

**PLANNING PANEL**

**14 NOVEMBER 2007**

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## RELEVANT INFORMATION

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

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

Town and Country Planning Act 1990

Planning and Compulsory Purchase Act 2004

Cumbria and Lake District Joint Structure Plan

Copeland Local Plan 2001-2016 - adopted June 2006

Lake District National Park Local Plan - Adopted May 1998

Cumbria Car Parking Guidelines

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

In particular:

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

Department for Communities and Local Government (DCLG):-

Planning Policy Guidance Notes and Planning Policy Statements

Development Control Policy Notes

Design Bulletins

## STANDARD CONDITIONS

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

### Outline Consent

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

### Reserved Matters Consent

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

### Full Consent

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

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1 4/07/2560/0

EXTENSION

WINTON HOUSE, 14, RHEDA PARK, FRIZINGTON,  
CUMBRIA.

MR & MRS T KNOWLES

Parish

Arlecdon and Frizington

-No objections.

At the last meeting Members resolved to carry out a site visit before determining this application. The site visit took place on Wednesday, 31 October 2007.

Planning permission is sought to erect a two storey extension to the gable end of this detached house situated within the Rheda Park residential estate. The extension, measuring 5.0m x 4.5m, will be set back 2.85m from the existing house frontage.

Internally the extension will provide a family room and separate WC at ground floor level with a bedroom and ensuite bathroom above. Proposed external finishes comprise facing brick, painted render, concrete roof tiles and white UPVC windows, all of which match the existing property.

Two letters have been received from neighbouring property owners. Whilst they do not object to the extension itself the following issues have been raised:-

1. Concerned over the continued deterioration of the associated access road which, through a lack of maintenance, has become unsafe for foot and cycle traffic.
2. Increased traffic initially by construction vehicles and subsequently the increase in domestic use which can only lead to a greater deterioration in the road surface.
3. Condition of the road is responsible for increased wear and tear on the objectors' vehicles and driveway.
4. Would like assurances/conditioned that the road surface will be maintained and repaired whilst work is in progress and once completed.
5. The intention to alter or divert a public right of way, yet no explanation is contained in the proposal.
6. Object to any form of additional detached dwelling on this site.

No objections have been received from statutory consultees.

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In response to these concerns it should be noted that the access road is privately owned and its maintenance is not a material consideration in the determination of this application.

Policy HSG 20 of the adopted Copeland Local Plan 2001-2016 states that proposals for extensions or alterations to existing dwellings will be permitted 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 practicable
2. they would not lead to a significant reduction in daylighting to either the parent property or adjacent dwellings
3. they would not create 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 the proposed domestic extension represents an acceptable form of development in compliance with Policy HSG 20.

Recommendation

Approve (commence within 3 years)

Reason for condition:-

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

Reason for decision:-

An acceptable extension to this detached dwelling in accordance with Policy HSG 20 of the adopted Copeland Local Plan 2001-2016

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2 4/07/2589/0

TWO STOREY REAR EXTENSION  
42, ARLECDON ROAD, ARLECDON, CUMBRIA.  
MR P BARTON

Parish Arlecdon and Frizington

- No objection providing no damage is done to the adjoining properties during the course of the work.

Planning permission is sought to erect a two storey extension to the rear elevation of this mid terraced property situated within the village of Arlecdon. An existing single storey extension will be demolished to make way for the proposal.

The extension, measuring between 4.15m and 4.25m in width by 6.6m in length, will increase the size of the existing living and sleeping accommodation and provide a bathroom and en-suite at first floor level.

Externally, the extension will be finished to match the existing property and incorporate a pitched roof.

As originally submitted the extension was to abut the boundary to the south which would have resulted in the rainwater goods overhanging neighbouring land. An amended plan has since been received setting the extension in 100mm from this boundary in order to accommodate rainwater goods within the application site.

A single letter of objection has been received from the adjoining owners to the south. The grounds for objection can be summarised as follows:-

1. The proposed extension is 500mm over the boundary of the objectors' property.
2. Even though it has been reduced by 100mm it would still only be 200mm from the objectors' windows and, therefore, drastically reduce natural lighting.
3. Building the extension would affect the space available if the objectors decided to build an extension in the future.
4. Reduce the value of the objectors' property in the future.
5. The applicant claimed that if the extension was moved in there would be a step from living area to kitchen but this is incorrect as it would run uniformly where the two houses join together, as it shows on the objectors' property deeds.

In response to concerns raised it should be noted that the existing

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single storey extension and the rendering of the subject property appear to overlap the adjoining property of No 43. However, issues relating to boundaries and property values are not material planning considerations and should be disregarded.

Policy HSG 20 of the adopted Copeland Local Plan 2001-2016 supports proposals for the extension and alteration of existing properties. This is subject to criteria to ensure they would not lead to a significant reduction in daylighting available to either the parent property or adjacent dwellings.

In my opinion the proposed extension represents an acceptable form of development in compliance with Policy HSG 20. As such, any impact of the development on the neighbouring property would be minimal and not so significant as to warrant refusal of planning permission.

Recommendation

Approve (commence within 3 years)

2. Permission shall relate solely to the amended plan received by the Local Planning Authority on 25 October 2007.

Reasons for conditions:-

In compliance with Section 51 of the Planning and Compulsory Purchase Act 2007

For the avoidance of doubt

Reason for decision:-

An acceptable extension to this mid-terrace property in accordance with Policy HSG 20 of the adopted Copeland Local Plan 2001-2016

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3 4/07/2597/0

RESIDENTIAL DEVELOPMENT (OUTLINE) AND EXTENSION  
TO EXISTING CAR PARK  
THE ADAMS RECREATION GROUND, ST BEES, CUMBRIA.  
TRUSTEES OF ADAMS RECREATION GROUND

## MAIN AGENDA

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Parish

St Bees

- The Parish Council is aware that Local Plan Policy SVC 13 has a presumption against development on recreational areas, although with certain exceptions. Consider that this application should be treated as an exception to the policy and allowed.

Part of the site is a grassy hilly area which is not used for recreational purposes and could not be used as such without further expenditure to level the ground.

The Parish Council is aware of the reasons for the application and the need for the Trustees to secure their financial position if they are to be able to invest in improving facilities at the ground.

The recreational space is very important to the village and the Parish Council is committed to ensuring that it continues to offer facilities for the community for the future.

Development of this piece of land will not interfere with the use of the rest of the site for recreational purposes, although the Parish Council would strongly resist any future applications for development on other parts of the site.

Need to ensure that the development does not result in more traffic congestion. Vehicles already park along the road and wish to be assured that parking provision is adequate.

Outline planning permission is sought for residential development on land which forms part of the Adams Recreation Ground which is situated within the village, adjacent to the Seacote Hotel. An extension to the club's existing car park to the east also forms part of the application.

The residential element of the site currently comprises an extensive bank of spoil some 0.38ha in area between the pavilion and the rear boundary fence which has been identified as surplus to recreational requirements. The spoil has been in situ for some 20 years and the area has not been used in that period for any recreational activity. An indicative plan submitted with the application demonstrates that four dwellings could be accommodated on the site in accordance with the relevant separation distance requirements, with adequate amenity space and parking. Vehicular access would be off the existing access to the recreation ground via a central access road to serve the properties. The Highway Authority raise no objection to the proposal on highway safety grounds.

The proposed extension to the car park will enhance the existing parking facilities. The indicative plan shows some 23 additional spaces could be provided. This area of the site is currently sloping, non-operational ground adjoining the cricket field. It is



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proposed that spoil excavated from the housing development site will be deposited in this area to level it.

Ten letters of objection have been received from residents living opposite and in the vicinity who object to the proposal on the following grounds:-

1. The recreation ground was donated to the residents of St Bees for the purposes of sport and recreation activities and the proposed residential development is totally contrary to these conditions.
2. If the purpose is to provide funds then the recreation committee should seek alternative means of raising this. Consider the future use of this land should be determined by the people of St Bees and not those with a vested interest.
3. There may be a legal clause in the deeds stating that the land cannot be used for building on.
4. Question the need for additional housing in the village. Several estates have properties that have been up for sale for some time.
5. These grounds are one of the few green areas left in St Bees and its development will not enhance the character and appearance of the village. It is an integral part of what is a major village amenity which is highly valued and this will result in the irretrievable loss of open space for the community.
6. Will further increase demand on existing drainage facilities which have proved inadequate on occasion.
7. Will substantially increase the flow of traffic onto the road close to nearby residential properties.
8. Will increase the high density of properties in a small area adjacent to the Seacote Hotel.
9. Noise pollution will be increased for existing residents.
10. Building of more two storey dwellings will adversely affect the open aspect of existing properties. If approved, should be single storey to reduce visual impact.
11. May devalue nearby properties.
12. Would constitute unnecessary piecemeal development, adding to the cluttered appearance of the Seacote complex.
13. The entrance to the development is dangerous.
14. Current parking for the ground is inadequate. On match days vehicles overspill onto adjoining footpaths, blocking them. Should

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use the land for more off-street parking.

15. Concern re the proposed floodlit area on the grounds of the extra noise, traffic and obtrusive light at night which would be a nightmare for nearby properties. It should be sited well away from residential areas.

