

PLANNING PANEL

25 MAY 2005

AGENDA

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## STANDARD CONDITIONS

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

### Outline Consent

1. The 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.

## 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 1<sup>st</sup> 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

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1 4/04/2432/0

DEMOLITION OF FORMER FORGE AND ERECTION OF FOUR  
BEDROOM RESIDENTIAL DWELLING  
THE FORGE, SCRAP YARD, CLEATOR, CUMBRIA.  
MR G GOODFELLOW

Parish Cleator Moor

- No comments received.

Planning permission is sought to demolish the former forge building and build a four bedroomed dwelling on the same site. Members visited the site on 16 June 2004.

The proposal forms part of The Forge scrapyard which, although still having a licence to operate, is not currently in use. The site lies outside the Cleator settlement boundary in both the adopted and emerging Copeland Local Plans.

Although the site covers approximately 2.27 acres the applicant is only proposing a single dwelling for himself. The scrapyard itself would be reclaimed and landscaped.

The applicant has undertaken a flood risk assessment of the site which has satisfied the requirements of the Environment Agency.

The County Archaeologist has highlighted the former forge building as being of historic and archaeological importance. However, following a structural survey of the building, the County Archaeologist does not object to the principle of demolition provided a building recording programme is carried out prior to works commencing.

The site occupies a significant area of land immediately adjacent to the River Ehen which is designated as a SSSI. Its use as a scrapyard is incompatible with this designation and has a significant detrimental visual impact on the area. This proposal provides an opportunity to reclaim and landscape the site. The dwelling itself utilises the site of The Forge building and re-uses the reclaimed materials. The applicant has also agreed to a Section 106 agreement restricting the occupancy of the dwelling.

Recommendation

That subject to the applicant entering into a Section 106 agreement restricting the occupancy of the dwelling to himself and his dependents for a period of 5 years, planning permission be granted subject to the following conditions:-

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2. No development shall commence within the site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.
3. Notwithstanding the submitted plans the roof covering shall be natural slate.
4. Before development commences full details of the proposed land reclamation and landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the dwelling is occupied.
5. Before development commences full details of the proposed foul and surface water drainage shall be submitted for approval to the Local Planning Authority. The approved scheme shall be operational before the dwelling is occupied.
6. No development approved by this permission shall be commenced until a desk study has been undertaken and agreed by the Local Planning Authority to investigate and produce an assessment of the risk of the potential for on-site contamination. The desk study should include sufficient documentary research to enable a thorough understanding of the history of the site, including past and present uses. If the desk study identifies potential contamination a detailed site investigation should be carried out to establish the degree and nature of the contamination and its potential to pollute the environment or cause harm to human health. If remediation measures are necessary they will be implemented in accordance with the assessment and to the satisfaction of the Local Planning Authority.
7. A strip of land 8 metres adjacent to the top of the banks of all watercourses fronting or crossing the site must be kept clear of all new buildings and structures (including gates, walls and fences). Ground levels must not be raised within such a strip of land.
8. All finished ground floor levels shall be set at not less than +54.30m AOD.

The reasons for the above conditions are:-

To afford reasonable opportunity for a record to be made of buildings of architectural and/or historic interest prior to their alteration as part of the proposed development.

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To retain control over the external appearance of the dwelling.

To ensure a satisfactory landscaping scheme.

To ensure a satisfactory drainage system.

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

To preserve access to the watercourse for maintenance and improvement.

To reduce the danger to intended occupants of the dwelling from potential flooding.

Reason for decision:-

By restricting the occupation of the dwelling to the applicant and his dependents the proposed development is considered satisfactory in overriding the policy presumption against further development on this redundant brownfield site and secures the reclamation of the former scrapyard which is sited in a sensitive location immediately adjacent to the River Ehen Site of Special Scientific Interest.

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2 4/04/2634/0

ERECTION OF FOOD STORE (USE CLASS A1) AND  
ASSOCIATED PARKING, ACCESS AND ANCILLARY WORKS  
LAND AT, BRANSTY ROW, NORTH SHORE ROAD,  
WHITEHAVEN, CUMBRIA.  
TESCO STORES LIMITED

Parish Whitehaven

Full planning permission is sought to construct a replacement Tesco Superstore on land at Bransty Row/North Shore Road, Whitehaven.

The application site extends to 7.3 hectares and comprises the existing Tesco foodstore; petrol filling station (which will be retained insitu); land required for junction improvements together with further land to the west which is currently occupied by/allocated for harbour related uses outwith the applicants ownership.

The proposed new store would be approximately 300 metres from the edge

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of the defined primary shopping area.

The development incorporates 520 car parking spaces at ground level with the store constructed on stilts over the car parking. A significant proportion of the parking spaces, including 24 dedicated spaces for people with disabilities and 20 dedicated parent and toddler spaces, would therefore be under cover. The pedestrian link from ground to first floor would be provided by an enclosed traveller.

The existing Bransty Row/North Shore Road junction will be subject to an improvement scheme with the North Shore Road realigned to the west to facilitate the proposed development, including a new bus and taxi layby some 70m in length. This will provide the sole means of vehicular access to the superstore, including provision for rear servicing via a new roundabout access at the northern end of the site. The existing access to/egress from the petrol filling station, railway station and intervening garage premises will remain but with improvements to the junction arrangements.

New landscaping to the site frontage, including specimen tree planting, also forms part of the proposal.

The following table provides a comparison of the existing and proposed stores:-

ELEMENT	EXISTING	PROPOSED	CHANGE
Net convenience sales (sm)	1818	2837	1019
Net comparison sales (sm)	455	1666	1211
Total net sales (sm)	2273	4503	2230
Total gross area (sm)	4273	8057	3784
Car parking spaces	350	520	170
Convenience turnover (£m) (1)	29.4	35.7	6.3
Comparison turnover (£m) (1)	2.9	10.7	7.8
Total turnover (£m) (1)	32.3	46.4	14.1

NOTES: 1 In 2007 adopting a 2002 price base



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The application is accompanied by the following supporting documents, all of which are available for inspection in the development control section at the Copeland Centre, Catherine Street, Whitehaven:-

Planning and Retail Assessment  
Transport Assessment  
Ground Conditions Report  
Archaeological Desk Based Assessment

Following a tendering procedure, the Council appointed FPD Savills as consultants to critically review the retail assessment. A copy of their report is also available for inspection in the development control section.

PLANNING HISTORY

Outline planning permission (4/88/0644/0) was granted on the site in August 1988 for a foodstore with a gross floorspace of 3995 sq m. A further outline planning permission (4/89/1023/0) was granted in January 1990 for a larger store of 4505 sq m gross. Access arrangements were the same as the smaller store. Reserved Matters (4/91/0024/0) in relation to the larger store were approved in April 1991 and implemented shortly thereafter. No restrictions exist in terms of the operation of the store other than the requirement that a minimum of 350 car parking spaces be provided. Tesco have operated the store from September 1994 and therefore their occupation is now over 10 years old.

