

PP 151008
Item 5

PLANNING PANEL

15 OCTOBER 2008

AGENDA

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RELEVANT INFORMATION

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

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

Town and Country Planning Act 1990

Planning and Compulsory Purchase Act 2004

Cumbria and Lake District Joint Structure Plan

Copeland Local Plan 2001-2016 - adopted June 2006

Lake District National Park Local Plan - Adopted May 1998

Cumbria Car Parking Guidelines

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

In particular:

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

Department for Communities and Local Government (DCLG):-

Planning Policy Guidance Notes and Planning Policy Statements

Development Control Policy Notes

Design Bulletins

STANDARD CONDITIONS

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

Outline Consent

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

Reserved Matters Consent

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

Full Consent

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

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1 4/08/2395/0

CONSTRUCTION OF 20 FLATS & 11 BUNGALOWS FOR THE
ELDERLY & DEMOLITION OF EXISTING WALKMILL COURT
WALKMILL COURT, RED LONNING, WHITEHAVEN, CUMBRIA.
HOME GROUP LIMITED

Parish Whitehaven

At the last meeting Members resolved to carry out a site visit before determining this application. The site visit took place on Monday 29 September 2008.

Planning permission is sought to demolish the existing sheltered housing development at Walkmill Court, Red Lonning which has been deemed unfit for purpose and replace it with 11 x 2 bedroomed bungalows and 20 x 2 bedroomed flats. The site occupies a total area of 0.6322 hectares.

The existing 20 bed development is of single storey construction with a two storey warden's house and garage sited to the north. To the rear of the existing development and within the application site is a grassed area occupied by a number of trees. The site fronts directly onto Red Lonning from which vehicular access is gained leading to a small 6 space car park. The site is bounded to the west and north west by existing two storey houses on Carlton Drive and Miterdale Close. To the north east is a lock-up garage site. To the south of the site is an undeveloped/overgrown area of land which drops away into a former quarry adjacent to which are further two storey houses.

In terms of layout three separate links of bungalows are proposed, one being a link of three and the others being links of four. The bungalows will be sited around a central communal garden area. Beyond this and to the rear of the site will be a two storey block comprising 20 flats, a common room, office, kitchen and fuel storage/boiler room. Internally each unit will have a floor area of 65 sq m providing a living room, kitchen, bathroom and two bedrooms. Each ground floor unit will be provided with a private outdoor amenity space whilst at first floor level units will have patio style doors with balcony rails. Two communal bin storage areas and a drying area are to be provided, all of which will be enclosed by brickwork walls.

In terms of landscaping it is proposed to provide a communal garden at the centre of the site for the benefit of all residents. Peripheral areas will be more private but will be maintained by Copeland Homes. The existing trees on site will be removed and replanted. The Council's Landscape Officer has requested a full landscaping scheme. This is a matter which can adequately be covered by way of a condition.

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It is proposed to utilise the existing vehicular access onto Red Lonning which will be extended in length and modified to a width of 4.8m to allow two vehicles to pass. The Highways Authority have requested an amended layout plan be submitted. This has now been received and approved by the Highways Authority subject to conditions.

In addition to the highway amendments the amended plan now clearly indicates the extent of existing conservatories and extensions on neighbouring properties and relocates the kitchen windows in flats 3 and 13 from the north facing elevation to the west facing elevation so as not to overlook the rear of Mitredale Close.

External finishes for the scheme comprise clay facing brickwork walls with contrasting brick sills and plinths, red concrete roof tiles and painted timber windows and doors. In terms of boundary treatments a 1.8m high close boarded timber fence is proposed along the site frontage, southern boundary and part of the northern boundary.

At its closest point the development will be 9.5m from the rear boundaries of the Carlton Drive properties and 6.4m from the rear boundaries of the properties on Miterdale Close. The boundary treatments at the rear of these properties vary from substantial hedges to relatively low walls. A number of these properties have also been extended or had conservatories erected. These have now been clearly identified on the site layout plan.

It is intended to undertake the development in two phases. Phase one would involve demolition of the existing warden's house and garage to allow for the new access and block of flats to be developed. Existing residents would then be transferred to the flats upon completion. Phase two would then involve the demolition of the existing housing complex to make way for the bungalows, communal garden and the associated landscaping. All the flats and bungalows are to be rented to over 55's only and would be linked to the Attendo alarm scheme.

There is strong local opposition to this proposal. Eleven letters of objection have been received from neighbouring residents, the grounds of which can be summarised as follows:-

1. Question the need to demolish the existing building which is in good order and structurally sound. Demolition is not environmentally friendly and will result in the production of unnecessary waste. Has any research been undertaken to determine if this is the best environmental option.
2. The Council has many other sites that they could use, with there being one approximately 200 yards away which would be more suitable. There are many derelict areas in Whitehaven that would benefit from regeneration/development. The location should be reviewed.

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3. Walkmill Court is presently classified as sheltered housing and, as such, benefits from many regulations. This proposal is not for sheltered housing. Residents of Copeland are rapidly losing designated sheltered housing accommodation which is leaving important members of the community in a vulnerable position.
4. Has consideration been given to the existing residents who will require re-homing. A large number of residents still have worries and the upheaval will result in undue stress and potential health problems.
5. Declassification of the new building will result in no laundry service or warden which will leave tenants in a much more vulnerable position as it will put them at high risk in case of fire or evacuation. Would also result in a loss of employment due to the removal of the warden who will also have to be re-homed.
6. This area is one of the very few green areas which remain and currently sites approximately 26 trees of approximately 20 years old. Re-siting trees often results in their loss. The build clearly uses up every available square inch of one of these green spaces without thought for existing residents.
7. Strongly disagree that the development will not contribute towards any further risk of flooding. This area is prone to water logging which has resulted in heavy runoff migrating into objectors' gardens causing flooding. Landscaping and ground works were undertaken 20 years ago in an attempt to improve this. However, prolonged rainfall still occurs. Water runoff towards Thornton Drive freezes in winter causing a hazard.
8. There will be an increased burden on the existing drainage systems which were installed in the 1960s.
9. Parking and traffic issues. Concerns that parking afforded by residents of Miterdale Close for many years will be compromised and that the development will exacerbate problems in an already heavily trafficked area with severe disruption due to the location of the secondary school which has 1500 pupils.
10. Access to the site for traffic and contractor's vehicles. At present there is only one way in and one way out.
11. Construction will create noise, vibration, smells, fumes, dust and dirt.
12. The development could funnel dangerous winds through the gap created at the rear of Miterdale Close causing damage.
13. Impact on property values. Compensation should be given arising from difficulties in the future with selling houses due to the

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proximity of the proposed building.

14. Loss of view and visual amenity.
15. The double storey development will directly overlook rear private gardens and windows resulting in a loss of privacy.
16. The layout plans fail to show the rear conservatories of 8 and 6 Carlton Drive. Objectors would expect the 12m required distance be taken from these structures and not as indicated on the plans.
17. The height of the development will result in overshadowing and a reduction in daylight to gardens, windows and conservatories.
18. Cannot see any reason why the single storey bungalows cannot be placed at the rear of the site, thus massively reducing the impact on local residents.
19. The design of the building will not blend in with existing properties and contravenes legislation. For example, red roof tiles and higher than normal roof pitches are out of character with existing properties in the area. Size and massing does not respect or enhance the area.
20. The 1.8m boundary fence would be within inches of existing boundaries of Miterdale Close properties. Concerned that this would restrict upkeep and maintenance.
21. There is no mention of the 1.8m fence being erected to the rear of the Carlton Drive properties and it is unclear how close it would be to 19 Red Lonning.
22. Concerns that the rear of Miterdale Close properties will be adjacent to the road as well as drying area and refuse storage areas.
23. The existing emergency exit on the south elevation is a loitering area for school pupils. The proposed walk through may be a greater magnet for such behaviour.
24. No thought has been given to security as French windows to the ground floor flats will allow easy access.
25. In terms of the amended layout plan there is only a distance of 19.146m window to window from No. 8 Carlton Drive and only 16.321m window to window from 10 Carlton Drive.

In response to the concerns raised I would offer the following comments:-

- a. The structural soundness and need to demolish the existing accommodation is not a material planning consideration, nor is it

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a basis for refusal. The applicants state that the existing Walkmill Court development has been deemed 'unfit for purpose'.

- b. Whilst there will undoubtedly be some disruption experienced by existing residents this in itself is not a material planning consideration.
- c. The site is not defined as an area of Landscape Importance or Recreation/Amenity space as defined by the adopted Copeland Local Plan 2001-2016. Should Members be minded to grant approval a condition securing full details of the landscaping scheme is recommended.
- d. With regards to flooding the site is situated within Flood Zone 1, low probability.
- e. With regards to foul drainage it is proposed to connect into the existing system, to which United Utilities have raised no objections.
- f. With regards to surface water drainage it is proposed to incorporate a new Sustainable Drainage System. United Utilities have again raised no objections. Furthermore, the Council's Flood and Coastal Defence Engineer welcomes the use of a Sustainable Drainage System whereby roads, paths and parking areas use a permeable paving attenuation system. However, he has requested full details of this be submitted. The full technical details of the surface water drainage system can be covered by way of an appropriate condition.
- g. No objections have been received from the Highways Authority with regards to traffic increase and the proximity to St Benedicts School.
- h. Issues relating to disruption during construction, property values and loss of view are not material planning considerations and should be discounted.
- i. Issues relating to loss of privacy, overlooking and overshadowing are material considerations. The relevant minimum separation distances required by Policy HSG 8 can be adequately achieved. The distances of 19.146m and 16.321m referred to by one of the objectors refers to elevations which are not directly facing and refer to a ground floor conservatory at No. 8 and an obscure glazed window in the rear extension of No. 10. However, in light of this and in order to mitigate any cause for concerns the applicant's agents have agreed to install obscure glazing into the Kitchen windows of Flats 10 and 20.
- j. In terms of the development being rotated the applicant's agents have again confirmed that the principle is to build the 20 flats for occupation by the 20 residents of the existing bedsits. If

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the project were rotated this would not provide sufficient accommodation for the existing residents.

- k. In terms of scale and massing, the development at its highest is two storey. As Members will recall from the site visit, all neighbouring properties on Carlton Drive, Mitredale Close and Red Lonning are two storey houses.
- l. Issues relating to boundary maintenance are not material planning considerations but matters to be resolved between the landowners involved.
- m. A 1.8m high timber boarded fence is indicated on the plans. Again, the full details of this can be dealt with by way of a suitable condition.

