

PLANNING PANEL

19 JULY 2006

AGENDA

	<u>PAGE</u>
1 Schedule of Applications - Main Agenda	1 - 97
2 Schedule of Applications - Copeland Borough Council	98
3 Schedule of Applications - Delegated Matters	99 - 103

RELEVANT INFORMATION

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

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

Town and Country Planning Act 1990

Cumbria and Lake District Joint Structure Plan

Copeland Local Plan - adopted June 1997

Copeland Local Plan 2001-2016 2nd Deposit Version

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

Lake District National Park Local Plan - Adopted May 1998

Cumbria Car Parking Guidelines

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

In particular:

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

Department of Transport, Local Government and the Regions:-

Planning Policy Guidance Notes

Development Control Policy Notes

Design Bulletins

STANDARD CONDITIONS

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

Outline Consent

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

Reserved Matters Consent

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

Full Consent

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

MAIN AGENDA

1 4/05/2906/0

1 DETACHED HOUSE (HOUSE 1)
FLEATHAM HOUSE, ST BEES, CUMBRIA.
FLEATHAM HOUSE

Parish St Bees

- The Parish Council is very strongly opposed to this series of applications on the grounds that it would provide yet more large, executive style housing. Recent developments in the village have provided a more than adequate supply of this type of housing whereas the need within the village, borne out by local consultation on the village plan, is for smaller dwellings suitable for single people and couples and for more affordable housing. These applications would provide neither of these.

This area of the village is part of the conservation area and trees at Fleatham House are the subject of a tree preservation order. It seems almost inevitable that some trees would be lost or damaged if these applications are approved. Vehicle access is poor and not appropriate to deal with additional traffic exiting onto Finkle Street/High House Road. There are also concerns about the adequacy of the drainage and sewer systems.

The Parish Council would welcome a site visit by the Planning Panel to see the proposed location.

Further comments on the latest set of amended plans will be reported verbally to the Panel.

The Parish Council's request for Members to visit the site was acceded to. This took place on 22 February 2006. Since then negotiations have been ongoing with the developer and his agent. This has now resulted in the submission of an amended scheme which demonstrates how each of the four dwellings, including this one on plot 1 can be positioned amongst the protected trees on the site.

A previous application for full planning permission to construct 7 detached dwellings within the grounds of Fleatham House Hotel, subsequently amended to 4 detached dwellings, was withdrawn in December 2005 (4/04/2223/0F1 refers) in favour of these current applications to construct a total of four detached dwellings served via the existing vehicular access from High House Road.

The site lies within the settlement boundaries for the village and also within the St Bees Conservation Area. Trees within the hotel grounds are also protected by a Preservation Order.

It is proposed to erect one large detached 3 storey split level dwelling on plot 1 of this small housing site comprising 4 plots.

MAIN AGENDA

Situating on the former lawned area in front of the hotel this particular dwelling comprises 5 bedrooms on two floors with an integral double garage on the lower ground floor with a utility/cloak room facility. Proposed external finishes comprise wet dash render walls, St Bees sandstone facing panels, sandstone quoins, cills, and lintols, upvc doors and windows in dark green under a dark grey concrete tiled roof. It is positioned at the rear of the plot at a 90 degree angle to the access road so as to not adversely affect frontage trees. The applicants' agent has submitted a statement in support of the proposal, a copy of which is attached.

Six letters of objection have been received from nearby residents, one of which has an accompanying petition signed by 56 residents of the village. They express concern regarding the development on the following collective grounds:-

1. Whether the village school has the capacity to take the increase in the number of children arising from this development. Request that the Council undertakes a demographic survey of the village to identify this.
2. Village infrastructure (ie roads, transport links, drainage/sewerage). The Council are asked to review this before any further building applications are approved in St Bees. Further development should be halted until substantial investment is made and infrastructure improved.
3. Concern whether the sewer and drainage system has adequate additional capacity.
4. Increase in traffic will exacerbate existing problems on Finkle Street which has restricted flow with parked cars either side. Also raises safety concerns for children who regularly use High House Road, part of which nearest the access has no footpath. There are visibility problems at the junction which is adjacent to a sharp bend.
5. Increase in traffic using the access road serving the development would severely affect an adjoining neighbour's privacy.
6. Concern about the widening of the access road and affect this would have on existing tree root systems.
7. Development is within a Conservation Area. Concern regarding the impact on the local landscape and wildlife. It is the only bit of green area in the village.
8. The proposal will affect the protected trees in the grounds. Any development will decimate them and spoil the area's natural beauty.
9. The proposal contravenes some of the development principles of

MAIN AGENDA

Policy DEV 6 of the adopted Copeland Local Plan.

10. Request planning gain be secured for the benefit of the local area in exchange for planning permission.
11. Already considerable development at the top end of the village - do we need more?
12. Such large houses are not required. They will dominate the area and overlook neighbouring gardens.
13. Pressure to build houses in large gardens must be resisted so that the nature of this part of the village is maintained.

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

- a) The issues raised regarding infrastructure are matters that are properly considered for the village in the preparation of the Copeland Local Plan, within which St Bees is identified as a 'local centre'. This designation permits small scale housing development, where appropriate, within the village boundaries.
- b) The concerns in respect of traffic are not considered to be an issue in view of the small number of houses to be erected. The Highway Authority raise no objections to the application in principle. They did initially request a wider access point and that a wider road be provided part way into the site. However, this was not supported in view of the adverse impact such alterations would have on the setting of the Conservation Area and the protected trees.
- c) The affect of the proposal on the Conservation Area and the protected trees is a material planning issue. Protracted negotiations have been ongoing with the applicant, his agents and the Council's Landscape Officer to ensure that a scheme is put forward which does not adversely affect the trees.
- d) The application does comply with Policy DEV 7 of the adopted Copeland Local Plan which seeks to secure sustainability in design.
- e) 'Planning Gain' - in view of the relatively small scale of the development involved the pursuit of this is not considered reasonable.
- f) The issue of housing type and need is not a matter for consideration. The proposal is within the settlement boundary and there is a policy presumption in favour of small scale housing development subject to certain criteria being met.

The amended plans now demonstrate that the development of a house on this plot can be undertaken without adversely impacting on the trees.

MAIN AGENDA

A minimum distance of 1.0 metre between the drip line of the trees on the site and any construction is maintained and the Council's Landscape Officer confirms that this is adequate in the attached memo.

In view of this the proposal now accords with Policy ENV 10 of the adopted Copeland Local Plan which supports small scale housing development in such sensitive locations where protection of the trees is paramount.

The proposed housing development is also considered satisfactory in terms of Policy ENV 26 of the adopted Copeland Local Plan 'Development in Conservation Areas'. The amended plans demonstrate that the design and external finishes of the dwellings and their positioning on the site can now be achieved within this sensitive Conservation Area setting with minimal adverse impact.

Recommendation

Approve (commence within 3 years)

2. Permission shall relate solely to the amended plans (Drawing Nos 2054/08A/Rev C, 2054/12/Rev D and 2054/02/Rev C) received by the Local Planning Authority on 26 June 2006.
3. The setting out of the house on the plot shall be agreed with the Local Planning Authority on site prior to any further development commencing.
4. A minimum separation distance of 1.0 metre shall be provided between the dripline of any trees and any hard development including vehicular access drives/parking areas, walkways and walls.
5. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification) no external alterations (including replacement windows and doors) or extensions shall be carried out to the dwelling, nor shall any building, enclosure, domestic fuel container, pool or hardstanding be constructed within the curtilage of the dwelling without the prior written consent of the Local Planning Authority.
6. Before development commences, details of the specification and position of fencing for the protection of the retained trees from damage during the course of development shall be submitted to the Local Planning Authority for written approval.

MAIN AGENDA

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7. The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought onto the site for the purposes of the development and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.
 8. Adequate protection measures for the trees, including the erection of fencing and the installation of weight bearing root barrier membranes and appropriate ventilation/irrigation systems shall be undertaken in accordance with British Standard BS 5837.
 9. The passing places created shall be surfaced in bituminous or cement bound materials, or otherwise bound, and shall be constructed and completed before construction of the dwelling commences.
 10. The access drive and parking area shall be surfaced in bituminous or cement bound materials, or otherwise bound, and shall be constructed and completed before the dwelling is occupied.
 11. Public Footpath No 423004 which runs along the southern boundary of the site shall remain unobstructed at all times.

The reasons for the above conditions are:-

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

For the avoidance of doubt.

To ensure adequate protection is afforded to the trees on the site which are subject to a Tree Preservation Order.

To safeguard the character and amenity of the development in the interests of the amenity of St Bees Conservation Area.

In the interests of highway safety.

Reason for decision:-

The proposal represents a satisfactory form of housing development for this sensitive wooded site, which is subject to a Tree Preservation Order and within the St Bees Conservation Area, in accordance with Policies HSG 4, ENV 10 & ENV 26 of the adopted Copeland Local Plan 2001-2016.

Memo



From: Richard Mellor
To: Heather Morrison
My ref. HSM/AJ/4/05/2906, 07, 08, 09
Date: 7th June 2006
Subject: Proposed Development of Four Residential Dwellings, Fleatham House, St Bees, Cumbria.

Dear Heather,

Thank you for the updated plans relating to the above site. Having now reviewed all four proposed plots, I can now relay on to you my thoughts on these proposals.

Although all the plans now seem to provide adequate consideration for the trees in terms of minimum distances from proposed dwellings, you will not doubt be aware that I am unhappy with the development of this site due to the tree population & its maturity.

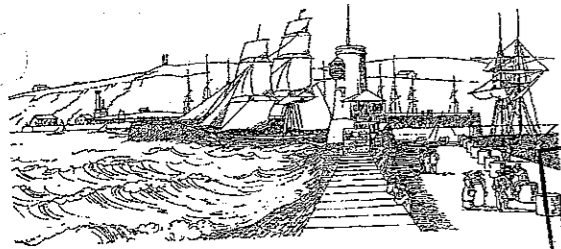
I still feel the tree coverage within this site will be compromised once the development is completed, mainly due to the fact that Copeland Borough Council will receive numerous requests for works on the trees through fears of safety, light loss, leaf litter, restricted views & trees being too close to properties as they continue to mature.

To surmise, I am now happy with the plans submitted (from a tree perspective) but I feel this site should not of been approved for any development due to the above factors.

Finally, please can I draw your attention to my previous memo dated the 7th June 2006, which clearly states the fundamental procedures for protecting all trees on site, prior to any construction works.

Sincerely,

Richard Mellor
Landscape Officer



Whitehaven, Cumberland

H. F. T. GOUGH & CO.

SOLICITORS & COMMISSIONERS FOR OATHS

COPELAND BOROUGH COUNCIL
DEVELOPMENT SERVICES

20 FEB 2006

RECEIVED

38/42 Lowther Street Whitehaven
Cumbria CA28 7JU
Tel. (01946) 692461
Fax. (01946) 692015
DX 62900 Whitehaven
www.goughs-solicitors.com
e-mail: admin@goughs-solicitors.com

Mr Tony Pomfret,
Development Services Manager,
Copeland Borough Council,
DX 62904,
WHITEHAVEN

Your ref
Our ref MAL/MTS/LG/12301-1
Contact Mr. M. A. Little (Ext. 219)
Direct Line 01946 518319
E-mail mal@goughs-solicitors.com
Date 15th February 2006

Dear Sir,

Re: Planning Applications 4/05/2906/0, 4/05/2907/0, 4/05/2908/0 and 4/05/2909/0
(four detached houses), Fleatham House, St Bees, Cumbria.

We act on behalf of Mr Michael Shakespeare in respect of matters relating to the above property. Mr. Shakespeare has requested that we write to you in support of the above planning applications.

Planning Policy.

The site is located within the settlement boundary for St. Bees as defined in the Copeland Local Plan 2001-2016 (2nd Deposit Version). Policy HSG 4 permits proposals for small scale housing development in the form of infilling, conversion or rounding off within the defined limits of settlements. Accordingly, a strong presumption exists in favour of the proposal.

The proposals complies with the Council's Interim Housing Policy Statement.

The site is located within the St. Bees Conservation Area and therefore Policy ENV26 applies. The proposals incorporate a high standard of design and choice of materials to reflect the character of the area. The low density of development together with the sensitive use of the changing ground levels will allow the dwellings to easily assimilate into the site. This is a well screened site both in terms of existing development and natural landscaping and a high quality development of the type proposed will enhance the setting of Fleatham House.

Cont....

7

PARTNERS

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

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

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

Trees.

The trees are protected by a Copeland Borough Council Tree Preservation Order. The majority of the trees are located around the periphery of the site and provide a screening function. In particular, the trees will screen the proposal from existing development at The Crofts and Finkle Street. This will help protect the amenity of existing residents whilst enhancing the overall appearance of the development.

The Tree Preservation Order allows the Council to exercise considerable control over works to trees. This in itself will prevent any inappropriate or unauthorised works. However, the applicant would raise no objection to suitable planning conditions being imposed to secure the protection of the trees during building works. As you will be aware suitable standard conditions are recommended in Circular 11/95: Use of Conditions in Planning Permission.

We understand that the Council's Landscape Technical Officer supports the development of four dwellings on the site as the most appropriate form of development to secure the long term protection and management of the trees on site.

Highways.

The Highway Authority raised no objections to planning application 4/04/2228/0 for the erection of seven dwellings on this site. We therefore assume that they will raise no objections to this proposal for a reduced number of dwellings. Our Client is willing to consider any suggestions to alter or improve the access onto the public highway. However, the access point is the most visible part of the site in the context of the conservation area. We would therefore ask that the Council consider carefully any suggested alterations to the access to avoid any detrimental effect on the intrinsic character of the conservation area. Similarly, improvement works to the private access lane should be kept to a minimum to avoid any adverse impact on the character of the area.

St Bees Parish Council.

We note the objections of St. Bees Parish Council to this proposal. The Parish Council's comments relating to the conservation area and the trees are unsubstantiated. Similarly, the comments relating to the access are contrary to the advice received from the Highway Authority.

The Parish Council object to the proposal because they consider that it will provide yet more large executive style housing in the village. The Parish Council perceive the need within the village to be for smaller dwellings.

St. Bees is classified as a Local Centre in the Copeland Local Plan 2001-2016 and as such permits general needs housing development in the form of infilling. There is no basis in planning policy to require the developer to provide either a particular type of housing or affordable housing. Policy HSG 4 relates to general needs housing only.

Cont....

Cont....(3)

Notwithstanding the above, there is a wide variety of house types available in the immediate locality. Traditional terraced housing on and adjoining the Main Street provides a significant amount of 2 and 3 bedroom accommodation. The adjacent Crofts development provides predominately 3 bedroom medium sized properties.

Significantly, the final phase of the development on The Fairladies site incorporated twenty 2 bed room apartments. These are likely to appeal to single people and couples and should adequately meet the demand for this type of housing in St. Bees for the short and medium term future.

The type and size of dwelling proposed reflects the character and location of the site. The development will make a positive contribution to the choice and quality of housing stock available within St. Bees.

Infrastructure.

The Parish Council and third parties have made representations in relation to the local infrastructure. The drainage and sewerage infrastructure is more than capable of accepting four additional dwellings. We note that no objections have been received from United Utilities.

Contrary to comments received from third parties we are advised that there are currently places available at the village school.

This proposal complies with the Policies contained with the Development Plan. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. There are no material planning considerations which indicate that this planning application should be determined in the way other than in accordance with the Development Plan. Accordingly, planning permission should be granted.

The proposal represents a high standard of housing development which will enhance the local area. Furthermore, it represents a sustainable form of development located close to the village centre with convenient pedestrian links to local services and to sources of public transport.

If you wish to discuss any matters arising from these applications please do not hesitate to contact Mr. Sandelands of this office.

Yours faithfully,

H.F.T Gough + Co

MAIN AGENDA

2 4/05/2907/0

1 DETACHED HOUSE (HOUSE 2)
FLEATHAM HOUSE, ST BEES, CUMBRIA.
FLEATHAM HOUSE

Parish St Bees

- The Parish Council is very strongly opposed to this series of applications on the grounds that it would provide yet more large, executive style housing. Recent developments in the village have provided a more than adequate supply of this type of housing whereas the need within the village, borne out by local consultation on the village plan, is for smaller dwellings suitable for single people and couples and for more affordable housing. These applications would provide neither of these.

This area of the village is part of the conservation area and trees at Fleatham House are the subject of a tree preservation order. It seems almost inevitable that some trees would be lost or damaged if these applications are approved. Vehicle access is poor and not appropriate to deal with additional traffic exiting onto Finkle Street/High House Road. There are also concerns about the adequacy of the drainage and sewer systems.

The Parish Council would welcome a site visit by the Planning Panel to see the proposed location.

Further comments on the latest set of amended plans will be reported verbally to the Panel.

The Parish Council's request for Members to visit the site was acceded to. This took place on 22 February 2006. Since then negotiations have been ongoing with the developer and his agent. This has now resulted in the submission of an amended scheme which demonstrates how each of the four dwellings, including this one on plot 2 can be positioned amongst the protected trees on the site.

A previous application for full planning permission to construct 7 detached dwellings within the grounds of Fleatham House Hotel, subsequently amended to 4 detached dwellings, was withdrawn in December 2005 (4/04/2223/0F1 refers) in favour of these current applications to construct a total of four detached dwellings served via the existing vehicular access from High House Road.

The site lies within the settlement boundaries for the village and also within the St Bees Conservation Area. Trees within the hotel

MAIN AGENDA

grounds are also protected by a Preservation Order.

It is proposed to erect one large detached 3 storey split level dwelling on plot 2 of this small housing site comprising 4 plots. Situated on the former lawned area in front of the hotel this particular dwelling comprises 4 bedrooms on two floors with an integral double garage on the lower ground floor with a utility/cloak room facility. Proposed external finishes comprise wet dash render walls, St Bees sandstone facing panels, sandstone quoins, cills, and lintols, upvc doors and windows in dark green under a dark grey concrete tiled roof. It is positioned at the front of the plot immediately adjacent to the access road so as to not adversely affect the rear and side trees. The applicants' agent has submitted a statement in support of the proposal, a copy of which is attached.

Six letters of objection have been received from nearby residents, one of which has an accompanying petition signed by 56 residents of the village. They express concern regarding the development on the following collective grounds:-

1. Whether the village school has the capacity to take the increase in the number of children arising from this development. Request that the Council undertakes a demographic survey of the village to identify this.
2. Village infrastructure (ie roads, transport links, drainage/sewerage). The Council are asked to review this before any further building applications are approved in St Bees. Further development should be halted until substantial investment is made and infrastructure improved.
3. Concern whether the sewer and drainage system has adequate additional capacity.
4. Increase in traffic will exacerbate existing problems on Finkle Street which has restricted flow with parked cars either side. Also raises safety concerns for children who regularly use High House Road, part of which nearest the access has no footpath. There are visibility problems at the junction which is adjacent to a sharp bend.
5. Increase in traffic using the access road serving the development would severely affect an adjoining neighbour's privacy.
6. Concern about the widening of the access road and affect this would have on existing tree root systems.
7. Development is within a Conservation Area. Concern regarding the impact on the local landscape and wildlife. It is the only bit of green area in the village.
8. The proposal will affect the protected trees in the grounds. Any

MAIN AGENDA

development will decimate them and spoil the area's natural beauty.

9. The proposal contravenes some of the development principles of Policy DEV 6 of the adopted Copeland Local Plan.
10. Request planning gain be secured for the benefit of the local area in exchange for planning permission.
11. Already considerable development at the top end of the village - do we need more?
12. Such large houses are not required. They will dominate the area and overlook neighbouring gardens.
13. Pressure to build houses in large gardens must be resisted so that the nature of this part of the village is maintained.

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

- a) The issues raised regarding infrastructure are matters that are properly considered for the village in the preparation of the Copeland Local Plan, within which St Bees is identified as a 'local centre'. This designation permits small scale housing development, where appropriate, within the village boundaries.
- b) The concerns in respect of traffic are not considered to be an issue in view of the small number of houses to be erected. The Highway Authority raise no objections to the application in principle. They did initially request a wider access point and that a wider road be provided part way into the site. However, this was not supported in view of the adverse impact such alterations would have on the setting of the Conservation Area and the protected trees.
- c) The affect of the proposal on the Conservation Area and the protected trees is a material planning issue. Protracted negotiations have been ongoing with the applicant, his agents and the Council's Landscape Officer to ensure that a scheme is put forward which does not adversely affect the trees.
- d) The application does comply with Policy DEV 7 of the adopted Copeland Local Plan which seeks to secure sustainability in design.
- e) 'Planning Gain' - in view of the relatively small scale of the development involved the pursuit of this is not considered reasonable.
- f) The issue of housing type and need is not a matter for consideration. The proposal is within the settlement boundary and there is a policy presumption in favour of small scale housing development subject to certain criteria being met.

MAIN AGENDA

The amended plans now demonstrate that the development of a house on this plot can be undertaken without adversely impacting on the trees.

A minimum distance of 1.0 metre between the drip line of the trees on the site and any construction is maintained and the Council's Landscape Officer confirms that this is adequate in the attached memo.

In view of this the proposal now accords with Policy ENV 10 of the adopted Copeland Local Plan which supports small scale housing development in such sensitive locations where protection of the trees is paramount.

The proposed housing development is also considered satisfactory in terms of Policy ENV 26 of the adopted Copeland Local Plan 'Development in Conservation Areas'. The amended plans demonstrate that the design and external finishes of the dwellings and their positioning on the site can now be achieved within this sensitive Conservation Area setting with minimal adverse impact.

Recommendation

Approve (commence within 3 years)

2. Permission shall relate solely to the amended plans (Drawing Nos 2054/08A/Rev c, 2054/12/Rev D and 2054/02/Rev C) received by the Local Planning Authority on 26 June 2006.
3. The setting out of the house on the plot shall be agreed with the Local Planning Authority on site prior to any further development commencing.
4. A minimum separation distance of 1.0 metre shall be provided between the drip line of any trees and any hard development, including vehicular access drives/parking areas, walkways and walls.
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6. Before development commences, details of the specification and position of fencing for the protection of the retained trees from damage during the course of development shall be submitted to the Local Planning Authority for written approval.

MAIN AGENDA

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7. The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought onto the site for the purposes of the development and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.
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 9. The passing places created shall be surfaced in bituminous or cement bound materials, or otherwise bound, and shall be constructed and completed before construction of the dwelling commences.
 10. The access drive and parking area shall be surfaced in bituminous or cement bound materials, or otherwise bound, and shall be constructed and completed before the dwelling is occupied.
 11. Public Footpath No 423004 which runs along the southern boundary of the site shall remain unobstructed at all times.

The reasons for the above conditions are:-

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

For the avoidance of doubt.

To ensure adequate protection is afforded to the trees on the site which are subject to a Tree Preservation Order.

To safeguard the character and amenity of the development in the interests of the amenity of St Bees Conservation Area.

In the interests of highway safety.

Reason for decision:-

The proposal represents a satisfactory form of housing development for this sensitive wooded site, which is subject to a Tree Preservation Order and within the St Bees Conservation Area, in accordance with Policies HSG 4, ENV 10 and ENV 26 of the adopted Copeland Local Plan 2001-2016.

MAIN AGENDA

3 4/05/2908/0

1 DETACHED HOUSE (HOUSE 3)
FLEATHAM HOUSE, ST BEES, CUMBRIA.
FLEATHAM HOUSE

Parish St Bees

- The Parish Council is very strongly opposed to this series of applications on the grounds that it would provide yet more large, executive style housing. Recent developments in the village have provided a more than adequate supply of this type of housing whereas the need within the village, borne out by local consultation on the village plan, is for smaller dwellings suitable for single people and couples and for more affordable housing. These applications would provide neither of these.