CONSULTATIONS

In response to statutory consultation and notification procedures following receipt of the planning application the following representations have been received:-

CUMBRIA HIGHWAYS -

Confirm that the current proposals address a number of previously stated concerns and, therefore, are considered more acceptable. Specific comments are raised in respect of the need for a Passenger Transport Interchange; junction improvements; cycle/pedestrian linkages and on-site provision for buses and taxis.

ASSISTANT COUNTY ARCHAEOLOGIST -

Based on the findings of the archaeological desk-based assessment the likelihood of nationally important archaeological remains on the site, worthy of preservation in situ, is low. A programme of archaeological investigation by way of a condition of any subsequent planning consent is nevertheless recommended.

ENGLISH HERITAGE -

Comment that this is an important gateway site to the town and is

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also visible when looking back at the town from the harbour. Any new building should be of the highest quality. The proposal as originally submitted falls far short of this and should be refused. The revised scheme whereby the building has been resited and the elevational treatments amended seeks to overcome these concerns. English Heritage do not require to be reconsulted on this application.

ENVIRONMENT AGENCY -

Raise no objections in principle , subject to recommended conditions being included in any subsequent grant of planning consent.

UNITED UTILITIES -

No objections in principle provided the site is drained on a separate system and existing sewers and water mains crossing the site are safeguarded.

In addition, representations have been received on behalf of Somerfield Stores Ltd who operate the existing Kwik Save store on Preston Street. The main concerns raised can be summarised as follows:-

- Conflict with adopted and emerging development plan policies, particularly with regard to the use of land allocated for harbour related uses. The proposal represents a departure from the development plan.
- There is not sufficient capacity for the increase in convenience retail floorspace. The applicants have not adequately assessed scope for disaggregating their proposal and providing floorspaces within vacant units/sites in sequentially preferable locations.
- The development will function as a one stop shop that draws trade from existing convenience and comparison sectors, thereby causing material harm to the vitality and viability of the town centre.

The report setting out these representations in full, and the letter of rebuttal from the applicants' planning consultants, are both available for inspection in the development control section.

A letter of objection has also been received from the development company which jointly owns the bus station and the bus garages that are directly opposite the Tesco site on Bransty Row and North Shore Road respectively. They are concerned that the proposed development could adversely affect the redevelopment potential of their sites in respect of:-

- increased vehicular movements on Bransty Row and its junctions with North Shore Road and the station approach road which may unreasonably affect lawful rights to enjoy access to their property

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- conflict with any future redevelopment of the site(s) for residential/hotel use(s) as a result of unfettered delivery hours and associated disturbance
- positioning and scale of the proposed building
- design and choice of materials for the new building.

A letter has also been received from Copeland Rail Users' Group setting out concerns regarding the need to ensure access for pedestrians between the proposed development and the railway station and to ensure vehicular access to and from Bransty Station.

West Cumbria Partnership's Environmental Well Being Group have also submitted written representations which can be summarised as follows:-

- Any spin-off economic benefits to other traders in the town will be limited unless a longer free parking period is facilitated.
- Any future Transport Interchange centred on this railway station should be safeguarded.
- Taxis and buses should be adequately provided for in the development.
- Safe crossing points for pedestrians need to be provided.
- Additional traffic congestion .
- Impact of the development on the cycle route.
- On balance, the Group like the visual impact of the front of the store.
- The use of local building materials is to be encouraged in support of local sustainability.

PLANNING POLICY

The development plan comprises the adopted Cumbria and Lake District Joint Structure Plan (November 1995) and the Copeland Local Plan (June 1997). Both documents pre-date PPG 6 and its recent replacement, PPS 6 (March 2005). A revised Joint Structure Plan is in preparation and changes have been proposed to the deposit draft version published in June 2004. Policy 52 of the revised draft seeks to enhance the vitality and viability of existing centres. Policy 54 provides specific guidance in relation to retail and leisure proposals, stating that schemes located in edge of centre or out of centre locations must demonstrate a need and that a sequential approach should be adopted. This is consistent with PPS 6.

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The adopted Copeland Local Plan identifies Whitehaven as the principal focus for shopping development and Policy TCN 2 defines a town centre area consistent with the designated Conservation Area. Policy TCN 3 permits large retail stores and retail warehouses on the periphery of the town centre provided that a number of criteria are satisfied. The policy fails to identify the two PPS 6 tests relating to need and the adoption of a sequential approach and is, therefore, outdated. The plan refers to the West Cumbria retail study (1996) which concluded there was no need for additional floorspace. The main part of the site is unallocated but the area to the west is allocated by Policy TCN 4 for harbour related uses.

The Council approved the 2nd Deposit Version of the Copeland Local Plan 2001-2016 on 22 March 2005. The retail policies are largely unchanged from the adopted plan but update to take account of the PPS 6 tests for need and the sequential approach.

Policy DEV 5 : Town Centre Uses within Key Service Centres states:-

"Town centre boundaries have been identified on the proposals map for each Key Service Centre.

Proposals for town centre use development within the Key Service Centres will be subject to a sequential test in determining location in the following order of priority:-

1. within the defined town centre boundaries followed by
2. edge of centre sites and only then
3. out of centre sites.

Proposals for such new and extended development in edge of centre or out of centre locations will be required to demonstrate a need for development. Potential impact on nearby key and local service centres will also be taken into consideration as will accessibility by a choice of means of transport."

Policy TCN 1 reaffirms the role of Whitehaven town centre as a principal focus for shopping, commercial and tourism based activities in the Borough and states that this will be promoted and protected. The stated objectives within the town centre are to encourage:-

1. further shopping, commercial and tourism related development especially where it effects physical integration between the town centre, the harbourside and the Pow Beck valley
2. safeguarding of important gateways to the town centre and of links and vistas between the town centre and harbour and edge of town centre car parks within new development or redevelopment

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3. environmental improvements and traffic management measures including pedestrian-priority areas in the main shopping streets and harbour links
4. improved and new strategic car parking facilities at the Swingpump Lane multi-storey car park and on land associated with the redevelopment of town centre periphery Development Opportunity Sites together with the retention and improvement of existing permanent surface car parks
5. a bus/rail interchange to serve the town centre
6. high quality design, materials and appearance in all development, to maintain the essential character of the town centre and harbour.

Policy TCN 2 permits retail development within the defined town centre boundary whilst Policy TCN 3 continues to permit large retail stores/warehouses on sites on the periphery of Whitehaven town centre.

Para. 3.1.8 of the plan states:-

"The plan also identifies town centre boundaries in Key Service Centres. Proposals for town centre uses which include retail, leisure, entertainment facilities, intensive sport and recreation uses, offices, arts, culture and tourism developments and small scale community facilities should ideally be located within the town centre boundaries. It is recognised however that this may not always be possible, particularly in Whitehaven where the historic core of the town centre does not easily lend itself to larger scale town centre use development. Where it is not possible to locate proposals within the town centre boundaries, edge of centre locations will be considered. Edge of centre locations are those within easy walking distance of the town centre and are, or have the potential to be, well served by a choice of transport modes. Only when an appropriate town centre or edge of centre site cannot be identified will consideration be given to an out of centre site which is clearly separate from the town centre."