In terms of planning policy, Policy HSG 4 of the adopted Copeland Local Plan 2001-2016 provides a presumption in favour of allowing new housing development within existing settlement boundaries. This is, however, subject to the requirements of other plan policies and, in particular, Policy HSG 8 relating to housing design and Policy DEV 6 relating to sustainable design. The proposal adequately achieves the required separation distances, general standards of amenity and car parking as required by Policy HSG 8.

Furthermore, a key objective of both local and national planning policy covered in Planning Policy Statement 3 "Housing" is to create sustainable, inclusive, mixed communities in all areas. Outcomes of the planning system should therefore deliver a mixture of housing, particularly in terms of tenure, price and to support a wide variety of household types, including older people. Additionally, PPS 3 advocates the use of higher densities in order to achieve a more effective and efficient use of land.

In summing up it is considered that the proposal complies with both Local Plan and National Planning Policies and, as such, approval is recommended.

Recommendation

Approve (commence within 3 years)

- 2. Permission in respect of layout shall relate solely to the amended plan (drawing no. 08045-0-04-D) received by the Local Planning Authority on 2 October 2008. Development shall be carried out in accordance with the approved details.

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3. Permission in respect of elevational treatments shall relate solely to the amended drawing no. 08045-03C received by the Local Planning Authority on 15 September 2008 and drawing no. 08045-06A received by the Local Planning Authority on 2 October 2008. Development shall be carried out in accordance with the approved details.
4. Notwithstanding the submitted details, the type and colour of roofing tiles shall be reserved for subsequent approval by the Local Planning Authority prior to such work commencing on site.
5. Notwithstanding the submitted details received by the Local Planning Authority on 6 August 2008 the kitchen windows in flats 3 and 13 shall be fitted with obscure glazing as confirmed by the applicant's agents in their letter to the Local Planning Authority dated 12 September 2008.
6. The site shall be drained on a separate system, with only foul drainage connected into the foul sewer.
7. Before development commences full details of the foul and surface water drainage system shall be submitted to and approved in writing by the Local Planning Authority. This shall incorporate some form of Sustainable Drainage System (SuDS). The approved scheme shall be implemented before occupation of any dwelling.
8. Notwithstanding the submitted information received by the Local Planning Authority on 6 August 2008 full details of the proposed boundary treatments along all boundaries shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
9. A landscaping scheme shall be provided, full details of which, including implementation and future maintenance, shall be submitted to and approved in writing by the Local Planning Authority before development commences. Planting and associated works shall be carried out in accordance with the approved details.
10. 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.

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11. The development shall not commence until visibility splays providing clear visibility of 70m x 2.4m measured down the centre of the access road and the nearside channel line of the major road have been provided at the junction of the access road with the county highway. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be planted or be permitted to grow within the visibility splay which obstruct the visibility splays. The visibility splays shall be constructed before general development of the site commences so that construction traffic is safeguarded.
12. The carriageway, footways, footpaths, cycleways etc shall be designed, constructed, drained to the satisfaction of the Local Planning Authority and in this respect further details including longitudinal/cross sections, shall be submitted to and approved in writing by the Local Planning Authority before work commences on site. No works shall be commenced until a full specification has been approved. Any works so approved shall be constructed before the development is complete.
13. Before the development is occupied the existing access to Mitredale Close shall be permanently closed and the highway crossing and boundary shall be reinstated in accordance with details which have been submitted to and approved in writing by the Local Planning Authority.

Reasons for conditions:-

For the avoidance of doubt

To safeguard the amenities of the locality

To ensure a satisfactory drainage scheme

To ensure the implementation of a satisfactory landscaping scheme

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

In the interests of highway safety.

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

To minimise highway danger and for the avoidance of doubt.

Reason for decision:

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An acceptable scheme to redevelop this existing residential site to provide additional accommodation for the elderly in accordance with Policies HSG 4, HSG 8 and DEV 6 of the adopted Copeland Local Plan 2001-2016 and Planning Policy Statement 3 "Housing".

2 4/08/2411/0

ERECT DETACHED GARAGE, WITH DORMER GAMES ROOM
MILLWOOD HOUSE, HALLTHWAITES, MILLOM, CUMBRIA.
MR P METCALF

Parish Millom Without

- Request a site visit.

Planning permission is sought for the erection of a detached garage with dormer games room at Millwood House, Hallthwaites, Millom. In accordance with the request from the Parish Council, a site visit was undertaken by the Members on 29 September 2008.

The dwelling on site was granted planning permission in 1988 for a four bedroomed house with integral garage (4/88/1153/0 refers).

This application seeks approval for a further garage on site measuring 9.05m x 6.0m which would be located 5.69m to the north west of the existing dwelling. It would be accessed from the existing driveway leading to the dwelling off the main road through Hallthwaites.

The ground floor would mostly be garage space, with a w.c. to the rear and a spiral staircase leading to the proposed games room in the roof space above, measuring 4.35m x 5.38m with an internal roof height of 2.1m at its highest point.

Externally, the building would have a height of 2.6m to the eaves, and a total height of 6.2m. Proposed is a single garage door, with a dormer window above to the front and a large dormer window spanning over the two floors to the rear providing light to the spiral staircase. There would also be a small window to the games room on the elevation facing the applicant's dwelling. The external finish would be a brown dash to the walls, grey tiles to the roof and mahogany uPVC windows and doors, all to match the existing dwelling.

No objections have been received to the proposal and the Parish Council's main concerns rest with a separate planning enforcement issue currently being addressed. Therefore, the garage/games room

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itself is considered to be acceptable under Policy HSG 20 of the adopted Copeland Local Plan 2001-2016. However, due to the size and nature of the building, it is proposed that should Members be minded to approve the application, a condition is included to restrict the building to uses ancillary to the applicant's dwelling only.

Recommendation

Approve (commence within 3 years)

2. The development hereby permitted shall be commenced within THREE years from the date hereof.
3. The building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Millwood House.

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.

Reason for decision:-

The proposal represents an acceptable form of domestic curtilage development in accordance with Policy HSG 20 of the adopted Copeland Local Plan 2001-2016.

3 4/08/2417/0

CHANGE OF USE TO THE SITING OF 28 CHALETS
WHITEHAVEN GOLF CLUB, RED LONNING, WHITEHAVEN,
CUMBRIA.
WESTERN LAKES LTD

Parish Whitehaven

The proposal relates to a change of use of part of the golf course to land for the siting of 28 chalets (pine lodges). This application is one of six relating to major developments on the golf course. The overall development proposals are shown on a Masterplan for the course, which has been submitted as supporting information.

The proposal is for the development of 28 chalets within the golf course sited to the north of the proposed new clubhouse, which is the

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subject of a separate planning application.

The chalets would be for holiday purposes only and would offer 1 and 2 bed accommodation with lounge, kitchen and bathroom. A parking space and decking is proposed for each unit. The chalets would have the appearance of single storey dwellings with shallow pitched roofs.

The applicant has stated that the layout will be in full compliance with the requirements of the Caravan Sites and Control of Development Act 1960 (as amended), under which a separate site licence will be required.

The developers believe that the rationale for the development of a chalet site relates to the expressed demand for accommodation received by the course when bookings are made by visiting players. The availability of accommodation in the Whitehaven area is limited and this development can play a part in meeting this demand. It will assist the course in advertising golf packages as well as providing additional bed spaces in the area for commercial and other visitors. The occupation will be for non permanent residential development with occupancy being limited to no longer than 28 days.

The developer states that the proposal will support the golf business in providing additional income and employment and will ensure the local residents can enjoy golf at reasonable membership rates.

Existing employment at the site is 17 FTE and with the totality of the proposals for the site, the developer indicates that this could rise to between 25 and 30 FTEs.

The combination of the current six applications on the golf course site is considered by the County Council to be a Category 1 proposal, as the development would involve a significant tourist/leisure scheme, which is located outside a defined Key and Local Service Centre. The remit of the County Council as the Strategic Planning Authority is to consider whether the applications would materially conflict with or prejudice the implementation of any policy contained within the Structure Plan.

The County Council raised concerns when previous, similar applications were submitted. The County has assessed the current proposals against the policies in the Structure Plan and the Local Transport Plan and considers that the applicants have demonstrated that these proposals are required to sustain the existing golf course business and would support new employment in the locality.

It is noted that in rural areas, tourism uses can assist in the diversification of existing businesses and encourage rural regeneration, but proposals will only be supported where their scale can be accommodated without adverse effects on the character and amenity of the local area. In view of the landscaping/screening now proposed in application 4/08/2413 to mitigate the visual impact of the other developments, it is considered that the scale, location and

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visual prominence of the scheme would not harm the character and amenity of the local area.

JSP Policy E37 requires that any development or land use change should be compatible with the distinctive characteristics and features of Cumbria's landscape types and sub-types. The site lies within Landscape Character Sub-Type 5d: Lowland - Urban Fringe. The landscape character is a mixture of undulating farmland and ridges and valleys. Views are often long or wide. Hedges, woodland and tree clumps are found throughout the area both associated with agricultural fields and former open cast land.

The golf course covers a wide area of land. In some areas is open in character, while others are characterised by dense planting. Open views are possible across the golf course to the broad landscape of the moorland plateau and fells to the east.

It would appear that the proposed landscaping along the western road boundary of the application site would mitigate any adverse visual effect of the 28 chalets adjacent to the proposed new clubhouse. Although the screen bunds and native tree planting would enclose the site, it is considered that these would generally be compatible with the urban fringe characteristics found in this area, and would reflect enclosed boundaries found elsewhere around the golf course.

The applicants have submitted a Transport Assessment (TA) in support of the application in accordance with JSP Policies T30 and LTP Policy LD4. With regards to public transport, the TA correctly identifies that bus services nos. 31/31A which serve the nearby residential estate are within a reasonable walking distance to the golf club. In order to improve pedestrian accessibility to these bus services and to the residential area a new footway link is proposed which will connect the new clubhouse to the existing pedestrian facilities. While there are no dedicated cycle routes in the locality, the development is within a reasonable cycling distance of the nearby residential areas.

The TA demonstrates that the proposal satisfies JSP Policy ST3 (part 2) and LTP Policy LD5. In addition the TA also provides sufficient evidence to show the existing highway and transport network. Annex 1 (of the County report), included recommended conditions which address safety and design concerns in order to satisfy LTP Policies LD5, LD6, LD7 and LD8.

The County Council's Rights of Way Officer seeks traffic calming measures adjacent to the public right of way.