The following comments are put forward in response to the above:-

1. The objections that question the legality of the applicants raising funds in this way and building on the site are not relevant planning considerations and must be disregarded.
2. The issue of housing need is addressed via the local plan process which makes allowances for small scale unallocated/windfall sites that may occur within the development boundary.
3. It is noted that this is a major recreational amenity in the village and is identified and protected as such in the adopted Copeland Local Plan 2001-2016.
4. In response to drainage concerns United Utilities, in their consultation response, raise no objection to the proposal provided the site is drained on a separate system with foul drainage only going into the sewer. This can be adequately controlled by condition.
5. As regards the access and traffic flow the Highway Authority raise no objection to the application on highway safety grounds.
6. The application is in outline only. However, the scale and design of dwellings shown via the indicative plan and described in the design and access statement as either single or two storey is considered appropriate in this location and would satisfy the Council's development criteria for the design of new dwellings.
7. The applicants accept that current parking is insufficient especially on match days and propose as part of this application to address that via the construction of an extension to the existing car park on surplus land, the provision of which can be effectively controlled by condition.
8. For clarification, the floodlit area identified on the submitted plan does not form part of the application and any comments related to this should therefore be disregarded.

In planning policy terms the whole of the recreation ground, including the application site, benefits from being designated as a recreation/amenity area to which Policy SVC 13 of the adopted Copeland Local Plan 2001-2016 applies. This aims to protect such areas of open space/facilities within settlements from inappropriate development and normally does not sanction their loss unless satisfactory replacement

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facilities can be provided or it can be demonstrated that there is no shortfall of provision.

The applicants in their supporting documentation put forward the case that in order to update and improve existing recreational facilities the club/ground offers then considerable additional finance is required which is not forthcoming via member subscriptions. In particular, there is a current proposal to improve the drainage of the pitches which would allow for greater use to meet current demand and also to develop an all weather facility. They point out that the application site forms a non-operational area of the ground which is unusable in its present form and surplus to requirements.

From a planning point of view Policy SVC 13 does allow for cases such as this where there is no loss of operational recreational ground being proposed by the development which would result in a shortfall of provision for the local area. It could actually be argued to the contrary that the development would enable the enhancement and improvement of recreational facilities serving the local community. To secure this the applicants are willing to enter into a Section 106 agreement to ensure that the monies raised from the sale of this land would be used only for the benefit of improving facilities at the Adams Recreation Ground.

Taking into account the above, the proposed development of this site for small scale housing and a car park extension in association with an existing recreational facility represents an acceptable form of development satisfactorily meeting the terms of Policies SVC 13, HSG 4 and HSG 8 of the local plan.

## Recommendation

Approve in outline subject to the applicants entering into a Section 106 Agreement to restrict the use of the profit raised by the sale of the residential site to improving, enhancing and maintaining facilities at the recreation ground and subject to the following conditions:-

3. The application site area and layout shall be strictly in accordance with the amended plans received by the Local Planning Authority on 30 October 2007 and 5 November 2007 respectively.
4. No dwellings shall be occupied until the new car park extension has been constructed and completed to the satisfaction of the Local Planning Authority and shall remain operational thereafter.
5. All matters relating to the layout of the site, the means of access, parking and turning within the site shall be reserved for approval at the detailed design stage.

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6. The site shall be drained on a separate system with foul drainage only connected into the foul sewer.

The reasons for the above conditions are:-

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

For the avoidance of doubt

To ensure a satisfactory drainage scheme

Reason for decision:-

The proposed use of this surplus land within the Adams Recreation Ground for small scale housing development and an extension to the car park is considered acceptable in accordance with Policies SVC 13, HSG 4 and HSG 8 of the adopted Copeland Local Plan 2001-2016

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4 4/07/2609/0

CHANGE OF USE FROM KITCHEN AND FOYER TO CAFE  
NEW LIFE CHURCH, IRISH STREET, WHITEHAVEN,  
CUMBRIA.  
MRS S BARTLETT

Parish Whitehaven

Planning permission is sought to incorporate a cafe into the New Life Church on Irish Street. It is proposed to utilise the existing kitchen facilities, with the existing foyer area of the church forming the main body of the cafe.

The cafe will be open to the public between the hours of 11.00am and 2.30pm Mondays to Fridays although employees are likely to be at the premises from 9.00am to 5.00pm in order to prepare and clean.

Access to the cafe will be via the existing Church access at the side of the building. No external alterations are proposed.

No objections have been received from statutory consultees. However, two letters of objection have been received from the owners of neighbouring properties, the grounds of which can be summarised as follows:-

1. There is an ongoing problem with young people using the Church

premises for meetings and the adjacent Council car park as a recreation area for ball games, skateboarding etc. As a result residents have to endure noise, abuse and intrusion onto their property, the most serious of these events being placed on record with the police.

2. One of the objectors already experiences intrusions into their garden and damage to their property and they are constantly calling the police to deal with incidents of stone throwing and bad language. They believe that opening the cafe would introduce more youths, thereby having a detrimental effect on their property and peace of mind.
3. The Church building is part of a residential area.
4. There are already a number of cafes, restaurants and fast food outlets within the surrounding area.
5. There is a problem with regards to litter, discarded meals and drink cartons finding their way into nearby private properties.
6. Any event taking place on Church premises has a direct impact on the quality of life, security and well being of those residents (mainly elderly) living nearby. Therefore, a restaurant has the potential to add to what is at the moment a harassing and distressing situation.

Issues relating to the need for such a facility are not material planning considerations and should be disregarded. Furthermore, matters relating to the adjoining car park are not relevant to the determination of this application. Anti-social behaviour is a matter for the Police.

In my opinion the introduction of a cafe within this existing community facility accords with the adopted Copeland Local Plan 2001-2016 which seeks to facilitate such development within town centres.

#### Recommendation

Approve (commence within 3 years)

2. Detailed plans of any proposed external alterations to the premises shall be submitted to and approved in writing by the Local Planning Authority before such development is commenced. Works shall be carried out in accordance with the approved details.

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Reason for the above conditions:-

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

To retain control over the appearance of the building in the interests of visual amenity within the town centre Conservation Area

Reason for decision:-

An acceptable use for part of this existing community facility within Whitehaven Town Centre in accordance with Policy TCN 2 of the adopted Copeland Local Plan 2001-2016

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5 4/07/2611/0

BARN CONVERSION TO DWELLING  
MERRY HILL BARN, ROTHERSYKE, EGREMONT, CUMBRIA.  
MR AND MRS J & A WELLS

Parish Lowside Quarter

- Object on the following grounds:-

1. there being no access boundary to the rear of the property for maintenance
2. it looks over Merry Hill House
4. the overall size of the development

Permission is sought to convert the last remaining sandstone barn within this former farm group at Rotherseyke to provide a large five bedroomed dwelling over 3 floors. Vehicular access would be via the existing shared access point with the other barns and the adjacent farm buildings.

The barn immediately adjoining has already been converted to residential use (4/88/0897 refers) and an adjacent barn benefits from a recent permission for conversion to a three bedroomed dwelling (4/07/2010 refers). There is also a separate dwelling within this group, formerly the main farmhouse, whose boundary is contiguous with the rear elevation of this barn.

The subject barn currently has an unimplemented permission for

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conversion to a more modest four bedroomed dwelling over two floors (4/05/2231/0F1 refers). The building comprises a traditional sandstone bank barn under a slate roof with a number of openings and aramped entrance.

A previous application to convert the barn to a dwelling was refused on 2 May this year (4/07/2209/0F1) on the grounds that the scheme introduced alien materials, features and additions which served to erode the essential character of this traditional barn contrary to the Council's barn conversion policy - HSG 17 of the adopted Copeland Local Plan 2001-2016.

A letter has been received from the owners of the neighbouring dwelling whose boundary abuts the rear elevation of the subject barn. They raise no objections subject to the windows on the rear elevation being of frosted glass and inward tilting only in perpetuity. Should the application be supported this is considered a reasonable request to protect the amenity of neighbouring residents which can be adequately controlled by condition.

This proposal addresses the previous grounds for refusal by introducing a more acceptable design scheme in accordance with the conversion criteria set out in Policy HSG 17 of the Local Plan. It retains existing traditional features, including sandstone walls and a slate roof with the introduction of minimal openings necessary for light and ventilation. The ramped entrance feature is retained but at a smaller scale as the existing ramp is unstable.

In response to the concerns raised by the Parish Council I would comment as follows:-

1. Maintenance issues are not planning considerations.
2. Whilst the rear elevation does overlook the rear of the neighbouring property, amenity/privacy can be adequately protected by the use of frosted glass and inward tilting windows on the rear, which is acceptable to the neighbours.
3. A large dwelling is being proposed but it is a large barn which can demonstrably accommodate the conversion scheme without any additions.

Recommendation

Approve (commence within 3 years)

2. All windows on the rear elevation of the barn shall be glazed with obscure glass and inward tilting only and so maintained in perpetuity

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3. The roof covering shall be natural slate.
4. Windows, including skylights, and doors shall be of timber construction and dark stained.
5. The existing sandstone walls shall be retained and repointed as necessary.
6. No development shall commence until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reasons for the above conditions:-

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

To safeguard the privacy and amenity interests of neighbouring residents.