Para. 3.1.9 goes on to state:-

"As prescribed by Policy DEV 5, proposals for edge of centre or out of centre development must satisfy a series of tests as established by PPG 6. Firstly a sequential approach with regards to the above will be required. A need for the proposal must also be demonstrated. This will be in the form of quantitative need but also qualitative need will be taken into account, especially where there is the potential to contribute to other regeneration aims and strategies in the Borough.

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Impact on existing town centres, including any cumulative impact will also be considered. Any site should also be served by a road system and car parking provision capable of accommodation anticipated traffic flows (including heavy goods vehicles) and be well served by public transport and cycle routes. The Council would expect that any proposed out of centre developments that satisfy the above tests would also comply with the sequential test prescribed by Policy DEV 4."

The publication of PPS 6 on 21 March 2005 provides up to date national planning guidance on "Planning for Town Centres". The guidance continues to place a priority on the location of all forms of development to be located within town centres and defines edge of centre sites as those being within easy walking distance i.e. up to 300 metres of the primary shopping area. The application site is at the upper limit but, as the Council's consultants' report states, it is considered that the site will operate as an edge of centre site as there are easy pedestrian links between it and the rest of the town centre. Moreover, there are not considered to be any sequentially preferable town centre sites in a event.

## PLANNING ASSESSMENT

Planning Policy Statement (PPS) 6 requires that proposed developments of this nature and scale should demonstrate:-

- (a) the need for development, in both quantitative and qualitative terms
- (b) that the development is of an appropriate scale
- (c) that there are no more central sites for the development (the sequential approach)
- (d) that there are no unacceptable impacts on existing centres, and
- (e) that locations are accessible.

Chapters 3.0, 4.0 and 5.0 of the report prepared by consultants on behalf of the Council respectively address the assessment of need; application of the sequential approach and the assessment of retail impact. Copies of these three chapters, together with the conclusions of the report, are appended. In particular, I would draw Members' attention to para. 6.11 which states "In overall terms ..... it is considered that there is a case to support the proposal in terms of need, the sequential approach and the assessment of impact".

As regards scale, it should be noted that this proposal relates to redeveloping an established retail site rather than providing a new retail development per se. PPS 6 advocates that the scale of development should relate to the role and function of the centre and

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its catchment. Given the close proximity of the proposed development to Whitehaven town centre, which is identified as the principal settlement within Copeland and a "Key Service Centre" in emerging planning policy, the scale of the replacement store is considered appropriate for its location.

Turning to accessibility, the site is in close proximity to Whitehaven train station from which services operate between Carlisle and Barrow whilst frequent bus services serve the site with at least 16 buses per hour passing in each direction during the day.

In order to improve public transport accessibility the incorporation of a new bus/taxi layby, some 70 metres in length, outside the store entrance will represent a significant increase in on-site capacity. Moreover, the repositioning of the building further back into the site will facilitate any subsequent provision of an interchange facility for public transport operators, the need for which is identified in the Local Transport Plan. There is no detailed scheme for such a passenger transport interchange at the present time although a detailed study is ongoing. The proposal also incorporates safe and convenient pedestrian access to and from the town centre, harbourside and railway station areas together with links to existing cycleways.

OTHER MATERIAL PLANNING CONSIDERATIONS

1. Design and Materials

In terms of its size (8000 sq m gross with an overall height of 12 metres) and location the proposal represents a very prominent harbourside development in close proximity to the Whitehaven town centre conservation area. The nearby harbour North Wall and Old North Wall are both grade II listed whilst the more distant Old Quay and Old Quay Lighthouse are scheduled ancient monuments.

To meet the present day retail standards a contemporary design solution has been submitted, incorporating a large glazed atrium on the front of the store for enclosing the travelators/lifts/stairs used to bring customers from the ground floor car park to store level. The elevations facing the harbourside and Bransty Row are predominantly glazed but the amended scheme now incorporates a significant element of natural stone cladding to help assimilate the development into its historic setting. The rear elevation, which is dominated by the store servicing arrangements, is predominantly clad in off-white modular composite panels under a metal clad roof.

I am of the opinion that the design solution is now acceptable and will make a positive contribution to the vitality of the harbourside generally.

2. Contribution towards Regeneration

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The proposed development represents a major investment with the provision of around 150 new jobs in addition to the existing 275 jobs which will be transferred from the existing store.

The submission also points out that the development will assist in achieving the Vision for Whitehaven. The funds created by the purchase of land from Whitehaven Development Company will enable additional funding to be secured for implementing the new boat building and maintenance facility. This in turn will have possible spin-off effects on the local economy in terms of both job creation (around 117 jobs) and attracting more visitors to the area.

Under the auspices of West Lakes Renaissance development briefs for key town centre sites, including the Tesco site, drawn up by consultants are currently subject to public consultation. As these proposals presently have no status in terms of planning policy, little weight can be afforded in the assessment of this planning application. A meeting, however, has been arranged between the consultants and representatives on behalf of Tesco to consider the matter further.

CONCLUSION

In conclusion, and taking account of the critical review provided by consultants on behalf of the Council, the proposed development is deemed worthy of support, being in accordance with national and local planning policy.

Significant benefits would accrue in terms of enhancing shopping provision in Whitehaven whilst generating spin-off benefits for the overall regeneration of the harbourside area, including tourism. Moreover, an additional 150 new jobs will be created.

Recommendation

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

1. Permission shall relate only to the amended plans (Drawing Nos 3804.P1.G (ground level and store level); 3804.P2 L and 3804.P2M) received by the Local Planning Authority on 11 April 2005.
2. Net floorspace for the sale of convenience goods shall not exceed 2837 sq m unless otherwise agreed in writing with the Local Planning Authority.



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3. No additional retail floorspace shall be created within the development hereby approved without the prior written approval of the Local Planning Authority.
4. Notwithstanding the approved drawings, no development shall take place until samples of the natural stone external wall cladding and the metal roof cladding have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
5. The car parking indicated on the approved plans shall be constructed, drained and lit to the satisfaction of the Local Planning Authority and made available for use prior to the building hereby approved being occupied and the car park shall be made available free to shoppers for a two hour period, unless otherwise agreed in writing by the Local Planning Authority.
6. The development shall not be occupied until a Travel Plan for staff has been submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan shall be implemented on occupation of the store.
7. The cycle/pedestrian route linking the railway station to the bus layby and Millennium Way shall remain open to the public at all times, unless otherwise agreed in writing by the Local Planning Authority.
8. Before commencement of the off-site highway works full details of the works shall have been submitted to and agreed in writing by the Local Planning Authority. Those works are as follows:-
  - (a) layout and construction of highway improvements to North Shore Road;
  - (b) layout and construction of highway improvements to North Shore/Bransty Row junction;
  - (c) layout and construction of highway improvements to the station approach/Bransty junction;
  - (d) layout and construction of new development access junction with North Shore Road.
  - (e) Provision of a length of footway to North Shore Road linking the end of the promenade to Bransty Row.

The highway works shall be carried out in accordance with the agreed details before the store is first opened to the public unless otherwise agreed in writing by the Local Planning Authority.