The County Council concludes that the applicant has demonstrated that the chalet applications would sustain the existing golf course business, operating and managing on a sustainable basis as a local and visitor based recreational facility and would support new employment in the locality. Therefore the County raises no objection to the current proposal, subject to the planning authority:

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- i. ensuring that the landscaping mounds are not overly engineered in appearance, and that the details of the planting scheme include an appropriate density of specimens and species mix, in order to be compatible with the landscape character and visual amenities of the area;
- ii. monitoring the type of material brought into the site to create any new mounding/earthworks, to ensure that it is appropriate for the site;
- iii. attaching the conditions as set out in Annex 1 of this (the County's) report to any permission it is minded to grant.

The Environment Agency notes that a flood risk assessment (FRA) has been submitted as part of the application. The FRA concludes that subject to on site works to increase surface water storage, the proposed development will not adversely affect the receiving catchment by increasing surface water run off. The Agency therefore has no objection subject to conditions. The Agency also suggests a condition in relation to foul water disposal.

The Council's Engineer objects to the proposal because there are some existing drainage problems in the area, which appear to be related to the existing golf course. These concerns can be resolved by seeking additional information by way of condition, on a scheme for the provision and implementation of a surface water regulation system.

United Utilities raise no objection to the application but note that two large water trunk mains are situated within the site and they will need access for operating and maintaining them and will not permit development close to the mains. They require an access strip of no less than 10 metres wide, measuring at least 5 metres either side of the centre line for maintenance or replacement. The mains will also need to be extended to serve the development.

Natural England ask that, should the application be approved, the applicant should be made aware that should a protected species be subsequently found on the site, all work should stop until further surveys are carried out and a suitable mitigation package for the species is developed.

The Council's Landscape Officer seeks further information in order to assess the proposals. These details will be required by condition

The Copeland Disability Forum welcomes the application and asks that a proportion of the chalets are specific for people with disabilities and that all associated works take into account the needs of people with disabilities.

A Whitehaven resident has made a number of comments in relation to this application. He comments that the applicaiton makes no consideration for wildlife and may impact on a Wildlife Management

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plan for the area. He feels that the development is contrary to the Local Plan. He claims that the development will be visible from Jackson Pit Road, Round Close, Steel Brow and the public footpath. He believes that the public right of way FP 431023 is incorrectly drawn on all the plans, although he does not offer an alternative alignment. He is concerned that the development requires a new access road, which will interfere with the public right of way and will pose an unnecessary hazard to pedestrians. He seeks assurances about public safety during construction works. He claims that no notices were posed advertising this development or its affects on the public footpath.

The Ramblers Association has no objections to the proposal.

Local Plan Policies

The main Local Plan Policies relevant to this application are:

- DEV 1 Sustainable Development and Regeneration
- DEV 5 Sustainability in the Countryside
- TSM 1 Visitor Attractions
- TSM 4 Holiday Caravans Chalets and Camping
- RUR 1 Economic Regeneration in Rural Areas
- ENV 5 Protected Species
- ENV 12 Landscaping
- SVC 1 Connections to Public Sewers
- SVC 4 Land Drainage

The issues to be considered include vehicular and pedestrian access, car parking, surface water drainage and flooding, foul water drainage, impact on the landscape and ecology, landscaping proposals, public safety in relation to vehicles crossing the public right of way, the principle of tourism development in this location and employment potential.

The site of these proposed chalets is within the existing golf course adjacent, and to the north of, the proposed new clubhouse. Vehicular access is proposed as existing, from the lay by and along the road to the new clubhouse. A new footpath link is proposed from the main road, adjacent to the vehicular access and alongside the roadway to the proposed clubhouse. Traffic calming measures are required by condition. One car parking space per unit is provided alongside each unit.

The developer has submitted a Flood Risk Assessment for the site, which the Environment Agency has commented upon. Subject to conditions the drainage proposals are acceptable. Proposals for the disposal of foul water are also subject to conditions.

The landscaping proposals will be subject to conditions requiring a detailed scheme to be submitted, including cross sections of the mounds, planting species and maintenance proposals.

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English Nature has commented that if any protected species are found during construction works, then work should stop and protection and mitigation measures will need to be agreed.

The development is seen as a potential attraction in association with the golf course and meets the requirements of Local Plan Policies TSM 1 and TSM 4. The proposals for the golf course development as a whole will cost in the region of 10 million pounds and will generate up to 13 FTE new jobs. The development will help the tourism industry and will have additional spin off benefits for the wider area.

Subject to conditions, the application can be approved.

Recommendation

Approve (commence within 3 years)

2. No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water regulation system has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be completed in accordance with the approved plans.
3. No development approved by this permission shall be commenced until a scheme for the disposal of foul and surface waters has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans.
4. The chalets shall not be brought into use until the link footway from the site access to the existing footway on the opposite side of the public highway, including suitable pedestrian crossing facilities, has been completed in accordance with such details that form part of an agreement with the Highway Authority under Section 278 of the Highway Act 1980, unless otherwise agreed in writing with the Local Planning Authority.
5. The chalets shall not be brought into use until the access and parking requirements have been constructed in accordance with the approved plan. Any such access and/or parking provision shall be retained and be capable of use when the development is completed and shall not be removed or altered without the prior consent of the Local Planning Authority.

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6. No development approved by this permission shall be commenced until a scheme for traffic calming measures has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans before any works associated with this development commence on site.
7. The temporary works access on Round Close Park shall not be used to serve the construction of this development.
8. No development approved by this planning permission shall be commenced until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority and such a scheme shall include:
 - a) details of all boundary treatments, including planting and the exact locations, heights and materials of any fences and/or screen retaining walls.
 - b) details of materials to be used in all hard surfacing
 - c) planting details including species, height, location and spacing
 - d) cross sections and long sections of mounding
 - e) a timetable for carrying out the scheme
9. No development approved by this planning permission shall be commenced on site until the approved landscaping scheme has been implemented. Any tree or shrub found dead or dying within five years of planting should be replaced by specimens of similar type and size, to the satisfaction of the Local Planning Authority.
10. Before the development commences a scheme of landscape maintenance shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. The landscaping scheme shall be carried out in accordance with the approved schedule.
11. The occupation of the chalets shall be limited to a maximum stay of 28 days in any period.

The reasons for the conditions:

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

To reduce the increased risk of flooding.

To ensure a satisfactory means of drainage.

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To ensure that the highway network can accommodate the traffic associated with the development. To support Local Transport Plan Policies: LD5, LD6 LD7.

To ensure a minimum standard of access provision when the development is brought into use. To support Local Transport Plan Policies: LD5, LD7 LD8.

To ensure the safety of users of the public right of way across the golf course.

In the interests of residential amenity.

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

Permanent residential dwellings would not be permitted in this open countryside location.

Reason for decision:

This is considered to be an acceptable form of development associated with an existing golf course, which will enhance the facilities and improve leisure activities for local residents and visitors to the area.

NOTES

Should a protected species be found on site, all work should stop until further surveys are carried out and a suitable mitigation package for the species is developed. A letter from English Nature dated 18 September 2008 is attached.

United Utilities ask the developer to note that two large water trunk mains are situated within the site and they will need access for operation and maintaining them and will not permit development close to the mains. They require an access strip of no less than 10 metres wide, measuring at least 5 metres either side of the centre line for maintenance or replacement. The mains will also need to be extended to serve the development.

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4 4/08/2418/0

CHANGE OF USE TO THE DEVELOPMENT OF AN 11 UNIT
HOLIDAY CHALET SITE
WHITEHAVEN GOLF CLUB, RED LONNING, WHITEHAVEN,
CUMBRIA.
WESTERN LAKES LTD

Parish Whitehaven

The proposal relates to a change of use of part of the golf course to land for the siting of 11 chalets (pine lodges). This is a resubmission of a similar proposal submitted in August 2007 for 20 units, which was subsequently withdrawn to enable additional information to be provided. The current application is one of six relating to major developments on the golf course. The overall development proposals are shown on a Masterplan for the course, which has been submitted as supporting information.

This proposal is for the development of 11 chalets within the golf course sited to the south of the driving range.

The chalets would be for holiday purposes only and would offer 1 and 2 bed accommodation with lounge, kitchen and bathroom. A parking space and decking is proposed for each unit. The chalets would have the appearance of single storey dwellings with shallow pitched roofs. The applicant has stated that the layout will be in full compliance with the requirements of the Caravan Sites and Control of Development Act 1960 (as amended), under which a separate site licence will be required.

The developers believe that the rationale for the development of a chalet site relates to the expressed demand for accommodation received by the course when bookings are made by visiting players. The availability of accommodation in the Whitehaven area is limited and this development can play a part in meeting this demand. It will assist the course in advertising golf packages as well as providing additional bed spaces in the area for commercial and other visitors. The occupation will be for non permanent residential development with occupancy being limited to no longer than 28 days.

The developer states that the proposal will support the golf business in providing additional income and employment and will ensure that local residents can enjoy golf at reasonable membership rates.

Existing employment at the site is 17 FTE and with the totality of the proposals for the site, the developer indicates that this could rise to between 25 and 30 FTEs.

The combination of the current six applications on the golf course site is considered by the County Council to be a Category 1 proposal, as the development would involve a significant tourist/leisure scheme,

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which is located outside a defined Key and Local Service Centre. The remit of the County Council as the Strategic Planning Authority is to consider whether the applications would materially conflict with or prejudice the implementation of any policy contained within the Structure Plan.

The County Council raised concerns when the previous similar application was submitted and the application was withdrawn to address these issues. The County has assessed the current proposal against the policies in the Structure Plan and the Local Transport Plan and considers that the applicants have demonstrated that these proposals are required to sustain the existing golf course business and would support new employment in the locality.

It is noted that in rural areas, tourism uses can assist in the diversification of existing businesses and encourage rural regeneration, but proposals will only be supported where their scale can be accommodated without adverse effects on the character and amenity of the local area. In view of the landscaping/screening now proposed in application 04/08/2413 to mitigate the visual impact of the other developments, it is considered that the scale, location and visual prominence of the scheme would not harm the character and amenity of the local area.

JSP Policy E37 requires that any development or land use change should be compatible with the distinctive characteristics and features of Cumbria's landscape types and sub-types. The site lies within Landscape Character Sub-Type 5d: Lowland - Urban Fringe. The landscape character is a mixture of undulating farmland and ridges and valleys. Views are often long or wide. Hedges, woodland and tree clumps are found throughout the area both associated with agricultural fields and former open cast land.

The golf course covers a wide area of land. In some areas it is open in character, while others are characterised by dense planting. Open views are possible across the golf course to the broad landscape of the moorland plateau and fells to the east.