To safeguard the traditional character and appearance of the building in the interests of amenity

To afford reasonable opportunity for a record to be made of buildings of architectural and historic interest prior to their alteration

Reason for decision:-

An acceptable conversion scheme which conserves the traditional appearance of the barn in accordance with Policy HSG 17 of the adopted Copeland Local Plan 2001-2016

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6 4/07/2616/0

DEMOLITION OF EXISTING OUTBUILDING, ERECT  
RECEPTION ROOM/BEDROOMS AND BATHROOM EXTENSIONS  
STRANDS HOUSE, THE GREEN, MILLOM, CUMBRIA.  
MR J A STREET



- No comments received.

Planning permission is sought for an extension to this detached dwelling to provide a reception room, 2 bedrooms and a bathroom.

On the site currently are two buildings, formerly a cottage and a small cobblers shop. The buildings were given consent in April 2007, following a site visit by Members, (4/06/2043/0 refers) for conversion to provide the same accommodation as above. However, the buildings were subsequently found not to be in a suitable condition to accept the conversion and this proposal is for an almost identical new build as previously approved.

The building will again have a white render finish with a stone faced front elevation and will use the blue slate reclaimed from the existing buildings. It is again proposed as a two storey building but with the roofline to the extension being lower than Strands House. The footprint of the building will be only marginally different to the existing situation.

Two letters of objection have been received to the proposals from residents living opposite whose concerns can be summarised as:-

1. The extension will extend the current building, Strands House, to around 20 metres along the road frontage.
2. This will result in a loss of privacy and would cause overlooking issues.

In response to these concerns I would comment that the extension would not increase potential overlooking over that which already exists from Strands House and it should be noted that the buildings face garden areas rather than directly towards the objectors' dwellings. The new build proposal is not considered to be any more detrimental than the conversion as previously approved.

The Environment Agency have considered the submitted Flood Risk Assessment and confirm that there are no objections on the grounds of flood risk. Similarly Cumbria Highways raise no objections to the proposal.

Overall the proposal is considered acceptable with the new build taking the form of the existing structures as much as possible. The application is therefore recommended for approval. However, given the nature of the extension, should Members give approval a condition should again be included to ensure that the extension is not occupied as a separate dwelling.

Recommendation

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Approve (commence within 3 years)

2. The extension hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Strands House, The Green, Millom and shall not be sold or let separately.

Reasons for conditions:-

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

The Local Planning Authority would not support the construction of a new dwelling in this rural location outwith any settlement boundary identified in the adopted Copeland Local Plan 2001-2016

Reason for decision:-

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

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7 4/07/2619/0

OUTLINE APPLICATION FOR DORMER BUNGALOW  
REAR OF HAGGETT END FARMHOUSE, GROVE ROAD,  
EGREMONT, CUMBRIA.  
MR AND MRS BOAKES

Parish

Egremont

- Concerned regarding access and request a site visit to which they would like to be invited.

A proposal in outline to erect a dormer bungalow in the north west corner of an area of unused land to the rear of the applicants' dwelling measuring some 84 ft (25.6m) in length by 76 ft (23.1m) in width. Vehicular access would be via the existing private access off Haggett End Close which currently serves the farmhouse/guest house and a neighbouring detached dwelling.

The Design and Access Statement which accompanies the application puts forward the case that the dormer bungalow would be for the applicants' daughter who is getting married and is not in a financial position to secure a mortgage. It is intended that the bungalow will be timber framed and dashed to match surrounding properties.

A plan submitted with the Design and Access Statement shows a three

bedroomed property with windows on all sides. It states that parking will be provided for two cars within the site and that all the windows will look out onto the applicants' own land. The surrounding area will be fenced for privacy. Also, as their daughter will be living at the property, the amount of traffic will not increase.

A letter has been received from a neighbouring resident who expresses the following concerns:-

1. The position of the dwelling directly behind her property would intrude on privacy and make her dwelling darker.
2. The application states "no windows will look into others around" yet it appears to have windows on each of the four sides.
3. The site is in the midst and attached to the boundaries of eight other dwellings.
4. Entrance is from Haggett End Close which is not an ideal situation.
5. The submitted plan is dated and obsolete.
6. Would require access to maintain the property.

The site adjoins the boundaries of a total of eight properties, three of which have habitable rooms directly overlooking the front and side of the proposed dwelling. The indicative block plan submitted shows the approximate position of the dwelling at the north west corner of the site and a brochure detailing the size and form of accommodation proposed which shows habitable room windows on three elevations. From the information provided the dwelling in the location proposed fails to demonstrate that it can satisfactorily meet the separation distances required, being a minimum of 21 metres between facing elevations of dwellings containing windows to habitable rooms as required by Policy HSG 8 of the adopted Copeland Local Plan 2001-2016 and, as such, would adversely affect the privacy and amenity of neighbouring properties.

#### Recommendation

##### Refuse

The site is devoid of a road frontage and the proposal represents an overintensive form of development which would result in a loss of residential amenity for the residents of existing neighbouring dwellings due to its close proximity and resultant potential loss of privacy and overlooking at variance with Policies HSG 4 and HSG 8 of the adopted Copeland Local Plan 2001-2016.

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8 4/07/2622/0

ERECTION OF 54 No DWELLINGS, PROVISION OF  
ASSOCIATED ROADS AND PUBLIC OPEN SPACE  
LAND ADJACENT TO, LINGLA BANK, FRIZINGTON,  
CUMBRIA.  
STORY LAND & DEVELOPMENT

Parish Arlecdon and Frizington

- Comments awaited.

Full planning permission is sought to construct 54 dwellings together with the provision of associated roads and public open space on land adjacent to Lingla Bank, Frizington.

A Design and Access Statement accompanies the application, a copy of which is appended to this report. The application is presently subject to statutory consultation and notification procedures.

Notwithstanding the status of the site as one allocated for future housing redevelopment in the adopted Copeland Local Plan 2001-2016 the proposal represents a significant new housing development in this semi-rural location and Members are recommended to carry out a site visit prior to formally determining the application in order that all relevant planning issues may be fully taken into account.

Recommendation

Site Visit

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9 4/07/2623/0

REPLACEMENT OF EXISTING BEACH BUNGALOW  
THE HAVEN, SEAMILL LANE, ST BEES, CUMBRIA.  
JULIE ANNE JAMIESON

MAIN AGENDA

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Parish

St Bees

- The proposal is to replace an existing beach bungalow with a more substantial structure suitable for permanent occupation. Acknowledge there are adjacent properties which are occupied on a permanent basis but have some concerns about beach chalets intended for occasional use being developed into residential accommodation for permanent occupation.

This is a reserved matters application comprising the details of a 2 bedroomed bungalow on an existing plot on St Bees foreshore for which outline planning permission was granted in October 2004 (4/04/2254/001 refers).

Outline permission for a replacement permanent dwelling on this plot was agreed on the basis of the special local need case put forward and subject to a Section 106 agreement which restricts occupancy to the applicant for five years following completion.

The details accompanying the application show a pitched roof bungalow, the finished floor level of which has been raised in an effort to prevent flooding from rising sea levels and also to provide disability access from the rear. Proposed materials include a tiled roof, rendered walls and white upvc windows.

Vehicular access would be to the rear with the provision of two parking spaces within the curtilage. A large timber decking area is proposed at the front to enable access and to take advantage of sea views.

A letter has been received from the co-owner of the neighbouring property who comments as follows:

1. concerned that there is a sewer pipe into a manhole shown from other properties up the field. Only 'The Haven' has been given permission to connect into the private sewerage system and would query whether this is a mistake.
2. questions whether a defensive wall will be built on the seafront to stop erosion and the lashing away of the decking foundations.
3. concerned about construction vehicles using the rear access and that service cables running underneath will have to be protected.
4. requests that the right of way to the rear remains.

The concerns raised relate primarily to civil matters to be resolved between the applicant and neighbouring property owners and are not relevant planning considerations.

The issue raised by the Parish Council relates to the principle of the development, which has already been addressed at the outline



2007

VED

## LAND & DEVELOPMENT

*Built by the workforce, owned by the workforce*

# DESIGN & ACCESS STATEMENT

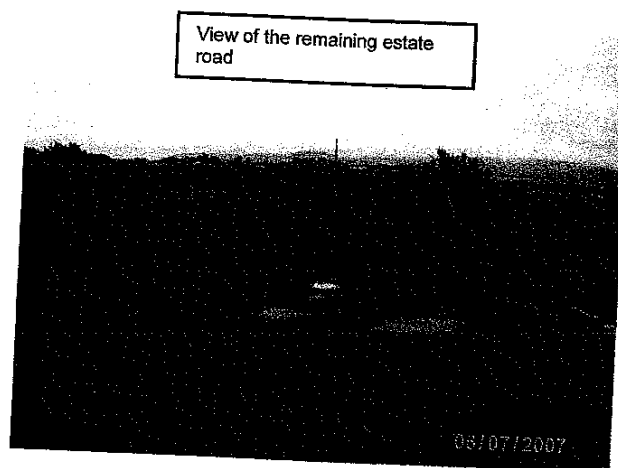
Lingla Bank  
Frizington

Written in accordance with 'Design and Access Statements  
How to Write, Read and Use Them' published by The Commission  
for Architecture and the Built Environment (CABE) 2006

September 2007

## 1. Assessment

- 1.1. The proposed site at Lingla Bank, Frizington is an allocated housing site within the Copeland Local Plan. The site has previously been used for housing purposes.
- 1.2. The site is bound to the north and west by existing residential development with agricultural land to the remaining boundaries. The old estate road is still in evidence on the ground.
- 1.3. The land is relatively level and surrounded by hedges delineating the field boundaries.