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A previous application for full planning permission to construct 7 detached dwellings within the grounds of Fleatham House Hotel, subsequently amended to 4 detached dwellings, was withdrawn in December 2005 (4/04/223/0F1 refers) in favour of these current applications to construct a total of four detached dwellings served via the existing vehicular access from High House Road.

The site lies within the settlement boundaries for the village and also within the St Bees Conservation Area. Trees within the hotel

MAIN AGENDA

grounds are also protected by a Preservation Order.

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Six letters of objection have been received from nearby residents, one of which has an accompanying petition signed by 56 residents of the village. They express concern regarding the development on the following collective grounds:-

1. Whether the village school has the capacity to take the increase in the number of children arising from this development. Request that the Council undertakes a demographic survey of the village to identify this.
2. Village infrastructure (ie roads, transport links, drainage/sewerage). The Council are asked to review this before any further building applications are approved in St Bees. Further development should be halted until substantial investment is made and infrastructure improved.
3. Concern whether the sewer and drainage system has adequate additional capacity.
4. Increase in traffic will exacerbate existing problems on Finkle Street which has restricted flow with parked cars either side. Also raises safety concerns for children who regularly use High House Road, part of which nearest the access has no footpath. There are visibility problems at the junction which is adjacent to a sharp bend.
5. Increase in traffic using the access road serving the development would severely affect an adjoining neighbour's privacy.
6. Concern about the widening of the access road and affect this would have on existing tree root systems.
7. Development is within a Conservation Area. Concern regarding the impact on the local landscape and wildlife. It is the only bit of green area in the village.
8. The proposal will affect the protected trees in the grounds. Any

MAIN AGENDA

development will decimate them and spoil the area's natural beauty.

9. The proposal contravenes some of the development principles of Policy DEV 6 of the adopted Copeland Local Plan.
10. Request planning gain be secured for the benefit of the local area in exchange for planning permission.
11. Already considerable development at the top end of the village - do we need more?
12. Such large houses are not required. They will dominate the area and overlook neighbouring gardens.
13. Pressure to build houses in large gardens must be resisted so that the nature of this part of the village is maintained.

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

- a) The issues raised regarding infrastructure are matters that are properly considered for the village in the preparation of the Copeland Local Plan, within which St Bees is identified as a 'local centre'. This designation permits small scale housing development, where appropriate, within the village boundaries.
- b) The concerns in respect of traffic are not considered to be an issue in view of the small number of houses to be erected. The Highway Authority raise no objections to the application in principle. They did initially request a wider access point and that a wider road be provided part way into the site. However, this was not supported in view of the adverse impact such alterations would have on the setting of the Conservation Area and the protected trees.
- c) The affect of the proposal on the Conservation Area and the protected trees is a material planning issue. Protracted negotiations have been ongoing with the applicant, his agents and the Council's Landscape Officer to ensure that a scheme is put forward which does not adversely affect the trees.
- d) The application does comply with Policy DEV 7 of the adopted Copeland Local Plan which seeks to secure sustainability in design.
- e) 'Planning Gain' - in view of the relatively small scale of the development involved the pursuit of this is not considered reasonable.
- f) The issue of housing type and need is not a matter for consideration. The proposal is within the settlement boundary and there is a policy presumption in favour of small scale housing development subject to certain criteria being met.

The amended plans now demonstrate that the development of a house on this plot can be undertaken without adversely impacting on the trees.

A minimum distance of 1.0 metre between the drip line of the trees on the site and any construction is maintained and the Council's Landscape Officer confirms that this is adequate in the attached memo.

In view of this the proposal now accords with Policy ENV 10 of the adopted Copeland Local Plan which supports small scale housing development in such sensitive locations where protection of the trees is paramount.

The proposed housing development is also considered satisfactory in terms of Policy ENV 26 of the adopted Copeland Local Plan 'Development in Conservation Areas'. The amended plans demonstrate that the design and external finishes of the dwellings and their positioning on the site can now be achieved within this sensitive Conservation Area setting with minimal adverse impact.

Recommendation

Approve (commence within 3 years)

2. Permission shall relate solely to the amended plans (Drawing Nos 2054/08A/Rev C, 2054/12/Rev D and 2054/02/Rev C) received by the Local Planning Authority on 26 June 2006.
3. The setting out of the house on the plot shall be agreed with the Local Planning Authority on site prior to any further development commencing.
4. A minimum separation distance of 1.0 metre shall be provided between the drip line of any trees and any hard development, including vehicular access drives/parking areas, walkways and walls.
5. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order with or without modification) no external alterations (including replacement windows and doors) or extensions shall be carried out to the dwelling, nor shall any building, enclosure, domestic fuel container, pool or hardstanding be constructed within the curtilage of the dwelling without the prior written consent of the Local Planning Authority.
6. Before development commences, details of the specification and position of fencing for the protection of the retained trees from damage during the course of development shall be submitted to the Local Planning Authority for written approval.

7. The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought onto the site for the purposes of the development and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.
8. Adequate protection measures for the trees, including the erection of fencing and the installation of weight bearing root barrier membranes and appropriate ventilation/irrigation systems shall be undertaken in accordance with British Standard BS 5837.
9. The passing places created shall be surfaced in bituminous or cement bound materials, or otherwise bound, and shall be constructed and completed before the construction of the dwelling commences.
10. The access drive and parking area shall be surfaced in bituminous or cement bound materials, or otherwise bound, and shall be constructed and completed before the dwelling is occupied.
11. Public Footpath No 423004 which runs along the southern boundary of the site shall remain unobstructed at all times.

The reasons for the above conditions are:-

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

For the avoidance of doubt.

To ensure adequate protection is afforded to the trees on the site which are subject to a Tree Preservation Order.

To safeguard the character and amenity of the development in the interests of the amenity of St Bees Conservation Area.

In the interests of highway safety.

Reason for decision:-

The proposal represents a satisfactory form of housing development for this sensitive wooded site, which is subject to a Tree Preservation Order and within the St Bees Conservation Area, in accordance with Policies HSG 4, ENV 10 and ENV 26 of the adopted Copeland Local Plan 2001-2016.

4 4/05/2909/0

1 DETACHED HOUSE (HOUSE 4)
FLEATHAM HOUSE, ST BEES, CUMBRIA.
FLEATHAM HOUSE

Parish St Bees

- The Parish Council is very strongly opposed to this series of applications on the grounds that it would provide yet more large, executive style housing. Recent developments in the village have provided a more than adequate supply of this type of housing whereas the need within the village, borne out by local consultation on the village plan, is for smaller dwellings suitable for single people and couples and for more affordable housing. These applications would provide neither of these.

This area of the village is part of the conservation area and trees at Fleatham House are the subject of a tree preservation order. It seems almost inevitable that some trees would be lost or damaged if these applications are approved. Vehicle access is poor and not appropriate to deal with additional traffic exiting onto Finkle Street/High House Road. There are also concerns about the adequacy of the drainage and sewer systems.

The Parish Council would welcome a site visit by the Planning Panel to see the proposed location.

Further comments on the latest set of amended plans will be reported verbally to the Panel.

The Parish Council's request for Members to visit the site was acceded to. This took place on 22 February 2006. Since then negotiations have been ongoing with the developer and his agent. This has now resulted in the submission of an amended scheme which demonstrates how each of the four dwellings, including this one on plot 4, can be positioned amongst the protected trees on the site.

A previous application for full planning permission to construct 7 detached dwellings within the grounds of Fleatham House Hotel, subsequently amended to 4 detached dwellings, was withdrawn in December 2005 (4/04/2223/0F1 refers) in favour of these current applications to construct a total of four detached dwellings served via the existing vehicular access from High House Road.

The site lies within the settlement boundaries for the village and also within the St Bees Conservation Area. Trees within the hotel

grounds are also protected by a Preservation Order.

It is proposed to erect one large detached 2 storey split level dwelling on plot 4 of this small housing site comprising 4 plots. Situated on the former lawned area in front of the hotel this particular dwelling comprises 4 bedrooms on two floors with an integral double garage. Proposed external finishes comprise wet dash render walls, St Bees sandstone facing panels, sandstone quoins, cills, and lintols, upvc doors and windows in dark green under a dark grey concrete tiled roof. It is positioned in the middle of the plot to the east side fronting on to the access road so as to not adversely affect protected trees. The applicants' agent has submitted a statement in support of the proposal, a copy of which is attached.

Six letters of objection have been received from nearby residents, one of which has an accompanying petition signed by 56 residents of the village. They express concern regarding the development on the following collective grounds:-

1. Whether the village school has the capacity to take the increase in the number of children arising from this development. Request that the Council undertakes a demographic survey of the village to identify this.
2. Village infrastructure (ie roads, transport links, drainage/sewerage). The Council are asked to review this before any further building applications are approved in St Bees. Further development should be halted until substantial investment is made and infrastructure improved.
3. Concern whether the sewer and drainage system has adequate additional capacity.
4. Increase in traffic will exacerbate existing problems on Finkle Street which has restricted flow with parked cars either side. Also raises safety concerns for children who regularly use High House Road, part of which nearest the access, has no footpath. There are visibility problems at the junction which is adjacent to a sharp bend.
5. Increase in traffic using the access road serving the development would severely affect an adjoining neighbour's privacy.
6. Concern about the widening of the access road and affect this would have on existing tree root systems.
7. Development is within a Conservation Area. Concern regarding the impact on the local landscape and wildlife. It is the only bit of green area in the village.
8. The proposal will affect the protected trees in the grounds. Any

development will decimate them and spoil the area's natural beauty.

9. The proposal contravenes some of the development principles of Policy DEV 6 of the adopted Copeland Local Plan.
10. Request planning gain be secured for the benefit of the local area in exchange for planning permission.
11. Already considerable development at the top end of the village - do we need more?
12. Such large houses are not required. They will dominate the area and overlook neighbouring gardens.
13. Pressure to build houses in large gardens must be resisted so that the nature of this part of the village is maintained.

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

- a) The issues raised regarding infrastructure are matters that are properly considered for the village in the preparation of the Copeland Local Plan, within which St Bees is identified as a 'local centre'. This designation permits small scale housing development, where appropriate, within the village boundaries.
- b) The concerns in respect of traffic are not considered to be an issue in view of the small number of houses to be erected. The Highway Authority raise no objections to the application in principle. They did initially request a wider access point and that a wider road be provided part way into the site. However, this was not supported in view of the adverse impact such alterations would have on the setting of the Conservation Area and the protected trees.
- c) The affect of the proposal on the Conservation Area and the protected trees is a material planning issue. Protracted negotiations have been ongoing with the applicant, his agents and the Council's Landscape Officer to ensure that a scheme is put forward which does not adversely affect the trees.
- d) The application does comply with Policy DEV 7 of the adopted Copeland Local Plan which seeks to secure sustainability in design.
- e) 'Planning Gain' - in view of the relatively small scale of the development involved the pursuit of this is not considered reasonable.
- f) The issue of housing type and need is not a matter for consideration. The proposal is within the settlement boundary and there is a policy presumption in favour of small scale housing development subject to certain criteria being met.

The amended plans now demonstrate that the development of a house on this plot can be undertaken without adversely impacting on the trees.

A minimum distance of 1.0 metre between the drip line of the trees on the site and any construction is maintained and the Council's Landscape Officer confirms that this is adequate in the attached memo.

In view of this the proposal now accords with Policy ENV 10 of the adopted Copeland Local Plan which supports small scale housing development in such sensitive locations where protection of the trees is paramount.

The proposed housing development is also considered satisfactory in terms of Policy ENV 26 of the adopted Copeland Local Plan 'Development in Conservation Areas'. The amended plans demonstrate that the design and external finishes of the dwellings and their positioning on the site can now be achieved within this sensitive Conservation Area setting with minimal adverse impact.

Recommendation

- Approve (commence within 3 years)
2. Permission shall relate solely to the amended plans (Drawing Nos 2054/08A/Rev C, 2054/12/Rev D and 2054/02/Rev C) received by the Local Planning Authority on 26 June 2006.
 3. The setting out of the house on the plot shall be agreed with the Local Planning Authority on site prior to any further development commencing.
 4. A minimum separation distance of 1.0 metre shall be provided between the drip line of any trees and any hard development, including vehicular access drives/parking areas, walkways and walls.
 5. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) no external alterations (including replacement windows and doors) or extensions shall be carried out to the dwelling, nor shall any building, enclosure, domestic fuel container, pool or hardstanding be constructed within the curtilage of the dwelling without the prior written consent of the Local Planning Authority.
 6. Before development commences, details of the specification and position of fencing for the protection of the retained trees from damage during the course of development shall be submitted to the Local Planning Authority for written approval.

7. The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought onto the site for the purposes of the development and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.
8. Adequate protection measures for the trees, including the erection of fencing and the installation of weight bearing root barrier membranes and appropriate ventilation/irrigation systems shall be undertaken in accordance with British Standard BS 5837.
9. The passing places created shall be surfaced in bituminous or cement bound materials, or otherwise bound, and shall be constructed and completed before construction of the dwelling commences.
10. The access drive and parking area shall be surfaced in bituminous or cement bound materials, or otherwise bound, and shall be constructed and completed before the dwelling is occupied.
11. Public Footpath No 423004 which runs along the southern boundary of the site shall remain unobstructed at all times.

The reasons for the above conditions are:-

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

For the avoidance of doubt.

To ensure adequate protection is afforded to the trees on the site which are subject to a Tree Preservation Order.

To safeguard the character and amenity of the development in the interests of the amenity of St Bees Conservation Area.

In the interests of highway safety.

Reason for decision:-

The proposal represents a satisfactory form of housing development for this sensitive wooded site, which is subject to a Tree Preservation Order and within the St Bees Conservation Area, in accordance with Policies HSG 4, ENV 10 and ENV 26 of the adopted Copeland Local Plan 2001-2016.

5 4/06/2269/0

ACCESS AND GATE TO PART FIELD 7964
(RETROSPECTIVE)
PART FIELD 7964, SANDWITH, WHITEHAVEN, CUMBRIA.
R FOWLER

Parish Whitehaven

A decision on this application was deferred at the last meeting to enable Members to carry out a site visit which took place on 5 July 2006.

Permission is sought in retrospect for a field access onto the C4034 classified road leading into Sandwith. This 6.5m wide access is situated adjacent to the car park entrance serving the Dog and Partridge Public House and is set back from the carriageway edge to incorporate a visibility splay. The existing field access is situated on a tight corner and, as such, the applicant considers that this poses a danger. This access is to be permanently closed off.

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

1. The access is unsafe as it is situated on a tight corner where visibility is impaired and, as such, vehicles will emerge onto a blind bend causing accidents.
2. The road itself is very narrow and not wide enough for traffic to turn left or right.
3. The access is unnecessary as there is already an agricultural access onto this land.
4. There are already problems along this road with people parking outside existing field entrances.
5. The access is being used to serve a business.
6. Concerns regarding the retrospective nature of the application.

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

- a) The existing access is to be permanently closed off and made good.
- b) The Highways Authority have raised no objections to the proposal subject to conditions being attached to any subsequent approval.

- c) Whilst the retrospective nature of the proposal is to be deplored, it is not a material planning consideration in the determination of a planning application.

On balance, it is considered that the proposal represents an acceptable form of development in accordance with Policy DEV 7 of the adopted Copeland Local Plan 2001-2016.

Recommendation

Approve (commence within 3 years)

2. The access shall not be brought into use until visibility splays providing clear visibility of 2.4m x 70.0m 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.
3. The existing field access shall be permanently closed concurrent with the new access being brought into use.
4. Details of all measures to be taken by the applicant to prevent surface water discharging onto or off the highway shall be submitted to the Local Planning Authority for approval prior to the new access being brought into use.

The reasons for the above conditions are:-

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

In the interests of highway safety and environmental management.

Reason for decision:-

An acceptable form of development in accordance with Policy DEV 7 of the adopted Copeland Local Plan 2001-2016.

MAIN AGENDA

6 4/06/2296/0

ERECTION OF A BEACH BUNGALOW (AMENDED DESIGN)
LAND AT, COULDERTON, EGREMONT, CUMBRIA.
MR & MRS S SLATER

Parish Lowside Quarter

- No objections but would question the building materials to be used.

This application seeks consent to erect a bungalow within the existing line of beach bungalows at Coulderton beach. Planning permission was previously granted for a bungalow on the site in 2003 (4/03/1407/0 refers), and the present application seeks approval for a revised design solution.

The proposed bungalow will provide three bedroomed accommodation and measures 11.3m x 11.3m overall. The proposed external finishes incorporate rendered walls and grey concrete roof tiles. An amended plan has been received which has a lower roof pitch for the bungalow, thereby preventing the roof space being converted to habitable use in future.

Access to the site is gained via a long unmade track from the public highway network and foul drainage from the property will be disposed of to the existing septic tank.

The site is outside the settlement boundaries defined by the Copeland Local Plan 2001-2016 and, therefore, a presumption against development exists. However, the Council has consistently granted planning permissions for new/replacement beach bungalows on the existing beach bungalow sites in accordance with Policy TSM 6 of the Local Plan. This allows for the replacement of beach chalets so long as the applicant enters into a Section 106 agreement requiring holiday occupation only. It is considered that this application should accordingly be subject to an occupancy restriction via a Section 106 agreement.

Recommendation

-
That subject to the applicants entering into an agreement under Section 106 of the Town and Country Planning Act 1990 requiring that the bungalow should not be permanently occupied and subject to the following conditions:-

2. Permission shall relate solely to the amended plan (Drawing No 06/010/02 rev A) received by the Local Planning Authority on 19 June 2006.

The reasons for the above conditions are:-

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

For the avoidance of doubt.

Reason for decision:-

An appropriate form of holiday accommodation within a long established area of beach bungalow developments in accordance with Policies TSM 6 and HSG 24 of the adopted Copeland Local Plan 2001-1016.

7 4/06/2311/0

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

Parish Millom

- No objections subject to the plans meeting the Copeland Local Plan and regulations associated with it but express concerns regarding the Council's responsibility in ensuring the plans and measurements are adhered to.

Planning permission for the erection of 7 dwellings on this site was granted on 12 October 2005 (4/05/2500/0F1 refers). A subsequent challenge by way of Judicial Review resulted in this planning consent being quashed in the High Court due to the Council's failure to consult English Heritage on the proposed development.

This resubmission seeks to re-establish a valid planning consent now that the views of English Heritage have been sought by way of statutory consultation. A copy of English Heritage's letter dated 8 May 2006 is appended to this report. The amended scheme now under consideration takes account of English Heritage's recommendations both in terms of elevational details and the slight forward repositioning of the development towards the Holborn Hill frontage. In response to local concerns the emergency vehicular access onto the rear lane has also been deleted.

In other respects the proposal is substantially the same as previously submitted and seeks detailed approval to redevelop the vacant (former)

Bennett's Garage site to provide a total of 7 dwellings comprising 3 x 3 bedroomed houses; 3 x 2 bedroomed apartments and a two bedroomed mainsonette. The proposed development would be two/three storeyed, spanning over and to either side of a central vehicular access serving 12 car parking spaces to the rear.

The site is situated within the Millom Conservation Area boundaries and a concurrent application for Conservation Area consent to demolish the existing buildings and structures on site is the subject of the following item on this agenda.

The proposed external wall finish is painted roughcast render under natural grey slated roofs. Traditionally styled small-paned windows and panelled doors are also proposed.

In response to statutory consultation procedures the following comments have been received in addition to those received from English Heritage:-

Cumbria Highways - no objections, subject to conditions being attached to any subsequent grant of planning consent.

Assistant County Archaeologist - does not wish to make any comments or recommendations

United Utilities - no objections but point out that there is a public sewer just outside the southern boundary of the site which must be safeguarded.

Representations have been received from 11 households within Millom. Letters of support for the proposed development have been received from the residents of two houses on Duke Street whose properties are situated to the rear of the site, expressing the view that the site is presently an eyesore and a health hazard. The other representations received express some general support for the proposed development but also express the following concerns:

1. the number of dwellings is too great for this site.
2. the form of the development is out of character with the Conservation Area setting. Terraced housing would be more in keeping.
3. potential overlooking and loss of privacy for existing neighbouring residents.
4. the development will result in additional traffic problems on Holborn Hill and parking problems in the rear lane.
5. such high density development will exacerbate social problems already being experienced locally.

Two residents have elected to speak at the meeting and copies of written representations received from them are attached to this report

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

- a) Notwithstanding the application form which indicates an approximate site area of 0.15h , the site area is considered to be 1070 square metres, giving a density of approximately 70 dwellings per hectare. Whilst this is higher than the 30-50 dwellings per hectare encouraged in DETR's Planning Policy Guidance Note 3 "Housing" of March 2000 and referenced in para 4.2.20 of the Copeland Local Plan 2001-2016 2nd Deposit Version, the report of the Inspector on objections to the 1st and 2nd Deposit Versions of the Plan recommended (and the Council has subsequently adopted) the following revision to para 4.2.20:

"the Council is committed to avoiding the inefficient use of land for housing and expects that most housing sites will be developed within the range of 30-50 dwellings per hectare (dph). The density figures for sites shown in Table HS6/7 are therefore a minimum requirement and a higher intensity of development will be encouraged where there is good public transport accessibility. Where higher densities than shown in Table HS6/7 are achieved there will be consequent changes in the management of later approvals as indicated in section 4.3. Densities below 30 dph will only be permitted where clearly defined site specific circumstances indicate lower density to be desirable. Further guidance is being prepared to define limited site specific circumstances where the need for high quality housing to support regeneration may justify lower densities"

In my opinion this higher density is acceptable for this small urban site in the context of the Inspector's recommendation and the fact that the development achieves the sustainability in design standards set out in Policy DEV 7 of the adopted Copeland Local Plan.

- b) Moreover, as a brownfield site situated within the settlement boundaries for Millom the proposal is deemed to accord with Policy HSG 4 of the adopted Copeland Local Plan.
- c) Both local and national planning policies and guidance require that development within Conservation Areas preserves or enhances the character or appearance of the Conservation Area, the relevant Local Plan Policy being ENV 26. Given the dilapidated condition of the site the proposed development is considered to represent a considerable enhancement to this part of the Millom Conservation Area. Whilst Holborn Hill is predominantly characterised by terraced housing, the building line is varied with, for instance, the adjacent terraced dwellings to the east being set back some 13m from the highway frontage. The design and choice of materials

is considered appropriate for this setting and take on board comments received from English Heritage.

- d) The design and positioning of the development should ensure that no demonstrable loss of amenity arises for nearby residents, the Duke Street houses to the rear being more than 21m distant whilst the Holborn Hill frontage immediately opposite is not built-up.
- e) Deletion of the emergency access to the rear should negate perceived problems associated with the rear lane where existing residents park their cars. Cumbria Highways raise no objections to the proposals.
- f) Whilst the social problems experienced by residents living in the environs of the site are to be deplored, they do not represent a material planning consideration in the determination of this application

In summary the proposal is deemed to represent an acceptable form of development for this dilapidated brownfield site within the Millom Conservation Area in compliance with local and national planning policy and guidance.

Recommendation

- Approve (commence within 3 years)
- 2. Permission shall relate solely to the amended plans (Drawing Nos 05/1524/05c and /06c) received by the Local Planning Authority on 19 June 2006.
- 3. All external windows and doors shall be of traditional, gloss painted timber construction and shall be so maintained thereafter.
- 4. All rainwater goods shall be of cast iron construction.
- 5. No development approved by this permission shall be commenced until a desk study has been undertaken and agreed in writing by the Local Planning Authority to investigate and produce an assessment of the risk of the potential for on-site contamination. If the desk study identifies potential contamination a detailed site investigation should be carried out to establish the degree and nature of the contamination and its potential to pollute the environment or cause harm to human health. If remediation measures are necessary they shall be implemented in accordance with the assessment and to the satisfaction of the Local Planning Authority.