The applicants have submitted a Transport Assessment (TA) in support of the application in accordance with JSP Policies T30 and LTP Policy LD4. With regards to public transport, the TA correctly identifies that bus services nos. 31/31A which serve the nearby residential estate are within a reasonable walking distance to the golf club. In order to improve pedestrian accessibility to these bus services and to the residential area a new footway link is proposed. While there are no dedicated cycle routes in the locality, the development is within a reasonable cycling distance of the nearby residential areas. The TA demonstrates that the proposal satisfies JSP Policy ST3 (part 2) and LTP Policy LD5. In addition the TA also provides sufficient evidence to show that the vehicular traffic associated with the development can be accommodated in the existing highway and transport network. Annex 1 (of the County report), includes recommended conditions which

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address safety and design concerns in order to satisfy LTP Policies LD5, LD6, LD7 and LD8.

The County Council's Rights of Way Officer notes that there are no public rights of way affected by this application and has no further comments to make.

The County Council concludes that the applicant has demonstrated that the chalet applications would sustain the existing golf course business, operating and managing on a sustainable basis as a local and visitor based recreational facility and would support new employment in the locality. Therefore the County raises no objections to the current proposal, subject to the planning authority:

- i. ensuring that the landscaping mounds are not overly engineered in appearance, and that the details of the planting scheme include an appropriate density of specimens and species mix, in order to be compatible with the landscape character and visual amenities of the area;
- ii. monitoring the type of material brought into the site to create any new mounding/earthworks, to ensure that it is appropriate for the site;
- iii. attaching the conditions as set out in Annex 1 of this (the County's) report to any permission it is minded to grant.

The Environment Agency notes that a flood risk assessment (FRA) has been submitted as part of the application. The FRA concludes that subject to on site works to increase surface water storage, the proposed development will not adversely affect the receiving catchment by increasing surface water run off. The Agency therefore has no objection subject to conditions. The Agency also suggests a condition in relation to foul water disposal.

The Council's Engineer objects to the proposal because there are some existing drainage problems in the area, which appear to be related to the existing golf course. These concerns can be resolved by seeking additional information, by way of condition, on a scheme for the provision and implementation of a surface water regulation system.

United Utilities raise no objection to the application, but note that two large water trunk mains are situated within the site and they will need access for operating and maintaining them and will not permit development close to the mains. They require an access strip of no less than 10 metres wide, measuring at least 5 metres either side of the centre line for maintenance or replacement. The mains will also need to be extended to serve the development.

Natural England ask that, should the application be approved, the applicant should be made aware that should a protected species be subsequently found on the site, all work should stop until further

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surveys are carried out and a suitable mitigation package for the species is developed.

The Council's Landscape Officer seeks further information in order to assess the proposals. These details will be required by condition.

The Copeland Disability Forum welcomes the application and asks that a proportion of the chalets are specific for people with disabilities and that all associated works take into account the needs of people with disabilities.

The Ramblers Association has no objections to the proposal.

Local Plan Policies

The main Local Plan policies relevant to this application are:

DEV 1 Sustainable Development and Regeneration
DEV 5 Sustainability in the Countryside
TSM 1 Visitor Attractions
TSM 4 Holiday Caravans Chalets and Camping
EUR 1 Economic Regeneration in Rural Areas
ENV 5 Protected Species
ENV 12 Landscaping
SVC 1 Connections to Public Sewers
SVC 4 Land Drainage

The issues to be considered include vehicular and pedestrian access, car parking, surface water and flooding, foul water drainage, impact on the landscape and ecology, landscaping proposals, the principle of tourism development in this location and employment potential.

The site of these proposed chalets is within the existing golf course, to the south of the driving range. Vehicular access is proposed as existing, from the lay by, using an existing internal golf course road. One car parking space per unit is provided alongside each unit.

The developer has submitted a Flood Risk assessment for the site, which the Environment Agency has commented upon. Subject to conditions the drainage proposals are acceptable. Proposals for the disposal of foul water are also subject to conditions.

Mounding and new planting is proposed alongside the site boundary to screen the development. The landscaping will be subject to conditions requiring a detailed scheme to be submitted, including cross sections of the mounds, planting species and maintenance proposals.

English Nature has commented that if any protected species are found during construction works, then work should stop and protection and mitigation measures will need to be agreed.

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The development is seen as a potential tourist attraction in association with the golf course and meets the requirements of Local Plan Policies TSM 1 and TSM 4. The proposals for the golf course development as a whole will cost in the region of 10 million pounds and will generate up to 13 FTE new jobs and secure 17 existing posts.

The development will help the tourism industry and will have additional spin off benefits for the wider area.

Subject to conditions, the application can be approved.

Recommendation

Approve (commence within 3 years)

2. No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water regulation system has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be completed in accordance with the approved plans.
3. No development approved by this permission shall be commenced until a scheme for the disposal of foul and surface waters has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans.
4. The chalets shall not be brought into use until the link footway from the site access to the existing footway on the opposite side of the public highway, including suitable pedestrian crossing facilities, has been completed in accordance with such details that form part of an agreement with the Highway Authority under Section 278 of the Highway Act 1980, unless otherwise agreed in writing with the Local Planning Authority.
6. The temporary works access on Round Close Park shall not be used to serve the construction of this development.
7. No development approved by this planning permission shall be commenced until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority and such a scheme shall include:
 - a) details of all boundary treatments, including planting and the exact locations, heights and materials of any fences and/or screen and retaining walls
 - b) details of materials to be used in all hard surfacing.
 - c) planting details including species, heights, location and spacing

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- d) cross sections and long sections of mounding
 - e) a timetable for carrying out the scheme.
8. No development approved by this planning permission shall be commenced on site until the approved landscaping scheme has been implemented. Any tree or shrub found dead or dying within five years of planting should be replaced by specimens of similar type and size, to the satisfaction of the Local Planning Authority.
9. Before development commences a scheme of landscape maintenance shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. The landscaping scheme shall be carried out in accordance with the approved schedule.
10. The occupation of the chalets shall be limited to a maximum stay of 28 days in any one period.

The reasons for the conditions:

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

To reduce the increased risk of flooding.

To ensure a satisfactory means of drainage.

To ensure that the highway network can accommodate the traffic associated with the development. To support Local Transport Plan Policies: LD5, LD7, LD8.

In the interests of residential amenity.

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

Permanent residential dwellings would not be permitted in this open countryside location.

Reason for decision:

This is considered to be an acceptable form of development associated with an existing golf course which will enhance the facilities and improve leisure activities for local residents and visitors to the area.

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NOTES

Should a protected species be found on site, all work should stop until further surveys are carried out and a suitable mitigation package for the species is developed. A letter from English Nature dated 18 September 2008 is attached.

United Utilities ask the developer to note that two large water trunk mains are situated within the site and they will need access for operating and maintaining them and will not permit development close to the mains. They require an access strip of no less than 10 metres wide, measuring at least 5 metres either side of the centre line for maintenance or replacement. The mains will also need to be extended to serve the development.

5 4/08/2419/0

CHANGE OF USE TO A 23 UNIT CHALET SITE
WHITEHAVEN GOLF CLUB, RED LONNING, WHITEHAVEN,
CUMBRIA.
WESTERN LAKES LTD

Parish Whitehaven

The proposal relates to a change of use of part of the golf course to land for the siting of 23 chalets (pine lodges). This is a resubmission of a proposal submitted in August 2007 which was subsequently withdrawn to enable additional information to be provided. The application is one of six relating to major developments on the golf course. The overall development proposals are shown on a Masterplan for the course, which has been submitted as supporting information.

This proposal is for the development of 23 chalets in two locations (16 and 7 chalets) close to the existing entrance to the golf course. One of the proposed locations is on the existing site of the temporary clubhouse and car park and is dependent upon the relocation of the clubhouse which is subject to a separate planning application.

The chalets would be for holiday purposes only and would offer 1 and 2 bed accommodation with lounge, kitchen and bathroom. A parking space and decking is proposed for each unit. The chalets would have the appearance of single storey dwellings with shallow pitched roofs. The applicant has stated that the layout will be in full compliance with the requirements of the Caravan Sites and Control of Development

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Act 1960 (as amended), under which a separate site licence will be required.

The developers believe that the rationale for the development of a chalet site relates to the expressed demand for accommodation received by the course when bookings are made by visiting players. The availability of accommodation in the Whitehaven area is limited and this development can play a part in meeting this demand. It will assist the course in advertising golf packages as well as providing additional bed spaces in the area for commercial and other visitors. The occupation will be for non permanent residential development with occupancy being limited to no longer than 28 days.

The developer states that the proposal will support the golf business in providing additional income and employment and will ensure that local residents can enjoy golf at reasonable membership rates.

Existing employment at the site is 17 FTE and with the totality of the proposal for the site, the developer indicates that this could rise to between 25 and 30 FTSS.

The combination of the current six applications on the golf course site is considered to be a Category 1 proposal as the development would involve a significant tourist/leisure scheme, which is located outside a defined Key and Local Service Centre. The remit of the County Council as the Strategic Planning Authority is to consider whether the applications would materially conflict with or prejudice the implementation of any policy contained within the Structure Plan.

The County Council raised concerns when the previous similar application was submitted and the application was withdrawn to address these issues. The County has assessed the current proposals against the policies in the Structure Plan and the Local Transport Plan and consider that the applicants have demonstrated that these are required to sustain the existing golf course business and would support new employment in the locality.

It is noted that in rural areas, tourism uses can assist in the diversification of existing businesses and encourage rural regeneration, but proposals will only be supported where their scale can be accommodated without adverse effects on the character and amenity of the local area. In view of the landscaping/screening now proposed in application 4/08/2413 to mitigate the visual impact of the other developments, it is considered that the scale, location and visual prominence of the scheme would not harm the character and amenity of the local area.

JSP Policy E37 requires that any development or land use change should be compatible with the distinctive characteristics and features of Cumbria's landscape types and sub-types. The site lies within Landscape Character Sub-type 5d:Lowland-Urban Fringe. The landscape character is a mixture of undulating farmland and ridges

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and valleys. Views are often long or wide. Hedges, woodland and tree clumps are found throughout the area both associated with agricultural fields and former open cast land.

The golf course covers a wide area of land. In some areas is open in character, while others are characterised by dense planting. Open views are possible across the golf course to the broad landscape of the moorland plateau and fells to the east.

It would appear that the proposed landscaping along the western road boundary of the application site would mitigate any adverse visual effects of the 23 chalets around the golf course entrance. Although the screen bunds and native tree planting would enclose the site, it is considered that these would generally be compatible with the urban fringe characteristics found in this area, and would reflect enclosed boundaries found elsewhere around the golf course.