- 1.4. The site is accessed from Lingla Bank which currently serves a number of existing properties. Discussions have been held with the Highway Authority regarding the road layout and it has been indicated that the proposal is acceptable in this regard.
- 1.5. The most relevant policies to the determination of this application are:
- Copeland Local Plan 2001 – 2016;
  - HSG2 – New Housing Allocations;
  - HS4 – Sites Allocated for New Housing;
  - HSG8 – Housing Design Standards;
  - DEV6 – Sustainability in Design.

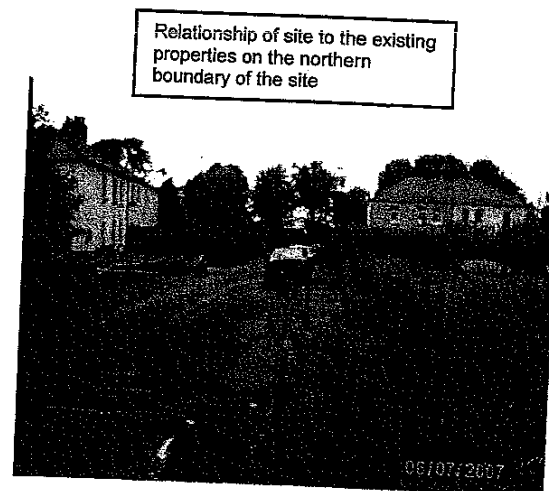
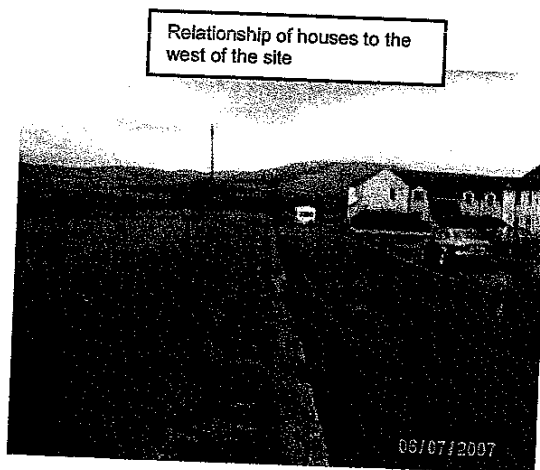
These policies seek to ensure that new housing development is respectful of its surroundings and placed to ensure that it contributes to sustainability not only in terms of its transport links but also in terms of the wider sustainability of the settlement in which it sits.

- 1.6. The application has been subject to pre-application discussions with Officers of Copeland Borough Council in respect of planning and open space delivery, also with Officers of Cumbria County Council in respect of highways issues.

## 2. Use

- 2.1. The proposed use of the site for residential development accords with the aims and objectives of both the Government, through PPS3, and Copeland Borough Council in achieving an acceptable spatial delivery of housing. The redevelopment of this site offers the opportunity to turn a currently vacant brownfield site into a productive housing development.

- 2.2. In land use terms, the surrounding physical uses are residential in nature and the proposed housing would compliment this. The site is allocated within the Local Plan for residential purposes.





### 3. Amount

3.1. The application comprises of 54 units all of a two storey nature. The site is approximately 1.45ha in size. Therefore the site density is 37dph. This is within government guidance which seeks to achieve between 30 and 50dph in terms of density on new housing sites. The number of units on the site has been determined with due regard to the characteristics of the area and appropriate planning guidance on housing density.

3.2. Separation distances in regards to overlooking have also informed density. The proposal respects the Council's standards in terms of window to window distances.

### 4. Layout

4.1. The layout has been designed in order to allow the development to both give a frontage presence to the existing street and an acceptable development internally to the site. The public open space has been placed at the entrance of the site to allow ease of use for both future and existing residents. A further area of open space is provided to the rear of the development. This is due to the presence of a sewer.

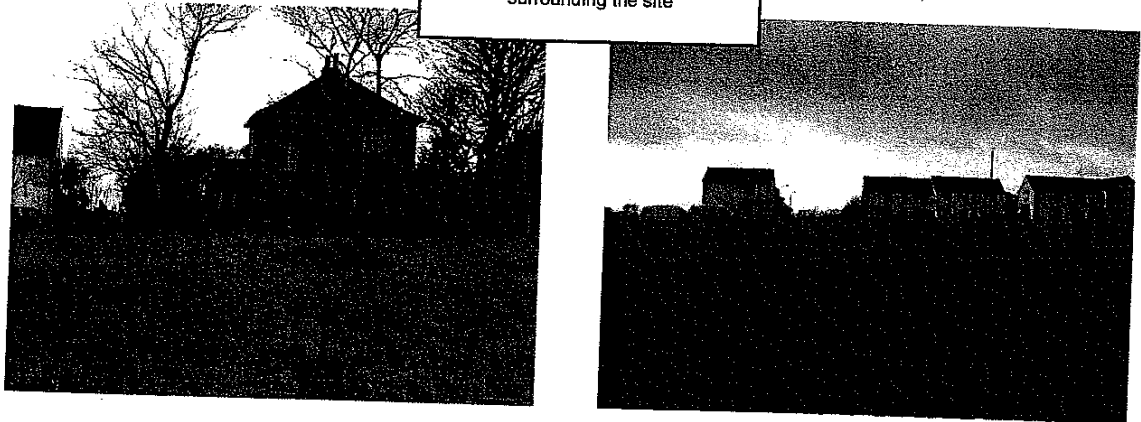
4.2. A terrace of dwellings has been sited to front onto the existing properties. This provides an active frontage along Lingla Bank. In order to lessen the impact of the parking for such a terrace, the central block has been pulled forward and parking provided in a court formation to the rear.

4.3. A larger, detached property has been sited to the entrance of the development in order to frame such. Within the development, there is a mixture of terraced, semi-detached and detached properties. We have endeavoured to supply a wide variety of house types in order to provide for differing requirements and budgets.

## 5. Scale

5.1. The scale of the development has been designed to reflect its surroundings which are two storey in nature. Apartments are not being provided on the site. The development provides a mix of terraced, semi-detached and detached properties all of which are in evidence in the immediate vicinity.

Examples of house types surrounding the site



## 6. Landscaping

6.1. To the boundaries of the site which are immediately adjacent fields, hedge planting will be used in order to soften the interface between developed and undeveloped land. These would be of native species.

The current site is currently rough grass and scrub plants



6.2. Amenity shrub areas will be planted within private front gardens etc.

6.3. Hard landscaping will consist of tarmac with setts used in areas of shared surface to provide a visual cue to vehicles to slow their speed. Setts will also be used on areas of off street car parking within residential curtilages.

## 7. Appearance

7.1. The area is predominantly render in nature and so the proposal has been designed to reflect this.

7.2. The scheme provides for a feature property to frame the entrance of the development whilst the terrace which fronts Lingla Bank has been designed to provide an active streetscape which respecting the theme of terraced properties which is prevalent within Frizington.

7.3. Open space has been situated to be of benefit to both existing and proposed residents. No toddler space has been shown although this could be provided on the proposed open space as Copeland are considering a commuted sum for other play areas in this regard.

## 8. Access

8.1. The site has been subject to discussions with the Highway Authority. Following these discussions we are confident that the surrounding highways would not be detrimentally affected by the proposed development.

8.2. A regular bus service runs to Whitehaven where all major services can be accessed.

8.3. Within the site, shared surfaces have been utilised to reduce the dominance of the private car on the development. The closure of the existing footpath link to the main road was considered in order address what may be perceived as Secure by Design issues due to the closed nature of such but the Highway Authority have indicated that they would want to see this link retained.

8.4. Further, in terms of Secure by Design, the open space has been positioned to ensure its accessibility to residents and also so that it is well overlooked by properties to reduce any possibility of antisocial behaviour at this location.

8.5. Parts K and M of the Building Regulations have been taken in to consideration to provide greater accessibility for all users of the scheme.

MAIN AGENDA  
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stage. This application is purely to consider and determine the detailed design proposals.

From a planning point of view the design details are considered to satisfactorily comply with Policy HSG 8 of the adopted Copeland Local Plan 2001-2016 which controls the design of new housing and DEV 6 which advocates a sustainability approach in the design.

Recommendation

Approve Reserved Matters

3. Full details, including samples, of the roofing tiles and render to be used shall be submitted to and approved in writing by the Local Planning Authority before development commences. Development shall be carried out strictly in accordance with the approved details.

The reasons for the above conditions:-

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

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

Reason for decision:-

An acceptable detailed design for this new beach bungalow in accordance with Policies HSG 8 and DEV 6 of the adopted Copeland Local Plan 2001-2016.