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9. Development shall not begin until a "scheme" to deal with contamination of the site has been submitted to and approved in writing by the Local Planning Authority and this "scheme" shall include:-
- (a) a contaminated land desk study;
  - (b) a site investigation and report based upon (a); and a risk assessment derived from (b) and based on Contaminated Land Exposure Assessment (CLEA), and taking into account the potential impact on controlled waters,
  - (c) a remediation plan and strategy based upon (a) and (b),
  - (d) a "discovery strategy, contingency plan and method statement" dealing with the unforeseen contamination discovered during the remediation works, and
  - (e) a "validation strategy" validating the works undertaken as result of (c) and (d), unless otherwise agreed in writing by the Local Planning Authority.

The "scheme" shall be carried out in accordance with the approved Details.

10. Upon completion of the remediation works required, a "report" shall be submitted to the Local Planning Authority verifying that the required works have been carried out in accordance with Condition 9. Post remediation sampling and monitoring results shall be included in the "report" to demonstrate that the required remediation has been fully carried out. Future monitoring proposals and reporting, together with agreed timescales, shall also be detailed in the "report".
11. Development (i.e. building works) shall not begin until the site has been fully remediated in accordance with condition 9 and a validation report submitted in accordance with Condition 10, all to the satisfaction of the Local Planning Authority.
12. If, following compliance with Condition 11, contamination not previously identified is found to be present during development (i.e. building works), no further development shall be carried out (unless otherwise agreed in writing by the Local Planning Authority) until the developer has submitted and obtained written approval from the Local Planning Authority for an addendum to the method statement referred to in Condition 9(d). The addendum shall detail how this unsuspected contamination shall be dealt with and the development shall be executed in accordance with the agreed details.

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In complying with this condition, the words "contamination not previously identified" shall mean; substances present in soil or groundwater in concentrations in excess of the agreed site-specific remediation target as defined in the "remediation plan" referred to in Condition 9(c).

13. Prior to being discharged into any watercourse or surface water sewer, all surface water drainage from car parking and off-loading areas shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.
14. No development approved by this permission shall be commenced until a scheme for the storage, handling, loading and unloading of fuels, oils, chemicals or effluents has been approved by the Local Planning Authority. The works shall be constructed and completed in accordance with the approved plans.
15. No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage has been approved by the Local Planning Authority. The scheme shall be completed in accordance with the approved plans.
16. The site shall be drained on a separate system, with only foul drainage connected into the foul sewer.
17. No development shall commence within the site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.
18. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved prior to the occupation of any part of the development or in accordance with a programme to be agreed with the Local Planning Authority.
19. No development shall take place until a scheme of landscape maintenance has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation and development shall be carried out in accordance with the approved schedule.
20. Details of any floodlighting shall be submitted to and approved in writing by the Local Planning Authority before such works are implemented.

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21. Full details of the exact locations, heights and materials to be used for all new boundary treatments shall be submitted to and approved in writing by the Local Planning Authority before development commences on site.

The reasons for the above conditions are:-

For the avoidance of doubt.

The Local Planning Authority wishes to retain control over the amount of floorspace for the sale of convenience goods together with the total retail floorspace to be provided in order to safeguard the vitality and viability of the town centre primary shopping area.

In the interests of traffic management and highway safety.

To ensure that a satisfactory strategy is in place for addressing contaminated land, making the land suitable for the development hereby approved without resulting in risk to construction workers, future users of the land, occupiers of nearby land and the environment generally. Also to ensure that the proposed site investigations and remediation do not cause pollution of controlled waters.

To prevent pollution of the water environment.

To prevent discharge of contaminated drainage or accidental spillages to underground water or surface waters.

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

To ensure a satisfactory drainage system.

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

In the interests of visual amenity.

Note:

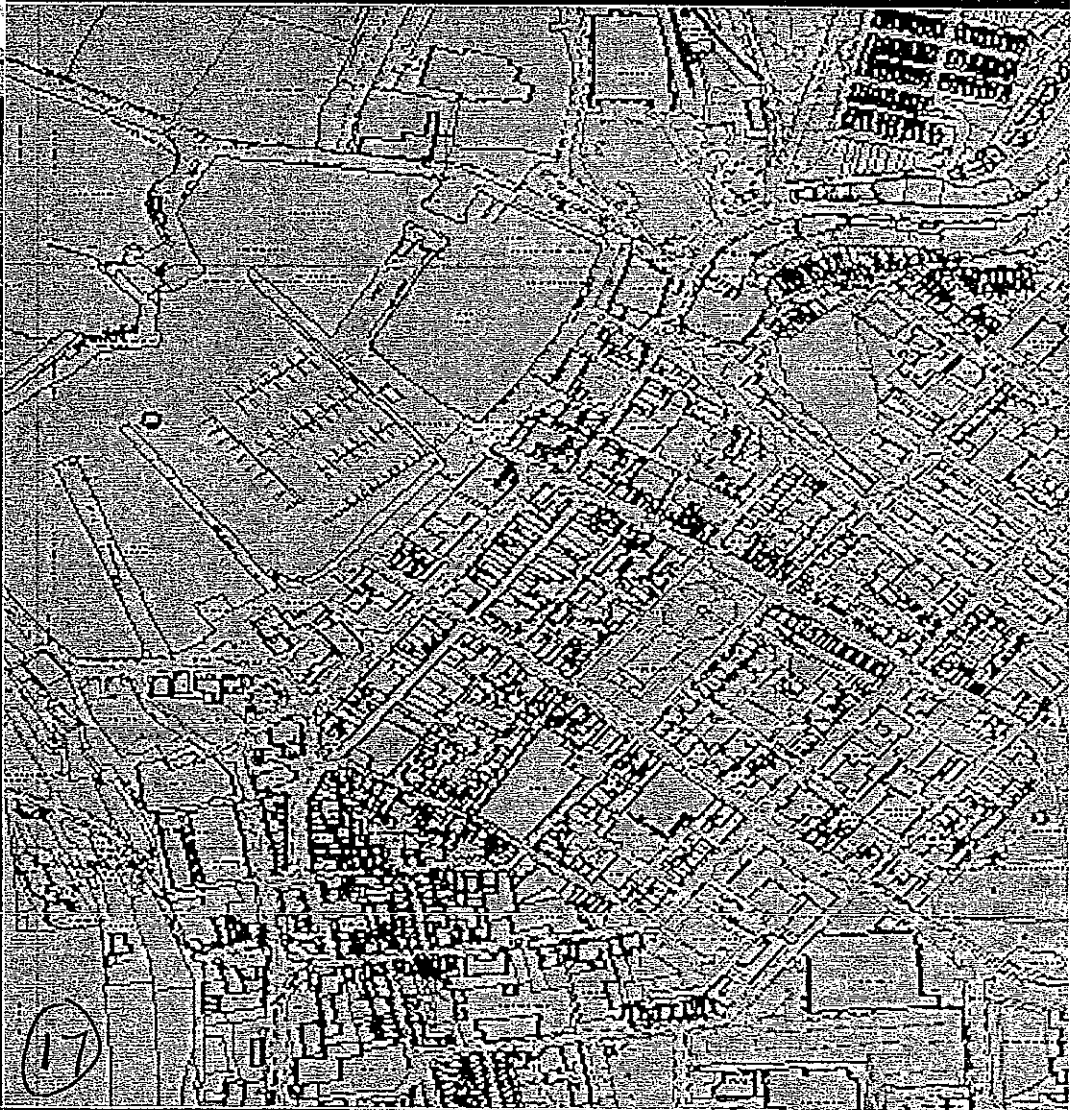
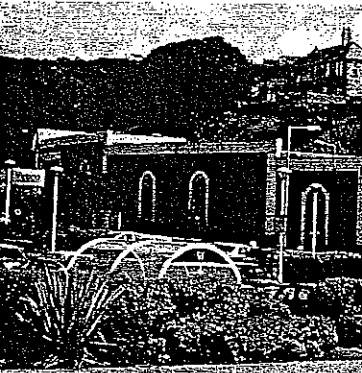
With respect to condition No. 8 the applicant will need to enter into Section 278/38 Agreements to cover the highway improvement works, Pedestrian Crossing Orders, Traffic Regulation Orders, sign changes and other legal issues. All of these works will be to the satisfaction of the Highway Authority, at the applicant's expense.