The applicants have submitted a Transport Assessment (TA) in support of the application in accordance with JSP Policies T30 and LTP Policy LD4. With regards to public transport, the TA correctly identifies that bus services nos 31/31A which serve the nearby residential estate are within a reasonable walking distance to the golf club. In order to improve pedestrian accessibility to these bus services and to the residential area a new footway link is proposed. While there are no dedicated cycle routes in the locality, the development is within a reasonable cycling distance of the nearby residential areas. The TA demonstrates that the proposal satisfies JSP Policy ST3 (part 2) and LTP Policy LD5. In addition the TA also provides sufficient evidence to show that the vehicular traffic associated with the development can be accommodated on the existing highway and transport network. Annex 1 (of the County report), includes recommended conditions which address safety and design concerns in order to satisfy LTP Policies LD5, LD6, LD7 and LD8.

The County Council's Rights of Way Officer notes that there are no public rights of way affected by this application and has no further comments to make.

The County Council concludes that the applicant has demonstrated that the chalet applications would sustain the existing golf course business, operating and managing on a sustainable basis as a local and visitor based recreational facility and would support new employment in the locality. Therefore the County raises no objection to the current proposal, subject to the planning authority:

- i ensuring that the landscaping mounds are not overly engineered in appearance, and that the details of the planting scheme include an appropriate density of specimens and species mix, in order to be compatible with the landscape character and visual amenities of the area;
- ii monitoring the type of material brought into the site to create

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any new mounding/earthworks, to ensure that it is appropriate for the site;

iii attaching the conditions as set out in Annex 1 of this (the County's) report to any permission it is minded to grant.

The Environment Agency notes that a flood risk assessment has been submitted as part of the application. The FRA concludes that subject to on site works to increase surface water storage, the proposed development will not adversely affect the receiving catchment by increasing surface water run off. The Agency therefore has no objection subject to conditions. The Agency also suggests a condition in relation to foul water disposal.

The Council's Engineer objects to the proposal because there are some existing drainage problems in the area, which appear to be related to the existing golf course. These concerns can be resolved by seeking additional information, by way of condition, for a scheme for the provision and implementation of a surface water regulation system.

United Utilities raise no objection to the application, but note that two large water trunk mains are situated within the site and they will need access for operating and maintaining them and will not permit development close to the mains. They require an access strip of no less than 10 metres wide, measuring at least 5 metres either side of the centre line for maintenance or replacement. The mains will also need to be extended to serve the development.

Natural England ask that, should the application be approved, the applicant should be made aware that should a protected species be subsequently found on the site, all work should stop until further surveys are carried out and a suitable mitigation package for the species is developed.

The Council's Landscape Officer notes that the proposals will result in changes to the existing flora, including a small wooded area to the south of the site plan. He seeks additional information in order to evaluate the effects on the local landscape.

The Copeland Disability Forum welcomes the application and asks that a proportion of the chalets are specific for people with disabilities and that all associated works take into account the needs of people with disabilities.

A Whitehaven resident has made two comments in relation to this application. He feels that these chalets would be more appropriate close to urbanisation and he states that the "now defunct lease" (sixth schedule) for the golf course sought to protect certain higher drier areas of the course for wildlife habitat, the location of the 16 chalets being one of them. He claims that the developers destroyed this area as soon as they took over the site by dumping large amounts of waste without planning permission and contrary to the terms of the

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lease. He comments that the application makes no consideration for wildlife.

The Ramblers Association has no objections to the proposal.

LOCAL PLAN POLICIES

The main Local Plan policies relevant to this application are:

DEV 1 Sustainable Development and Regeneration
DEV 5 Sustainability in the Countryside
TSM 1 Visitor Attractions
TSM 4 Holiday Caravans Chalets and Camping
RUR 1 Economic Regeneration in Rural Areas
ENV 5 Protected Species
ENV 12 Landscaping
SVC 1 Connections to Public Sewers
SVC 4 Land Drainage

The issues to be considered include vehicular and pedestrian access, car parking, surface water and flooding, impact on the landscape and ecology, landscaping proposals, the principle of tourism development in this location and employment potential.

The site of these proposed chalets is within the existing golf course. They are split into two groups. The first group of 7 chalets is on the site of the temporary club house opposite the access and the development depends upon the relocation of the club house, which is subject to a separate planning application. The second group of 16 is located alongside the boundary of the site to the east of the access. Vehicular access is proposed as existing, from the lay by, but a new footpath link is proposed from the main road, adjacent to the vehicular access. One car parking space per unit is provided alongside each unit.

The developer has submitted a Flood Risk Assessment for the site which the Environment Agency has commented upon. Subject to conditions the drainage proposals are acceptable. Proposals for the disposal of foul water are also subject to conditions.

Mounding and new planting is proposed alongside the site boundary to screen the development. The landscaping will be subject to conditions requiring a detailed scheme to be submitted, including cross sections of the mounds, planting species and maintenance proposals.

English Nature have commented that if any protected species are found during construction works, then work should stop and protection and mitigation measures will need to be agreed.

The development is seen as a potential tourist attraction in association with the golf course and meets the requirements of Local

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Plan Policies TSM 1 and TSM 4. The proposals for the golf course development as a whole will cost in the region of 10 million pounds and will generate up to 13 FTE new jobs. The development will help the tourism industry and will have additional spin off benefits for the wider area.

Recommendation

Approve (commence within 3 years)

2. No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water regulation system has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be completed in accordance with the approved plans.
3. No development approved by this permission shall be commenced until a scheme for the disposal of foul and surface waters has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans.
4. The chalets shall not be brought into use until the link footway from the site access to the existing footway on the opposite side of the public highway, including suitable pedestrian crossing facilities has been completed in accordance with such details that form part of an agreement with the Highway Authority under Section 278 of the Highway Act 1980, unless otherwise agreed in writing with the Local Planning Authority.
5. The chalets shall not be brought into use until the access and parking requirements have been constructed in accordance with the approved plan. Any such access and/or parking provision shall be retained and be capable of use when the development is completed and shall not be removed or altered without the prior written consent of the Local Planning Authority.
6. The temporary works access on Round Close Park shall not be used to serve the construction of this development.
7. No development approved by this planning permission shall be commenced until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority and such a scheme shall include:
 - a) details of all boundary treatments, including planting and the exact locations, heights and materials of any fences and/or screen and retaining walls

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- b) details of materials to be used in all hard surfacing
 - c) planting details including species, heights, location and spacing
 - d) cross sections and long sections of mounding
 - e) a timetable for carrying out the scheme
8. The approved landscaping scheme shall be implemented within the first planting season following the commencement of occupation of the site. Any tree or shrub found dead or dying within five years of planting should be replaced by specimens of similar type and size, to the satisfaction of the Local Planning Authority.
9. Before development commences a scheme of landscape maintenance shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. The landscaping scheme shall be carried out in accordance with the approved schedule.
10. The occupation of the chalets shall be limited to a maximum stay of 28 days in any one period.

The reasons for the above conditions are:-

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

To reduce the increased risk of flooding

To ensure a satisfactory means of drainage.

To ensure that the highway network can accommodate the traffic associated with the development. To support Local Transport Plan Policies: LD5, LD6, LD7.

To ensure a minimum standard of access provision when the development is brought into use. To support Local Transport Plan Policies: LD5, LD7, LD8.

In the interests of residential amenity.

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

Permanent residential dwellings would not be permitted in this open countryside location.

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Reason for decision:

This is considered to be an acceptable form of development associated with an existing golf course which will enhance the facilities and improve leisure activities for local residents and visitors to the area.

NOTES

Should a protected species be found on site, all work should stop until further surveys are carried out and a suitable mitigation package for the species is developed. A letter from English Nature dated 18 September 2008 is attached.

6 4/08/2426/0

CHANGE OF USE TO A5, WITH ASSOCIATED EXTRACT FACILITIES

UNIT 5, TANGIER BUILDINGS, TANGIER STREET,
WHITEHAVEN, CUMBRIA.

B MAHOVIC

Parish Whitehaven

Planning permission is sought to change the use of this ground floor unit within Tangier Buildings fronting George Street Whitehaven from an off-licence to a hot food takeaway. It is also intended to relocate the adjacent fishing tackle shop into the end unit, formerly a Chinese restaurant and takeaway. Under the Town & Country Planning (Use Classes) Order 1987 and its subsequent amendments the latter does not in itself require planning permission.

No external alterations are to be made to the main frontage on George Street. To the rear of the building, fronting Greggs Lane, it is intended to remove and make good the existing extract flue and install a new flue away from the rear access door which serves the first floor premises.

As submitted it is proposed that the takeaway would be open until the hours of 1.30am 7 days a week, including Bank Holidays.

At the latest, existing hot food takeaways within the town centre area are required to close by 1.30am on Thursdays, Fridays and Saturdays and by 12 midnight on Sundays to Wednesdays inclusive. The Council, as Local Planning Authority, has consistently refused planning applications for town centre hot food takeaways to open

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beyond 1.30am, and these have been successfully upheld on appeal.

In light of the above, if Members are minded to grant approval a condition should be attached restricting opening hours to those consistent with existing town centre takeaways.

No objections have been received in response to neighbour notification and statutory consultation procedures, the application having been advertised on site and in the local press.

The Highways Authority have pointed out that a licence is required for the positioning of the extract flue where it overhangs the public highway on Greggs Lane. If the applicant does not have a licence the Highway Authority recommend refusal of the application given that the positioning of the flue would not conform to the minimum clearance permitted and would therefore be prejudicial to highway safety. Whilst highway safety is a material planning consideration the issuing of licences is down to the Highways Authority.

In terms of waste storage arrangements it is proposed to store paper waste internally and, as with existing units, use external rear bins.

Policy TCN 10 of the adopted Copeland Local Plan 2001-2016 generally supports food and drink uses within the town centre. Policy TCN 7 sets out the criteria against which such proposal should be assessed and states:-

"Proposals for food and drink uses in shopping area will be permitted subject to the requirements of TCN 10 and other plan policies with particular attention to:-

1. the likely impact on the character and amenity of the general area and on nearby residential properties as a result of noise, disturbance, litter, smell, sewer discharge or visual intrusion
2. restrictions on late-night opening where late-night activity associated with the proposed use would be harmful to the general character and amenity of the area
3. any venting of the premises not causing undue nuisance to adjoining occupiers."

In my opinion the proposal satisfactorily meets these criteria. The northern end of the town centre is predominantly commercial with a number of similar hot food takeaways in the vicinity.