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10 4/07/2625/0

REPLACE EXISTING WASTE TREATMENT PLANT  
FIELD/ENCLOSURE 4400, ADJACENT TO MORESBY HALL,  
MORESBY, WHITEHAVEN, CUMBRIA.  
MR D AND MRS J SAXON

MAIN AGENDA

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Parish

Parton

- No comments received.

Planning permission is sought for a replacement waste treatment plant to serve this Grade I Listed Building. The replacement plant will be sited in the same location as the existing plant within a neighbouring field over 60m east of Moresby Hall. This field is not within the applicants' ownership. However, they have a right of access.

The existing treatment plant was installed in 1979 and treats waste from Moresby Hall and Moresby Hall Farm. A replacement treatment plant is sought due to the age and limited 16 person capacity of the existing one.

The proposed replacement biotec sewage treatment plant measuring 5.1m in length by 2.9m in width will be installed underground with the cover flush. The system will have a capacity of up to 55 persons. A blower unit associated with the treatment plant will be installed adjacent to the field boundary.

A single letter of objection has been received from the owners of the field, a copy of which is appended to this report.

No objections have been received from the Council's Environmental Health department. The Environment Agency comment that there is a public sewer approximately 100m to the north east of the site and connection to this would be their preferred option. In response to this the applicants confirm that they have looked at the feasibility of connecting to the public sewer. However, this would require easements through land owned by three separate parties, two of which are not prepared to allow access through their land.

Policy SVC 2 of the adopted Copeland Local Plan 2001-2016 states that in areas where no public sewerage system is available or where there are exceptional difficulties involved in connecting to the public sewers, other drainage options may be considered.

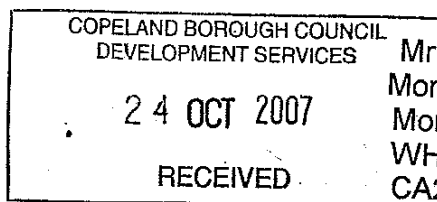
Policy ENV 33 states that applications for development affecting the setting or important views of a Listed Building will only be approved when there is no significant adverse impact on the Listed Building.

In my opinion this proposal for a replacement underground waste treatment plan is in accordance with both Policies SVC 2 and ENV 33 and, as such, is favourably recommended.

Recommendation

Approve (commence within 3 years)

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



Mr J W & Mrs J O Moore  
Moresby Hall Cottage  
Moresby  
WHITEHAVEN  
CA28 6PJ

Your ref: 4/07/2625/0\*001\*2

23 October 2007

**For the Attention of Rachel Carrol**

Dear Rachel

**Re: Replace existing Waste Treatment Plant Field/Enclosure 4400, adjacent to Moresby Hall, Moresby, Whitehaven - Application by Mr D Saxon**

We have inspected the deposited plans and we wish to comment as follows:

As you have been made aware the present septic tank for Moresby Hall is situated on our land Field/Enclosure 4400. According to a Deed of Easement dated 07 October 1983, yes, Mr Saxon does have a right as he states to drain **Moresby Hall and the original Moresby Hall Farm dwelling house only** to the existing septic tank and to cleanse, maintain and renew the existing septic tank below the existing ground surface. **He does not however have the right to enlarge or exacerbate its presence above the existing ground surface - not even as he suggests giving a "minimalised visual impact"** - it is one of the reasons that we object. In addition to this our patio windows from our lounge are elevated and overlook that area just beyond our immediate garden, this would therefore have a visual impact on our outlook. The land is presently used as an amenity area. We have a self catering holiday business nearby.

Moresby Hall is now a large complex which includes accommodating guests on a bed & breakfast, or bed, breakfast & dinner basis, or non residential guests for dinner, also conferences, weddings etc. There are also several other properties which presently drain to the existing septic tank. Therefore the sheer volume of all that this entails would seem incredible for drainage to a waste treatment plant, whatever the size, one would expect the volume involved to be of great significance for a treatment plant such as the proposed application. On Mr Saxon's form accompanying his application he states his surface water and sewerage goes into the existing drains, does this mean that all this is channelled through the septic tank? It is alleged that there are more facilities within the Hall using water that has also maximised the volume of sewerage water and soil that enters the existing septic tank.

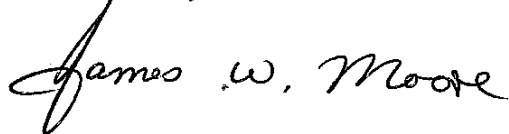
continued/...

We would continue by asking your department what the policy of the Environment Agency is and also what their views are along with the views of Copeland Borough Council's Environmental Health and Building Control Departments. There is a mains sewer within reasonable striking distance of the complex which should be the ultimate destination, or alternatively Mr Saxon has sufficient space to have the proposed treatment plant situated on his own land after all that is where he is to site his blower unit.

We would also like to point out a discrepancy on Mr Saxon's form, we are aware that he has mains water supply and we are also aware that he has a private water supply serving Moresby Hall.

We trust that the Council Officials will investigate these important issues and the planning committee members will take this into consideration before making a decision.

Yours sincerely

A handwritten signature in cursive script that reads "James W. Moore". The signature is written in dark ink and is positioned above the printed name.

James W Moore



MAIN AGENDA

Reason for condition:-

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

Reason for decision:-

An acceptable replacement waste treatment plant to serve this Grade I Listed Building compliant with Policies SVC 2 and ENV 33 of the adopted Copeland Local Plan 2001-2016

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11 4/07/2626/0

LISTED BUILDING CONSENT TO REPLACE EXISTING WASTE  
TREATMENT PLANT  
FIELD/ENCLOSURE 4400, ADJACENT TO MORESBY HALL,  
MORESBY, WHITEHAVEN, CUMBRIA.  
MR D AND MRS J SAXON

Parish

Parton

- No comments received.

Concurrent with the previous item on this agenda for the replacement of a waste treatment plant within a field adjacent to this Grade I Listed Building (4/07/2625/0F1 refers), this application seeks Listed Building Consent for the development.

The replacement plant will be sited in the same location as the existing plant within a neighbouring field 60m east of Moresby Hall.

A single letter of objection has been received from the owners of the field, a copy of which is appended to the previous item on this agenda.

Policy ENV 33 of the adopted Copeland Local Plan 2001-2016 states that applications for development affecting the setting or important views of a Listed Building will only be approved when there is no significant adverse impact on the Listed Building.

In my opinion the proposed replacement underground waste treatment plant represents an acceptable form of development which will have no adverse impact on this Grade I Listed Building.

Recommendation

MAIN AGENDA

Approve Listed Building Consent (start within 3yr)

Reason for condition:-

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

Reason for decision:-

An acceptable replacement waste treatment plant to serve this Grade I Listed Building compliant with Policy ENV 33 of the adopted Copeland Local Plan 2001-2016

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12 4/07/2632/0

CHANGE OF USE FROM A1 TO A2 AND REPLACEMENT OF  
NEW IDENTICAL SHOP FRONT  
69, KING STREET, WHITEHAVEN, CUMBRIA.  
MR N EVANS

Parish

Whitehaven

Planning permission is sought to change the use of these retail premises to an estate agents/letting agents (Class A2). Formerly the Food Weighhouse this property, which fronts onto King Street, is currently vacant.

In terms of external alterations it is proposed to replace the existing rotten shopfront with an identical style frontage and re-paint the front elevation of the building.

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

Policy TCN 11 of the adopted Copeland Local Plan 2001-2016 presumes against non-retail ground floor use for King Street properties in order to protect the role of King Street as the primary shopping street. The policy states:-

"A Primary Frontages Area is designated in Whitehaven Town Centre within which continuous retail frontages will be sought and only retail outlets (Class A1) will be permitted in groundfloor premises."

Whilst the continued vacancy of a number of King Street properties is a cause for concern, the loss of ground floor retail premises should, in my opinion, be resisted in accordance with Policy TCN 11 and in

MAIN AGENDA  
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order to safeguard the long term viability and vitality of the town's main shopping street. Furthermore, it is considered that there are alternative vacant premises in nearby streets subject to heavy pedestrian flows where such a use would be perfectly acceptable in terms of planning policy.

## Recommendation

## Refuse

By virtue of its Class A2 designation the proposed change of use would result in the loss of ground floor retail floorspace and, as such, would have an adverse impact on the long term viability and vitality of the town's main shopping street, King Street, at variance with Policy TCN 11 of the adopted Copeland Local Plan 2001-2016.

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13 4/07/2633/0

CONSTRUCTION OF A BMX BIKE TRACK  
WASTE GROUND, ADJACENT TO CRICKET GROUND,  
(PREVIOUSLY GAS WORKS), SEASCALE, CUMBRIA  
V BORRINO

Parish

Seascale

- No comments received.

Planning permission is sought for the construction of a BMX bike track on waste ground at Gosforth Road, Seascale.

The site is a triangular area of land approximately 0.34 hectares in size. It was previously the site of the gas works but is now an area of grassed waste ground between the cricket ground and the sewage treatment works.

The proposal would see the area covered with compressed soil then the addition of a series of jumps, beams and tabletop type mounds. At the highest point on the start ramp, it would be approximately 8 ft. On part of the site there is also the provision of a smaller childrens/starter area and a picnic area with tables and benches.

