIGN H SAMUEL, 73-74, KING STREET, WHITEHAVEN, CUMBRIA. SIGNET TRADING LTD.
4/05/2480/0	Whitehaven	ERECTION OF EXTENSION TO PROVIDE GARAGE UTILITY AND PORCH 8, MUNCASTER ROAD, WHITEHAVEN, CUMBRIA. MR & MRS K HAMMELL
4/05/2482/0	Whitehaven	EXTENSION TO PROVIDE SUN LOUNGE AND GARAGE 18, VICTORIA ROAD, WHITEHAVEN, CUMBRIA. MR & MRS RICHARDSON
4/05/2485/0	Distington	REPLACEMENT OF EXISTING PORCH AND NEW CONSERVATORY TO REAR OF PROPERTY GILGARRAN FARM HOUSE, GILGARRAN, DISTINGTON, CUMBRIA. MR C & MRS LORY
4/05/2491/0	Lamplugh	CONSTRUCTION OF TWO PORCHES TO FRONT ELEVATION FARMHOUSE AND ADJOINING COTTAGE BANKEND FARM, KIRKLAND, FRIZINGTON, CUMBRIA. J E CARTER
4/05/2494/0	Whitehaven	GARAGE, STORAGE AREA AND PORCH 45, ENNERDALE TERRACE, WHITEHAVEN, CUMBRIA. ROBERT HENDERSON
4/05/2496/0	Egremont	CONSERVATORY 26, QUEENS DRIVE, EGREMONT, CUMBRIA. MR & MRS K KEGG
4/05/2501/0	Whitehaven	INTERNALLY ILLUMINATED FASCIA AND NON ILLUMINATED DOUBLE SIDED SIGN 18, KING STREET, WHITEHAVEN, CUMBRIA. GAME STATION
4/05/2507/0	Whitehaven	ERECTION OF TWO SINGLE STOREY EXTENSIONS 15, HIGH ROAD, KELLS, WHITEHAVEN, CUMBRIA. MR & MRS R DOCKERTY
4/05/2508/0	Whitehaven	ILLUMINATED 1 FASCIA SIGN AND 1 PROJECTING SIGN 32, KING STREET, WHITEHAVEN, CUMBRIA.

Schedule of Applications - DELEGATED MATTERS

		ARCADIA GROUP
4/05/2521/0	Cleator Moor	ATTIC CONVERSION 7, MONTREAL CLOSE, CLEATOR MOOR, CUMBRIA. D HALL
4/05/2523/0	Whitehaven	SINGLE STOREY EXTENSION TO KITCHEN AND RE-ROOF GARAGE 21, HILLCREST AVENUE, WHITEHAVEN, CUMBRIA. MR & MRS DAVIDSON
4/05/2524/0	Egremont	SINGLE STOREY REAR EXTENSION 8, GROVE ROAD, EGREMONT, CUMBRIA. E BULLER
4/05/2544/0	Distington	ERECTION OF DETACHED GARAGE AND TOILET BLOCK PROSPECT WORKS, DISTINGTON, CUMBRIA. RATHBONE TRAINING LTD.
4/05/2555/0	Whitehaven	APPLICATION TO FELL ONE ELM TREE PROTECTED BY A TREE PRESERVATION ORDER PLOT 10, THE HOLLINS, MIREHOUSE, WHITEHAVEN, CUMBRIA. MR & MRS T CLARKE
4/05/2228/0	Distington	ONE DWELLING LAND ADJACENT TO 27 COMMONSIDE, DISTINGTON, CUM MR & MRS N CONNERS
4/05/2453/0	Cleator Moor	2 NO DETACHED HOUSES PLOTS 1 AND 4, JACKTREES ROAD, CLEATOR MOOR, CUMBRIA. HANTOM DEVELOPMENTS LTD
4/05/2455/0	Whitehaven	FOUR BEDROOMED DWELLING PLOT 10, HOLLINS ESTATE, WHITEHAVEN, CUMBRIA. MR AND MRS T CLARK
4/05/2456/0	Seascale	APPLICATION TO FELL ONE SYCAMORE TREE PROTECTED BY A TREE PRESERVATION ORDER 3, LINGMELL WOOD, GOSFORTH ROAD, SEASCALE, CUMBRIA. MR A P DALTON
4/05/2457/0	Arlecdon and Frizington	STORAGE EXTENSION TO EXISTING WORKSHOP AND STORAGE STATION HOUSE, PARKS ROAD, ARLECDON, CUMBRIA. A WATSON