6. The Parking Court shall be designed, constructed, drained and lit to the satisfaction of the Local Planning Authority and in this respect further details, including surface treatments and longitudinal/cross sections, shall be submitted to the Local Planning Authority for approval before any work commences on site. No work shall be commenced until a full specification has been approved. Any works so approved shall be constructed before the development is completed.
7. Full details of the surface water drainage system shall be submitted to and approved by the Local Planning Authority prior to works commencing on site.
8. Details of all measures to be taken by the applicant to prevent surface water discharging onto or off the highway shall be submitted to the Local Planning Authority for approval prior to development being commenced. Any approved works shall be implemented prior to the development being completed and shall be maintained operational thereafter.
9. 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.
10. The frontage footway shall be designed, constructed, drained and lit to a standard suitable for adoption and in this respect further details, including longitudinal/cross sections, shall be submitted to the Local Planning Authority for approval before work commences on site. No work shall be commenced until a full specification has been approved. These details shall be in accordance with the standards laid down in the current Cumbria Design Guide. Any works so approved shall be constructed before the development is complete.
11. None of the dwellings hereby approved shall be occupied until such time as the frontage footway to Holborn Hill has been constructed in all respects and brought into operational use.
12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows/dormer windows other than those expressly authorised by this permission shall be constructed, without the prior written approval of the Local Planning Authority.

The reasons for the above conditions are:-

For the avoidance of doubt.

To safeguard the appearance and character of the Millom Conservation Area.



ENGLISH HERITAGE

NORTH WEST REGION

Mr Tony Pomfret
Copeland Borough Council
Development & Services Department PO Box 19
The Council Offices Catherine Street
WHITEHAVEN
Cumbria
CA28 7NY

Direct Dial: 0161 242 1430
Direct Fax: 0161 242 1401

Our ref: P00029740

8 May 2006

Dear Mr Pomfret

Notifications under Circular 01/2001 & GDPO 1995
FORMER BENNETT'S GARAGE, HOLBORN HILL, MILLOM, MILLOM,
COPELAND, CUMBRIA
Application No 4/05/2500/OF1

English Heritage Advice

Thank you for consulting English Heritage with respect to the above application.

Further to the letter dated 10th January 2006 from Andrew Davison, I can confirm that English Heritage has no objection to the principle of the redevelopment of the above site. With regard to the detailed design of the proposal I would recommend that consideration is given to the following:

ELEVATIONAL DETAILS TO HOLBORN MILL

The majority of the buildings that enclose Holborn Mill are utilitarian in nature and do not have a high level of architectural detailing. In this respect the proposal would reflect the character of that part of Millom better if the front elevation was simplified by removing the proposed rustication to the ground floor and if the entire front elevation was rendered with a painted rough cast render.

The pilasters to the front doors and brackets to the second floor eaves level could also be simplified to maintain the character of Holborn Hill.

Drawing No. 05/1524/06 Rev. A indicates that sash windows will be used and I suggest a condition is imposed to ensure that sliding sash mechanisms are adopted to avoid the use of replica top-hung casements.



SUITES 3.3 AND 3.4 CANADA HOUSE 3 CHEPSTOW STREET MANCHESTER M1 5FW
Telephone 0161 242 1400 Facsimile 0161 242 1401
www.english-heritage.org.uk

English Heritage is subject to the Freedom of Information Act. All information held by the organisation will be accessible in response to a Freedom of Information request, unless one of the exemptions in the Act applies.



ENGLISH HERITAGE

NORTH WEST REGION

BUILDING LINE

The townscape in this part of Millom maintains a relatively high level of enclosure with buildings largely conforming to a back of pavement building line. However, in Holborn Hill the building line varies to some extent, narrowing in places and contrasting with the recessed short terrace to the east of the site. The development would make a more positive contribution to the character of the area if it could be brought forward as far as practicable and I would recommend that this issue is revisited.

I would also reiterate the comment in Andrew Davison's letter, dated 10th January, regarding the need to consult the County Archaeologist regarding the archaeological sensitivity of the site.

Recommendation

We would urge you to address the above issues, and recommend that the application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice. It is not necessary for us to be consulted again. However, if you would like further advice, please contact us to explain your request.

Yours sincerely

Graeme Ives

Historic Areas Advisor

E-mail: graeme.ives@english-heritage.org.uk



SUITES 3.3 AND 3.4 CANADA HOUSE 3 CHEPSTOW STREET MANCHESTER M1 5FW

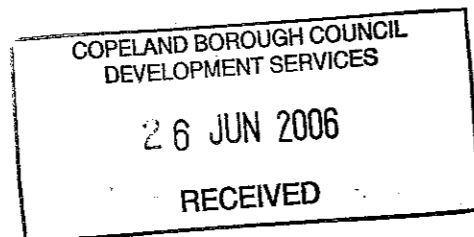
Telephone 0161 242 1400 Facsimile 0161 242 1401
www.english-heritage.org.uk

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Mrs Jane Margaret Micklethwaite MA LLB (Hons) (Open) BA (Hons)
16 Churchill Drive, Millom, Cumbria LA18 5DD
Tel: (01229) 77 2055 Email: Jmmicklethwaite@aol.com

4/06/2312/0

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



23rd June 2006

Dear Mr Pomfret

**Re: Lord Nelson Inn King's Village Holborn Hill Millom
The proposed demolition of the Stack Yard, The Shield (now Bennett's Garage) Millom and
Application for Development by Mr Hill**

Thank you for sending me the amended plan and the recommendations from English Heritage.

I reiterate that I am aware the procedural impropriety, namely the failure to consult English Heritage, which caused the previous planning application to be quashed in the High Court, has now been rectified. English Heritage is not opposed in principle to the demolition of the derelict garage and stack yard. Neither I am opposed in principle to the long overdue removal of a dangerous eyesore. The building is falling apart, shedding slates into the street; the ceiling is collapsing in the garage, where children gain access from the street. The building attracts mischief and criminal damage. Brownfield site development is environmentally preferable to making further inroads into greenbelt land. It is also appreciated that the Ambulance Service has been consulted regarding the emergency exit and that the height of the front entrance, has been raised to admit an emergency vehicle.

I notice the building has been moved forward a metre nearer to the Holborn Hill road, as recommended. However, I have looked at the plan and found the proposed architectural structure of the development to be the same. Clearly Mr Hill is legally entitled to submit the same plan and the planning panel can grant planning permission, by following the correct procedure and application of the law. My remaining concern is that the proposed development is a reasonable development in conformity with the Conservation Area status. The spirit of the law, as much as the letter of the law is of as much importance. It is therefore requires forethought before accepting the same plan, on the basis of the removal of one legal technicality, namely the failure to consult English Heritage. The purpose of the law is that the enhancement of the character and appearance of the Conservation Area, should be achieved by this development. In considering development proposals within conservation areas, local planning authorities are to ensure that s. 72 (1) Listed Buildings and Conservation Areas Act 1990 "**special attention shall be paid to the desirability of preserving and enhancing the character and appearance of the local area**". The status of Holborn Hill as a Conservation Area is a material planning consideration in determining planning applications in the area, therefore the local authority should ensure that the development is in accordance with the area's particular architectural and historical interest.

Whilst the amended plan is a vast improvement in that it has replaced the over-ornate pilasters with painted roughcast render, more in character and appearance with existing buildings, I am still not satisfied with the density and layout of the design. I would also query the "natural grey slate roof finish.". This implies that the real slates are not to be used, only cheaper imitation tiles. Nor is it clear from the plan that English Heritage's recommendation for sliding sash windows is to be inserted into the amended plan.

I do not believe that the layout of the plan, Mr Hill has submitted, is for a building that is in character and appearance with neighbouring properties or compliant with its Conservation Area status. Flats are not appropriate amongst terraced housing and the density for land available is too high. Moreover the plans exaggerate the size of the site, by stating that it is 0.15 hectares (1,500 square metres) when it is in fact 1,070 square metres. If the plan is substantially flawed the Planning Application is void. There is a danger of another Cross House. Beware!

May I remind you, as does English Heritage, to look at your own national and local policy guidance. As I understand the policy from the Office of the Deputy Prime Minister, building density should be no less than 50+ per hectare. On a site of 1,070 square metres (the real size of this site), the proposed development of seven dwellings is 70 per hectare and therefore way beyond national guidance. (Calculated on the basis that 1 hectare = 10,000 square metres and 1,000 is one tenth of 10,000 square metres). The building is not in compliance with Copeland Borough Council's own planning policy of 30 to 50 units per hectare, as per HSG 1 4.2.20 page 62 of the Copeland Plan.

“—the density figures applied reflect the requirements of PPG3 but the Council feels the minimum of 30 dwellings per hectare is more appropriate to urban areas of Copeland rather than 50+ dwellings advocated by Government which are more suited to metropolitan parts of the region. After all development in Copeland in recent years has typically been running at 17-20 per hectare”.

Consequently the Holborn Hill development should contain a minimum of three to a maximum of five units. There is absolutely no need, in a sparsely populated rural area to pack people like battery hens.

I also request that the panel observes the law regarding the Conservation Area “purposively” i.e. consider what Parliament intended when it legislated. That is the conservation of an area of historical importance; any development must be in keeping with the area, in that the style and materials blend in with existing architecture.

The buildings in and around the development area formed the village of Holborn Hill. The estate in land was owned by the philanthropist and eminent academic, Joshua King (1797-1857). The buildings constitute the origin of Millom. Lord Leverhulme's, much revered Port Sunlight (1888) is predated by Joshua King's Holborn Hill (1820) part of which is to be demolished. With his brother William, Joshua King ran the Lord Nelson (Temperance Inn). The buildings to the rear of Bennett's Garage, earmarked for demolition are part of the stack yard. Unlike many of our present day speculative developers, the Kings were concerned with the quality of the environment. Many of the title deeds of the surrounding houses, that were subsequently conveyed, contained covenants that have protected the residents for 200 years. King's philanthropic work and the promotion of social justice was part of his concern for preventing the spread of revolution from France. Ethical development continued today would reduce the risk of social disorder.

Mr Jonathan Ratter BA MA DIP Surveyor IHBC MRICS Chartered Surveyor, stated that the buildings contravened ENV 26 of the Copeland Plan, that **“ Development within Conservation Areas --- will only be permitted where it preserves or enhances the character or appearance of the Conservation Area ---. In Particular it should;**

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

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

Considering the dereliction of the existing site it would be difficult to argue that the development does not improve the general quality of the townscape, but the layout does not comply with the historical associations as regard to the positioning and grouping of the buildings, form scale and the use of traditional material, though improved, still falls short. Neither does it respect the traditional street patterns plot boundaries or frontage widths. Basically it does not follow a straight linear pattern of terraces. Though there are a variety of architectural styles on Holborn Hill the tradition is essentially terraced. Neither are flats or maisonettes part of the traditional grouping of buildings.

The buildings constituting the former Lord Nelson Inn are so much altered and therefore unlikely to merit listing, but they are still of historical significance, this should strengthen the argument for the application of Conservation Area rules to the plan.

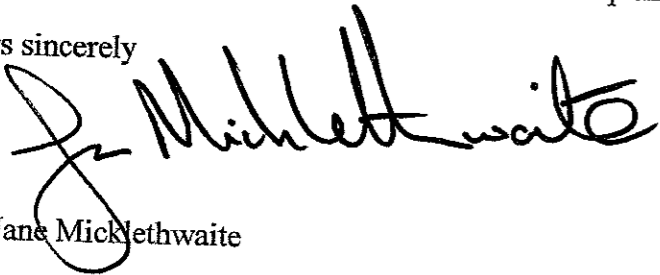
Finally whatever form of development, the Planning Panel approves, please ensure that the planning permission and the building regulations are complied with by sending Inspectors to the site. Planning Control can only take effect if it is properly enforced. Given the fact that the existing plan exaggerates the size of the land indicates that the planning authority needs to be on its guard.

Providing that the planning authority attends to the Conservation Area's special architectural needs and Copeland's own policy regarding density, there is no reason why the development could not make a positive contribution to character and appearance of the area. Indeed as the area stands the current buildings marked for demolition are a detraction from the character and appearance of the area. However bad development should not be used as a convenient means of getting rid of a derelict site.

PPG15 [para 4.17] **"Many conservation areas will have --- buildings which make no positive contribution to, or indeed detract from the character and appearance of the area; there replacement should be a stimulus to imaginative, high quality design, and should be seen as an opportunity to enhance the area".**

I thank you once again for sending me the amended plan and for consulting me on this issue.

Yours sincerely



Mrs Jane Micklethwaite

cc Millom Town Council



Holborn Hill, Millom
Cumbria
LA18 5BH
01229 774098
23May06

Copeland borough Council Planning
Catherine Street
Whitehaven
Plan No. 4/06/2311/0F1

We never get *answers* so the questions have been numbered to highlight this problem. On file at CBC Whitehaven is evidence of our efforts to get a *reasonable development* here including a Plan. We have tried every Lawful means possible to get a good compromise. CBC has not. This report will not comply with the impossible dead line set by CBC Planning. The file is an 80 mile round trip away and took two 4 hour visits to read. The file should have been made available in Millom, as should all material that affects us, and should be made available to our solicitors as suggested by *CBC* lawyers. We are not the only ones that cannot hit the dead lines unnecessarily imposed, as you will see below CBC planning 'can't' either! CBC Planning has put us through hell for the last 4 years when we are the only innocent party. Our Citizens reward? Another CBC monster! We wish to speak at the Planning Meeting.

If this account had been written by CBC to us it would be understandable. Most will not understand the motivations of the Council.

Objection to the proposed development at Bennett's Garage. What is really---
The Lord Nelson Inn in the Conservation Area of Holborn Hill Village, Millom.

Dear Mr Pomfret,

This is the *same plan that has been rejected by the High Court*. (1) Are you not in Contempt of that Judicial Review decision by accepting it again? (2) If you think this is/is not so, please explain why? You admit now (to the press who do not know the full issues (3) We have not received any written statement although you have been in discussions with the developer and English Heritage for many months, *why no written statement?*) that you were found guilty of Unlawful development and that *you mislead* the Councils and E H and the developer and the objectors, not once but *three times*. (You will remember that you said that the Application Site was less than 1000m2 three times to E H, and each time you did so those statements had to be corrected by the objectors, and that your incorrect measurement was accepted by E H in each case to the detriment of truth and to that of the objectors. *(E H Plan No. is wrong! They have consulted on the wrong plan)* See EH to CBC 8May06

Incredibly the *site area* was stated on your own (and the developers) Application Form as "1500m2 approx". And incredibly *it still is* written as 1500m2 approx. *although no-one in Millom would know that* as the Application Form is *not available in Millom!* But you do know this; you have (but only now) written its size to E H! It was not until we engaged the services/legal assistance that this premeditated error was acted on by *E H who gave us the information* that brought the successful claim. (4) Will you now explain *why* you mislead all? (5) Why you have accepted this same Plan, 'errors' and all? We

note that you have said that "this was only a *technical* matter" in a statement to the press; do you not agree that other issues such as (6) intensity, (7) mass, (8) grain, (9) social, (10) environmental effects, (11) encroachment, (12) access, (12a) overlooking (13) *lack of Plan detail* (13a) our Petition, (14) Road traffic Dangers, etc were contained in the writ you received and were submitted to the Judge for scrutiny? (15) If this is not so which of the former was not included? You now embark on this, you call, new submission and have *consulted all but us*? There has been no statement to us, the Claimants, from the Authority regarding the previous Unlawful act and you are now nine parts through the next one? You have done more damage to our social fabric and heritage than all the vandals, including the war damage, in all the ages since these wonderful buildings were built; you have systematically destroyed the core of our Towns culture!

What effect do you think this decision by Lord Justice Richard's has; (16) on the credibility of the planning officer and; (17) on the good relationship essential between all parties in this or any development and between local people and any developer? You state that; "you have not knocked anything down" (18) do you deny that CBC Planning have been instrumental in knocking down many historic buildings (Including part of this one!) in this area, and in Millom and Haverigg some of which were Conserved by you shortly before? (19) And that in their place highly contentious rebuilds have/are taken place, some having as many as 10 sets of plans submitted, (20) retrospective and other, (21) and often these builds are accompanied by harassment of the neighbours to these developments, (21a) (Criminal action has not been taken here at the Lord Nelson because of the '6 months rule', e.g. illegal dumping of 30 tons of rubbish. ((21b) Did CBC Planning initiate this Criminal action?). (23) That the developers are not charged for these Plan resubmissions, (23) some of which are not subject to the scrutiny of councillors (24) only to that of the officers; (25) and that many of these rebuilds are of high density (26) and high density in this our small Holborn Hill Conserved area? (27) And that these have continuing bad social and environmental effects of which we have complained to you for 5 years at least? These social and environmental effects, when added to by the (28) Road Traffic/ (29) and Police Secured by Design (SBD) problems, at (30) Bankside, (31) Station Hotel, (32) the Lord Nelson and (33) Pannett Hill; that these will/are causing potential/real dangers that these are quite unacceptable to local people?

(34) *Why were the objectors not informed* at the same time as the developers and English Heritage of this proposal to re-apply? Then we could have put our case that, e.g. (35) you have only recently, increased the housing densities of this area *contrary to your Local Development Plan* requirement as commented on in your (now) Consultation letters by EH? For example: **Bankside** (Holborn Hill's historic Bank); demolished (your own building) by you (After full renovation) i.e. One CBC office Bankhouse: replaced by; Rebuilt (by you) 8 houses with built in traffic (T) and other dangers (SBD) **Station Hotel**: Demolished; one Conserved barn, rebuilt 8 holiday homes plus holiday accommodation in the pub., itself extended with your grant aid? (T) (SBD) (36) **Liverpool Lodge**: Millom's news paper, converted to flats!? These are for sale (by Mr Ross?) S.P. £90 000? And other houses here will not sell! There other examples!

How long have these L N discussions with the developer and E H continued? (37) From the CBC barristers statements regarding Judicial Review you appear to have been in discussions with E.H. and the developer *since before the High Court Proceedings were concluded.* (38) If this is so, why and why were we not included, and was this fair, proper, and/or legal? (39) Would it not have been proper/legal to include *all* interested parties from the onset, i.e. at the time when you first knew of your own intention to 'photocopy' the first failed Plan and resubmit? It is a photocopy! (40) Why are you trying to rush this decision making process? (41) Especially when you rushed the Judicial Review Process by not complying with completion dates? (42) Then only by photocopying your Pre-Court Action Letter? (43) Why did you need 7 extra days for this? *How long do you need to photocopy two pages?* (44) Was this to push the Claimants into huge costs to get them to drop out? (45) Is this why the Council is insured against High Court Writ Proceedings, so that you can win a case in spite of being wrong? (46) Has not your own London barrister warned you that it was quite wrong to continue, but never the less given instruction on how to evade the consequences of your Unlawful actions and rubbish the Claimants efforts? (46a) How many more Unlawful decisions have been made where the recipient of your style Justice has no means of redress? It is now necessary to count.

You state; (47) "that the CBC were not consulted formally" about we, the objectors, asking for CBC support for the Listing of the five buildings in The Lord Nelson currently being considered by E.H. *However you were consulted by us.* (48) Why would a Planning Officer not accept/reject an offer to assist us to List, (49) when you accepted our social/historical reports which lead you to Conserve J King's Holborn Hill village? Is this *the next historical gem of ours you will destroy?*

(50) As this is the same Plan as the previous Plan, our objections to the first discredited Plan, stand, and these observations are to be added to the second Plan, as do our objection letters and petition.

(51) You have obviously accepted this latest Plan from the developers complete with the same mistakes. (52) Have you the Right in Law to reject this/any plan at the beginning of submission? (53) Please give the *grounds for a possible refusal.* If so can you give the reasons why you accepted this Plan?

(54) At Crosshouse development, Millom which have had, as we understand it, *ten sets of development plans*, some of which are retrospective, (55) and where the *near complete building work in no way resembles the current development plan;* (56) can you explain why this building work has been allowed to continue for many months by CBC? (57) Is this building work illegal, (57) under what Statute, (58) and do you not think that this development like ours to come will/has put enormous stress on the neighbouring house holds? (59) And that these buildings, illegal as they are, would have been occupied (They almost are) had it not been for the legal/proper objection of local people? (60) It follows then that the unlawful conditions built into it would have stood/will stand (or are you going to make them e.g. *rebuild 'these' asset stripped barns?*)? (61) Where did the materials go to in all these developments? And what condition is to be imposed to ensure safe rubbish removal? Last time; none!

(62) Can you explain when we asked, "what is happening at Crosshouse", why you ignored that question and allowed/encouraged the demolition of the Historic Barns? (63) Would this demolition be allowed in the National Park? (64) Has **CBC conducted any survey** on the Historic Buildings it has destroyed inside or outside the Conservation area? If so can we **now** have the details? You will remember that we have formally asked you for surveys some years ago here and elsewhere. (66) Do you remember that we supplied all the information on the Historic Village of Holborn Hill, and with it CBC conserved the whole area? ((67) The L N included by you to stop it being demolished by another developer!)(68) You then state in writing that "the L N/ Bennett's was not Conserved for any architectural/historical reasons but to afford greater Planning control". The latter has not happened; there is less control, and the former you are Statutorily not allowed to do! (69) Our surveyor, who has worked for E H states, "that the Proposed Build contravenes all four sections of your own ENV 26". (69a) (Plus the large No. of other ignored Local Plan rules not acted on by you in our last submission.) (70) **Is this why EH have added a caution to CBC in their consultation letter**, "stick to your own rules"! This after CBC knocked down the Historic Bank House some months after rebuilding it!? And at The Station Hotel, Holborn Hill, did you survey that conserved destroyed barn before or after, if so why have you not allowed us sight of this survey/report as requested? (71) Would not Millom, having lost so much of its heritage to the CBC bulldozer, have benefited from the reuse/retention of these historical assets? If not, why have you done just that in Whitehaven?

(72) Do you remember that the original Planning Application for the Station Hotel stated; Change of use? Answer, None, and that we brought this blatant error to your attention? Did you forget your large Conserved barn was in the way? (73) (That the owner did not know that he owned the site!? That the Application said, (74) "No New Road"; there is a new road as you know where 800 children will file past the "beer garden" (T) (SBD) to school 'mixing it' with the holiday home traffic, pub. parking traffic and railway footbridge traffic!?) (75) Have you not made the same mistake here at the Lord Nelson i.e. Change of use? None. (76) If you are to knock down a Conserved Stack Yard ramp barn whose 'sister barn is listed grade 11 and replace it with very high density housing is this not "Change of Use" if so why has it been included in the developers Planning Application Forms (first time and second time) **twice**? (77) If a Planning Application is substantially flawed is it unlawful? (78) Is the Lord Nelson P.A., substantially flawed, Lawful? (79) Is the Station Hotel Plan, these have been built too, Lawful? (80) You state that the Planned density at the LN is "**a little above**" that required by **Local Plan**. (81) **We say it is very much over that requirement, is that not so?**

(82) With regard to the **File at Whitehaven**, as this is very much a **datum legal document**, why are the pages not numbered to prevent inclusion/removal? (83) As the EH referral is crucial here and elsewhere, would it not be better to refer to letter addressed officers there by their name rather than, "Dear Graham" (sic); (84) and, as with the "recent photo" you sent to EH, should you not have **sent all** of the relevant recent documentation. (84a) particularly as we were kept out of the consultation process and you know there is no connection between E H Manchester and E H London, and it is

the latter who List? (85) Or were you looking for a particular result and sent only the selected bad bit?