A letter has been received from a local resident expressing concern regarding proximity to the railway line as the facility will be used by youngsters. The railway is approximately 10 metres from the site boundary with the access road to the sewage works being in between.

In response to this concern the issue has been raised in a similar

MAIN AGENDA  
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way from the Council's Landscape Officer who comments that although there is currently a 1m fence proposed some screen planting between the track area and the access road would seem appropriate to provide greater separation.

Also, should the application be approved a condition will need to be included, at the request of the Council's Scientific Officer, regarding contaminated land due to the previous land use.

This application is considered acceptable in land use terms and will provide the younger people in Seascale with a useful recreation facility. The development is in accordance with Policy SVC 14 of the adopted Copeland Local Plan 2001 - 2016.

Recommendation

Approve (commence within 3 years)

2. 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 the potential for on-site contamination. If the desk study identifies potential contamination a detailed site investigation shall be carried out to establish the degree and nature of the contamination and its potential to pollute the environment or cause harm to human health. If remediation measures are necessary they shall be implemented in accordance with the assessment and to the satisfaction of the Local Planning Authority.
3. Notwithstanding the submitted details full details of boundary treatments between the site and the access road/railway line shall be reserved for subsequent approval by the Local Planning Authority in accordance with details to be submitted to and approved in writing by the Local Planning Authority before development commences on site. The approved boundary treatments shall be provided before the BMX bike track is brought into use and shall be so maintained thereafter.

The reasons for the above conditions are:-

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

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

In the interests of safety and visual amenity.

Reason for decision:-

MAIN AGENDA  
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An acceptable proposal for a new outdoor recreation facility in accordance with Policy SVC 14 of the adopted Copeland Local Plan 2001-2016.

14 4/07/2636/0

CHANGE OF USE OF FARMHOUSE AND BARN TO 4 HOLIDAY  
UNITS AND SITING FOR 5 TOURING CARAVANS, CHANGE  
OF USE OF BARN TO PROVIDE AMENITY FACILITIES FOR  
THE TOURING CARAVANS (RESUBMISSION)  
DRIGG MOORSIDE, DRIGG, HOLMROOK, CUMBRIA.  
MR AND MRS SHEPHERD

Parish

Drigg & Carleton

- No comments.

Permission is sought to convert two redundant buildings within the farmyard at this operational farm to holiday letting accommodation as part of a farm diversification project. A previous application was withdrawn in August this year to enable the preparation of a traffic speed survey which has now been provided as part of this submission.

Situated off the B5344 road at Drigg Moorside, it is proposed to convert the original large farmhouse, which is vacant, to provide 3 holiday letting units (1 x 2 bed, 1 x 4 bed and a single 1 bed accessible unit). An adjacent traditional single storey barn will also be converted to a two bedroomed cottage. A new farmhouse was erected on the site in 1992 (4/91/0643 refers). Also as part of the proposal it is intended to provide a site in an adjacent paddock for the siting of 5 touring caravans. A further single storey barn will be converted alongside to provide an office/amenity block to service the touring caravan site with a visitor parking area provided in front.

A structural survey submitted with the application confirms that the buildings are capable of being converted without major rebuilding/additions.

Vehicular access to the site would be via the existing access serving the farm directly off the B5344. A speed/traffic survey submitted with this application demonstrates that the access can accommodate the anticipated increase in traffic with improvements to visibility and the width/surface of the access road. The Highway Authority are satisfied with the proposal and raise no objections subject to conditions.

MAIN AGENDA  
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As the farm will continue to operate it is critical from a safety point of view that visitors do not pass through the farmyard. It is therefore proposed to bypass it by constructing a new access skirting round the north west of the building group to the holiday accommodation and touring caravan site.

Two letters of objection have been received from a resident at nearby Stubble Green, Drigg who expresses concern on the following grounds:-

1. Access to the proposed holiday accommodation is via the B5344 which is a poorly maintained road with holes, splits and bald patches over most of its length and is subject to flooding. Holiday accommodation at Moorside would increase road traffic to the detriment of this road.
2. Access to Moorside is either via Seascale via a narrow railway arch or via Holmrook and negotiating Holmrook Hill with cars parked on either side, six pairs of speed bumps and the s-bend between Drigg village and Stubble Green. The objector has nearly been wiped off the footpath at the s-bend by vehicles towing trailers too fast. Cyclists could also be in danger.
3. Neither Drigg nor Seascale offers much to tourists so towing caravans would probably stay no longer than 2 nights adding to the traffic.
4. During spring/summer at least 4 dairy herds/sheep are regularly moved along the B5344. Drivers of touring caravans could find themselves in difficulty at these times.

Whilst the concerns raised are noted these mainly relate to the state of the B5344. The additional increase in traffic likely to be generated by this application is not considered to be so significant that it would have a marked effect on the existing state of the B5344. The Highway Authority raise no objection to the application.

In planning policy terms the proposal should be assessed against Policy HSG 17 of the adopted Copeland Local Plan 2001-2016 which advocates strict control over conversions in rural areas. This scheme, which retains traditional features and openings, satisfactorily meets all the necessary criteria. Policy TSM 4 is also relevant in respect of the touring caravan site element. This supports such new sites for tourism purposes along with Policy DEV 6 which sets out the principle of sustainable design to which the application conforms.

Recommendation

Approve (commence within 3 years)

MAIN AGENDA  
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2. The development shall not commence until visibility splays providing clear visibility of 133 x 4.5 x 122 metres measured down the centre of the access road and the nearside channel line of the major road have been provided at the junction of the access road with the County highway. The visibility splays shall be constructed before development of the site commences so that construction traffic is safeguarded.
3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) no structure, vehicle or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be planted or be permitted to grow within the visibility splay which obstruct the visibility splays.
4. The access drive shall be surfaced in bituminous or cement bound materials, or otherwise bound, and shall be constructed and completed before the development is brought into use. This surfacing shall extend for a distance of at least 15 metres inside the site, as measured from the carriageway edge of the adjacent highway.
5. Details of all measures to be taken by the applicant to prevent surface water discharging onto or off the highway shall be submitted to the Local Planning Authority for approval prior to development being commenced. Any approved works shall be implemented prior to the development being completed and shall be maintained operational thereafter.
6. Details showing the provision of a vehicle turning space within the site, which allows vehicles visiting the site to enter and leave the highway in a forward gear, shall be submitted to the Local Planning Authority for approval. The development shall not be brought into use until such details have been approved and the turning space constructed. The turning space shall not thereafter be used for any other purpose.
7. Notwithstanding the provisions of the Town & Country (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) no external alterations (including replacement windows and doors) or extensions shall be carried out to the buildings, nor shall any building, enclosure, domestic fuel container, pool or hardstanding be constructed within the curtilage of the buildings without the prior written consent of the Local Planning Authority.
8. The roof covering for the buildings shall be natural slate.
9. Windows, including skylights, and doors shall be of timber construction and dark stained.

MAIN AGENDA

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10. The existing sandstone walls to barn A shall be retained and repointed as necessary.
  11. No development approved by this permission shall be commenced until a desk top study has been undertaken and agreed by the Local Planning Authority to investigate and produce an assessment of the risk for on site contamination. The desk study should include sufficient documentary research to enable a thorough understanding of the history of the site, including past and present uses. If the desk study identifies potential contamination a detailed site investigation shall be carried out to establish the degree and nature of the contamination and its potential to pollute the environment or cause harm to human health. If remediation measures are necessary they shall be implemented in accordance with the assessment to the satisfaction of the Local Planning Authority.

The reasons for the above conditions are:-

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

In the interests of highway safety.

To safeguard the traditional appearance of the buildings in the interests of visual amenity.

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

Reason for decision:-

An acceptable scheme to provide holiday accommodation alongside this operational farm in accordance with Policies HSG 17, TSM 4 and DEV 6 of the adopted Copeland Local Plan 2001-2016.

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15 4/07/2641/0

ERECTION OF A CONDENSER TO THE REAR WALL  
CO-OP FOOD STORE, MAIN STREET, DISTINGTON,  
CUMBRIA.  
BUILDING DESIGN NORTHERN



MAIN AGENDA

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Parish

Distington

- No comments received.

Planning permission is sought to erect a 1.2m wide by 6.8m long condenser unit to the rear wall of the Co-op food store on Main Street, Distington. Two smaller existing units will be removed to accommodate the proposal.

No objections have been received from statutory consultees subject to conditions being attached to any subsequent approval.

Letters of objection have been received from the owners of three neighbouring properties. The grounds for objection can be summarised as follows:-

1. Noise generation. In the past neighbours have had to put up with a noisy refrigeration unit and the condenser unit could generate more noise.
2. The adjoining property has suffered problems with noise and vibration through the walls since the Co-op acquired these premises, so much so that they had to involve the Council's Environmental Health department.
3. The owners of the adjoining property had a ceiling collapse which, in the opinion of the builder who assessed the damage, was caused by vibration. As the condenser covers nearly the full length of the wall there are concerns that this could cause more vibration problems throughout the structure of the adjoining property.
4. It is a waste of time objecting as the contractors have already started fitting the condenser.