Recommendation

Approve (commence within 3 years)

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2. The use hereby permitted shall not be open to customers outside the following hours:-

11.00am - 12 midnight Sundays to Wednesdays inclusive
11.00am - 1.30am Thursdays, Fridays and Saturdays
 3. The use hereby permitted shall not commence until full details of the scheme for the extraction of cooking fumes and cooking odours has been submitted to and approved in writing by the Local Planning Authority. The system shall be installed in accordance with the approved details before the use commences and shall subsequently be operated and maintained at all times in accordance with the manufacturer's instructions.
 4. Detailed plans of any proposed external alterations shall be submitted to and approved in writing by the Local Planning Authority before such development is commenced. Works shall be carried out strictly in accordance with the approved details.

The reasons for the above conditions are:-

To minimise the risk of nuisance to neighbouring properties.

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

Reason for decision:-

An acceptable alternative use for these town centre premises in accordance with Policies TCN 7 and TCN 10 of the adopted Copeland Local Plan 2001-2016.

7 4/08/2428/0

NEW FAST FOOD OUTLET, ERECTION OF STORAGE
WAREHOUSE AND ASSOCIATED CAR PARKING AREA
CROSSFIELD GARAGE, LECONFIELD STREET,
CLEATOR MOOR, CUMBRIA.
MR O J SHAMA

MAIN AGENDA

Parish

Cleator Moor

- Express concerns regarding the impact on traffic with increased vehicles accessing the site and fast food outlet.

Planning permission is sought to change the use of part of an existing storage building into a fast food outlet and construct a new warehouse and parking area within the existing Crossfield Garage site fronting Leconfield Street, Cleator Moor. At present the site is occupied by a petrol filling station, convenience store, storage facility and off road parking area.

Directly opposite the site and in a slightly elevated position is Leconfield Industrial Estate. To the rear of the site is the Travis Perkins depot and to the west are existing residential properties.

It is proposed to demolish part of the existing commercial building occupying the middle of the site to make way for the development. At present this section measures 15.0m in width and 12.5m in height. The existing rear part of the petrol filling station utilised for storage purposed will be modified to make way for the fast food outlet with a floor area of just over 133 square metres.

The proposed new storage building measuring 28.7m in length by 15.0m in width will be sited at the rear of the site and will be attached to the fast food outlet. The building will be between 4.8m and 5.6m in height given the slightly sloping nature of the site.

The area undergoing demolition will make way for 18 additional car parking spaces, including 2 designated disabled spaces, and forms the new access point to the fast food outlet. At present there are only 8 parking spaces on site.

Externally the new storage warehouse will be finished with profile metal sheeting with brick plinth walls and a metal sheeting roof, consistent with the existing convenience store and neighbouring Travis Perkins building to the rear. Windows and doors will be uPVC. The front elevation of the new fast food outlet will incorporate floor to ceiling glazing with facing brick plinth.

Vehicular access to the site is presently gained from two access/egress points onto Leconfield Street. These are to remain unchanged.

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

The Highways Authority have requested further information, including the completion of a transport form in order to make a full assessment. This is awaited.

United Utilities and the Council's Scientific Officer raise no

MAIN AGENDA

objections to the proposal subject to suitable conditions being attached to any subsequent approval.

Given that the scheme involves the introduction of a fast food outlet it has been requested that a system for the control of odours and cooking fumes be incorporated. This matter can adequately be covered by way of a suitable condition.

At this stage the opening hours for the fast food outlet are not known. Again, if Members are minded to approve the application this matter can be adequately dealt with by condition.

Cumbria Constabulary have raised concerns that the parking area may become an unofficial teen space and therefore generate Anti-Social Behaviour. They recommend that any street furniture in that area be designed so as not to encourage people to loiter and that the area be well lit and managed.

Policies in the adopted Copeland Local Plan 2001-2016 and, in particular, Policy EMP 4 generally support the expansion of existing businesses. The preamble to Policy EMP 4 states that the Council recognises that existing firms should be allowed to expand or redevelop where such development can be satisfactorily accommodated either within or immediately adjacent to existing site boundaries and is demonstrated to be safe, no threat to public amenity and environmentally acceptable.

With regards to the introduction of a fast food outlet, Policy TCN 7 is considered relevant. This states that:

"Proposals for food and drink uses in shopping areas will be permitted subject to the requirements of TCN 10 and other plan policies with particular attention to:

1. the likely impact on the character and amenity of the general area and on nearby residential properties as a result of noise, disturbance, litter, smell, sewer discharge or visual intrusion
2. restrictions on late-night opening where late-night activity associated with the proposed use would be harmful to the general character and amenity of the area
3. any venting of the premises not causing undue nuisance to adjoining occupiers."

This is an established business site with a mix of uses including retail, commercial and residential within the immediate vicinity. It is considered that the proposal satisfies the relevant policy criteria and, as such, it is recommended that authority be delegated to the Development Services Manager to grant approval subject to no adverse comments being received from the Highways Authority before 22 October 2008.

MAIN AGENDA

Recommendation

-

That delegated authority be given to the Development Services Manager to grant planning permission subject to no adverse comments being received from the Highways Authority before 22 October 2008 and subject to the following conditions:-

2. The use hereby permitted shall not commence until full details of the proposed fast food outlet opening hours have been submitted to and approved in writing by the Local Planning Authority. The use shall be operated strictly in accordance with the approved details.
3. The use hereby permitted shall not commence until full details of the scheme for the extraction of cooking fumes and cooking odours have been submitted to and approved in writing by the Local Planning Authority. The system shall be installed in accordance with the approved details before the use commences and shall subsequently be operated and maintained at all times in accordance with the manufacturer's instructions.
4. The site shall be drained on a separate system, with only foul drainage connected into the foul sewer.
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 potential 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 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 must be implemented in accordance with the assessment and to the satisfaction of the Local Planning Authority.

The reasons for the above conditions are:-

To minimise the risk of nuisance to neighbouring properties, particularly those containing residential accommodation.

To ensure a satisfactory drainage scheme

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

MAIN AGENDA

Reason for decision:-

An acceptable form of development in association with this existing business in accordance with Policies EMP 4 and TCN 7 of the adopted Copeland Local Plan 2001-2016.

8 4/08/2432/0

DETACHED GARAGE
23, BAY VIEW, MILLOM, CUMBRIA.
MR G CE'ANSU

Parish Millom

- Have grave concerns regarding this application as the garage has been partially constructed, causing severe flooding problems for residents nearby.

Planning permission is sought for the erection of a detached garage at 23 Bay View, Millom.

The application is partly retrospective as the garage base has been in place for some time although construction has currently stopped pending the determination of this application.

Measuring 9.0m x 6.8m the garage would be located approximately 28m to the north west of the existing dwelling and would be accessed from the unsurfaced rear lane which serves 11-23 Bay View together with Newlands Bungalow, this being the end property.

Externally, the building would have a height of 2.5m to the eaves, with the majority of the building covered by a flat roof but with a 30 degree pitched roof to the elevation facing the applicant's dwelling. A set of double wooden doors is proposed to the rear and a uPVC door and window in the elevation to the applicant's garden. It would have a wet dash rendered finish to the walls, grey tiles to the pitched roof and mineralised roofing felt to the flat part of the roof.

Three letters of objection have been received, the grounds for objection being summarised as follows:-

1. The construction of the base for the garage has caused flooding problems in the area.
2. The construction of the garage would result in the devaluing of other properties.

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3. For construction and finishing the garage, access will likely be required onto neighbouring property.
4. There was a historic footpath through the site.
5. Loss of light to the property to the rear.
6. The garage will be unpleasant in appearance.
7. The foundation levels seem unnecessarily deep.

In response to the concerns, I would firstly comment that the plan details gutters to the north and east elevations of the garage and a 1:80 fall in the flat roof to ensure the surface water collects in the gutter. A new rain water drain from the garage is then shown running east across the garden to connect with the existing surface water drainage for 23 Bay View.

The devaluing of other property is not a material planning consideration and it would be for the applicant to resolve any access issues. With regard to the footpath the objector has also stated that the issue was raised with but not resolved by the former Millom District Council so could not be addressed now. The foundation details would be dealt with under Building Regulations.

Finally, any loss of light to the property at the rear would be minimal as the garage will have a flat roof and be constructed from the existing boundary wall, resulting in an increase of 0.25m. Finally, I would comment that although the garage will have a different appearance from different elevations, this would only be due to the existing boundary walls on site.

Overall, the main issue has been the onsite flooding which will hopefully be resolved when the garage is completed with the proposed guttering and surface water drainage connection. The garage is, therefore, viewed as compliant with Policy HSG 20 of the adopted Copeland Local Plan 2001-2016.

Recommendation

Approve (commence within 3 years)

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

The reason for the above condition is:-

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

Reason for decision:-

The proposal represents an acceptable form of development in accordance with Policy HSG 20 of the adopted Copeland Local Plan 2001-2016.

MAIN AGENDA

9 4/08/2434/0

TWO INTERNALLY ILLUMINATED SINGLE SIDED FREE
STANDING DISPLAY UNITS
BRIDGE END GARAGE, BRIDGE END, EGREMONT, CUMBRIA.
MR M SWINDLES

Parish St Johns Beckermert

- No comments received.

Advertisement consent is sought, in retrospect, to display two single sided free standing display units at Bridge End Garage, Bridge End, Egremont.

The units are 1.9m high by 1.3m wide with internal illumination and mounted on a base pole measuring 0.6m. They are sited adjacent to the pavement, 4.8m from the defined carriageway edge and 9.2m from the canopy for the garage forecourt but separated by an access to the neighbouring builders merchants premises.

The units are available for general advertising purposes and not specifically related to the adjacent garage or any other local businesses. At present the display units are advertising a brand of chocolate bar and a satellite television provider.

Policy ENV 40 of the adopted Copeland Local Plan 2001-2016 states that outside Areas of Special Advertisement Control, advertisements will only be granted if all of the following criteria are met:

1. they would not be obtrusive or dominant features in the street scene
2. they would not create clutter on a building or within the street scene;
3. they would not harm public safety;
4. where attached to a building, they would respect its scale, proportions and architectural features;
5. where attached to a Listed Building, or within the grounds of a Listed Building, they would preserve the special architectural or historic character and appearance of the building;
6. where displayed in Conservation Areas they would preserve or enhance the character and appearance of the area and comply with

MAIN AGENDA

Policy ENV 32.

In my opinion it is considered that this additional signage, the contents of which are not directly related to the business, appear incongruous in their setting and are not reasonably required.

Furthermore, it is viewed as at variance with criterion 2 of the above Policy as it does create clutter within the street scene, having three different sets/forms of adverts within one location, especially in a predominantly residential area.

The proposal is therefore viewed as not being in accordance with Policy ENV 32 of the adopted Copeland Local Plan 2001-2016 and is recommended for refusal.

If Members are minded to support the recommendation not to grant advertisement consent, authorisation is also sought to take appropriate action to secure the removal of the unauthorised signage.