Planning consultancy advice in  
respect of detail application for  
a replacement Tesco Store

# North Shore Road Whitehaven

**TESCO**

October 2004





**PLANNING CONSULTANCY ADVICE  
IN RESPECT OF  
A REPLACEMENT TESCO SUPERSTORE  
ON LAND AT  
NORTH SHORE ROAD/ BRANSTY ROW,  
WHITEHAVEN**

**OCTOBER 2004**

**Prepared by:  
FPDSavills Ltd  
Wytham Court  
11 West Way  
Oxford  
OX2 0QL**





### 3.0 ASSESSMENT OF RETAIL NEED

#### The Basis for Defining Need

- 3.1 Recent clarifications of retail planning policy (the McNulty Statement) have confirmed that retail need should be demonstrated in quantitative terms as growth in available expenditure for the types of goods proposed to be sold i.e. convenience and comparison. The statement also identifies that qualitative factors can be evidence of need. The draft PPS 6 adopts a similar approach but refers to improvements to customer choice which reduce social exclusion as a qualitative demonstration of need.
- 3.2 The McNulty Statement supports the provision of new retail floor space based upon growth in expenditure. However, in Whitehaven, there is a static population and any growth in spending arises solely from growth in spending per head, which is itself limited. This would suggest there is little or no capacity for new floor space. This was the approach and conclusion adopted by RTP2003. However, various Planning Inspectors have criticised an approach to calculating need based solely upon growth in spending, without first considering the performance and distribution of existing stores. Where there is a shortage of provision relative to available spending this can result in congested shopping environments or resulting in shoppers having to travel extended distances to stores that provide the range of facilities that they are seeking.
- 3.3 If a significant proportion of floor space is located out of centre, there could be a justification in sustainability terms to reallocate this floor space on more central sites to secure a reduction in the use of the car and provide opportunities for linked trips. As such a need can be demonstrated in the absence of growth in available spending.

#### Growth in Spending - Convenience Goods

- 3.4 Table 3.1 summarises the estimates of available convenience goods spending in the Copeland study area adopting the RTP 2003 figures together with adjustments to reflect more recently published data on the growth in spending per head. This shows that there is only growth of £1.2m (a) in the period 2004 to 2011 (adopting the RTP 2003 figures) rising to £5.7m (b) (by applying an updated growth rate). This would be insufficient to support large scale floor space. Even the DDP figures, which are based on a larger catchment population, are only marginally higher (£5.8m) (c) in the same period.

**Table 3.1 Growth in Convenience Goods Spending**

	2004	2007	2011	Change 2004-2011
Population	59410	59410	59410	0
Spend per head (£) (1)	1482	1490	1502	20
Available spending (£m)	88.0	88.5	89.2	1.2 (a)
Spend per head (2)	1502	1542	1598	96
Available spending (£m)	89.2	91.6	94.9	5.7 (b)
Population (3)	62031	62031	62031	0
Spend per head (4)	1476	1502	1556	80
Available spending (£m)	90.7	93.1	96.5	5.8 (c)

Notes (1) RTP 2003 spend per head at 0.2% pa, (2) RTP 2003 with growth at 0.9% pa, (3) DPP 2004 with larger catchment population and growth at 0.9%pa.

- 3.5 This suggests that there would be insufficient growth even by 2011 to support the current application based on expenditure growth alone.
- 3.6 Furthermore, the estimate in Table 3.1 relates to growth in spending in the catchment area as a whole. RTP 2003 has shown that existing stores account for the majority (90.8%) of spending in the survey area. Therefore only part (90.8%) of the total growth in spending is available for Copeland Stores in any event. Table 3.2 calculates the market share of existing Copeland Stores based on the findings of RTP 2003. This suggests that by 2007 there is a growth of only £0.8 million in the available spend for Copeland stores. This improves marginally by adopting the higher growth rate (column 2) where the figures increases to £2.1 million. However, this is still insufficient to support the scale of floor space proposed in the application.

**Table 3.2 Growth in Available Spending for Copeland Stores**

	RTP 2003 (1)		RTP 2003 (2)	
	2004	2007	2004	2007
Available spending (£m)	88.0	88.5	89.2	91.6
Existing spending (£m)	79.6	79.6	79.6	79.6
Market share (%)	90.8	90.8	89.2	89.2
Surplus (£m)		0.8	0	2.1

Notes (1) assumes growth at 0.2% pa, (2) assumes growth at 0.9% pa

- 3.7 DPP estimate in Table 6 the turnover of existing stores based upon company average turnovers at £72.6m . This equates to a market share of 80% based on DPP's estimate of available spending of £90.7m. The DPP estimate of store turnovers is marginally lower than that set out in RTP 2003 (£79.6m). DPP 2004 suggest the difference between total available spending and current store turnovers equates to a capacity of £18.1m and is available to support the application proposal (i.e. £90.7m less £72.6m equals £18.1m) by 2004. This analysis assumes that all spending is available for Copeland stores. RTP2003 suggests that existing stores accounted for the majority (90.8%) of available spending. The residue being accounted for by leakage to other centres, such as Workington. In its analysis, DPP Table 7 has merely adopted a larger catchment, with more leakage, and assumed that this leakage is available for stores in Copeland and can be used to support new floor space. It is not considered that this approach is appropriate.
- 3.8 As RTP2003 shows that Whitehaven has a relatively self-contained catchment area, it is unlikely that there will be a significant surplus of spending. As such, it is considered that the analysis set out by DPP in Table 7, suggesting there is £18.1m of surplus spending by 2004, rising to £20.15m by 2007 that could support new floorspace, is misleading.
- 3.9 A conventional approach would be to assume that stores maintain constant market shares, i.e. 90.8% assuming low growth and 89.2% assuming high growth. Deducting the estimated turnover of existing stores (£79.6m) from Copeland's market share (89.28%) indicates a surplus of £2.1m that might be available to support additional floor space (Table 3.2 – column 2) by 2007. This would be in-sufficient to support the scale of floorspace proposed in the Tesco application.