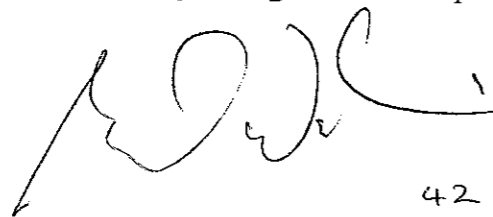
(86) Particularly on neighbourhood density; (See above) (Density at the Lord Nelson North, east and west is less than 25/ha only south does it approach 30/ha) (87) (Also many of the wonderful housing here are barn conversions of 100 to 200 years ago; and we have in common, also with our 'sister' Hesketh Hall; that the Listed house there was once a mill (Too much changed E H will say); and that the Mission Church there was given to the Church by J King! 920yds²; they must have known of the 1000m² rule) (88) **What happens if the L N is Listed?** You have put one half of E H at odds with the other; and all, including the authority against the objector and this after E H Manchester changed sides. (See the Dear Graham Letter) If this were a comedy it would be funny. It is not! And how can they not List it? Compromised? We think so but again we didn't do it we were not informed by CBC (or E H) in spite of our best efforts and intentions!

(89) There are fundamental aspects, between the statutory and other bodies not picked up on the Planning Application(s). (90) How are these, they usually aren't, to be resolved and why did they occur in the first place (And second place)? (91) In the past we would have told you what they were but we and others having done that are confronted with another bad plan which may have resolved some errors but often introduce a whole new set of problems only to have these replaced and so on until the objection runs out. (See the house tops that rotate like tank turrets at Crosshouse)(92) In any event we finish up doing the Planners work by correcting 'mistakes' on developer submissions. You will see that on the Access to submission one and two! (93) We often know more about the issues than the statutory authorities who are sent here by CBC Planning with *out of date plans* only to have to return the 80 mile round trip to get the 'new' ones! (94) Or we have to supply Millom Town Council with the information needed to get an informed view as happened a few days ago at the L. N. A 5 minute consultation farce. (95) Imagine the Mayors feelings when he is told that the developer has put in the *tenth set of plans* when he thought a *Stop Notice* had been fixed on the ninth set! (See MTC to CBC Planning letter)(96) It can be seriously damaging to health when subjected to the wrath of the 'interested parties' of a development. We had given examples where lives have been lost! (See file) This is the extreme but we have all suffered and some of this suffering can be directly associated with this particular development. The Planning dept. knows this.

(97) Is CBC Planning still recommending passing Applications with *wild life threat* as stated by English Nature? If so why? Is this the practice with other Councils or do they defer Permission until that threat is passed? And is CBC now to get in line with other authorities with this statutory more enlightened view? (See Building Control "we monitor the site regularly" so they will know that all that is needed to the front of Bennett's to make it safe is three bits of fence! So why have we had to live with these dangers (petrol explosion) for 15 years? When asked, "How often is regularly" the reply, Mr Keys CBC, "every 6 months", so they have known about the life threatening dangers we live with as they have been here 30 times! So why has this simple expedient, *fence*, not been done? And the complex destructive expedient, flatten, so vehemently pursued by CBC Planning?

This is the 'hole' that CBC dug last time, the JCB buckets are again bright and shiny, but don't blame us the vehicles may belong to the developers but CBC drive them!

Yours faithfully



42

MAIN AGENDA

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

In the interests of highway safety.

The Local Planning Authority wishes to retain control over the appearance of the development in the interests of visual amenity and to safeguard the amenity interests of neighbouring residents.

Note:-

With regard to condition 10 the applicants will need to enter into a Section 278/38 agreement with the Highways Authority to ensure the completion of the works within highway limits. The applicants will be liable for all costs associated with this agreement. Please contact Karl Melville of Cumbria Highways (Telephone 01946 582505) to discuss the requirements further.

Reasons for decision:-

An acceptable scheme of redevelopment for residential purposes on a dilapidated brownfield site within Millom Conservation Area in accordance with Policies HSG 4, DEV 7 and ENV 26 of the adopted Copeland Local Plan 2001-2016.

8 4/06/2312/0

CONSERVATION AREA CONSENT FOR DEMOLITION OF
VACANT/REDUNDANT GARAGE
SITE OF FORMER GARAGE, (BENNETTS GARAGE),
HOLBORN HILL, WHITEHAVEN, CUMBRIA.
MR B HILL

Parish Millom

- No objections but concerns regarding safe removal of asbestos.

Concurrent with the preceding application on this agenda for redevelopment of the (former) Bennett's Garage site to provide 7 dwellings (4/06/2811/0F1 refers) this application seeks Conservation Area consent to demolish the existing buildings and structures on site.

The unlisted buildings are vacant and in a dilapidated condition and the prospect of bringing these buildings back into beneficial use must be considered remote.

Representations received from local residents in respect of the preceding planning application generally agree that the site presently constitutes an eyesore.

Policy ENV 25 of the adopted Copeland Local Plan 2001-2016 2nd Deposit Version states that the demolition of buildings which make a positive contribution to a Conservation Area will not be permitted unless the Council is satisfied that no viable use can be found following adequate efforts. In all cases where demolition is permitted this will be subject to the carrying out of a redevelopment scheme which enhances the Conservation Area.

As previously stated, the existing buildings are not considered to make a positive contribution to the Conservation Area unlike the proposed scheme of redevelopment which will positively enhance this site within a generally residential part of the town.

Recommendation

Approve Conservation Area Consent, subject to:-

1. The demolition works hereby approved shall be commenced within 3 years from the date hereof.

The reason for the above condition is:-

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

Reason for decision:-

The prospect of bringing these vacant, dilapidated unlisted buildings back into beneficial use must be considered remote. Their demolition to make way for an approved scheme of residential redevelopment accords with Policy ENV 25 of the adopted Copeland Local Plan 2001-2016.

ERECTION OF TWO STOREY TERRACE COMPRISING THREE
AFFORDABLE LOCAL NEEDS HOUSING UNITS
ROSENEATH, LOW MORESBY, WHITEHAVEN, CUMBRIA.
MR & MRS DILLON

Parish Moresby

- Object -

- development would be outside the settlement boundary and any new development here should only be permitted where it is required to meet exceptional circumstances arising from local social and economic conditions. The applicant makes no effort to meet any of the criteria set out and the application should be refused on these grounds - concern that any increase in surface water would exacerbate flooding problems locally and in Howgate.

At the last meeting Members resolved to carry out a site visit before determining this application. This took place on 5 July 2006.

Permission to extend Roseneath House at Low Moresby to provide three 2 bedroomed dwellings was refused in May last year on the following grounds:-

"In the absence of demonstrable housing need specifically related to this site the proposal represents non-essential residential development in the countryside contrary to Policy HSG 5 of the Copeland Local Plan 2001-2016 2nd Deposit Version."

This application comprises a resubmission for the same scheme but is now supported by a local housing needs case.

Roseneath is a large Georgian mansion set in its own grounds which has been converted to provide eight single bedroomed flats. It is proposed to erect a two storey extension to the main house at the front, set at right angles to the northern gable. Pedestrian access would be provided from the front to the rear of the terrace by a ground floor passageway. Vehicular access would be via the main entrance which serves Roseneath with parking provided in front of the terrace. The design of the extension reflects the style and proportions of the main building along with external finishes comprising slate roof, timber windows and doors, and rendered walls to match the existing.

This resubmission is now supported by a local needs case. The applicants' supporting statement and the 'Housing Needs Survey' undertaken by Cumbria Rural Housing Trust in August last year, which is specific to Low Moresby, are attached for consideration.

To date thirteen letters of objection have been received from local

MAIN AGENDA

residents expressing concern on the following grounds:-

1. 'Low cost' housing is not a requirement in this area. There are two terraced houses for sale in the area and have been for some time. The local housing needs survey undertaken by the County Council has not identified a need for low cost housing in Low Moresby. Proximity to Moresby Parks has negated this.
2. Recent precedent set with other dwellings being refused in the area.
3. There is no building line for the development.
4. Need to build over or reroute the adjacent stream.
5. Inadequate infrastructure. Would cause unnecessary congestion. Access is via an unmade unadopted road. Any further development would cause the surface to seriously deteriorate.
6. Difficult for the access road to sustain construction traffic.
7. Loss of existing access gate could present a risk in case of emergency.
8. The development would spoil an old property and the aesthetic balance on the front elevation would be ruined.
9. Visually intrusive and dominate neighbours dwelling, particularly as ground levels fall away.
10. Exacerbate flooding problem experienced by neighbouring dwelling and local area.
11. Existing sewerage infrastructure would be inadequate.
12. Trees and low shrubbery to be lost provide an important wildlife habitat.
13. Manesty Rise development has already seriously affected the character of Low Moresby and any further development on the western end would ruin this attractive location.
14. The Local Housing Survey is not representative. Only a small number of people expressed a preference nearly a year ago. The report shows a housing 'desire' as opposed to 'need'.
15. Low Moresby does not have any amenities to offer.
16. There are homes in nearby Whitehaven area to suit any need.
17. Concern that light to the sitting room window of flat 3 in Roseneath would be blocked by new development.

MAIN AGENDA

18. Lead to a loss of winter sun to neighbouring dwellings.

19. Concern for safety of young children using the lane.

Policy HSG 11 of the adopted Copeland Local Plan 2001-2016 is the relevant policy against which this application should be assessed. This is set out below:-

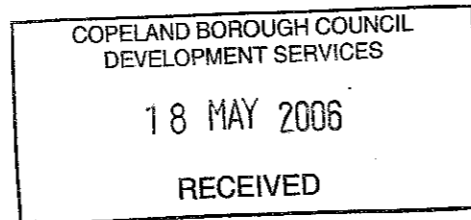
"Where a proposed development is to meet a proven local need for affordable dwellings(s) planning permission may be granted in accordance with the requirements of Policy HSG 5. This policy will apply to all villages in the plan area and to be acceptable proposals must:

1. be on a site within or immediately adjoining the village and well related to its physical form
2. be supported by evidence to show that there is a need within the local community as a whole for such development or that the applicant individually has genuine local ties to the village and has genuine difficulty in finding an otherwise acceptable site within the terms of Policies HSG 1-4
3. comply with the sequential test set out in Policy DEV 4 and with other plan policies
4. be the subject of a planning obligation or condition which requires occupation of the dwelling in perpetuity to be by households which conforms to the requirements of Criteria 2 above."

The key issue the proposal raises is whether the survey actually identifies a genuine need for affordable housing specific to Low Moresby within the terms of the Local Plan policies. There is also concern whether this is the right location in terms of the existing building and it's setting.

Criterion 2 of the policy requires that the application be supported by evidence to show that there is a need within the community as a whole for the development. It is questionable whether the housing need survey identifies a genuine need specific to Low Moresby for such a scheme. It fails to state why the 7 households identified in the survey as wanting affordable housing need to actually live in Low Moresby, particularly when there are no services, facilities or employment offered there. It should also be taken into account that there is significant low cost housing currently available for sale within 1-2 miles of Low Moresby. Of particular note is the fact that the Parish Council, which is democratically representative of the local community, does not support the scheme.

On balance, it is considered that the housing need survey fails to adequately demonstrate a genuine need within the local community for



Our Ref. *AWH/JAC/04/0129*

Your Ref.

Date. *15th May 2006*

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

Dear Mr Pomfret

**PROPOSED AFFORDABLE LOCAL NEEDS HOUSING – ROSENEATH, LOW
MORESBY
RESUBMISSION OF FULL PLANNING APPLICATION LPA REFERENCE: 05/2237**

Please find enclosed the application for grant of Full Planning Permission on the above matter.

To recount; the previous application for 3 dwellings was refused May 2005 against the provisions of the 2nd Deposit Version of the emerging Local Plan (2001-2016) solely because it did not relate to the provision of housing to meet an identified local need.

The applicant then contacted Cumbria Rural Housing Trust who produced a Housing Needs Survey Report for Low Moreseby (August 2005). I have the pleasure of including here copies of the Report as supplemental supporting information. The Report concludes there are 7 households in genuine local housing need.

The applicant then underwent discussions with the Council's Planning and Housing Enabling Officers, as well as Impact Housing Association, on the basis of the proposed scheme. It is understood from these discussions that the proposed development was acknowledged to be



Chartered Town Planners

48

acceptable in principle, and as such would address the objection raised on the original application.

Allow me to confirm our understanding of a number of key points. Against the Council's spatial strategy for new development, any proposal for new housing development within the bounds of Low Moreseby is subject to Policy DEV6 of the emerging 'Local Plan 2001-2016 (2nd Deposit Version) by virtue of Low Moresby not being regarded as either a Key Service, or Local Centre. The presumption against development expressed is subject to a number of exceptions; including the provision of local needs housing.

Further, reference is made to Policy HSG4 concerning housing within smaller settlements and the open countryside, whereunder proposals should pay regard to, *inter alia*, meeting (proven) local needs, and the suitability and prefer-ability of the land against the sequential test. Beyond these, the proposal should observe the familiar interests of visual amenity, neighbouring users' amenities, highway safety, and pollution prevention.

We firmly believe, based upon clear and relevant evidence, that there is an outstanding local housing need within Low Moresby. Impact Housing Association has considered the proposal in light of the Housing Needs Survey Report, and the actual details of the scheme, and confirmed in letters to the Council dated the 13th October 2005 and the 7th April 2006, its strong willingness to take over the freehold subject to planning permission being granted. To confirm, Impact Housing Association has secured the necessary Housing Corporation funding for this scheme.

The site is within the recognised bounds of the village, and is "brownfield", or more correctly, "previously-developed land" under the provisions of relevant Ministerial Advice.

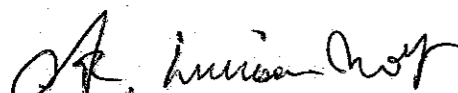
The proposal would be appreciable as an extension/wing to, and within the defined curtilage/planning unit of the existing substantial residential property of "Roseneath". In this respect it would mark a sensitive and respectfully seamless adjunct to an existing development/planning unit with minimal impact upon the land use character and profile of the site, and the surrounding environment. It is worth noting that "Roseneath" accommodates 8 sizeable rented units. These are fully occupied by mainly professional people and contractors. The proposal, in one way, marks more of the same by providing rental units of not dissimilar floorspace. The essential difference is that the proposal would cater specifically for locals in housing need.

The proposal would share the existing access, parking, turning and amenity provisions as before. It has been carefully designed to reflect the architecture and dominance of the main house, whilst avoiding any undue harm to the amenities of neighbours. These are, of course, all matters previously considered and found acceptable by the local planning authority.

We consider this proposal accords with the relevant provisions of the most up-to-date version of the emerging Copeland Local Plan (2001-2016), and we commend it to your Authority for approval, subject to the completion of a Section 106 Agreement relating to the delivery of local needs housing as such, in perpetuity.

Trusting this meets your requirements. If there are any queries, then please do not hesitate to get in touch.

Yours sincerely,


Andrew Willison-Holt DipTP. MRTPI.

Encl.

COPELAND BOROUGH COUNCIL

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

COPY FOR YOUR
INFORMATION

Town and Country Planning Act 1990

App No 4/05/2237/0

NOTICE OF REFUSAL OF CONSENT

NIGEL BRASS MRICS
27 BLENCATHRA STREET
KESWICK
CUMBRIA.
CA12 4HX.

EXTENSION TO FORM THREE DWELLINGS
ROSENEATH, LOW MORESBY, WHITEHAVEN, CUMBRIA.

The above application dated 31/03/05 has been considered by the Council in pursuance of their powers under the above mentioned Act and has been REFUSED for the following reason(s) :

In the absence of a demonstrable housing need specifically related to this site the proposal represents non-essential residential development in the countryside contrary to Policy HSG 5 of the Copeland Local Plan 2001-2016 2nd Deposit Version.

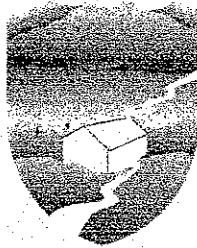
Please read the accompanying notice

25 May 05

J. A. Pomfret
Principal Planning Officer

4 / 0 6 / 2 3 4 4 / 0 F 1

COPY FOR YOUR
INFORMATION



COPELAND BOROUGH COUNCIL

18 MAY 2006

RECEIVED

Cumbria Rural Housing Trust

Redhills House, Redhills Business Park, Penrith, Cumbria, CA11 0DT

T: 01768 210264 E: email@crht.org.uk W: www.crht.org.uk

Low Moresby

Housing Needs Survey

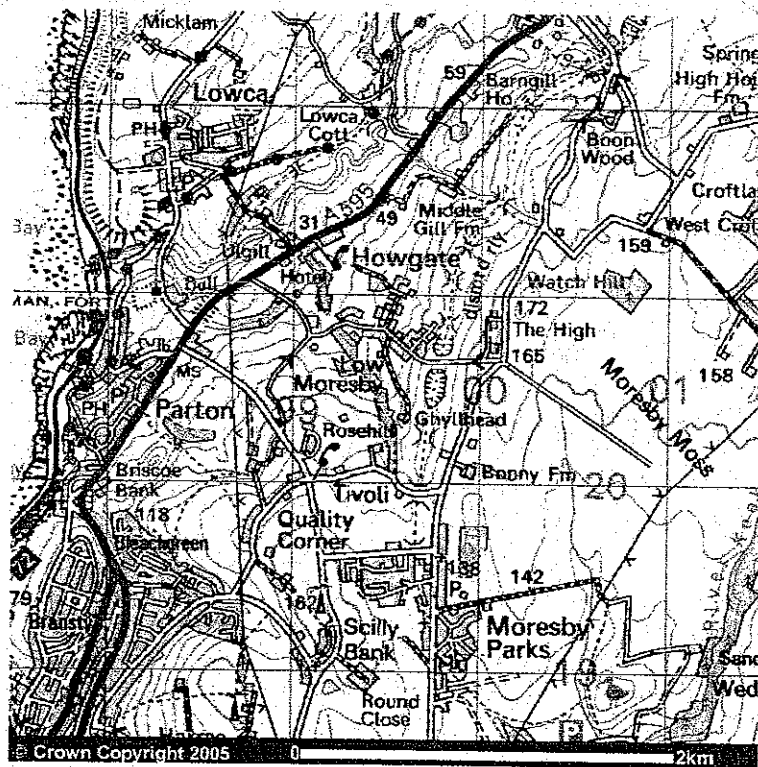
Report

August 2005



Cumbria Rural Housing Trust
Redhills House, Redhills Business Park, Penrith, Cumbria, CA11 0DT
T: 01768 210264 E: email@crht.org.uk W: www.crht.org.uk

Requested return date	Parish	No. of surveys forms issued	No. of surveys forms returned	Return rate
31/07/2005	Low Moresby 2005	134	39	29.10%





Cumbria Rural Housing Trust

Redhills House, Redhills Business Park, Penrith, Cumbria, CA11 0DT
T: 01768 210264 F: 01768 210265 E: crht.org.uk W: www.crht.org.uk

Low Moresby 2005 Housing Needs Survey Key Findings

The Survey

We posted out 134 survey forms to the parishioners of Low Moresby (100%). 39 households returned their completed Part One, and 11 of these also completed Part Two, saying that they need to move to another home in Low Moresby now or within the next few years. This will be analysed further in the conclusion to this report. This is a return rate of 29.10%.

Of the returned forms, 28.21% of households made a positive response to the question of whether they have a need for local housing now or in the near future. In Cumbria since 2003 on average 17.85% of returned survey forms have identified a local housing need.

This brief report details the information derived from these 11 Part Two forms. None of the households are registered with the Local Authority for re-housing. 2 of the households are registered with a local Housing Association for re-housing. 1 of the households is registered with another Private Landlord for re-housing.

Housing Need

1. Of the 11 households indicating a housing need, we consider that 7 are in need of affordable housing within the Low Moresby Parish area.

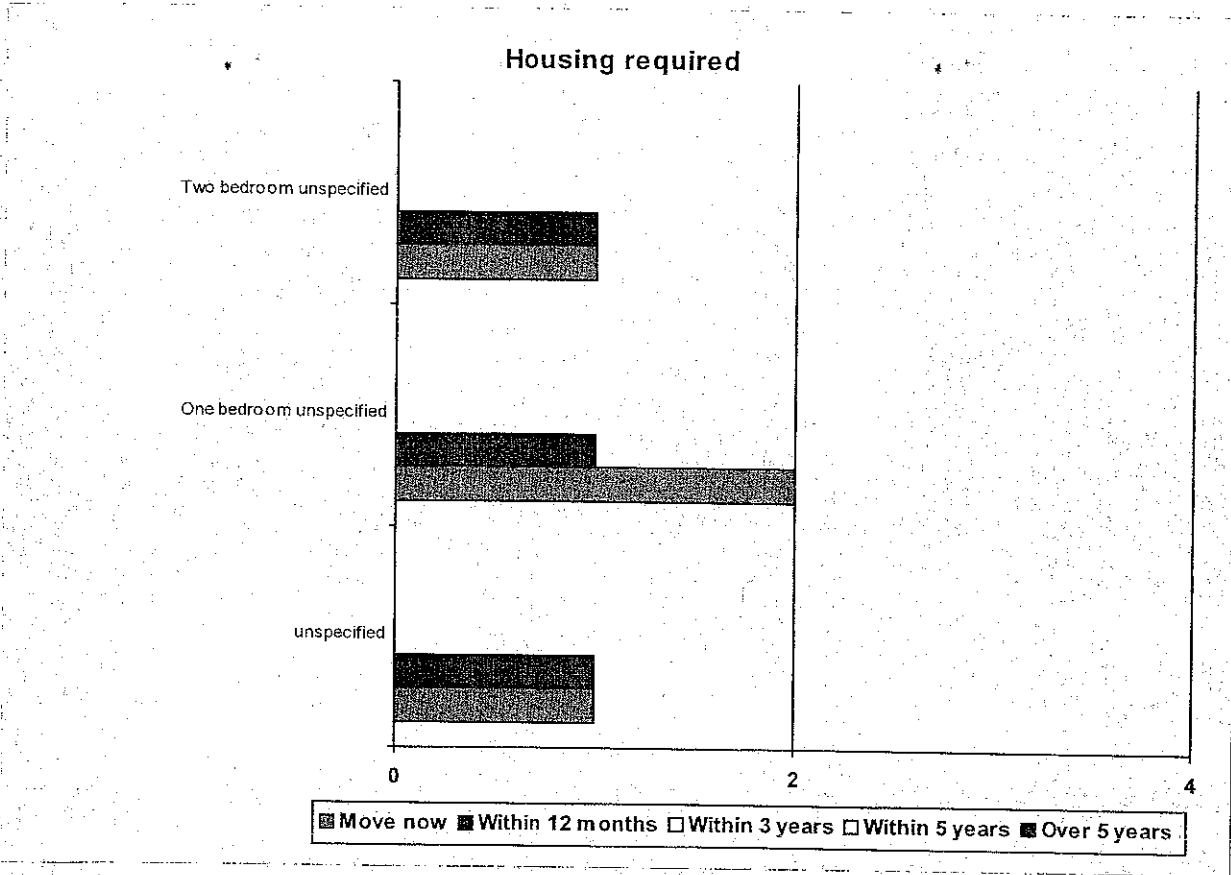
- 4 Now
- 3 Within 12 months

We consider that the remaining 4 do not fit the criteria of being in genuine housing need.