Recommendation

Refuse Advertisement Consent

The proposed signage does not relate to a local business or use and is considered to constitute visual clutter within the street scene, especially being located opposite a predominantly residential area, and, as such, is contrary to Policy ENV 32 of the adopted Copeland Local Plan 2001-2016.

10 4/08/2435/0

PROVISION OF SITES FOR 4 ADDITIONAL TOURING
CARAVANS, & PROVISIONS OF PITCHES FOR 40 TENTS.
DRIGG MOORSIDE, DRIGG, HOLMROOK, CUMBRIA.
MR S SHEPHERD

Parish Drigg & Carleton

- No comments received.

Planning permission was originally granted for the change of use of the former farmhouse and barns on this existing working farm near Drigg to provide four holiday units as well as the siting of five touring caravans and the conversion of a further barn to provide an amenity block in November 2007 (4/07/2636/0F1 refers). To date the amenity block, which incorporates a reception area and wc/shower facilities, has been completed and is up and running along with the

MAIN AGENDA

site for five touring caravans. This holiday facility has been operational all summer.

As part of farm diversification and to develop the business further permission is now sought to extend the touring caravan site by four additional pitches making a total of nine available and to use the neighbouring field to the west as an area where a maximum of forty tent pitches could be sited.

Vehicular access to the site would be via the main farm access off the adjacent B5344 Drigg to Seascale Road which was substantially improved as part of the 2007 application. This leads onto a separate newly created track within the farm unit which sweeps round the outskirts of the farm building group to the west serving specifically the holiday development. Access to the extended touring site and the field for the tent pitches would be directly off this track.

The Highway Authority raise no objection to the proposal subject to final improvement works to the main access being completed before the additional site becomes operational which can be adequately controlled by condition.

In planning policy terms the proposal should be assessed against the adopted Copeland Local Plan 2001-2016 Policies DEV 6, which advocates high quality and sustainability in design, and TSM 4 which supports both extensions and new touring caravan and camping sites for tourism purposes where certain criteria are met regarding access and landscaping. The proposal is considered to conform to these policies with the site being already part of a holiday business which is well related to the highway network. The extended touring caravan area adjoins the existing farm building group and will be seen from wider views against this backdrop. Although the camping field alongside is more exposed it is relatively level in form and benefits from some natural hedgerow screening which has already been reinforced with additional boundary planting.

Recommendation

Approve (commence within 3 years)

2. The development hereby permitted shall be commenced within three years from the date hereof.
3. The access drive shall be surfaced in bituminous or cement bound materials, or otherwise bound, and shall be constructed and completed before the development is brought into use. 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.

MAIN AGENDA

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.

Reason for decision:-

An acceptable scheme to provide an extension to a touring caravan site and an area for camping alongside this operational farm in accordance with Policies DEV 6 and TSM 4 of the adopted Copeland Local Plan 2001-2016.

11 4/08/2440/0

DETACHED BUNGALOW
ADJACENT TO, CHERRY TREE, THE GREEN, MILLOM,
CUMBRIA.
MR & MRS G & R BAYBUT

Parish Millom Without

- Object to the application as the site is located outside of any settlement boundary.

Planning permission is sought for the erection of a detached bungalow adjacent to Cherry Tree, The Green, Millom. A special need case has been put forward to accompany the proposal, a copy of which is appended.

The proposed dwelling would be located to the south of the applicant's property in the side garden area and would be accessed from a private lane adjacent to the A5093. The dwelling currently has a sizeable garden area.

The dwelling would be single storey, although with a large amount of underbuild to address the topography of the site. There would be two storage rooms to the underneath which would be accessed at ground level to the rear of the property. Internally, on the one main level, it would provide three bedrooms, a kitchen, dining/living room, study, utility and garage. It would be 2.6m in height to the eaves and 5.5m to the ridge. However, to the rear the total height would be 8.1m.

Externally, the dwelling would have a hardstanding providing 2 car parking spaces in front of the garage. It would have a white painted

MAIN AGENDA

render finish to the walls, grey slate to the roof and uPVC windows and doors. It would be 6.1 metres to the boundary with the applicant's dwelling.

In planning policy terms, the site is situated outside any settlement boundary designated in the adopted Copeland Local Plan 2001-2016 and, as such, Policy HSG 5 applies. This presumes against new house building outside settlement boundaries unless exceptional need grounds arising from local social and economic conditions apply.

In this particular case a new dwelling is required by the applicants to provide suitable living accommodation for their disabled daughter, who resides with them. It is likely that wheelchair access will be required in the future and the current dwelling is not designed with this in mind being of split-level construction.

The relevant issue here is whether a genuine exceptional need case for the dwelling has been demonstrated within the terms of Policy HSG 5 of the local plan. From the information provided I am of the opinion that whilst the submitted medical evidence is not disputed, this in itself is not sufficient grounds to justify the building of a permanent new dwelling in the countryside. It may be the case that it would seem more appropriate to look at extending/altering the existing property, possibly in the form of some annexed accommodation to address the applicant's needs. This view has also been supported recently in appeal decisions in similar cases.

In summary, the proposal is viewed as contrary to Policy HSG 5 of the adopted Copeland Local Plan 2001-2016 and is therefore recommended for refusal.

Recommendation

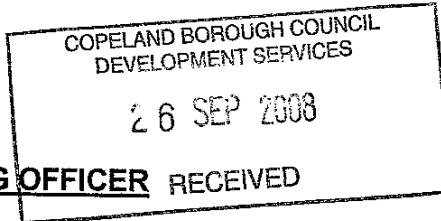
Refuse

The proposed three bedroomed detached bungalow on this steeply sloping site is considered to represent non-essential housing development in the countryside at variance with Policy HSG 5 of the adopted Copeland Local Plan 2001-2016 when more acceptable means of providing additional living accommodation by way of an annexe to the existing dwelling and/or conversion of the existing outbuilding would appear to be available.

23rd September 2008

Mrs R Baybut
Cherry Tree
The Green
Millom
Cumbria
LA18 5HQ

Development & Environment Department
Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
Cumbria
CA28 7SJ



FOA: MR SIMON BLACKER – PLANNING OFFICER RECEIVED

Dear Sir

PROPOSED DETACHED BUNGALOW – ADJACENT TO CHERRY TREE, THE GREEN, MILLOM

I write in support of our formal planning application dated 2nd September 2008, for the proposed development of one detached bungalow at land adjacent to our dwelling

As briefly mentioned previously, my adult daughter, Sheryl is registered disabled following the removal of a malignant brain tumour in 1996 and subsequent intense radiotherapy. Her balance is very poor due to cerebella ataxia, and she cannot walk outdoors unless aided by one person and a walking stick. She is able to walk around our house, being familiar, using furniture and walls for support. Her concentration is also affected, and is only able to concentrate on one thing at a time, and if distracted whilst walking, she may fall. This frequently happens. She also has other disabilities which make day to day living difficult for her. Although Sheryl would love to be independent, unfortunately she requires assistance both day and night. Therefore if we were granted the permission to build the bungalow, it would be for the family unit.

Sheryl had to have a hip replacement in 2000, which was a consequence of the steroid treatment she had in the early stages of her illness in 1996. At some time in the future she may require a revision of her hip replacement. If this is not successful she will be dependent on a wheelchair both in and outdoors.

Our existing dwelling is split level, the access and doorways are not suitable for wheelchair use. The proposed dwelling would be a more compact design, more manageable with provision for her future needs designed into the bungalow. All the habitable accommodation and access to the dwelling would be on one level.

Since moving to The Green in December 1999, my husband has built up a successful self employed joinery business. I was working as a nurse at Millom Hospital until taking early retirement in October 07 and I now work part time as a Holistic Therapist. Sheryl is unable to work due to her disabilities. Sheryl and I started our holistic therapy business from Cherry Tree as it meant that we could work together. However, Sheryl's condition is such that she becomes fatigued easily, which makes her balance worse and she sometimes falls. She now accepts that she is unable to practice professionally, though she still has a keen interest in the therapy business.

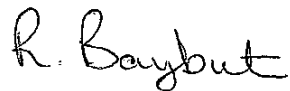
Sheryl and I are members of the local Sports Disability Group and have made many friends there. We meet once a month for a social get together and we also go on day outings which are really enjoyable.

Earlier this year Sheryl helped form the South Copeland Disability Group and was initially their Chairperson. She has since stepped down from this position, but is still an active member of the group.

We love living in this area and would be very grateful if you could look at this application favourably.

We look forward to hearing from you in due course.

Yours faithfully

A handwritten signature in cursive script that reads "R. Baybut".

Rosemary Baybut

MAIN AGENDA

12 4/08/2448/0

ERECTION OF SINGLE DETACHED FOUR BEDROOMED
DWELLING WITH INTEGRAL GARAGE, REAR GARDEN AREA
55, GOSFORTH ROAD, SEASCALE, CUMBRIA.
MR G JOHNSON

Parish Seascale

- Request a site visit due to the narrow nature of the plot. They also object to the fence at this property and have previously brought it to the planning department's attention. There is nothing in these plans addressing the fence.

Planning permission is sought for the erection of a detached four bedroomed dwelling with integral garage at 55 Gosforth Road, Seascale.

The proposed dwelling would be located in the rear garden area of the property and would be accessed and have road frontage to Wholehouse Road. The dwelling currently has a sizeable rear garden measuring 20m x 25m with a large garage and existing access.

The dwelling would be two storeyed and would measure 9.2m x 9.5m in size. Internally this would provide a kitchen, dining room, living room, utility and garage to the ground floor and four bedrooms and a bathroom to the first floor. It would be 5m in height to the eaves and 7.5m to the ridge.

There would be a separation distance of 6m to the gable elevation of No 6 Wholehouse Road and 10.3m to the nearest point of the applicant's existing house.

Externally, the dwelling would have a driveway measuring 6.5m which could provide parking for 2 cars. A new driveway would also be constructed to access the existing garage at the applicant's house.

External finishes would comprise painted rendered walls, green slate to the roof and uPVC windows and doors.

The existing fence of concern to the Parish Council surrounds the applicant's dwelling and this site. Recently constructed, it is adjacent to the rear of the footpath and over 1m in height, therefore requiring planning permission which has not been applied for as yet.

A letter has been received from the owner of 2 Wholehouse Road objecting about specific points rather than to the principle. The issues raised include the design, the building line and the existing fence.

In accordance with the request made by the Parish Council, it is recommended that Members undertake a site visit before reaching a

MAIN AGENDA

decision on this application.