#### Store Performance

##### a) Floor Areas

- 3.10 In estimating store turnovers, DPP adopt a two stage approach. Firstly, it estimates the net sales area of stores in the catchment area. It then makes a deduction for the area dedicated toward comparison goods only before applying adjusted company average turnovers to the remaining convenience floorspace.
- 3.11 There are a few discrepancies in the net floor areas adopted by DPP when compared with those used in RTP 2003 (Table 3.3). In total the figures used by DPP 2004 are 1,319 sm lower than those in RTP 2003. The most significant of these are the town centre floorspace in Whitehaven and the Co Op store in Egremont (where it appears the most recent extension has been ignored) which will result in an under estimate of turnover. However, in overall terms these differences will have little effect on the overall findings of the DPP report.

Table 3.3 Comparison of Store Net Sales Area (sm)

Store	RTP 2003 net Sales areas (sm)	DPP 2004 net sales areas (sm)	Difference (sm)
<b>Whitehaven town centre</b>	<b>3120</b>	<b>2009</b>	<b>-1111</b>
Tesco	2259	2273	+14
Safeway	2547	2559	+12
Aldi	840	700	-140
Iceland	560	453	-107
Lidl	782	805	+23
Kwik Save	1020	864	-156
Other	0	480	+480
<b>Cleator Moor town centre</b>	<b>482</b>	<b>453</b>	<b>-29</b>
Co Op	1020	1020	0
<b>Egremont town centre</b>	<b>499</b>	<b>824</b>	<b>+325</b>
Co Op	1248	401	-847
Kwik Save	486	383	-103
Other	0	320	+320
<b>Total</b>	<b>14863</b>	<b>13544</b>	<b>-1319</b>

## b) Company Average Turnover – Tesco Proposal

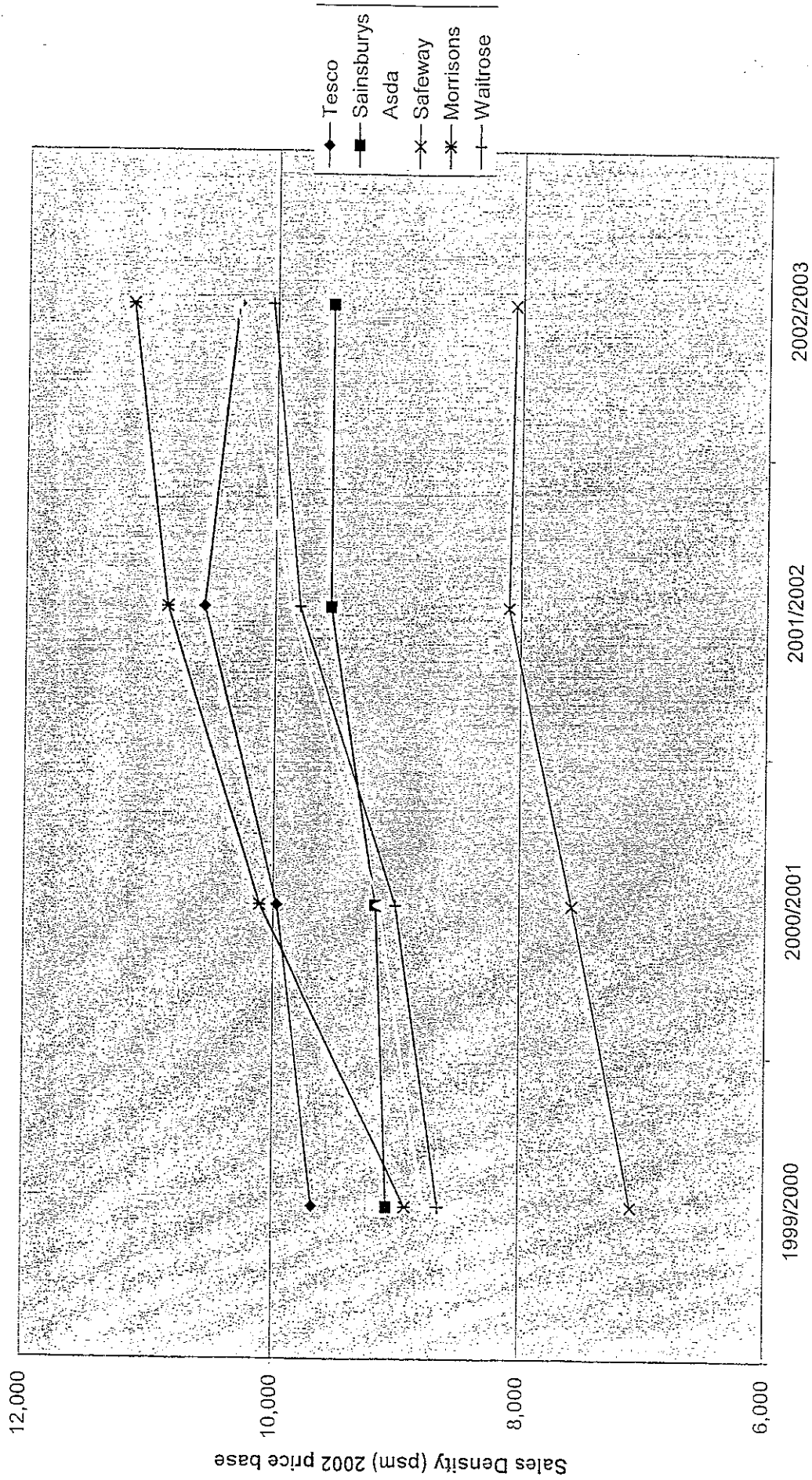
- 3.12 In making a deduction for the split between convenience and comparison floorspace DPP assume that for the majority of the larger stores 80% of the total floor space is dedicated to convenience goods. It then applies an adjusted company average turnover to the net convenience floor space only. The company average turnover applied is not that set out in Retail Rankings (after an adjustment is made for the deduction of petrol sales), but has been adjusted to allow for the different sale density achieved for convenience and comparison goods.
- 3.13 The turnovers set out in Retail Rankings, are aggregate figures including sales from both convenience and comparison goods. DPP have based its assessment of convenience goods sales densities on analysis undertaken by Verdict (a further research company) that separately identifies the turnover of the comparison goods elements of food stores. Table 8 and 9 of DPP 2004 suggest that for the Tesco store, the comparison goods sales density lies in the order of £6,000psm. The application proposes approximately 40% of the floor space is dedicated to comparison sales and 60% to convenience sales. DPP adopt a company average turnover for Tesco of £10,305 psm in 2002 prices (£9,890psm in 2001 prices) This departs marginally from the published figure in Retail Rankings 2004 (adjusted for petrol sales) of £10,313psm. The

difference is likely to be explained by differing assumptions of the price base conversion from 2000/2001 to 2002 prices and in any event is not significant.