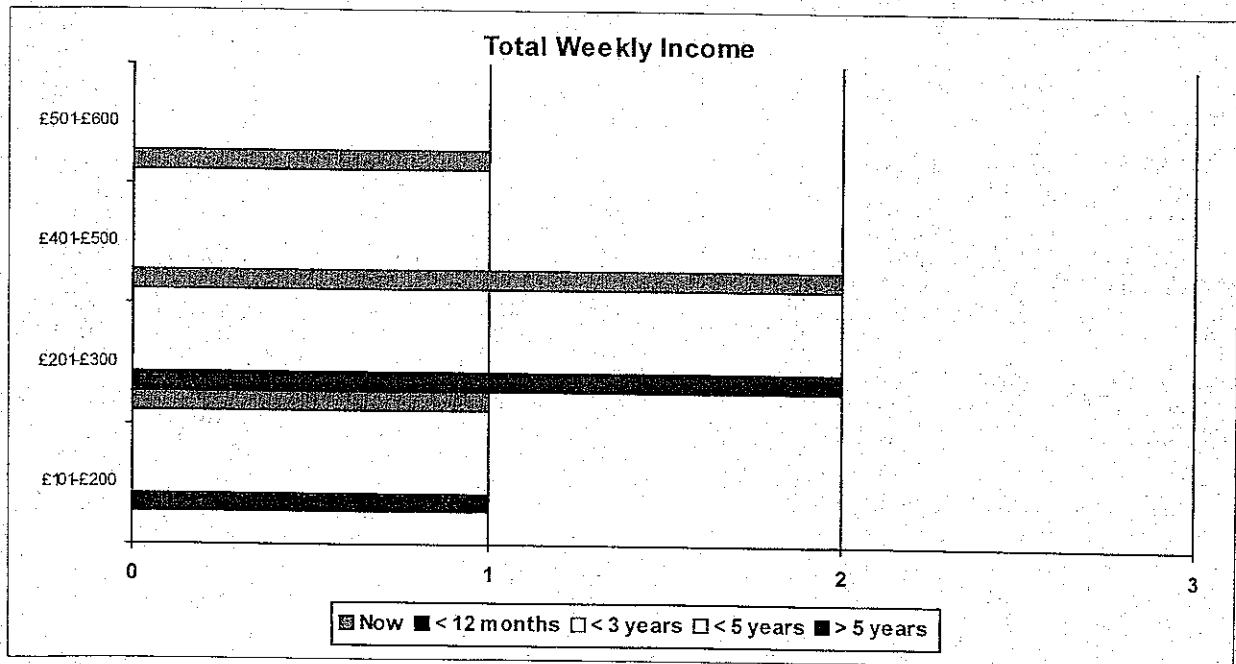
2. The current household types of these 7 are:

Household	Now	< 12 months	< 3 years	< 5 years	> 5 years
Couple	1	1			
Family, adult children	1	2			
Single	2				

3. The required property types and tenure indicated by responses from these 7 are:



4. The total weekly income of the 7 households with a housing need are:



Conclusion

Of the 11 completed Part II forms, further analysis reveals that 7 households were actually looking for alternative homes.

Of the 11, 4 households were found not to fit the criteria of being in genuine housing need in Low Moresby for the following reasons:

2 households own their own homes. 1 needs to move to a larger property and is deemed to have sufficient capital to do so and meet their own needs on the open market. The other household wants to downsize and again have been deemed to have sufficient capital to do so and meet their needs on the open market

1 household is an offspring living with parents. She wants to establish a home with her partner. The cumulative capital they state they could raise is sufficient to purchase their own home on the open market and have therefore been judged to be able to do so and meet their own needs.

1 household gave a confusing response for which no judgment could be made

Recommendations

Therefore 7 households were found to be in genuine housing need to live in the parish.

1 household lives in the parish now

1 household is a young male living in private rented accommodation, paying rent of between £76 - £85 per week.. He is on a housing association waiting list and has stated a preference to continue renting. His income is between £401 - £500. Taking his desire to rent, the recommendation is Rent.

Recommend Rent

6 households live and have close ties in the parish

1 household has offspring living with them who want to establish a first home together. Between them they have an income of between £201 - £300 per week. They have stated a preference for shared ownership but from the information provided the recommendation has to be Rent.

Recommend Rent

1 household is a couple who have split up. They own their own home at present. The value of it is worth between £121,000 and £140,000 but £100,000 is owed on the mortgage. The respondent has an income of between £201 and £300 per week and has expressed a desire to rent

Recommend Rent

1 household has an offspring who wants to set up home with his partner. They have an income of between £501 and £600 and has expressed a desire to rent

Recommend Rent

1 household has an offspring who wants to establish her first independent home and is considering marriage. She has an income of between £101 and £200 per week and has stated that the price she could afford to pay to purchase her own home is under £50,000. On this information, taking her current circumstances into account the recommendation is rent.

Recommend Rent

1 household are a couple who have split up. They have a home worth between £101,000 - £120,000 and own £50,000. The person wanting to move has an income of between £201 - £300 per week and has expressed a desire for shared ownership. A judgment has been made that if the house is sold and the proceeds are split, then the respondent probably could afford to be involved in a shared ownership scheme.

Recommend Shared Ownership

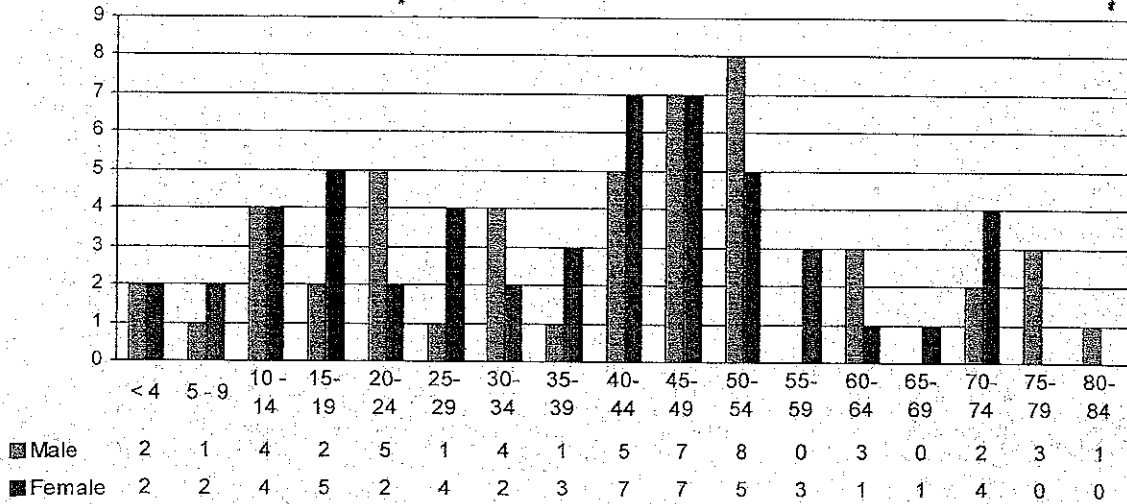
1 household is a female who is currently renting from a private landlord and wants to establish her first independent home. Her current rent is more than £85 per week for a Council Tax band home graded A. Her income is between £401 and £500 per week and she states that she could afford a home somewhere between £61,000 and £70,000. She has expressed a desire for shared ownership.

Recommend Shared Ownership



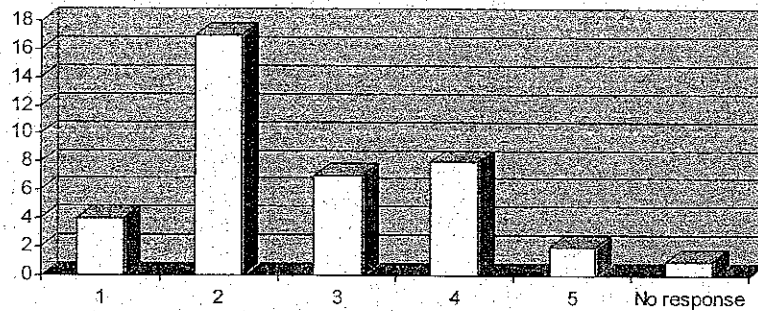
1. YOUR HOUSEHOLD

How many people living in your home are in each of these age groups?

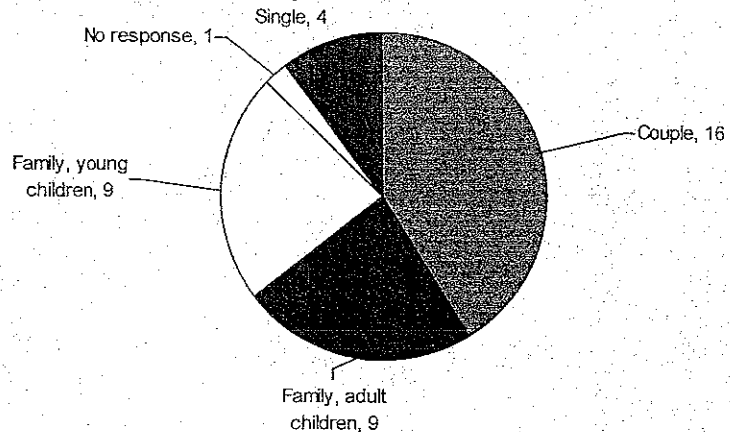


38 survey forms completed this question

Number of people living in your home ...



Which best describes your household?





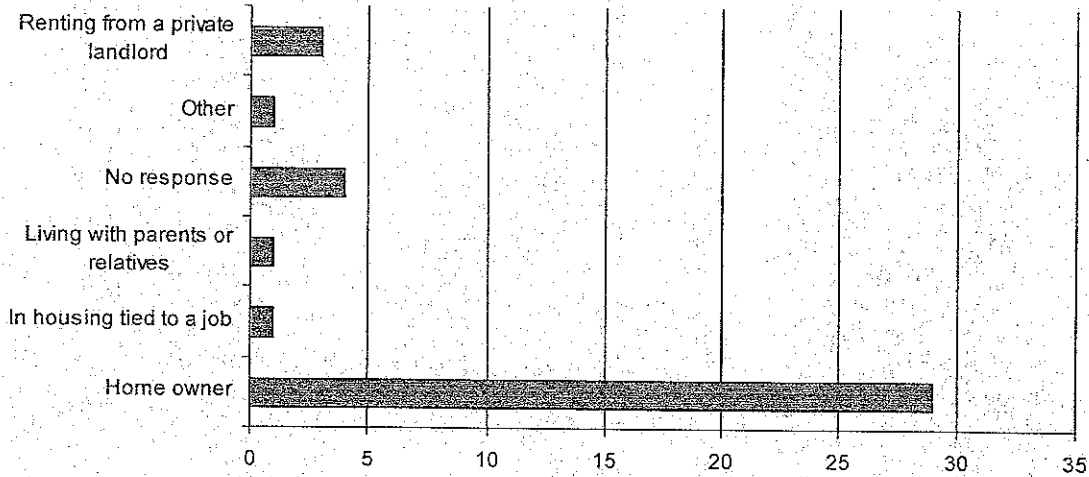
Low Moresby 2005

134 survey forms issued

39 survey forms returned

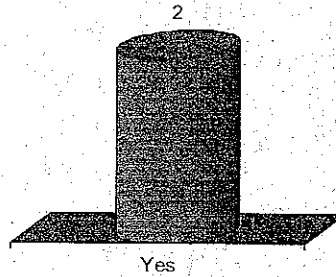
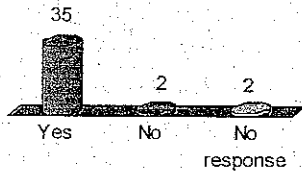
2. YOUR HOME

Are you ...



Other ...

Is this your only home? If not Is this your main home?





Low Moresby 2005

134 survey forms issued

39 survey forms returned

3. YOUR EMPLOYMENT

Jobs ..

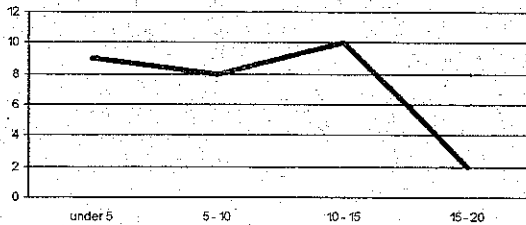
- 1 Administration Clerk
- 1 Civil Servant
- 2 Director
- 1 General Practitioner
- 2 Manager
- 1 Medical Secretary
- 1 Performance Manager
- 1 Printer
- 12 Retired
- 1 Sales Administration
- 1 Sheet Metal Worker
- 2 Teacher

- 1 Advice and Liaison Co-ordinator
- 1 Cleaner
- 1 Driver
- 1 Health and Safety Supervisor
- 1 Mechanical Engineer
- 2 Nurse
- 1 Planner
- 2 Process Worker
- 1 Retired Engineer
- 1 Sales Assistant
- 1 Skilled worker
- 18 Unknown

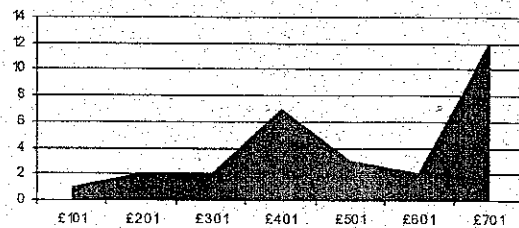
- 1 Car Mechanic
- 1 Company Director
- 2 Engineer
- 1 IT
- 1 Medical Scientist
- 1 Nursing Sister
- 2 Police
- 2 Receptionist
- 1 Safety Officer
- 2 Secretary
- 1 Supervisor

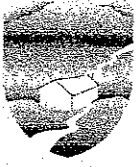
72 Not working from home Not working in the parish

How far do you travel to work?



Total weekly household income





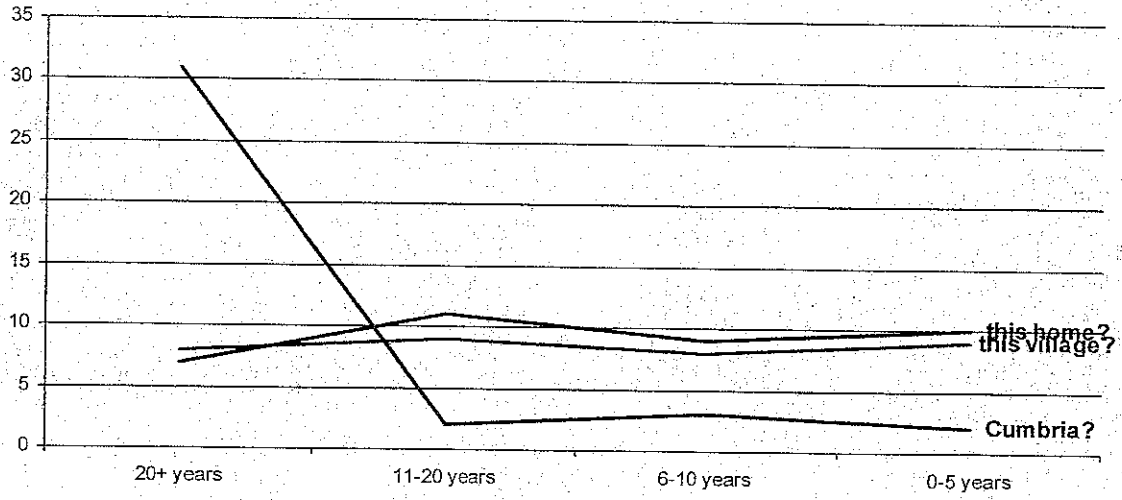
Low Moresby 2005

134 survey forms issued

39 survey forms returned

4. LENGTH OF RESIDENCE

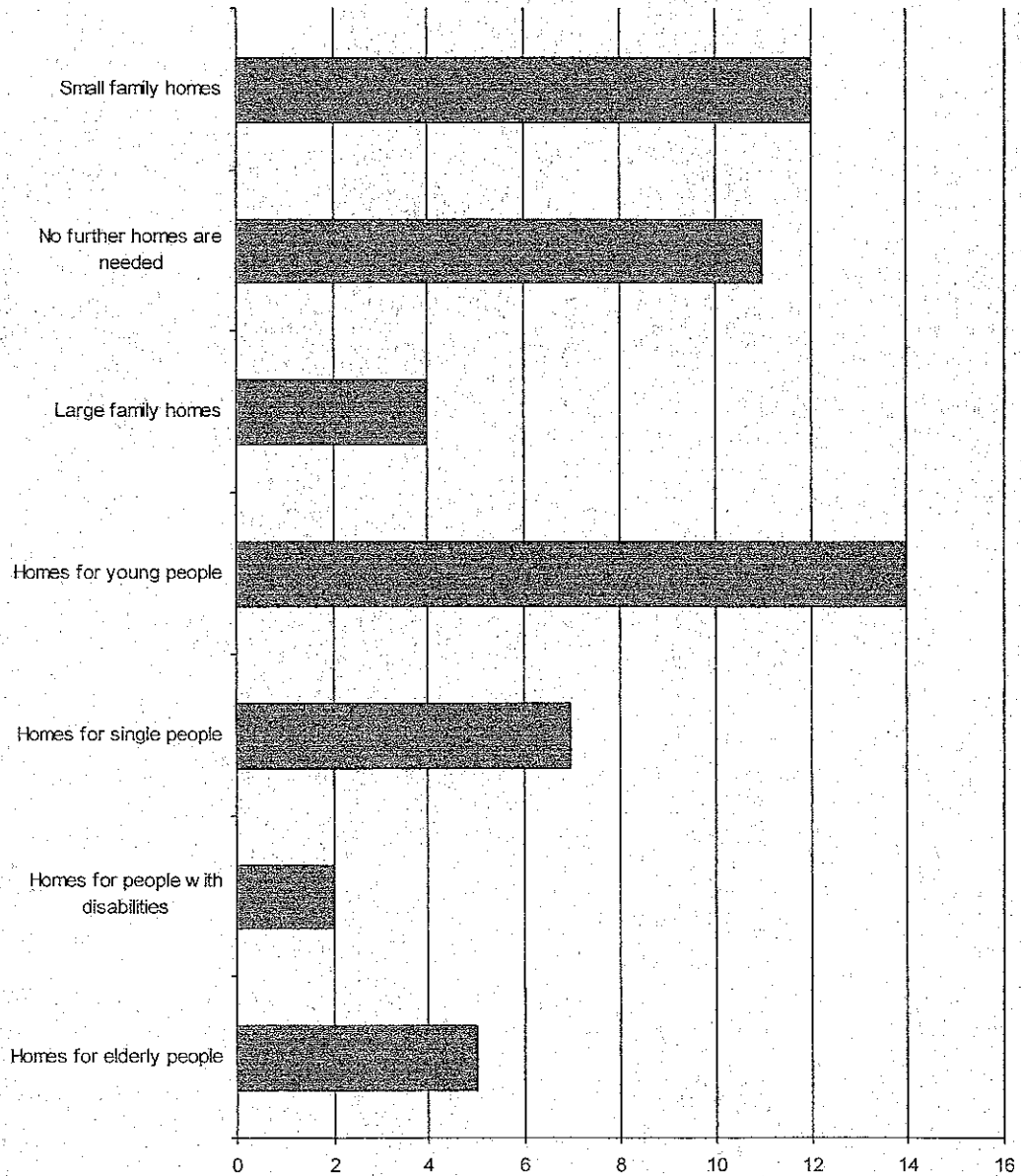
How long have you live in ...





5. HOUSING REQUIRED

What type of housing is needed in the parish?





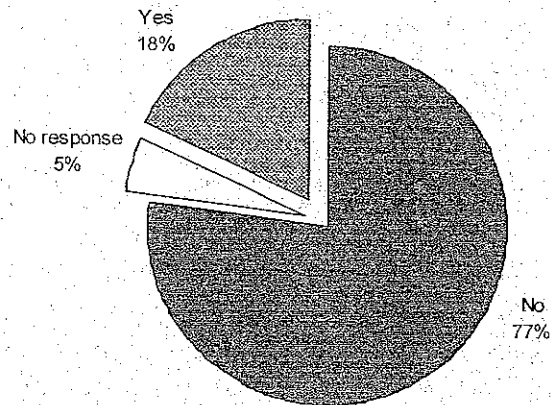
Low Moresby 2005

134 survey forms issued

39 survey forms returned

6. OBJECTIONS

Would you object to a small number of new homes in the parish which would help to meet the needs of local people?



If Yes, briefly explain your concerns ...

Already overcrowded - roads and services cant cope

Preservation of the countryside

There are no shops, pubs nor post office

More homes more cars - roads unsuitable

Loss of village/rural aspect

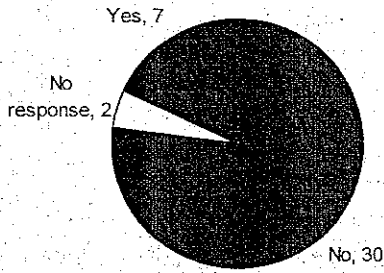
Depends on development

No facilities for houses - drainage etc

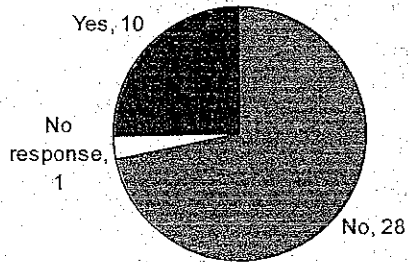


7. YOUR FUTURE HOUSING INTENTIONS

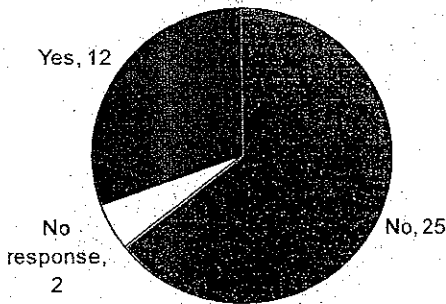
Do you need to move to another home in this parish now or in the next few years?



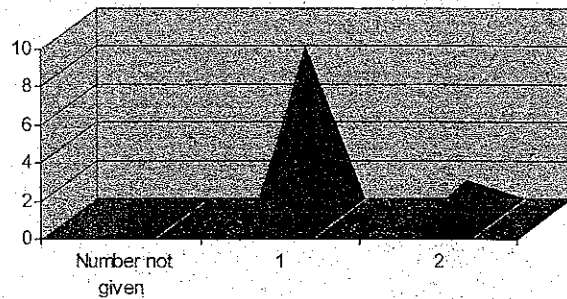
Does anyone living with you at present need to set up home separately from you in this parish now or in the future?



Have any former members of your household left this village/parish in the last few years?