Recommendation

Site Visit

13 4/08/2454/0

POLYTUNNEL TO BE ERECTED BESIDE EXISTING ONE
HALL SENNA, HALLSENNA, HOLMROOK, CUMBRIA.
MR C STEELE

Parish Gosforth

- No comments received.

Planning permission is sought for the erection of a polytunnel at Hall Senna, Hallsenna, Holmrook.

The site is located amongst the existing houses at Hallsenna, a small community of approximately 10 dwellings. The access is a 2km long unmade track located of the A595, south of Gosforth.

The existing polytunnel on site was granted planning permission in 2007 (4/07/2443/0 refers).

This application seeks approval for a further polytunnel on site measuring 19.2m x 6.4m which would be adjacent to the existing polytunnel located on an area of garden land/orchard. It is separated from the applicant's dwelling by the access road. It is likely that 4 apple trees would need to be removed to create space for the polytunnel.

The structure would have a height of 3.0m and would have a curved steel frame covered with clear polythene. It would be accessed through the existing gateway for the land.

Four letters of objection have been received to the application. The objectors state that the existing polytunnel has not been used for family use as stated in the application and is used for commercial purposes. The applicant has been asked to respond.

To fully assess the impact that the proposed development will have in this rural location it is recommended that Members undertake a site visit before reaching a decision on this application.

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Recommendation

Site Visit

CUMBRIA COUNTY COUNCIL

14 4/08/9008/0

APPLICATION FOR THE TEMPORARY USE OF LAND FOR THE
STORAGE OF EXCAVATED MATERIAL
LOW LEVEL WASTE REPOSITORY, DRIGG, SEASCALE,
CUMBRIA.
MR N SHAW

Parish Drigg & Carleton

This is a County application which this Council has been consulted upon. The proposal is related to an earlier application (4/07/9010) for the construction and operation of Vault 9 at the Low Level Waste Repository at Drigg, which has been approved by the County Council.

The current application is for the excavation of material from the Vault 9 construction area. It will comprise a total of 36,860 cubic metres to be stored for the capping of Vault 8 and the Trenches. This amount of material is the excavated material from the Vault 9 site which cannot be stored within the temporary mounds approved as part of the Vault 9 planning permission.

The footprint of the mound will measure approximately 340m by 48m and will be approximately 4m above ground level at its highest point. It will be in a rectangular shape.

The mound will run north-south, parallel to the eastern wall of Vault 8. Construction of the mound will take place from north to south to maximise the vehicular manoeuvring area. The location of the mound enables the screening of the higher stacked containers within Bay 2 of Vault 8 and represents a visual improvement to the views towards the site from the residents of Sunny View.

The scale of the mound is considered to be compatible with the nature of the site and structures within it. The mound is to be fully hydro seeded to merge with its immediate surroundings and minimise its visual impact. This will also minimise soil erosion.

The profile of the mound will be between 1 in 2 and 1 in 2.5. This will enable the footprint of the mound to be kept to a minimum. The landscape contractor has confirmed that there are no issues associated with maintenance of such slopes. Minimal cutting of these slopes would be undertaken to ensure that the area blends more effectively into the remainder of the trench.

The application is associated with the previously approved proposal for the construction of Vault 9 at Drigg. The current proposal is set well within the site and some 70m away from the nearest dwellings at the closest point. The proposal does not incur any additional traffic movements to the site, as the excavation of material is from within the site. The application does not raise any other issues, as

Schedule of Applications - DELEGATED MATTERS

4/08/2407/0	Distington	LISTED BUILDING CONSENT FOR CONSTRUCTION OF NEW AMBULANT STEPS AND ACCESSIBLE PATH TO CHURCH THE RECTORY, CHURCH ROAD, DISTINGTON, CUMBRIA. REV K RICHARDSON
4/08/2422/0	St Bees	FELL ONE HORSE CHESTNUT, CROWN LIFT ELM AND POLLARD HOLLY TREE. ST BEES PRIORY GROUNDS, ST BEES, CUMBRIA. REV L NOWEN
4/08/2429/0	St Bees	NOTICE OF INTENTION FOR A STEEL FRAMED AGRICULTURAL BUILDING FAIRLADIES FARM, OUTRIGG ROAD, EGREMONT, CUMBRIA. MR J CLARK
4/08/2445/0	Whitehaven	REMOVAL OF ONE SYCAMORE TREE WITHIN TREE PRESERVATION ORDER JEFFERSON PARK, LOW ROAD, WHITEHAVEN, CUMBRIA. MR R EAVES
4/08/2393/0	Distington	TWO SEPARATE SINGLE STOREY EXTENSIONS TO PROVIDE LARGER KITCHEN AND BATHROOM, AND DOUBLE GARAGE WHITESIDE, LOOP ROAD, DISTINGTON, CUMBRIA. MR E DOCKERAY
4/08/2396/0	Weddicar	REPLACE DERELICT KITCHEN WITH NEW KITCHEN & BATHROOM ABOVE 7, KEEKLE TERRACE, KEEKLE, CLEATOR MOOR, CUMBRIA. MR D CALLOW
4/08/2409/0	Lowca	TWO GARAGES PLOTS 9 & 10, VALE VIEW, GARAGE SITE, LOWCA, WHITEHAVEN, CUMBRIA. MR D FOSTER
4/08/2410/0	Lowside Quarter	SINGLE STOREY EXTENSION HOME FARM, ROTHERSYKE, EGREMONT, CUMBRIA. MR R WEST
4/08/2159/0	Lamplugh	RESERVED MATTERS APPROVAL FOR PROPOSED HOUSING DEVELOPMENT (FOUR DWELLINGS) LAND TO SIDE OF, MARKHAM HOUSE, ROWRAH ROAD, ROWRAH, FRIZINGTON, CUMBRIA. MR M GRAVES
4/08/2392/0	Egremont	ERECTION OF 4 DWELLINGS LAND ADJACENT TO CLARACK HOUSE, SCALEGILL ROAD, ROW RGG DEVELOPMENTS
4/08/2394/0	Whitehaven	ERECTION OF DWELLING AND RE-SITING WATER COURSE

Schedule of Applications - DELEGATED MATTERS

		35, LOOP ROAD NORTH, WHITEHAVEN, CUMBRIA. MR I MACKAY
4/08/2404/0	Whitehaven	RELOCATION OF 2 NO PORTAKABINS AND CONSTRUCTION OF NEW CLASSROOM BLOCK OF 3 NO CLASSROOMS WITH ST BENEDICTS CATHOLIC HIGH SCHOOL, RED LONNING, WHITEHAVEN, CUMBRIA. CHAIR OF GOVERNORS
4/08/2405/0	Whitehaven	DISABLED/EMERGENCY EXIT WITH RAMP ST JAMES COMMUNITY CENTRE, HIGH STREET, WHITEHAVEN, CUMBRIA. ST JAMES COMMUNITY HALL
4/08/2408/0	Whitehaven	ERECTION OF 4 NO DWELLINGS WITH COMMUNAL PARKING- AREA LAND ADJACENT TO, 51, WOODHOUSE ROAD, WHITEHAVEN CUMBRIA. MR G MORTON
4/08/2414/0	Cleator Moor	CONVERSION OF OLD POST OFFICE BACK TO 2 HOUSES 31 & 32, MAIN STREET, CLEATOR, CUMBRIA. MR J BARKER
4/08/2430/0	Whitehaven	PROPOSED CROWN THINNING TO ONE SYCAMORE TREE (T2). COVERED BY A T.P.O. 25, HOLLINS CLOSE, MIREHOUSE, WHITEHAVEN, CUMBRIA. MISS J CREWDSON
4/08/2362/0	Haile	FIVE BEDROOM DORMER BUNGALOW & GARAGE PLOT 3, THE CROFT, WILTON, EGREMONT, CUMBRIA. MISS L ZARRINI
4/08/2369/0	Millom	TWO STOREY SIDE EXTENSION WITH REAR SUN LOUNGE (RE-SUBMISSION OF 4/08/2122, SUN LOUNGE SIZE 5, MUNROE AVENUE, MILLOM, CUMBRIA. MR P BROCKBANK
4/08/2374/0	Millom	SINGLE STOREY BEDROOM EXTENSION TO THE FRONT 4, LANCASHIRE ROAD, MILLOM, CUMBRIA. MRS H DAWSON
4/08/2380/0	Egremont	ERECTION OF A NON-ILLUMINATED LOGO AND FREE STANDING SIGNS WYNDHAM SCHOOL, MAIN STREET, EGREMONT, CUMBRIA. MRS KAREN FORSYTH
4/08/2382/0	Millom	ERECT SINGLE STOREY SECTIONAL CONCRETE GARAGE SIDE OF PROPERTY 9, BUTTERMERE DRIVE, MILLOM, CUMBRIA.

Schedule of Applications - DELEGATED MATTERS

MR A WAUGH

4/08/2383/0 Millom TWO STOREY SIDE EXTENSION (RESUBMISSION OF 4/07/2487/0)
50, TOWN HEAD, HAVERIGG, MILLOM, CUMBRIA.
MR K PEEL

4/08/2387/0 Millom EXTERNAL ALTERATIONS INCLUDING RECLADDING OF WALLS AND ROOF
MAYFIELD, NORTH LANE, HAVERIGG, MILLOM, CUMBRIA
MR D SENIOR

4/08/2389/0 Egremont CHANGE OF USE OF REAR ROOM OF PREMISES TO A TATTOO/PIERCING STUDIO
72, MAIN STREET, EGREMONT, CUMBRIA.
MR S GUILFOYLE

4/08/2391/0 Millom 2 No TERRACES OF 4 No NEW BUILD TWO BEDROOMED BUNGALOWS (8 DWELLINGS)
36, ROTTINGTON ROAD, MILLOM, CUMBRIA.
HOME NORTHWEST

4/08/2398/0 Haile ERECTION OF DWELLING

PLOT 2, THE CROFT, WILTON, CUMBRIA.
MR J ROBINSON

4/08/2399/0 Millom FORMATION OF A NEW SINGLE STOREY EXTENSION TO INCLUDE A CLASSROOM, NEW TOILET FACILITIES & ST JAMES CATHOLIC PRIMARY SCHOOL, LONSDALE ROAD MILLOM, CUMBRIA.
BOARD OF GOVERNORS

4/08/2406/0 St Johns Beckermeth ERECTION OF NEW STABLE BLOCK CONSISTING OF 2 STABLES
COTE CLOSE FARM, EGREMONT, CUMBRIA.
MR I MCINTYRE

4/08/2424/0 Millom INSTALLATION OF EXTERNAL A.T.M

POST OFFICE, 96, MAIN STREET, HAVERIGG, MILLOM, CUMBRIA.
A G GRANT CONSTRUCTION