- 3.14 Having regard to the area dedicated toward comparison goods sales, this implies a convenience goods sales density of £12,586 psm in 2002 prices (£12,079 psm in 2001 prices), i.e. a total convenience goods turnover of £35.7m in 2002 prices (£34.2m in 2001 prices). This implies a higher convenience goods turnover than that based simply on the published company average turnover of £29.3m.
- 3.15 Whilst DPP are technically correct to make an adjustment for the different sales densities achieved by both comparison and convenience goods, it is difficult to determine the correct level based upon data published by Retail Rankings and Verdict. The existing data sources (Retail Rankings and Verdict) provide information on company wide sales densities. However, any portfolio of stores will range dramatically not only in terms of their actual trading performance, but also the amount of floor space dedicated towards convenience and comparison of goods. If the headline company average sales density set out in Retail Rankings is adopted, but differing proportions of the store are allocated towards convenience and comparison goods, the sales densities for convenience goods will vary widely.
- 3.16 It is unlikely that the actual economics of selling such goods vary to such a large extent. Figure 3.1 shows the company average turnovers (combining both convenience and comparison goods) of a number of large food operators. All those engaged in the sale of comparison goods have achieved significant growth in turnover in recent years. However, if new stores developed in recent years by the main operators are selling increasing proportions of comparison goods, which achieve lower overall sales densities relative to convenience goods, this process would result in a reduction in sales densities over time. Figure 3.1 shows the aggregate company average turnover of the main three food store operators (that are selling increasing volumes of comparison goods) have increasing sales densities. This suggest that there is growth in convenience sales densities to off set the lower sales density associated with comparison goods.
- 3.17 The reality of the situation is likely to reveal that new stores selling comparison goods are able to achieve sales densities in excess of £6,200psm and that the convenience goods element is also higher than £12,500psm such that the combined sales density for a modern food store exceeds the company average in Retail Rankings.
- 3.18 DPP 2004 Table 8 illustrates that the aggregate company average of the existing Tesco store at £14,185 psm in 2002 prices (£13,614 psm in 2001 prices). If the same individual sales densities (for convenience and comparison goods) are applied to the new store, the turnover might be as high as £56.5m (£45.8m convenience and £10.7m comparison). However, the availability of expenditure in the catchment will also influence store turnover. Therefore adopting a company average turnover (£10,313 psm in 2002 prices) with a store turnover of



Figure 3.1 Superstore Company Average Turnovers







£46.4m (£35.7m convenience and £10.7m comparison) may be appropriate in the case of Copeland.

c) Other Store Turnovers

- 3.19 Table 3.4 shows the strong trading performance of the existing Safeway and Tesco stores suggesting there is surplus spending that would be sufficient to support the estimated increase in the convenience sales from the Tesco store without their being an adverse impact on existing town centre stores.
- 3.20 RTP2003 included a household survey which sought to determine the actual trading performance of stores. Table 3.4 (Column 1 and 3) shows that the principal superstores in Whitehaven, (Tesco and Safeway) are trading marginally above their respective company average turnovers. Since the preparation of RTP2003, research has been published to indicate that there has been a sizeable growth in convenience spending per head increasing from 0.2% to 0.9% per annum. Applying the increase in convenience spending to the market shares estimated in the RTP2003 household survey suggests a marginal improvement in the trading performance of the existing stores (column 1 compared with column 2 - £0.9m).
- 3.21 It might be argued that the excess turnover of central stores (town centre and edge of centre) (estimated as column 2 estimated turnovers less column 3 company average turnovers) might be used to support new floorspace without adverse impact on existing town centre stores. The Safeway and Tesco store, generate a potential surplus of £6.1 m. However, the Iceland store records a turnover below the company average (£1.4m) and if an adjustment is made to correct turnovers of edge of centre stores (including Aldi) to company average the surplus reduces to £5.0m. It might be argued that the turnover of the other out centre stores (Kwik Save and Lidl) stores could be displaced (provided it was located in a more sustainable location) to support new floorspace. This would increase the surplus to £8.3m.

Table 3.4 Estimates of Store Turnovers 2002

Store	(1) RTP Household survey @ 0.2% pa	(2) RTP household survey @ 0.9 % pa	(3) Company average turnover	Difference 2-3
Town Centre	7.0	7.0	7.0	+ 0.0
Safeway	22.7	23.0	20.5	+ 2.5
Tesco	26.6	26.9	23.3	+ 3.6
Aldi	3.8	3.8	3.4	+ 0.4
Iceland	1.3	1.3	2.7	- 1.4
Kwik Save	2.4	2.4	3.6	- 1.2
Lidl	0.8	0.8	5.2	- 4.4
Total	64.5	65.4	65.5	-0.1

3.22 The Tesco application proposes a net increase of the convenience goods floor space of 1019sqm. Based upon aggregate company average turnovers (£10,313 psm) the Tesco store turnover increases from £23.2m to £29.3 (i.e. £6.1m). As such, the increase is relatively modest and can be accounted for by the existing strong performance of both the Safeway and Tesco store (£6.1m above the company average). While, the Safeway store is considered to be edge of centre, making some contribution to the vitality and viability of the town centre, any impact on the store's trading performance would have to be assessed in the context of the vitality and viability of the town centre as a whole. However, PPG 6 clearly states that it is not the purpose of the planning system to inhibit competition and as such, the transfer of trade between two existing edge of centre stores might be classified as 'fair competition'.

3.23 DPP 2004 suggests that the actual increase in the Tesco store turnover is greater, increasing from £29.4 million to £35.7 million, i.e. £6.3 million. However, the calculation of the store's potential turnover is estimated at 2007 as opposed to 2002 which has been adopted as the base year in Table 3.4. Table 5.2 sets out store turnovers in 2007 (assuming growth at 0.9%pa) if the Tesco and Safeway company average turnovers are deducted these is a surplus of £7.5m that would be sufficient to support the Tesco proposal.

3.24 While DPP adopt a store performance approach to justify the proposed increase in convenience goods floor space the study does not include a new household survey to estimate actual store turnovers. Instead DPP assert that existing stores are trading at company average turnover except for the Tesco and Safeway stores in Whitehaven and the CoOp at Cleator Moor that are assumed to be trading above the company average (at 25%, 10% and 5 % respectively),

**Table 3.5 DPP Estimates of Store Turnovers 2004 – Convenience Goods Only**

Town Centre	(1) DPP Company average turnover	(2) DPP Estimate of actual turnover	Difference 2 -1
Town centre	5.2	5.2	0
Safeway	17.3	19.2	+1.9
Tesco	21.5	28.6	+7.1
Aldi	2.6	2.6	0
Iceland	2.1	2.1	0
Kwik Save	2.7	2.7	0
Lidl	4.8	4.8	0
Total	56.2	65.2	9.0

Notes Based on Table 6 & 11 DPP 2004

3.25 The scale of over trading estimated by DPP 2004 cannot be justified in relation to the findings of the RTP 2003 household survey. However, RTP 2003 does show that both the Tesco and Safeway stores in Whitehaven are trading at levels in excess (16% and 12% of the company average respectively). Table 5.1 shows the increase in 2004 and Table 5.2 sets out the figure in 2007 Table 5.2. This surplus spending would be sufficient to support the estimated increase in the turnover of the Tesco store. As such a quantitative need for the convenience goods element of the proposal have been demonstrated.