It should be noted that the condenser unit has, in fact, already been erected prior to this application being determined. Furthermore, the unit has been erected in a significantly higher position than that indicated on the plans.

In the light of the above and to fully appreciate the relevant planning issues I recommend that Members visit the site before determining this application.

Recommendation

Site Visit

COPELAND BOROUGH COUNCIL  
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16 4/07/2580/0

IMPROVEMENTS TO PEDESTRIAN CYCLIST AND VEHICULAR  
ACCESS AND CAR PARKING ENVIRONMENTAL ENHANCEMENTS  
AND IMPLEMENTATIONS OF SITE FURNITURE SEATING,  
CYCLE STANDS AND SIGNAGE TO IMPROVE PUBLIC USE  
HAIG COLLIERY, WHITEHAVEN, CUMBRIA.  
COPELAND BOROUGH COUNCIL -

Parish                      Whitehaven

This application comprises an extensive scheme of environmental improvements encompassing an area of 8.7ha. The area covered is mainly grassland and open space forming what is known as "Whitehaven Coastal Fringe". In brief it stretches from Wellington Terrace and The Candlestick in the north, alongside Jonathan Swift House opposite Harbour View to the rear of Basket Road at Kells, including the rugby/sports pitch leading to the cliff tops to the west. It then extends south from the Headlands car park, to the rear of Haig Museum and just beyond.

It was agreed by Members at the last meeting to visit the site in order to assess the extensive nature of this major application. This took place on Wednesday, 31 October 2007.

The scheme involves the following key improvements/enhancement work:-

WELLINGTON TERRACE

1. Creation of a new access point here onto a revamped terrace via two sets of steps at either end redesigned to ambulant disabled standards. This will involve creation of a shared access surface on the adjacent road leading to the Wellington and South Beach car park giving priority here to pedestrians/cyclists as opposed to vehicles. Other works here include repairing and rebuilding the terrace walls, provision of new safety railings and a new seating area.

THE CANDLESTICK

2. New access via steps/path from South Beach car park to the Candlestick.
3. Widening of existing path from South Beach car park to 3 metres to enable shared use by pedestrians/cyclists.
4. Creation of an accessible art feature on Candlestick Terrace incorporating engraved paving.
5. Recontouring the surrounding grassed area to provide improved access via user friendly gradients.

COPELAND BOROUGH COUNCIL  
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6. Provision of a new seating area.

JONATHAN SWIFT HOUSE

7. Refurbish existing access from Harbour View, as well as the bridge and parapet walls with lighting underneath.
8. Refurbish adjacent footpaths.

KELLS RUGBY PITCH

9. Erect dog proof fencing with new access controls and landscaping to contain the rugby pitch.
10. Refurbish existing floodlighting.
11. Resurfacing of access road serving the rear of Basket Road dwellings which has fallen into disrepair.

HAIG MINING MUSEUM

12. Widen and resurface the existing access road with the provision of laybys and a separate pedestrian path alongside to the museum and headland.
13. Widen entrances to the museum.
14. New feature wall and signage.

HEADLANDS CAR PARK

15. Resurface existing car park together with the creation of accessible parking places.
16. Formalise and refurbish the existing path leading from the car park to cliff top.
17. Creation of a new seating area.

BEYOND HAIG

18. The scheme also involves improvements to two footpath links (Ravenhill Track and footpath alongside former coal depot) south beyond the museum.

PUBLIC FOOTPATH 431056

19. It is proposed to permanently close this coastal path which is deemed unsafe and provide a new footpath link which will follow the line of the old mineral railway.

COPELAND BOROUGH COUNCIL

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In addition, the proposal involves extensive hard and soft landscaping along the routes created and at the various features, together with the erection of new signage.

The overall aim of the project is to improve public access and safety to this part of the coastline as part of the masterplan proposals contained in the "Whitehaven Coast Development Plan National Trust (February 2007)".

The application site area falls within a designated "Tourism Opportunity Site" TOS3 identified as the "Whitehaven Coastal Fringe" in the adopted Copeland Local Plan 2001-2016 which extends from Whitehaven Harbour to St Bees Heritage Coast. Policy TSM 2 to which this relates advocates tourist development of this nature particularly that which also provides recreational opportunities for the local population. The proposal also accords with criteria of sustainable development set out in Policy DEV 6 and is not considered to compromise the qualities of the coast but positively enhances it. Policy ENV 14 which seeks to control development in the coastal zone is also relevant. This permits such development as this which promotes coastal renaissance in the existing built-up areas.

Recommendation

That the application be referred to full Council under Regulation 3 of the Town and Country Planning General Regulations 1992 and recommended for approval subject to the following conditions:-

2. Notwithstanding the submitted plan, full details of all the signage, including exact location and materials, shall be submitted to and approved in writing by the Local Planning Authority before development commences. The signage shall be erected strictly in accordance with the approved details.
3. All footway/cycleway links adjoining the public highway shall be formed with a bound surfacing for the first 5.0 metres so as to prevent loose material being dragged onto the public highway.
4. Full details of the soft landscaping works shall be submitted to and approved in writing by the Local Planning Authority before development takes place.
5. No development shall take place until a schedule of landscape maintenance has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details for its implementation. Development shall be carried out in accordance with the approved schedule.

COPELAND BOROUGH COUNCIL

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6. No development shall commence within the site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reasons for the above conditions:-

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

To retain control over the proposed signage in the interests of amenity and access

In the interests of highway safety

To ensure the implementation of a satisfactory soft landscaping scheme

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

Reason for decision:-

This environmental enhancement scheme for the coastal fringe of Whitehaven represents an acceptable form of development in accordance with Policies TSM 2, DEV 6 and ENV 14 of the adopted Copeland Local Plan 2001-2016

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17 4/07/2628/0

INSTALLATION OF SUPPORTING COLUMN FOR CCTV CAMERA  
JUNCTION OF, FRIZINGTON ROAD/ MILL STREET,  
FRIZINGTON, CUMBRIA.  
LEISURE & ENVIRONMENTAL SERVICES

COPELAND BOROUGH COUNCIL

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Parish Arlecdon and Frizington

- No comments received.

Planning permission is sought to erect a 6 metre high supporting column for a CCTV camera at the junction between Frizington Road and Mill Street in the centre of Frizington. The column will be black in colour and attached to a 400mm sq base unit.

A CCTV camera has been requested in this area to provide coverage of the village in order to monitor incidents of anti-social behaviour. This particular location has been chosen to give maximum coverage using just one camera.

The camera can be controlled by Police from Cleator Moor and Whitehaven Police Stations and by monitoring staff in the Allerdale Borough Council CCTV control room. The equipment is to be maintained by Copeland Borough Council via a contract with ADT Fire & Security plc.

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

Policy DEV 6 of the adopted Copeland Local Plan 2001-2016 sets out the Council's principles for sustainability in design. In particular criterion 9 requires development by design and choice of location to create or maintain reasonable standards of general amenity and help to minimise risk of fears for personal safety, health and security.

In my opinion the proposed column represents an acceptable form of development that will enhance security within the village in accordance with Policy DEV 6 and, as such, is favourably recommended.

Recommendation

Defer to Full Council with a recommendation that permission be granted under Regulation 3 of the Town and Country Planning General Planning Regulations 1992 subject to:-

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

Reason for condition:-

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

COPELAND BOROUGH COUNCIL

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Reason for decision:-

An acceptable proposal in order to reduce risk or fears for personal safety or property in accordance with Policy DEV 6 of the adopted Copeland Local Plan 2001-2016

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18 4/07/2629/0

INSTALLATION OF SUPPORTING COLUMN FOR CCTV CAMERA  
JUNCTION OF, LAPSTONE ROAD/, NEWTON STREET,  
MILLOM, CUMBRIA.  
LEISURE & ENVIRONMENTAL SERVICES

Parish                      Millom

- No objection.

Planning permission is sought for the installation of a supporting column for a CCTV camera at the junction of Lapstone Road and Newton Street, Millom.

The proposal is for a 6 metre high column to support the camera, which is proposed to be painted black. It will be sited on a tarmacked area just off the main footpath so as not to cause any obstruction.

The camera has been requested by the police to provide coverage of this end of the town in order to monitor incidents of anti-social behaviour.

A letter in support of the application has been received from a local resident who wishes to see the application proceed as it will offer increased security.

This application is viewed as a positive step for this area and supports the Council's aims with regard to the prevention of crime and disorder. From a planning perspective, the development is viewed as being compliant with Policy DEV 6 of the adopted Copeland Local Plan 2001-2016

Recommendation

COPELAND BOROUGH COUNCIL

Defer to Full Council with a recommendation that permission be granted under Regulation 3 of the Town and Country Planning General Regulations 1992 subject to:-

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

Reason for condition:-

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

Reason for decision:-

An acceptable proposal in order to reduce risk or fears for personal safety or property, in accordance with Policy DEV 6 of the adopted Copeland Local Plan 2001-2016

19 4/07/2630/0

INSTALLATION OF SUPPORTING COLUMN FOR CCTV CAMERA  
HARBOURSIDE, WHITEHAVEN, CUMBRIA.  
LEISURE & ENVIRONMENTAL SERVICES

Parish Whitehaven

Planning permission is sought to erect an 8 metre high supporting column for a CCTV camera within the Whitehaven town centre Conservation Area at the entrance to the Sugar Tongue on the Harbourside. The column will be white in colour to match the existing lighting columns and will be attached to a 400mm sq base unit.