Schedule of Applications - DELEGATED MATTERS

4/05/2459/0	Whitehaven	APPLICATION TO FELL ONE SYCAMORE TREE PROTECTED BY A TREE PRESERVATION ORDER CAPPELLA CASA, VICTORIA TERRACE, WHITEHAVEN, CUMBRIA. MR I TODD
4/05/2462/0	Millom	SINGLE STOREY EXTENSION & REDUCE KITCHEN WINDOW 18, DUKE STREET, MILLOM, CUMBRIA. MR A J CRAGHILL
4/05/2465/0	St Bees	ERECTION OF GENERAL PURPOSE/SHEEP BUILDING FIELD 6371, NEAR, HIGH WALTON, ST BEES, CUMBRIA MR T A BOWE
4/05/2470/0	Whitehaven	NEW ACCESS TO A PUBLIC ROAD AND NEW PERIMETER FENCE HIGH ROAD, WHITEHAVEN, CUMBRIA. HUNTSMAN SURFACE SCIENCES
4/05/2471/0	Whitehaven	ERECTION OF A DWELLING PLOT 11, THE HOLLINS, WHITEHAVEN, CUMBRIA. MR C RUDD & MISS H GRAHAM
4/05/2478/0	St Bridgets Beckermest	FIRST FLOOR EXTENSION TO REAR OF DWELLING 2, BROOKSIDE, BECKERMET, CUMBRIA. MR & MRS G BENN
4/05/2479/0	St Bridgets Beckermest	FIRST FLOOR EXTENSION TO REAR OF DWELLING 1, BROOKSIDE, BECKERMET, CUMBRIA. MR S JOHNSON
4/05/2483/0	Whitehaven	APPLICATION TO FELL ONE WILLOW TREE PROTECTED BY A TREE PRESERVATION ORDER 2, THE GROVES, HENSINGHAM, WHITEHAVEN, CUMBRIA. DIANE JACKSON
4/05/2487/0	Haile	FIRST FLOOR EXTENSION AND GARDEN ROOM TO GROUND FLOOR 6, HAILE PARK, HAILE, EGREMONT, CUMBRIA. MR & MRS P TELFORD
4/05/2488/0	Moresby	DETACHED HOUSE PLOT 315, MORESBY PARKS, WHITEHAVEN, CUMBRIA. MR & MRS S SKILLING
4/05/2492/0	Millom Without	ERECTION OF GENERAL PURPOSE BUILDING LOW HOUSE FARM, MILLOM, CUMBRIA. J SHEPHERD & SON

Schedule of Applications - DELEGATED MATTERS

4/05/2504/0	Arlecdon and Frizington	REMOVAL OF SCOTS PINE TREES PROTECTED BY TREE PRESERVATION ORDER PLOT 48, RHEDA PARK, FRIZINGTON, CUMBRIA. REED GRAHAM DEVELOPMENT LTD.
4/05/2517/0	Drigg & Carleton	REAR EXTENSION THORNLEA, SMITHY BANKS, HOLMROOK, CUMBRIA. MR J NAYLOR
4/05/2518/0	Seascale	APPLICATION TO FELL TWO TURKISH OAK TREES AND O SYCAMORE TREE PROTECTED BY A TREE PRESERVATION 4, LINGMELL WOOD, SEASCALE, CUMBRIA. MR & MRS SHAW
4/05/2503/0	Ponsonby	INSTALLATION OF GENERATOR AND FIVE CHILLER UNIT PELHAM HOUSE GROUNDS, ADJACENT TO THE OFFICES, CALDERBRIDGE, CUMBRIA. NUCLEAR DECOMMISSIONING AUTHORITY
4/05/2505/0	Ponsonby	LISTED BUILDING CONSENT TO INSTALL A GENERATOR AND FIVE CHILLER UNITS PELHAM HOUSE GROUNDS, ADJACENT TO THE OFFICES, CALDERBRIDGE, CUMBRIA. NUCLEAR DECOMMISSIONING AUTHORITY
4/05/2512/0	St Bees	SUBSTITUTION OF HOUSE TYPE - PLOT 14 FAIRLADIES, ST BEES, CUMBRIA. STORY HOMES
4/05/2525/0	Ponsonby	RENEWAL OF TEMPORARY PERMISSION FOR CONFERENCE FACILITY SELLAFIELD, SEASCALE, CUMBRIA. BRITISH NUCLEAR GROUP