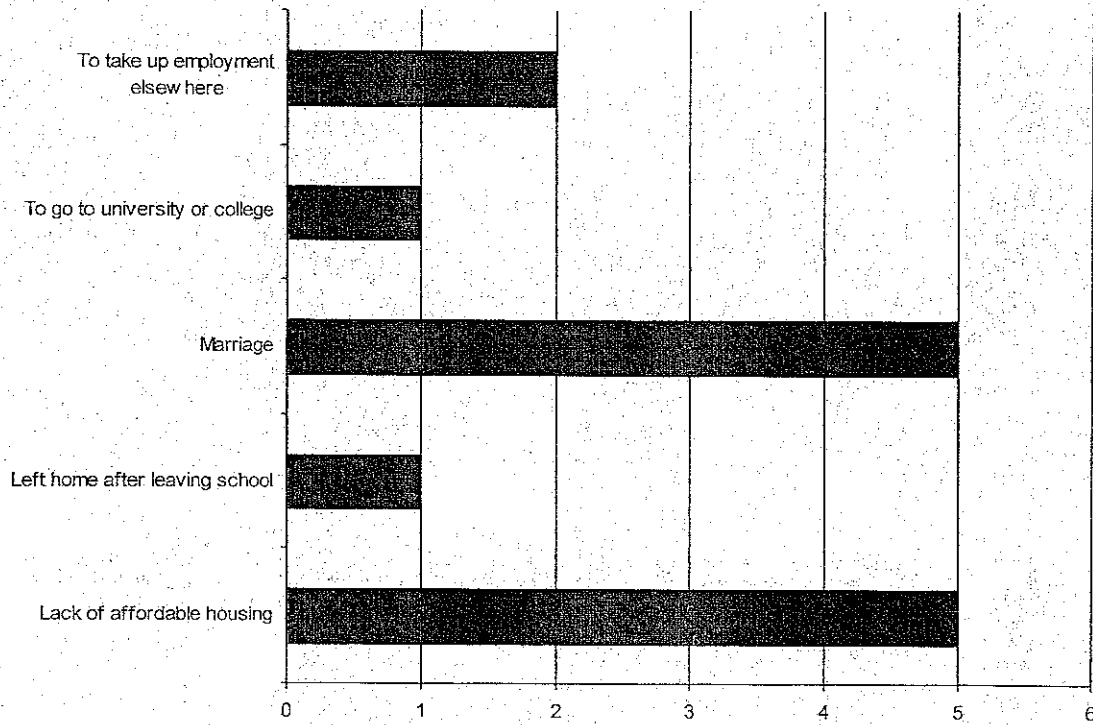
..... If Yes, how many?





7. YOUR FUTURE HOUSING INTENTIONS (Continued)

..... If Yes, was this because of:





Low Moresby 2005

134 survey forms issued

39 survey forms returned

8. POTENTIAL SITES

Sites thought to be suitable for development ...

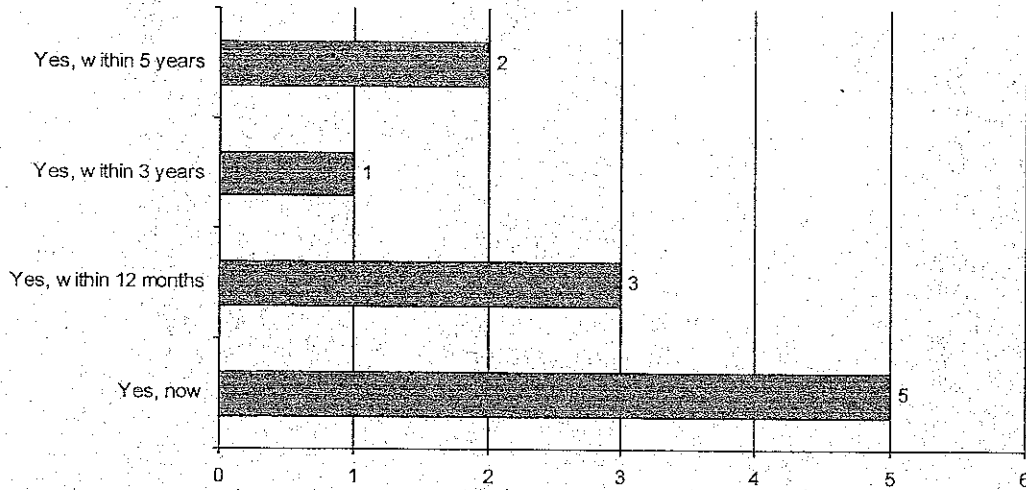
Number of responses

Site 1	1	Brown sites close to town
	1	Ghyll Brow Farm
	1	Howgate
	1	Moresby Park
	1	Site of old factories
Site 2	2	Parton
Site 3	2	Lowca



9. HOUSING NEED

Are you in need of another home in this parish?



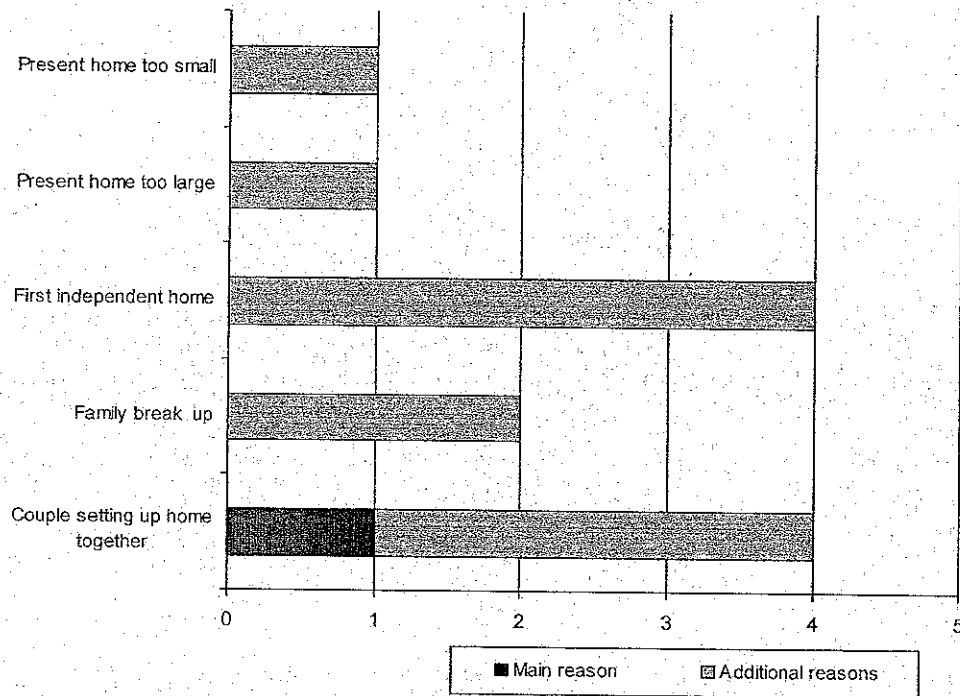
11 households are in need of another home in this parish

Only responses from those answering 'Yes' to this question are summarised in the rest of Part Two!



10. REASON FOR HOUSING NEED

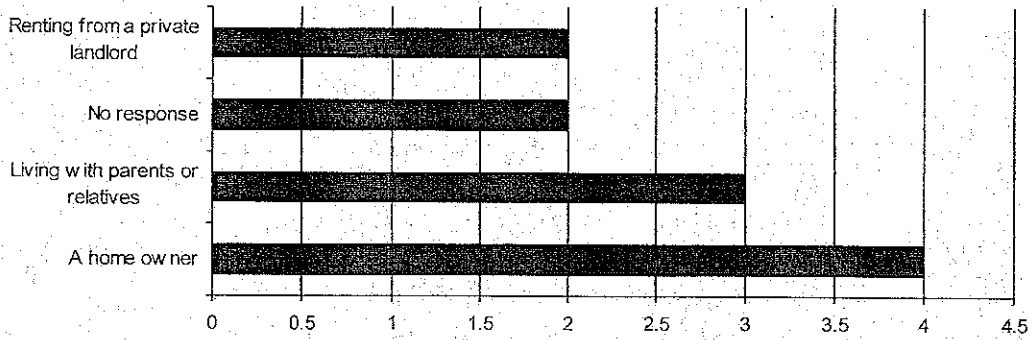
Why do you need to move (more than one reason may be given)?





11. YOUR PRESENT HOUSING CIRCUMSTANCES

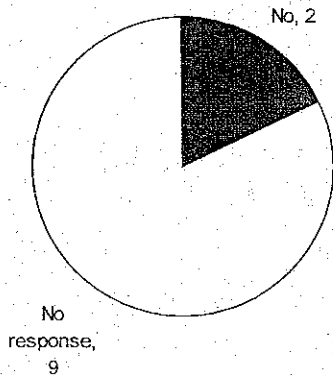
Are you presently:



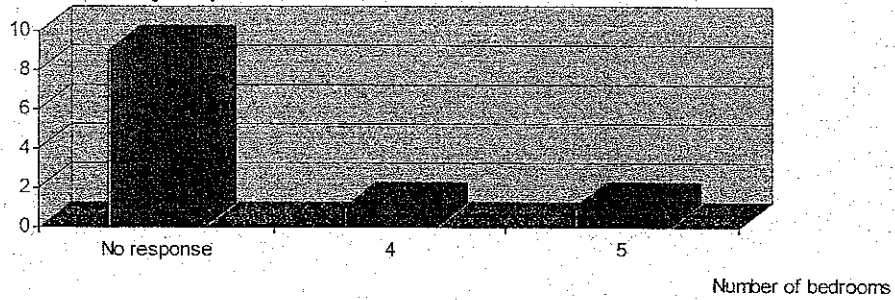
Did you exercise your right to buy or right to acquire your home from the council or housing association?

In what type of house do you currently live?

- 2 Detached
- 9 No response



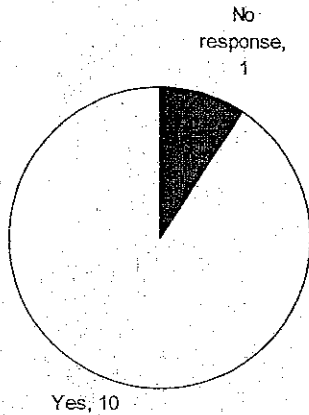
How many bedrooms does your present home have?



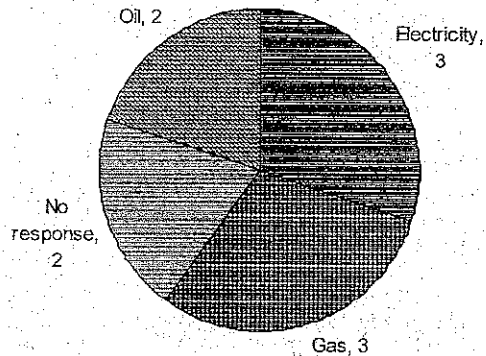


11. YOUR PRESENT HOUSING CIRCUMSTANCES (continued)

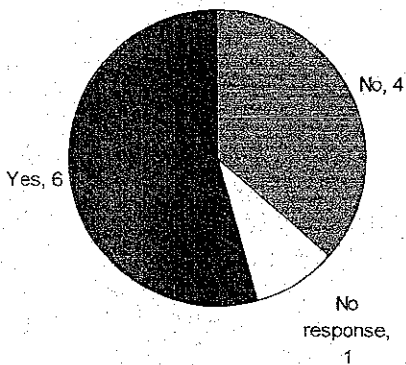
Do you have central heating?



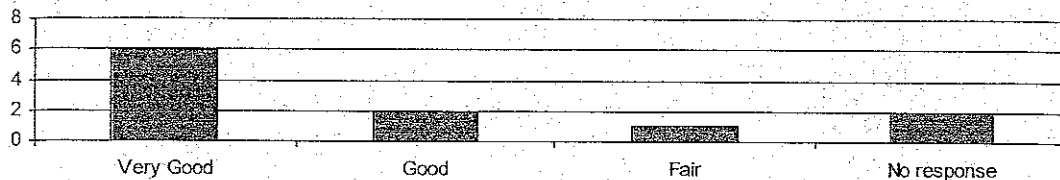
If Yes, is it?



Do you have double glazing?



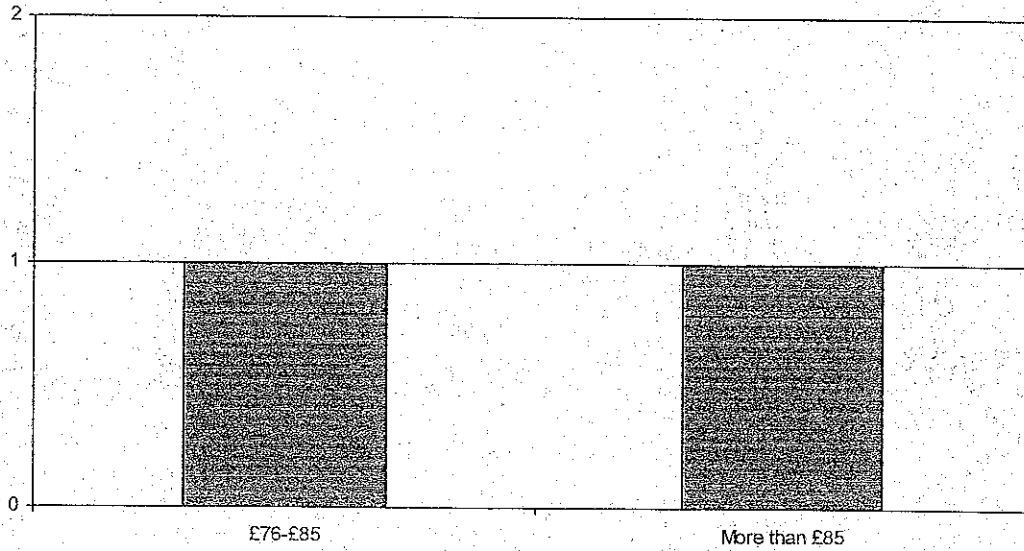
In what condition is your home?



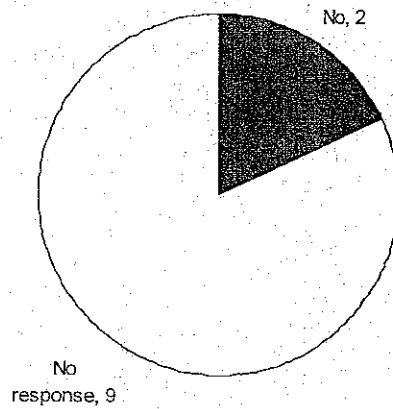


12. RENTING

If you are renting your current home please tell us how much rent you pay each week



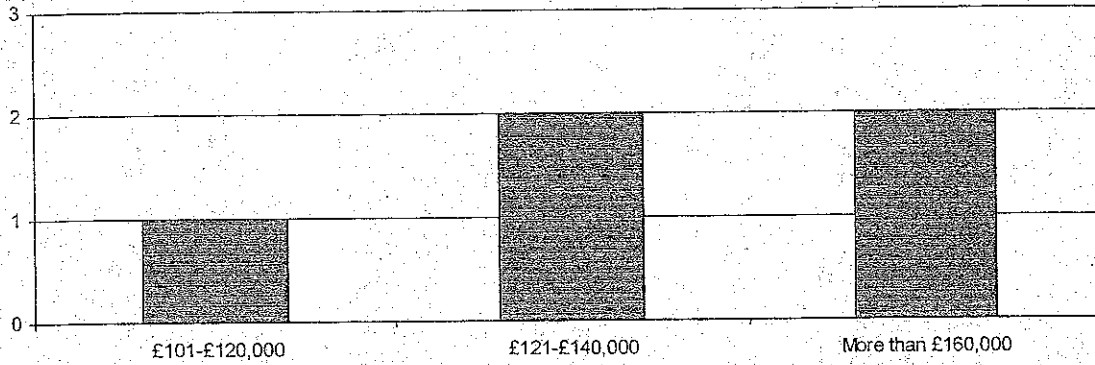
Do you receive Housing Benefit?



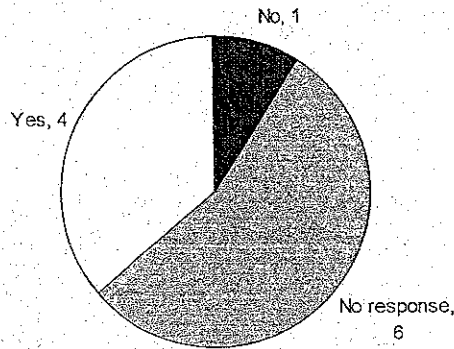


13. HOME OWNERS

If you own your current home, how much do you think your property is worth?



Do you have a mortgage on your current home?

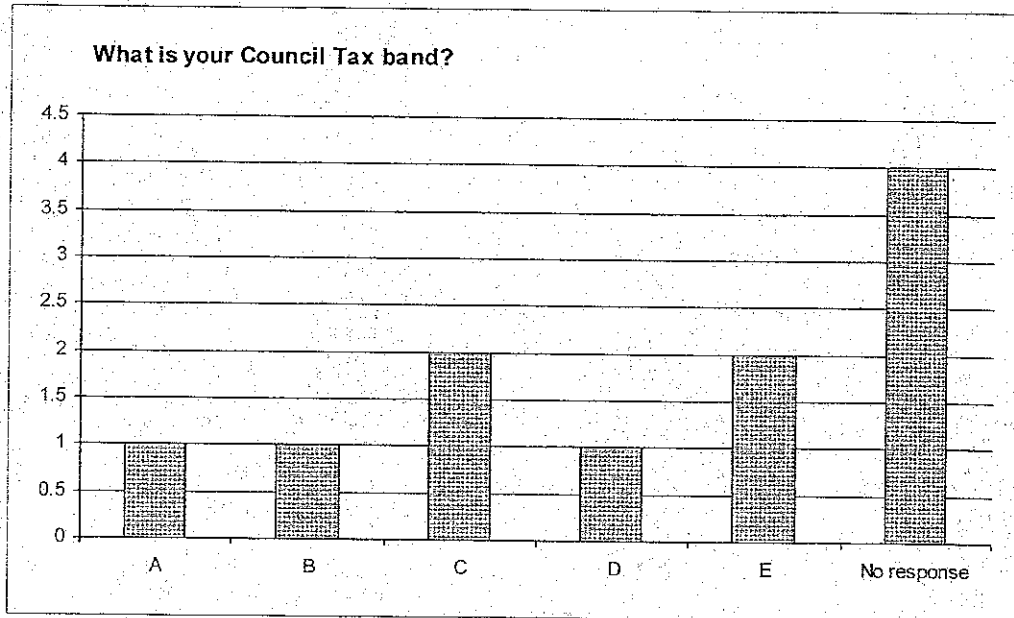


If you do have a mortgage on your current home ...
 how much do you still owe? how many years does it still have to run?

50000	
68000	
100000	18
175000	24



14. COUNCIL TAX BAND





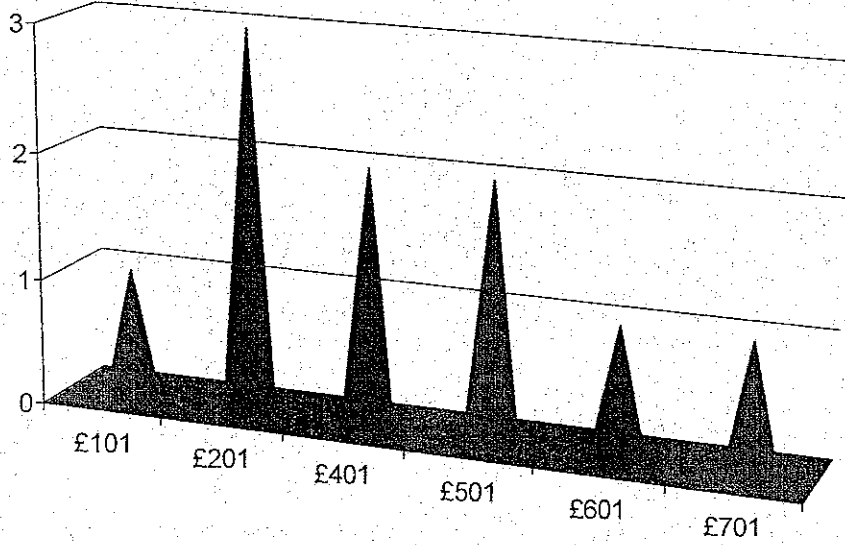
Low Moresby 2005

134 survey forms issued

39 survey forms returned

15. INCOME

Total weekly income of the household wishing to move, including wages, pension, Child Benefit, Working Families Tax Credit, Jobseekers' Allowance, etc, but not including housing benefit or council tax benefit.





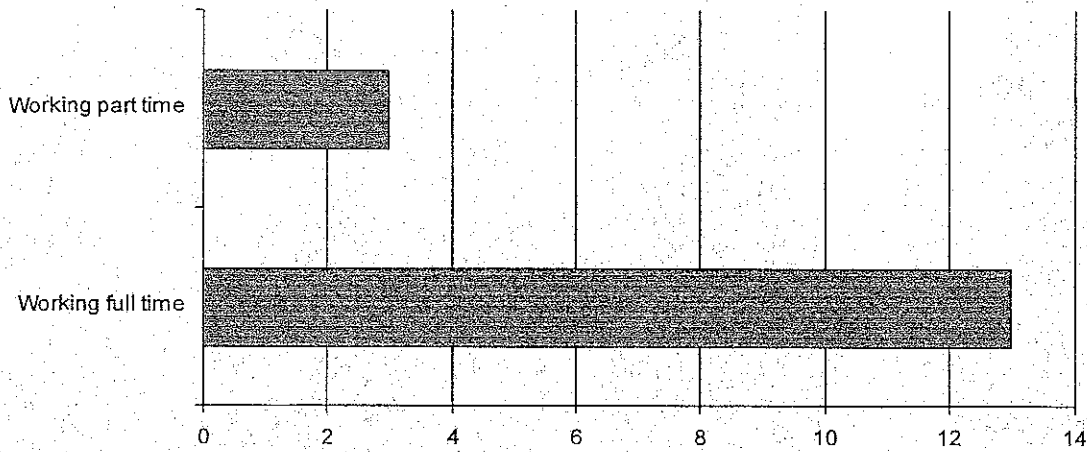
Low Moresby 2005

134 survey forms issued

39 survey forms returned

16. YOUR EMPLOYMENT

How many people in the household wishing to move are:-

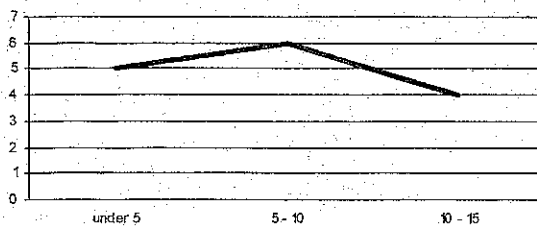


What is your/your partner's job

- | | | |
|--------------------------------|-----------------------------------|------------------------|
| 1 Administration Clerk | 1 Advice and Liaison Co-ordinator | 1 Car Mechanic |
| 1 Cleaner | 1 Driver | 2 Engineer |
| 1 Health and Safety Supervisor | 1 Manager | 2 Nurse |
| 1 Planner | 1 Receptionist | 1 Sales Administration |
| 1 Sales Assistant | 2 Secretary | 3 Unknown |

20	Not working from home	Not working in the parish
----	-----------------------	---------------------------

How far do you travel to work?



In which villages/towns do you work?

- | | |
|----|---------------------------|
| 10 | No response |
| 1 | Whitehaven and Hensingham |



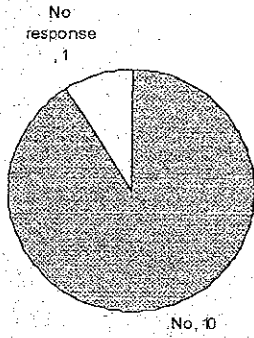
Low Moresby 2005

134 survey forms issued

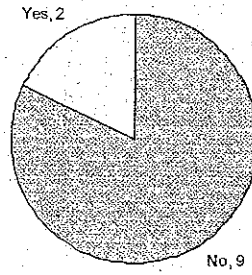
39 survey forms returned

17. TYPE OF HOUSING REQUIRED

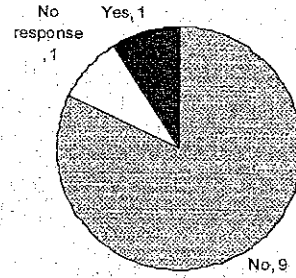
Are you registered on the Local Authority housing register/waiting list?