A CCTV camera has been requested in this area to provide coverage to this end of the town centre as well as West Strand and the harbourside. It will also give coverage of the Mount Pleasant area which suffers frequently from incidents of anti-social behaviour.

The camera can be controlled by Police from Whitehaven Police Station and by monitoring staff in the Allerdale Borough Council CCTV control room. The equipment is to be maintained by Copeland Borough Council via a contract with ADT Fire & Security plc.

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



COPELAND BOROUGH COUNCIL

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Policy DEV 6 of the adopted Copeland Local Plan 2001-2016 sets out the Council's principles for sustainability in design. In particular criterion 9 requires development by design and choice of location to create or maintain reasonable standards of general amenity and help to minimise risk of fears for personal safety, health and security.

Policy ENV 26 supports development in Conservation Areas where it preserves or enhances the character and appearance of the Area.

In my opinion the proposed CCTV column represents an acceptable form of development that will enhance security within the area in accordance with Policy DEV 6 whilst also being aesthetically acceptable within this Conservation Area setting in accordance with Policy ENV 26.

Recommendation

Defer to full Council with a recommendation that permission be granted under Regulation 3 of the Town and Country Planning General Regulations 1992 subject to:-

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

Reason for condition:-

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

Reason for decision:-

An acceptable form of development to enhance security within Whitehaven in accordance with Policy DEV 6 of the adopted Copeland Local Plan 2001-2016

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Schedule of Applications - DELEGATED MATTERS

4/07/2571/0	Egremont	5.2m x 3.0m VICTORIAN UPVC CONSERVATORY 1, FELL VIEW DRIVE, EGREMONT, CUMBRIA. MR TOOMY
4/07/2576/0	Arlecdon and Frizington	TWO OUTDOOR SMOKING SHELTERS THE GRIFFIN, MILL STREET, FRIZINGTON, CUMBRIA. MR T MOLLOY
4/07/2578/0	Parton	NOTICE BOARD ST BRIDGETS CHURCH, MORESBY, CUMBRIA. PAROCHIAL CHURCH COUNCIL
4/07/2579/0	Cleator Moor	SINGLE STOREY DINING ROOM AND UTILITY EXTENSION 30, RED BECK PARK, CLEATOR MOOR, CUMBRIA. MR & MRS ROBINSON
4/07/2581/0	Seascale	SINGLE STOREY GARAGE TO REAR OF PROPERTY NORTH VILLA, DRIGG ROAD, SEASCALE, CUMBRIA. IAN SAVAGE & E SHARPE
4/07/2584/0	St Bees	REMOVAL OF BRICK outhouse AND TOILET AND REPLAC WITH EXTENSION WITH BATHROOM 2, GRINDAL PLACE, ST BEES, CUMBRIA. DONALD CARNEGIE & ANNE CARNEGIE
4/07/2585/0	Arlecdon and Frizington	LOFT CONVERSION INCORPORATING AN INCREASE IN RO HEIGHT AND FRONT DORMER TOGETHER WITH A SINGLE 12, ARLECDON PARKS ROAD, ARLECDON, CUMBRIA. MS C WAKELIN
4/07/2586/0	Whitehaven	ADDITIONAL CCTV CAMERA 1-10, SNECKYEAT GROVE, HENSINGHAM, WHITEHAVEN, CUMBRIA. TWO CASTLE HOUSING ASSOCIATION
4/07/2593/0	Moresby	BEDROOM AND BATHROOM EXTENSION 7, HARRIER COURT, MORESBY PARKS, WHITEHAVEN, CUMBRIA. PAMELA MCKAY
4/07/2595/0	Whitehaven	REAR EXTENSION AND OUTBUILDING 52, VICTORIA ROAD, WHITEHAVEN, CUMBRIA. J IRVING
4/07/2599/0	Moresby	CONSERVATORY 3, HARRIER COURT, MORESBY PARKS, WHITEHAVEN,

		CUMBRIA. MR G & MRS L BURNS
4/07/2600/0	Whitehaven	SINGLE STOREY PORCH EXTENSION  69, BRANSTY ROAD, BRANSTY, WHITEHAVEN, CUMBRIA. MR D LONG
4/07/2601/0	Whitehaven	DINING ROOM AND BATHROOM EXTENSION  3, HOMEWOOD ROAD, WHITEHAVEN, CUMBRIA. MR WILSON & MISS GOLDSWORTHY
4/07/2603/0	St Bees	LISTED BUILDING CONSENT FOR RE-RENDERING OF SOUTH WEST GABLE WALL ASHLEIGH HOUSE, VALE VIEW, ST BEES, CUMBRIA. MR AND MRS KANE
4/07/2604/0	Whitehaven	GARAGE  REAR OF 31 SOUTH ROW, KELLS, WHITEHAVEN, CUMBRIA. MICHELLE VICKERS
4/07/2606/0	Egremont	ALTERATIONS AND EXTENSION TO EXISTING DWELLING  36, LING ROAD, EGREMONT, CUMBRIA. MR S CAVANAGH
4/07/2607/0	Whitehaven	TWO STOREY EXTENSION  56, RICHMOND HILL ROAD, WHITEHAVEN, CUMBRIA. MR & MRS I BOAK
4/07/2610/0	Whitehaven	REAR CONSERVATORY  25, EARLS ROAD, BRANSTY, WHITEHAVEN, CUMBRIA. MRS AND MRS P J SMITH
4/07/2615/0	Whitehaven	REPLACEMENT EXTENSION  119, BALMORAL ROAD, WHITEHAVEN, CUMBRIA. M HARVIE
4/07/2587/0	Cleator Moor	DORMER BUNGALOW  CROFT HALL FARM, CROSSFIELD ROAD, CLEATOR MOOR, CUMBRIA. MRS R SHIELS
4/07/2590/0	Cleator Moor	OUTLINE APPLICATION FOR ONE DWELLING  GARDEN OF, FURNACE HOUSE, FURNACE COURT, CLEATOR MOOR, CUMBRIA. PHILIP KNOTT & ANNE KNOTT

Schedule of Applications - DELEGATED MATTERS

4/07/2592/0	Whitehaven	CHANGE OF USE FROM BAR TO HAIRDRESSING SALON  1ST FLOOR, SYDNEYS, NEW STREET, WHITEHAVEN, CUMBRIA. BAZAAR HAIR COMPANY
4/07/2594/0	Lowca	THREE BEDROOMED BUNGALOW AND GARAGE  LAND ADJACENT TO, BAY VIEW, LOWCA, WHITEHAVEN, CUMBRIA. MR AND MRS B ENNIS
4/07/2596/0	Whitehaven	1 x INTERNALLY ILLUMINATED FASCIA PROJECTING SI AND 2 x INTERNALLY ILLUMINATED BARCLAYS BARCLAYS BANK, STRAND STREET, WHITEHAVEN, CUMBRIA. BARCLAYS BANK PLC
4/07/2608/0	St Bees	SIDE AND REAR EXTENSIONS TO PROVIDE ADDITIONAL LIVING SPACE BANK HOW, SEAMILL LANE, ST BEES, CUMBRIA. MR & MRS M ROWELL
4/07/2612/0	St Bees	APPLICATION TO FELL TWO ELM TREES & TWO SYCAMOR TREES WITHIN ST BEES CONSERVATION AREA ST BEES PRIORY, ST BEES, CUMBRIA. ST BEES P.C.C.
		LAND ADJACENT TO, 25, KINGSLAND ROAD, MILLOM, CUMBRIA. MR A MAKIN
4/07/2553/0	Millom	TIMBER CONSTRUCTED STABLES AND TACK ROOM  LAUREL COTTAGE, HAVERIGG, MILLOM, CUMBRIA. MR S J RILEY
4/07/2556/0	Drigg & Carleton	L SHAPED STABLE BLOCK  FIELD NO 6424, DRIGG, HOLMROOK, CUMBRIA. MRS J A MARLEY
4/07/2559/0	Millom	TWO CONSERVATORIES AND A WEATHER PORCH  6, CHURCH WALK, PANNATT HILL, MILLOM, CUMBRIA. MR & MRS S HALSTEAD
4/07/2565/0	Egremont	CONSTRUCTION OF NEW DWELLING  GILLFOOT GARDENS, GILLFOOT, EGREMONT, CUMBRIA. MR AND MRS E SMITH
4/07/2567/0	Millom	CHANGE OF USE OF BASEMENT ROOM FROM HAIRDRESSIN

SALON TO DOMESTIC LIVING ROOM  
12, ST GEORGES ROAD, MILLOM, CUMBRIA.  
MR D LONG

4/07/2572/0 Millom Without

ERECT DETACHED GARAGE ADJOINING EXISTING STORE  
BUILDING  
NEWTON BARN, LADYHALL, MILLOM, CUMBRIA.  
MRS C S J BOYLE

4/07/2588/0 Egremont

APPLICATION TO PRUNE 3 LIME TREES WITHIN EGREMO  
CONSERVATION AREA  
MAIN STREET, EGREMONT, CUMBRIA.