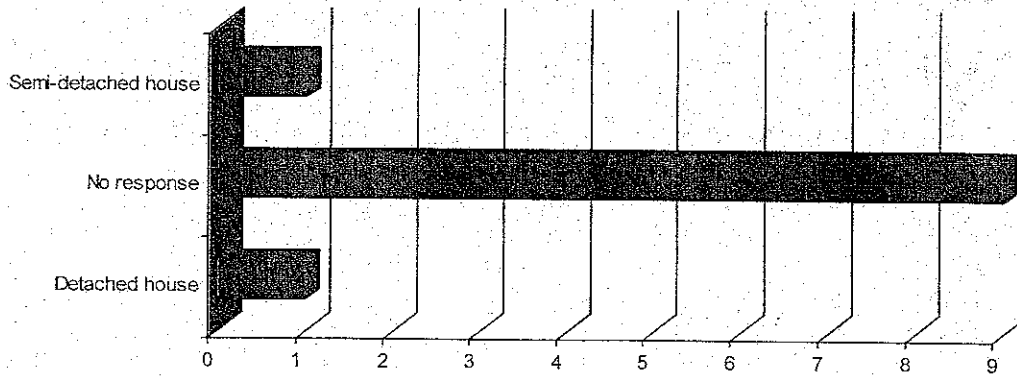
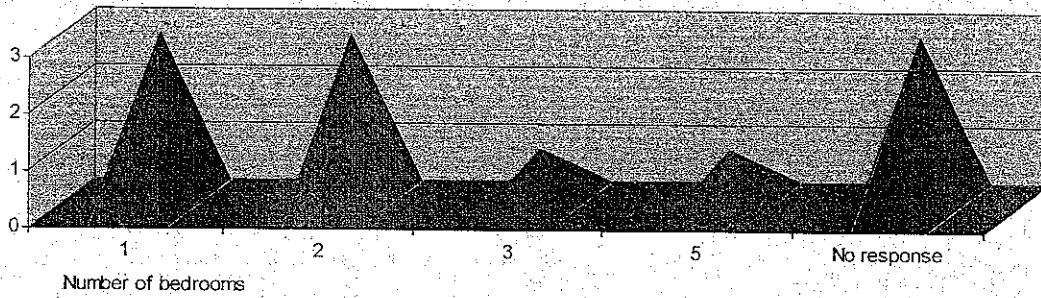
Are you registered on any local Housing Association waiting list?



Are you registered with any other Private Landlord waiting list?



What type of home do you need?

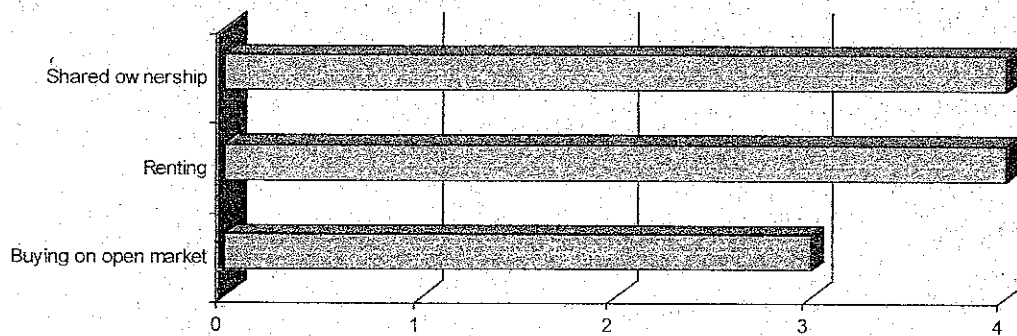




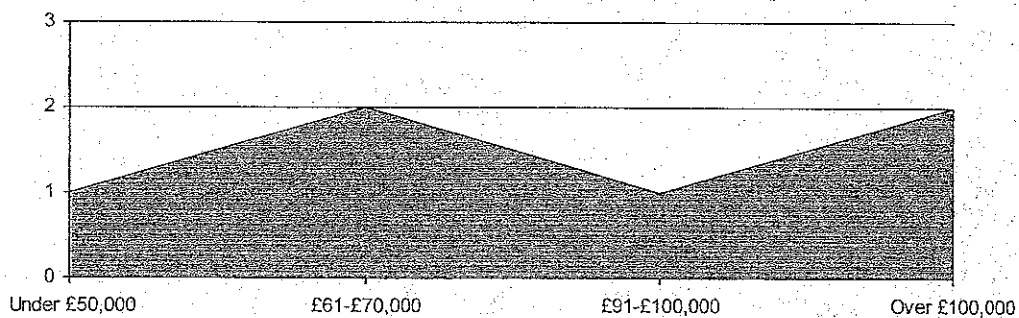
17. TYPE OF HOUSING REQUIRED (continued)

Does anyone in the household wishing to move need:

Which would best suit your housing need?



If you wish to buy your own home, what price range do you think you could afford?





Low Moresby 2005

134 survey forms issued

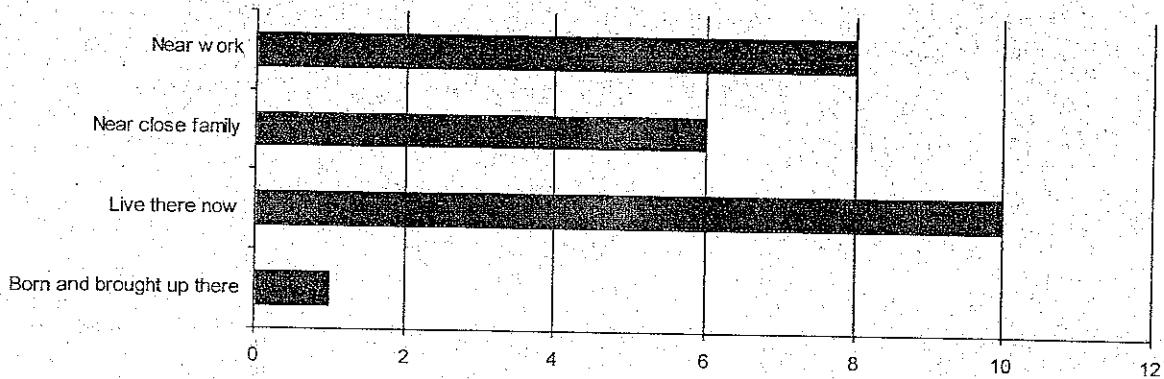
39 survey forms returned

18. WHERE YOU WOULD LIKE TO LIVE

Number of responses

1st Preference	8	Low Moresby	1	Low Moresby *
	1	North of Whitehaven	1	St Bees
2nd Preference	1	Sandwith	1	St Bees
3rd Preference	1	Bechemet		

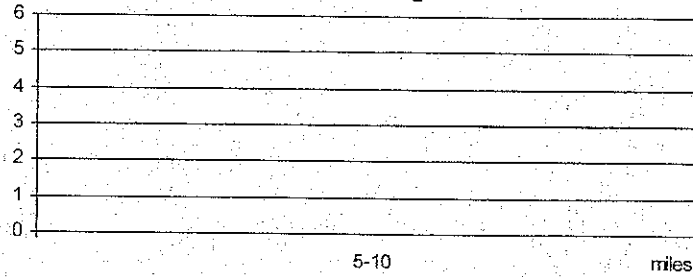
Reason for 1st preference above ...



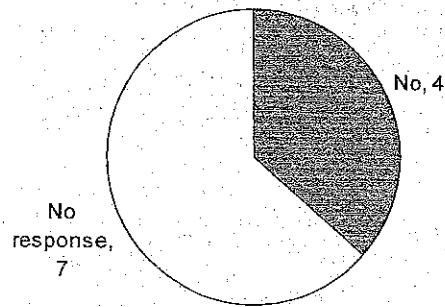


18. WHERE YOU WOULD LIKE TO LIVE (Continued)

If you could not live in your 1st preference, how far away would you like to/be willing to move?



Are you a former resident of this parish who wishes to return?





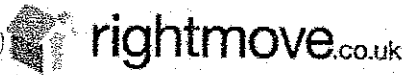
Low Moresby 2005

134 survey forms issued

39 survey forms returned


Additional comments:


They have ruined the only suitable sites through profiteering





Property to buy in Low Moresby, Whitehaven, Cumbria

4 properties found matching your search options. [Save this search](#) to receive automatic email updates.

	Offers in Region of £210,000	3 bedrooms	Mews
Low Moresby, Whitehaven, Cumbria			
We are pleased to offer to the market this rural three bedroomed property benefitting from double glazing, gas central heating and a security alarm system. The accommodation briefly comprises entrance hall, separate WC, lounge, dining room, kitchen/breakfast room and utility room. To the first fl...			
<u>Extra photographs available</u>			
Marketed by YOUR MOVE, Whitehaven. Telephone 01946 66311.			
		save property	view details

	Offers in Region of £159,950	2 bedrooms	Character Property
Low Moresby, Whitehaven			
A single story barn conversion situated within the popular village of Low Moresby. The property benefits from an attractive lounge with multifuel stove in brick inglenook and exposed beams, a recently fitted kitchen with gas hob and electric oven, utility			
<u>Extra photographs and virtual tour available</u>			
Marketed by Tiffen & Co, Whitehaven. Telephone 0845 402 9561 (low call rate).			
		save property	view details

	Offers in Region of £154,950	2 bedrooms	Character Property
Commongate, Low Moresby, Whitehaven			
A spacious mid barn conversion, completed approx 12 years ago, situated within the attractive Village of Low Moresby with open rural views to the front. The property is convenient for the A595 North & South and benefits from a 23'3 length lounge, a large			
<u>Extra photographs available</u>			
Marketed by Tiffen & Co, Whitehaven. Telephone 0845 402 9561 (low call rate).			
		save property	view details

	Offers in Region of £98,500	2 bedrooms	Terraced
Tow Low Cottages, Low Moresby, Whitehaven			
A traditional mid terrace cottage situated within a rural village location a short drive into Whitehaven Town and Marina. The property benefits from a spacious lounge, a dining room, fitted kitchen, utility area with separate WC, 2 bedrooms and family ba			
<u>Extra photographs available</u>			
Marketed by Tiffen & Co, Whitehaven. Telephone 0845 402 9561 (low call rate).			
		save property	view details

MAIN AGENDA

the scheme and, as such, the proposal is deemed to be contrary to Policy HSG 11 of the Local Plan.

Recommendation

Refuse

In the absence of a proven local need for affordable housing specific to Low Moresby the proposed development is at variance with Policy HSG 11 of the adopted Copeland Local Plan 2001-2016.

10 4/06/2355/0

TEMPORARY PERMISSION FOR STATIC CARAVAN
TOWNEND FARM, SEASCALE, CUMBRIA.
BRUCE BATTY

Parish Seascale

- No objections.

This application seeks permission for the temporary siting of a static caravan at Town End Farm, Seascale. The applicant has submitted a letter in support of his application, a copy of which is appended to this report.

Policy HSG 23 of the adopted Copeland Local Plan 2001-2016 states that: "Individual residential caravans or residential mobile homes will not be allowed. However, sympathetic consideration will be given to proposals involving special cases, for instance where the caravan is for a dependant relative or in establishing a new rural enterprise in relation to Policy HSG 6. Only temporary permissions will be granted in these circumstances and occupation of the caravan will be strictly limited to persons directly involved."

With reference to the applicant's letter, no planning application has yet been received to convert a barn at Town End Farm to a dwelling. Should such a proposal be granted planning permission then the siting of an associated residential caravan for the duration of the conversion scheme would be permitted development not requiring the grant of a specific planning consent. In this respect the current proposal is considered premature and at variance with Policy HSG 23 of the adopted Local Plan.

Recommendation

Refuse

Development & Environment
The Copeland Centre
Catherine Street, Whitehaven
Cumbria, CA28 7SJ

Mr Bruce Batty
17 Links Cres.
Seascale
Cumbria
CA20 1RB
16 May 2006

In Support of Planning Application:

4 / 0 6 / 2 3 5 5 / 0 F 1

I would like to position a static caravan on a piece of land owned by my mother and father. I have sold my present home, the caravan would be a temporary measure to provide accommodation for a maximum of 2 years. The caravan I would purchase will be environmentally green and be in very good condition.

In addition to the caravan planning application I will shortly be submitting an application to convert a barn at the same site. I have already approached your department and have a letter from a Mr Sandelands, Planning Officer, letter ref. MTS/SC/P/9/SE P.A.1. which I have enclosed. I believe that I can satisfy points 1 and 2 and would welcome any discussion regarding the site layout. Drainage and water supply are already at the site as many years ago there was planning permission for static caravans on the land.

If I was granted your permission to site the caravan I would remove the caravan when the barn conversion was complete. I give you my assurance that the caravan would not effect the surrounding area and all the area around the van would be kept to a high standard.

Yours



Bruce Batty

MAIN AGENDA

In the absence of a demonstrable need for the siting of a residential caravan at Town End Farm the proposal is deemed to be contrary to Policy HSG 23 of the adopted Copeland Local Plan 2001-2016.

11 4/06/2359/0

ERECTION OF EXTENSION
18, YEWBANK LANE, HIGH MEADOWS, WHITEHAVEN,
CUMBRIA.
MR A SEDDON

Parish Whitehaven

Planning permission is sought to extend this three bedroomed semi-detached property as follows:-

1. A 1.1m x 1.4m single storey front porch.
2. A 4.2m x 8.7m two storey gable extension which would project 1.1m beyond the existing house frontage and adjoin the proposed porch. This element would abut the side boundary which runs parallel to a public footpath.
3. A 7.45m wide x 4.6m long two storey rear extension. Again this element would abut the side boundary.
4. A 2.1m x 2.4m single storey rear extension sited on the boundary with the adjoining property.

In terms of accommodation the proposed extensions would provide a garage, kitchen, utility room and extended family room at ground floor level with three additional bedrooms above, one of which incorporates an en-suite bathroom.

Design wise the proposed extension will incorporate a projecting front gable and facing brickwork, both of which are out of keeping with the parent and neighbouring properties.

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

Policy HSG 20 of the adopted Copeland Local Plan 2001-2016 is the relevant policy against which this application should be assessed. The preamble to this states that the design of extensions must take into account the scale and character of the existing dwelling and its neighbours and should not dominate the existing dwelling or its



18 Yewbank lane
Whitehaven
Cumbria
CA28 6UF

27 June 2006

RE: Planning application for 18 Yewbank lane

Copeland Planning department
Copeland Borough Council
The Copeland centre
Catherine Street
Whitehaven
CA28 7SJ

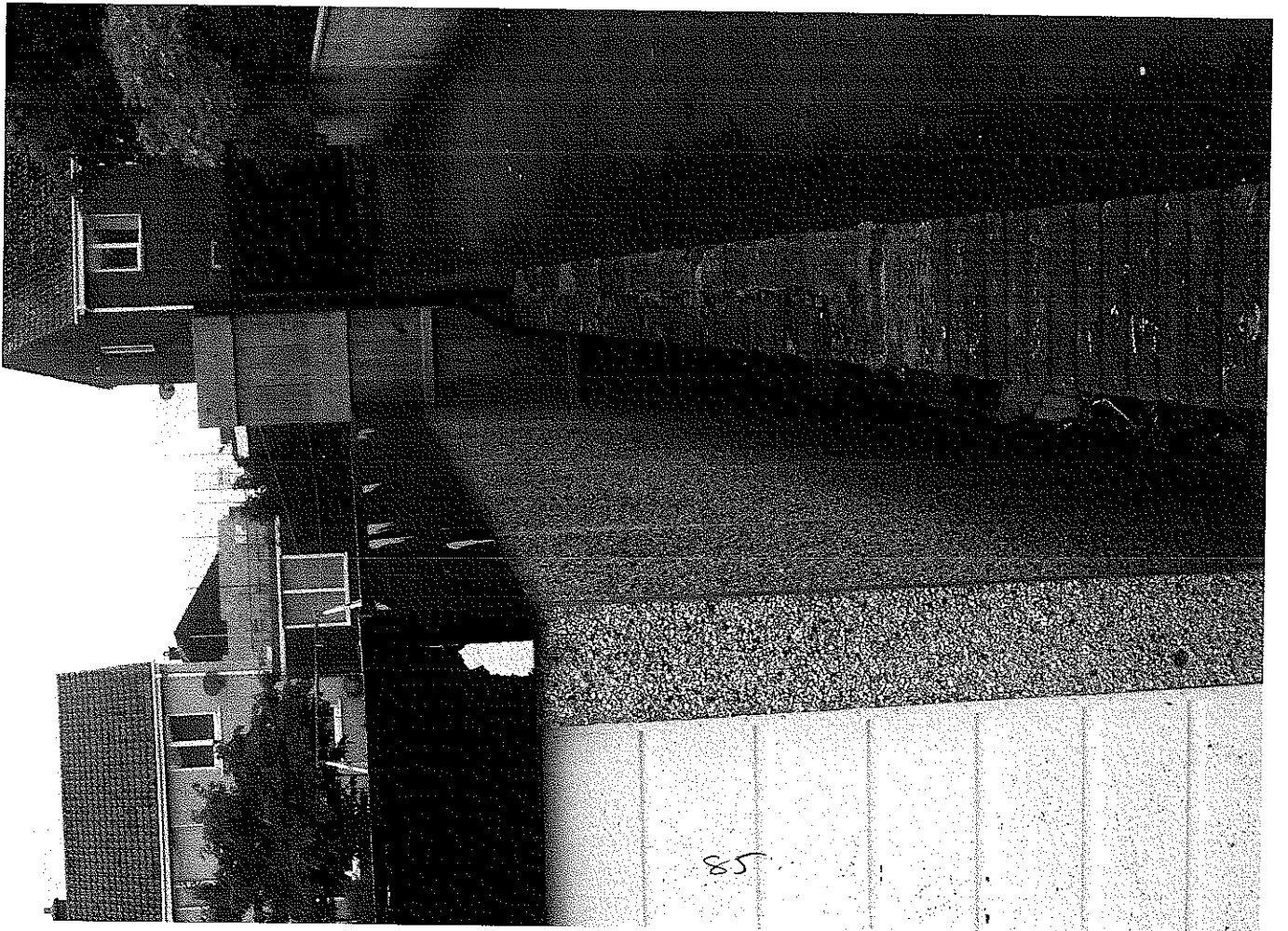
Dear Copeland Planning department:

In view of conversations with Pat Pomfret regarding planning application for 18 Yewbank lane I would like this letter to be considered as part of the application, bound in with the agenda and for it to be read out at the planning meeting.

Mrs Pomfret has commented that the size of the extension may be an issue but we do have valid reasons for the design of the extension to stay as it is.

The extension is to support the merging of two families. There is myself with 2 daughters (ages 13 and 9) and my partner Heather Hodgson and her son (aged 16) and daughter (aged 13). So with adults and, soon to be, 4 x teenagers running about separate space will be of great importance.

- The corridor adjacent to the garage is essential to maintaining our sanity and give breathing space between kids and adults as, at present, the only access to the rear part of the house (kitchen, family room etc) is through the living room and with 4 teenagers and friends as you can appreciate this would be like Piccadilly Circus at rush hour. The solution is to brick up the opening between the existing living room and dining area and use the new corridor as access to the rear parts of the house.
- The open space between the existing garage and the public footpath is used as a dumping ground for rubbish which attracts vermin and is an eyesore. By building up to the footpath these hazards are dispensed with. (Please see enclosed pictures).
- Our security and privacy are enhanced as, in the past, kids have used the gap next to the garage as access to our garden to make a nuisance of themselves. This matter has been reported to the police.
- There would be a substantial drop that could prove a danger to local children and the general public if there was to be a path between the new extension and the public footpath. There are lots of children who use the wall as a seating/gathering area.
- The size of the site still allows for a substantial garden even after the proposed extension.
- We visited Rachael Carroll prior to drawing up plans to explain our objectives and she could see no problems with them.
- There has been no objections lodged during the consultation period.
- There is ample access to the back garden and the rear of the property both by going through the garage and out through the utility room and via a gate in the back garden onto the footpath which will be used for the wheelie bins access etc.







MAIN AGENDA

setting.

The applicants have been offered the opportunity to amend the application but wish it to be determined as it stands. They have submitted a supporting letter and photographs, copies of which are appended to this report.

It is considered that this property could accommodate development of an appropriate scale and design. However, on balance, given the scale, location and design of the extensions it is considered that the proposal would appear over-intensive and out of keeping with both the existing property and its environs.

Recommendation

Refuse

By virtue of their siting, scale and design the proposed extensions and alterations constitute an unacceptable design solution out of keeping with the character and scale of the parent property and its environs and, as such, the proposal is at variance with Policy HSG 20 of the adopted Copeland Local Plan 2001-2016.

12 4/06/2366/0

REPLACE EXISTING WOODEN BUNGALOW WITH TRADITIONAL
BLOCK BUILT BUNGALOW
CHAPEL BROW, HALLTHWAITES, MILLOM, CUMBRIA.
MR & MRS E & M PARROTT

Parish Millom Without

- See attached comments.

Planning permission is sought for the replacement of an existing wooden bungalow with a traditional block built dwelling at Chapel Brow, Hallthwaites.

The dwelling would provide 2 bedroomed accommodation with an integral garage. The proposed finishes would be natural stone and wet dash render under a grey tiled roof.

The existing bungalow is situated within the village of Hallthwaites. However, there is no settlement boundary for Hallthwaites included in the adopted Copeland Local Plan 2001-2016.

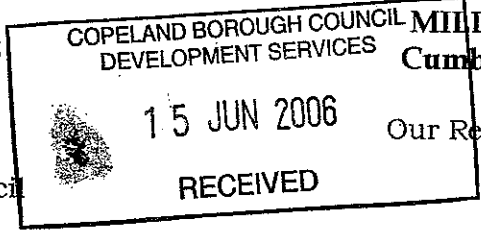
Policy HSG 14 of the Local Plan states that the replacement of

MILLOM WITHOUT PARISH COUNCIL

Clerk: Mrs C Jopson

Hestham Hall Farm

Phone/Fax: 01229 772525



MILLOM
Cumbria LA18 5LJ

Our Ref: MWPC.510

Mr S Blacker
Principle Planner
Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
Cumbria, CA28 7SJ

13 June 2006

Dear Mr Blacker

Ref: 4/06/2366/OF1 - Mr & Mrs E & M Parrott - Replace existing wooden bungalow with traditional block built bungalow

The Council has no objection in principle to the above application. It is believed, however, that the development will be within an area designated as landscapes of county importance. If this is the case, special regard should be paid to the design, scale, siting and choice of materials for building which should be sympathetic to the character of the area. (Policy ENV6). Perhaps you would check if this is the case.

It is thought that the development could be improved in detail. For example a slate roof would be more in keeping with the rural setting. It is also thought that the front elevation could be improved. The drive and parking area and access way seems very big compared with the size and needs of the proposed bungalow. As the application is for a single private dwelling house it is thought that the driveway area and access could well be reduced by a more economical and sympathetic design.

It is noted that the application indicates that trees will be felled or lopped as a result of the proposal but no indication is given as to how many trees will be affected. Policy ENV10 provides that where trees are lost through development they must be replaced either on the development site or elsewhere at a ratio of at least 2:1. It is thought, therefore, that a condition should be inserted for the replanting of any trees that are lost on accordance with Policy ENV10.

Yours sincerely

Mrs Cath Jopson
Clerk to Millom Without Parish Council

COPELAND BOROUGH COUNCIL
DEVELOPMENT SERVICES

- 4 JUL 2006

RECEIVED

MR & MRS PARROTT.

SB.

SPRINGBANK, HALLETHWATES
MILLOM, CUMBRIA LA15 8HP

TEL - 01229 771986

01-07-2006

Dear Mr Blacker,

As requested we are writing with supporting information for the replacement proposal at Chapel Brow, Halleshwates. The original part of the dwelling has been sited there for over a hundred years, with mature garden & lawns and its own boundary walls, there is also vehicular access, and at present is on Half Council Tax.

There is strong local family ties in the area and both Mr & Mrs Parrott have lived in this area for 50 and 71 years respectively. Mrs Parrott is a regular serving member of The Parochial Church Council, and Mr Parrott mainly operates a smallholding. Mrs Parrott is increasingly becoming more disabled with arthritis and other back problems and recently had a knee replacement operation, from recent scans she has been told by the Consultant at West Cumberland Hospital nothing more surgically can be done for her. Hence the application for a modern interior bungalow, which would make her mobility much easier around the dwelling while externally being built to enhance the character of the village within its natural boundary.

Yours sincerely. Myles & Elizabeth Parrott.

MAIN AGENDA

existing dwellings will not be permitted where the dwelling is in the countryside and is derelict. This proposal is considered to fit these criteria as it is located outside any settlement boundary and would appear incapable of being re-inhabited without carrying out extensive remedial works requiring planning permission.

Appended to the report is a copy of the comments from the Parish Council and also a copy of a letter from the applicants submitted in response to a request for more information regarding the proposal.

In response to this letter I would comment that any additional ground floor accommodation that is necessary could be made with alterations and possible extensions to the applicants' own adjacent dwelling "Springbank". The proposal to construct what would, in effect, be a two storey dwelling, albeit incorporating only storage and office space at first floor level, is not considered to be justified in the context of Local Plan policy.

Recommendation

Refuse

In the absence of a proven local need the proposed replacement dwelling would be at variance with Policy HSG 14 of the adopted Copeland Local Plan 2001-2016 insofar as the existing dwelling is located in the countryside, within an area designated as "County Landscape", and is in a derelict condition.

13 4/06/2377/0

CHANGE OF USE FROM POST OFFICE TO TAKEAWAY
101, WOODHOUSE ROAD, WHITEHAVEN, CUMBRIA.
MR GOUVEIA

Parish Whitehaven

Permission is sought to convert this building, situated on the edge of a large residential estate in Whitehaven, to a hot food takeaway. Currently vacant, this detached two storey property with a side single storey flat roofed extension, was formerly in use as a post office and grocery store serving the local community.

As part of the application a new shopfront is also proposed. To the west of the building is located a commercial garage, to the east a grassed area, a forecourt and road frontage to the north and a redundant commercial car park formerly part of the Marchon Works to the south. It should be noted that no objections have been received

MAIN AGENDA

to date.

As the site is located on the periphery of a housing area TCN 9 is the relevant policy of the adopted Copeland Local Plan 2001-2016 against which this application should be assessed. Basically this supports small scale shopping/retail use in residential neighbourhoods such as this providing the amenity of nearby residents, particularly in terms of late night opening and illuminated signage, is taken into account. Policy TCN 14 is also considered relevant which is specifically tailored for new food and drink uses in town centres. However, the same criteria for assessment still apply. These refer to the impact of the proposal on the character and amenity of the area and on nearby residential properties; restrictions on late night opening where it may be perceived as harmful; not causing undue disturbance, and the provision of adequate ventilation and fume extraction.

Taking the above into account the proposed use is considered acceptable subject to a suitable restriction imposed on the opening hours.

Recommendation

Approve (commence within 3 years)

2. The use hereby permitted shall not be open to customers outside the following time:- 9.00am - 11.00pm on any day.
3. Full details of a scheme for the extraction of cooking fumes (including suitable filters, efflux velocity and location discharge point) and ventilation of the premises shall be submitted to and approved in writing by the Local Planning Authority and such works shall be implemented in accordance with the approved details before the use becomes operational.

The reasons for the above conditions are:-

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

To safeguard the amenities of the locality.

To ensure an adequate extraction system is provided.

Reason for decision:-

Use of this vacant commercial property as a takeaway is considered an acceptable form of development which will provide a service to the residential locality in accordance with Policies TCN 9 and TCN 14 of the adopted Copeland Local Plan 2001-2016.

MAIN AGENDA

14 4/06/2392/0

PART 24 NOTIFICATION RE 12.0M HIGH PHASE 3
STREETWORKS MONOPOLE WITH ASSOCIATED EQUIPMENT
CABINETS
SELLAFIELD NUCLEAR POWER STATION, YOTTENFEWS LANE,
SELLAFIELD, SEASCALE, CUMBRIA.
T-MOBILE (UK) LTD

Parish St Bridgets Beckermat

- No comments received.

It is proposed to erect a 12m high galvanised steel monopole with two associated equipment cabinets located at the base of the pole on land adjacent to the car park at Yottenfews Lane. The car park is presently bordered by a 4m high hedge.

The installation will provide improved telecommunication coverage within the nearby Sellafield site. The nearest residential property is over 200m distant.

Given the existing presence of lamp posts and car park floodlighting columns in the immediate vicinity it is considered that this slender vertical structure can be readily assimilated into the local landscape.

Under the provisions of Part 24 of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2001 approval for the siting and appearance of the proposed development is now sought. No objections have been received from any source.

Recommendation

Approve Telecommunications

2. The colour of the monopole and associated equipment cabinets shall be agreed in writing with the Local Planning Authority before development commences.

The reasons for the above conditions are:-

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

MAIN AGENDA

To ensure a satisfactory visual appearance.

Reason for decision:-

The proposed telecommunications installation is considered to have minimal visual impact in this setting adjacent to the Yottenfews car park and in close proximity to the Sellafield complex in accordance with Policy SVC 8 of the adopted Copeland Local Plan 2001-2016.

15 4/06/2404/0

DEMOLITION OF BUNGALOWS
NOS 44, 45, 46, 47, 48, 49 , 50 51, & 52,
GREENMOOR ROAD, EGREMONT, CUMBRIA.
HOME HOUSING LTD.

Parish Egremont

- No comments received.

Permission is sought to demolish 8 terraced bungalows and 1 detached bungalow on Greenmoor Road, Egremont.

This work is urgently required to render the area safe following the recent collapse of a mine shaft to the rear of these properties. This will enable site access for works to stabilise the ground and reseal the redundant shaft.

On completion of the work it is intended that the area will be landscaped.

Recommendation

Approve (commence within 3 years)

2. Details of a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented within 6 months of the completion of demolition works.

The reasons for the above conditions are:-

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

MAIN AGENDA

To ensure the implementation of a satisfactory landscaping scheme.

Reason for decision:-

The proposed demolition of these residential properties, affected by the collapse of a nearby mineshaft, is justified in accordance with Policy HSG 13 of the adopted Copeland Local Plan 2001-2016.

16 4/06/2411/0

OUTLINE APPLICATION FOR ERECTION OF DWELLING
181, HIGH ROAD, KELLS, WHITEHAVEN, CUMBRIA.
MR & MRS W TUNSTALL

Parish Whitehaven

A proposal in outline to erect a dwelling on garden land to the rear of an existing detached former police house on High Road, Kells.

A previous application for residential development on this site was refused in 2000 (4/00/0127/001 refers) for the following reason:-

"By virtue of its siting to the rear of existing residential properties, the proposed development would be served by a tortuous and substandard access and would result in a loss of privacy for the residents of neighbouring dwellings. As such, the proposal is at variance with Policies DEV 3 and HSG 4 of the adopted Copeland Local Plan."

Vehicular access to serve the site would be from High Road immediately along the south side of the existing dwelling leading to the rear garden where the development would be located.

The site is overlooked by the rear elevations of 6 semi-detached properties on Ennerdale Terrace which adjoin the site along with the parent dwelling whose rear elevation also faces the plot.

There are no indicative plans to demonstrate how a dwelling could be positioned on the site. However, it is considered that a dwelling in this location, to the rear of existing properties and served by a substandard access arrangement would lead to a lowering of housing standards. Its siting immediately behind an existing dwelling is also out of character with neighbouring dwellings. It has not been demonstrated that a dwelling here could be positioned so as to meet the required separation distances as set out in the adopted Copeland

MAIN AGENDA

Local Plan 2001-2016. As a consequence it is considered that a dwelling in this location would lead to a loss of privacy for neighbouring dwellings. The proposal therefore is contrary to Policies HSG 4 and DEV 7 of the adopted Copeland Local Plan 2001-2016.

Recommendation

Refuse

By virtue of its siting to the rear of existing residential properties with no direct road frontage the proposed development would result in a loss of privacy for the residents of neighbouring dwellings and, as such, the proposal is contrary to Policies DEV 7 and HSG 4 of the adopted Copeland Local Plan 2001-2016.

17 4/06/2446/0

TEMPORARY CLASSROOM & DINING ACCOMMODATION &
ADDITIONAL TOILETS
ST BENEDICT'S SCHOOL, RED LONNING, WHITEHAVEN,
CUMBRIA.
THE GOVERNORS OF ST BENEDICTS

Parish Whitehaven

Temporary permission is sought to site 5 portacabins at the rear of the school complex, next to the existing sixth form centre, to provide urgently needed accommodation for sixth form pupils at the start of the school year in September 2006.

In terms of accommodation, 6 additional classrooms are required. These will be provided by 3 single storey portacabins each measuring some 9.8 metres in length by 5.7 metres in width. A smaller toilet block of some 7.5 metres in length and 3.3 metres in width will contain 6 additional WC facilities. A larger common room and dining facility, with a specification of 12.2 metres x 16.9 metres, is also proposed with a corridor to link it to the main school building.

In terms of external finishes it is intended that the walls will be of the colour 'Honesty' and the windows white upvc. A new section of 1.5 metre high galvanised steel fencing is to be erected to the side and rear of the dining room and WC block and an existing galvanised fence is to be relocated to contain the new classrooms.

The proposed portacabin accommodation is considered to comply with Policy SVC 11 of the adopted Copeland Local Plan 2001-2016 which

MAIN AGENDA

generally supports new/extended school facilities.

Recommendation

Approve (commence within 3 years)

1. This permission shall expire on 31 July 2008. At or before the expiration of this period the temporary buildings hereby approved shall be removed from the site and the ground reinstated to its former condition unless the prior written consent of the Local Planning Authority has been obtained for their continued siting.
2. Full details of the external store, including design, specifications and external materials, shall be submitted to and approved in writing by the Local Planning Authority before construction commences.

The reasons for the above conditions are:-

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

To retain control over the appearance of the development.

Reason for decision:-

The proposed portacabins comprise an acceptable form of temporary accommodation for this educational establishment in accordance with Policy SVC 11 of the adopted Copeland Local Plan 2001-2016.

COPELAND BOROUGH COUNCIL

18 4/06/2372/0

LISTED BUILDING CONSENT FOR ALTERATIONS TO
TOURIST INFORMATION CENTRE TO IMPROVE DISABLED
ACCESS

THE MARKET HALL, MARKET PLACE, WHITEHAVEN,
CUMBRIA.

COPELAND BOROUGH COUNCIL

Parish Whitehaven

Listed building consent is sought to install new front entrance doors to the grade II listed Market Hall situated within the town centre conservation area. The front part of the building at ground floor level comprises the tourist information office to which the public have direct access from the Market Place. This is currently provided by a pair of inward opening automatic swing entrance doors which, on operation, are hazardous, particularly on leaving the building.

To improve public access it is proposed to retain the existing timber outer doors and rehang them so that they open out and can be locked back during opening hours. A new set of inner glazed aluminium framed automatic doors will then be installed immediately inside the entrance to provide safer and easier public access to the premises.

From a planning point of view the minimal alterations proposed are considered to respect the historical and architectural character of this listed building in accordance with Policy ENV 30 of the adopted Copeland Local Plan 2001-2016.

Recommendation

Defer

That the application be referred to the Secretary of State under the provisions of Section 82 of the Planning (Listed Buildings and Conservation Areas) Act 1990 with a recommendation that Listed Building Consent be granted.

Schedule of Applications - DELEGATED MATTERS

4/06/2253/0	Whitehaven	CHANGE OF USE AND EXTENSION TO PROVIDE ADDITION RESTAURANT/KITCHEN AREAS 4, TANGIER STREET, WHITEHAVEN, CUMBRIA. AKASH TANDOORI CUISINE LTD.
4/06/2224/0	Whitehaven	DOUBLE STOREY EXTENSION & SUN ROOM 21, MELBREAK CLOSE, WHITEHAVEN, CUMBRIA. MR & MRS PUGH
4/06/2231/0	Egremont	SIDE EXTENSION 54, SPRINGFIELD ROAD, BIGRIGG, EGREMONT, CUMBRIA. ROBERT ELLIS
4/06/2259/0	Whitehaven	EXTENSION TO DWELLING 7, EGREMONT ROAD, WHITEHAVEN, CUMBRIA. MR & MRS A E LACE
4/06/2260/0	Cleator Moor	DOUBLE STOREY EXTENSION 75, CLAYTON AVENUE, CLEATOR MOOR, CUMBRIA. MR & MRS R ZANNACCHI
4/06/2261/0	Lowside Quarter	ERECTION OF LOUNGE AND UTILITY ROOM EXTENSION CARLETON, BRAYSTONES ROAD, BECKERMET, CUMBRIA. DR & MRS EDWARDS
4/06/2277/0	Cleator Moor	DEMOLISH EXISTING GROUND FLOOR EXTENSION AND REBUILD KITCHEN WITH BATHROOM ABOVE 14, TRUMPET TERRACE, CLEATOR, CUMBRIA. MR J MOORE
4/06/2278/0	Whitehaven	FIRST FLOOR EXTENSION 10, SANDHURST DRIVE, WHITEHAVEN, CUMBRIA. C MATHER
4/06/2288/0	Cleator Moor	SINGLE STOREY EXTENSION AND RENOVATION 37, MAIN STREET, CLEATOR, CUMBRIA. MS GAYTHWAITE & MR PYSDEN
4/06/2289/0	Whitehaven	REPLACE EXISTING FLAT ROOF OVER EXTENSION WITH PITCHED ROOF 42, CORONATION DRIVE, WHITEHAVEN, CUMBRIA. MR & MRS MCGREGOR
4/06/2291/0	Whitehaven	CONSTRUCTION OF PITCHED ROOF TO REPLACE FLAT ROOF ON EXISTING EXTENSION 1, AIKBANK ROAD, WHITEHAVEN, CUMBRIA. MR & MRS D COYLES

Schedule of Applications - DELEGATED MATTERS

4/06/2301/0	Whitehaven	CONSERVATORY 62, VICTORIA ROAD, WHITEHAVEN, CUMBRIA. MR T HALLIGAN
4/06/2302/0	Whitehaven	BEDROOM, UTILITY, BATHROOM EXTENSION 8, HOLLINS CLOSE, MIREHOUSE, WHITEHAVEN, CUMBRIA MR A WILKINSON
4/06/2303/0	Whitehaven	REMOVAL OF EXISTING CONSERVATORY AND ERECTION OF A SINGLE STOREY REAR CONSERVATORY 5, WOODLANDS AVENUE, WHITEHAVEN, CUMBRIA.. MR & MRS L & S PECK
4/06/2310/0	Whitehaven	PORCH TO FRONT OF PROPERTY 69, LOOP ROAD NORTH, WHITEHAVEN, CUMBRIA. MRS A PASCOE
4/06/2316/0	Whitehaven	ERECTION OF A TWO STOREY EXTENSION 20, SOUTH VIEW ROAD, BRANSTY, WHITEHAVEN, CUMBRIA. MR & MRS P PARKINSON
4/06/2332/0	Whitehaven	ERECT UPVC CONSERVATORY TO FRONT OF PROPERTY CASTLE LEA, FLATT WALKS, WHITEHAVEN, CUMBRIA. MR W WILSON
4/06/2334/0	Whitehaven	SINGLE STOREY EXTENSION 5, GRISEDALE CLOSE, WHITEHAVEN, CUMBRIA. B ROUSELL
4/06/2335/0	Egremont	ERECTION OF A TWO STOREY EXTENSION 40, PARK VIEW, CASTLE CROFT, EGREMONT, CUMBRIA. MR L WALKER
4/06/2336/0	Whitehaven	REPLACEMENT GARAGE ON EXISTING SITE 9, INKERMEN TERRACE, WHITEHAVEN, CUMBRIA. MR D NATTRASS
4/06/2345/0	Whitehaven	FIRST FLOOR EXTENSION OVER EXISTING GARAGE AND KITCHEN 7, LAUREL BANK, THE HIGHLANDS, WHITEHAVEN, CUMBRIA. MR & MRS G SMITH
4/06/2346/0	Moresby	CONSERVATORY 5, MERLIN DRIVE, MORESBY PARKS, WHITEHAVEN,

Schedule of Applications - DELEGATED MATTERS

		CUMBRIA. MR ROBINSON
4/06/2348/0	Cleator Moor	SINGLE STOREY EXTENSIONS TO DWELLING BANKSVILLE, WHITEHAVEN ROAD, CLEATOR MOOR, CUMBRIA. MR J BURROW
4/06/2350/0	Lamplugh	DOUBLE STOREY EXTENSION TO DWELLING COCKAN HOUSE, COCKAN FARM, KIRKLAND, CUMBRIA. MR & MRS N HESLOP
4/06/2276/0	Whitehaven	SINGLE STOREY FLAT ROOF EXTENSION TO INTERNAL COURT YARD TO CREATE LIBRARY/RESOURCE AREA ST JAMES CHURCH OF ENGLAND INFANT SCHOOL, HIGH STREET, WHITEHAVEN, CUMBRIA. THE GOVERNORS OF ST JAMES CE
4/06/2279/0	Arlecdon and Frizington	ERECTION OF 4 NO. HOUSES LAND ADJACENT TO, LINDOW HOUSE, LINDOW STREET, FRIZINGTON, CUMBRIA. MR P MOSSOP
4/06/2286/0	Whitehaven	INSTALLATION OF NEW ALUMINIUM SHOPFRONT ARMOUR PLATE GLASS ENTRANCE DOORS AND RENEWAL OF 57-60, KING STREET, WHITEHAVEN, CUMBRIA. MACKAYS STORES LTD.
4/06/2287/0	Whitehaven	ILLUMINATED FASCIA SIGN 57-60, KING STREET, WHITEHAVEN, CUMBRIA. MACKAYS STORES LTD.
4/06/2304/0	Whitehaven	ERECTION OF RETRACTABLE CANVAS COVERING TO REAR YARD AND CONSTRUCTION OF 3M HIGH BOUNDARY WALL THE WHITTINGTON CAT, 21, LOWTHER STREET, WHITEHAVEN, CUMBRIA. JENNINGS BREWERY
4/06/2309/0	Whitehaven	LISTED BUILDING CONSENT TO MAKE NEW ENTRANCE IN THE WALL AT THE END OF THE GARDEN LEADING TO 5, CORKICKLE, WHITEHAVEN, CUMBRIA. L D COATS
4/06/2337/0	Whitehaven	ERECTION OF EXTENSION TO WORKSHOP RED LONNING INDUSTRIAL ESTATE, WHITEHAVEN, CUMBRIA. McGRADY ENGINEERING LTD.
4/06/2351/0	Moresby	ERECTION OF 3 NO. 3 BEDROOM DETACHED BUNGALOWS

		PLOTS 1, 2 & 6, OFF, EAGLES WAY, MORESBY PARKS, WHITEHAVEN, CUMBRIA. MR P CARRUTHERS
4/06/2367/0	Moresby	SINGLE STOREY BUNGALOW
		PLOT 3 (NO.26), OFF EAGLES WAY, MORESBY PARK, WHITEHAVEN, CUMBRIA. MR & MRS K CRAYTON
4/06/2380/0	Cleator Moor	OUTLINE APPLICATION FOR DWELLING(S)
		LAND ADJACENT TO, BIRKS ROAD, CLEATOR MOOR, CUMBRIA. MRS C SEBASTIANI
4/06/2384/0	Egremont	ERECTION OF DWELLING
		HOLLINS FARM, MOOR ROW, CUMBRIA. MRS S SHILTON
4/06/2388/0	Whitehaven	NON ILLUMINATED ADVERT SIGN
		53, KING STREET, WHITEHAVEN, CUMBRIA. DOUGHNUTS UK LIMITED
4/06/2389/0	Cleator Moor	CHANGE OF USE OF GROUND FLOOR FUNERAL PARLOUR T GENERAL JOINERY STORE 1, TOWERSON STREET, WATH BROW, CLEATOR, CUMBRIA MR W P & MRS D HOCKING
4/06/2390/0	Arlecdon and Frizington	FREE STANDING & WALL MOUNTED INTERNALLY ILLUMINATED SIGN DALESIDE GARAGE, ROWRAH, FRIZINGTON, CUMBRIA. J EDGAR & SON
4/06/2041/0	Millom Without	CONVERSION OF SINGLE DWELLING INTO TWO UNITS WI SIDE EXTENSIONS TO EACH HAWS COTTAGE, THE GREEN, MILLOM, CUMBRIA. MISS J BARKER
4/06/2162/0	Millom	GARAGE
		MARRON HOUSE, POOLSIDE, HAVERIGG, MILLOM, CUMBRIA. MR & MRS BANNISTER
4/06/2164/0	Millom	CONSTRUCTION OF SINGLE DWELLING INCLUDING DETACHED GARAGE LAND ADJACENT 3, LOWTHER ROAD, MILLOM, CUMBRIA. MR & MRS YOUNG
4/06/2257/0	Lowside Quarter	ENLARGEMENT OF GARAGE AND REPOSITIONING TO ALLO HIGHER DOOR PLOT 3, TARN BANK, BRAYSTONES, BECKERMET,

		CUMBRIA. MR D SOUTHWARD
4/06/2293/0	Millom Without	EXTENSION TO INCORPORATE BREAKFAST ROOM, IMPROV KITCHEN, HOBBY ROOM ATTIC CONVERTED TO BEDROOM RISING HILL, THE GREEN, MILLOM, CUMBRIA. MR P WYATT
4/06/2305/0	Millom	REPLACEMENT OF EXISTING RESIDENTIAL DWELLING THE PARSONAGE, ST LUKES ROAD, HAVERIGG, MILLOM, CUMBRIA. MR & MRS HARTLEY
4/06/2307/0	Millom	FIRST FLOOR BEDROOM EXTENSION GROUND FLOOR AND SIDE EXTENSIONS 4, WILLOWSIDE PARK, HAVERIGG, MILLOM, CUMBRIA. MR & MRS FRENCH
4/06/2317/0	Lowside Quarter	CHANGE FROM DECK OVER OPEN STORAGE AREA TO DECK OVER GARAGE OCEAN VIEW, NETHERTOWN, CUMBRIA. MR P CLARKE
4/06/2319/0	Egremont	FOUR BEDROOM DETACHED HOUSE LAND ADJACENT TO, 36, NORTH ROAD, EGREMONT, CUMBRIA. S & L DEVELOPMENTS (CUMBRIA) LTD.
4/06/2327/0	Egremont	CHANGE OF USE OF REAR OF SHOP TO TATTOO STUDIO 1, SOUTH STREET, EGREMONT, CUMBRIA. MR S GUILFOYLE
4/06/2361/0	St Johns Beckermat	DEMOLISH EXISTING GARAGE AND CONSTRUCT NEW GARAGE, WORKSHOP AND STORE MONTFORD, BRAYSTONES ROAD, BECKERMET, CUMBRIA. MR I COWAN
4/06/2373/0	St Bridgets Beckermat	RENEWAL OF TEMPORARY PERMISSION FOR A SINGLE STOREY BUILDING TO SERVE AS A RECEPTION BUILDIN SELLAFIELD, SEASCALE, CUMBRIA. BRITISH NUCLEAR GROUP
4/06/9005/0	Whitehaven	LISTED BUILDING CONSENT FOR RENEWAL OF ENTRANCE STEPS AND ALTERATION TO INTERNAL DOOR UNION HALL, SCOTCH STREET, WHITEHAVEN, CUMBRIA. TSPU