#### Qualitative Need

3.26 The draft PPS 6 identifies that qualitative factors can be used to justify a need for new provision. The guidance refers to improvements in customer choice and particularly where proposals can result in a reduction in social exclusion.

3.27 DPP identifies that the proposal will allow improved shopping facilities to be provided, however, no detail is set out as to the qualitative justification for this. For example the report does not provide any specific evidence on:-

- congestion at tills or in the car park at peak times;
- the findings of customer store exit surveys illustrating a desire for improved facilities;
- examples of difficulties in maintaining sufficient stock levels at busy times; or
- congestion within the service yard as deliveries struggle to re-stock the store at busy times.

3.28 It is considered that evidence is available that could make a stronger case for the qualitative need for the proposal. In particular whilst DPP state that the proposal will result in the improved

facilities, no plans or details have been provided as to the layout of the store and where the additional floor space will be allocated. In particular there is no evidence on:-

- an increase in the number of range of products;
- improvements to circulation space within the store;
- an increase in the number of tills and customer information points; or
- an improvement in ancillary facilities such as the coffee shop etc.

3.29 In fact the report identifies that the coffee shop area will be reduced by 61 sq m as a result of the proposal. Whilst it is conceivable that there is a qualitative need for improved convenience shopping provision within the town, the report has not presented overwhelming evidence to support this position.

### **COMPARISON GOODS**

#### **Growth in Spending**

3.30 RTP 2003 states (paragraph 5.26) that there was expenditure capacity to support 2,323sqm net comparison floor space by 2006. This would suggest that there is sufficient expenditure to support the Tesco proposal that has a net sales area of 1,666 sm. However, the increase in turnover of the Tesco proposal has been estimated at £7.8m by 2007 which will exceed the growth in spending.

3.31 The analysis undertaken in RTP 2003 makes it difficult to determine exactly the scale of expenditure growth and the market shares of Whitehaven stores. Table 3.6 shows the scale of growth in the catchment area as a whole. In the entire catchment area there is growth of £16.9m in the period 2004 to 2007. However, the market share derived by Whitehaven stores (34.7% based on Appendix 2 RTP 2003) is £5.9m in 2007 rising to £14.7m by 2011. Elsewhere RTP 2003 refers to a market share of 36% which would generate a growth of £6.1 m in 2007 rising to £15.2m in 2011. This suggests that a proposal for an additional £7.8m could not be supported by 2007.

Table 3.6 Summary of Growth in Comparison Goods Spending

	Whitehaven town centre market share @ 34.7%		Whitehaven town centre market share @ 36%	
	2007	2011	2007	2011
Whitehaven available spending (£m)	52.3	66.9	54.2	69.5
Growth in available spending since 2004	5.9	14.7	6.1	15.2
Whitehaven town centre turnover assuming growth at 1% pa	49.7	54.3	54.2	56.3
Surplus spending to support new floorspace (£m)	2.6	12.6	6.1	13.1

- 3.32 The increase in turnover of the comparison goods element of the Tesco store is estimated £7.8m which is marginally above the expected growth in expenditure available in the period 2004 to 2007 (£5.9m). The proposal could be supported by 2008 if all the available growth in spending is directed toward the Tesco proposal.

#### Store Performance

- 3.33 The assessment undertaken by RTP 2003 shows that existing stores in the town centre achieve a sales density of £2,662 psm. This is relatively low when compared with other retail studies that suggest that town centre stores can achieve sales densities from £3,000 psm to £4,500 psm. Clearly Whitehaven is a relatively small town and will have a commensurately low turnover, however, it might be reasonable to allow existing town centre stores to achieve improved turnovers in the order of £3,000 psm. Therefore it might be reasonable to allow existing stores to absorb a greater part of the available growth in order to achieve higher turnovers. Conventionally it is assumed that town centre retailers should achieve a 1% to 1.5% annual growth in sales density to allow for a healthy growth in turnover. This approach has not been adopted by DPP.
- 3.34 Adopting the RTP 2003 assessment suggests that when an allowance is made for existing town centre retailers to achieve the minimum level of growth (1%) the amount of new floorspace that can be supported ranges from 2,204 sm to 4,544 sm in the period 2007 to 2011 assuming sales densities in the region of £2,600 psm in contrast to the sales density of the Tesco proposal (£6,200 psm). While the floorspace capacity is larger than the application proposal (1,666 sm net) the Tesco proposal has a far higher sales density which generates a

turnover of £10.7m i.e. an increase of £7.8m on the existing store. In turnover terms the RTP 2003 analysis suggests that a turnover increase of £7.8m could be supported by 2008 while still allowing existing floorspace to achieve a 1% annual growth in turnover. As such a quantitative need for the proposal exists by this time.

#### The Need to Improve Whitehaven's Market Share

- 3.35 RTP 2003 suggest that Whitehaven is likely to experience increasing competition from nearby centres. RTP 2003 refers to recent improvements at Carlisle and there are currently proposals for the expansion of Workington town centre with the re-development of the former Co-Op building. RTP 2003 suggests that Whitehaven has a relatively low market share even in the Copeland survey area (34.7%). This compares with a food store market share of 85% in the same area.
- 3.36 There would be sustainability benefits if shoppers in the Copeland survey area were able to complete the greater part of their comparison goods shopping without having to travel to nearby competing centres such as Workington or Carlisle. As such it might be reasonable for the Council to plan for an increase in the market share of Whitehaven to claw back trade from nearby centres. In this way it would be possible for Whitehaven to support an increasing volume of comparison shopping which would promote a more sustainable pattern of development.
- 3.37 The historic fabric of Whitehaven and the extent of the conservation area impose limits on the nature and scale of new retail development that can be accommodated within the town centre. Whilst there are some peripheral sites that are worthy of consideration, the Tesco site is likely to represent one of the few large scale sites that will come forward for the development of additional comparison floor space in the short term. As such it would be sensible to maximise the potential of this site for shopping provision.

#### Qualitative Need

- 3.38 The assessment undertaken by DPP highlights in general terms the nature of goods that will be sold from the proposal. However, in paragraph 3.5 it merely states that the replacement store will enable 'some' enhancement in the choice of comparison goods including fashion goods, CDs, videos, kitchen items and books etc. The floorspace dedicated toward comparison goods increases by a factor of over three yet little detail is provided how this floorspace will be distributed.
- 3.39 No detailed assessment has been made of the composition of Whitehaven town centre with reference to the classifications adopted in the Goad summary report, or by reference to the specific retailers present in the town. In particular there has been no analysis of retail sectors where the Tesco proposal would complement and enhance existing provision.

3.40 Despite these misgivings about the level of detail provided by the DPP 2004 it is clear that there is a genuine need for additional comparison floorspace in or on the edge of the town centre. This approach is supported by RTP 2003 which states in paragraph 6.11 that:-

*“Exploration of redevelopment opportunities in Whitehaven town centre (or in locations which can be linked well with the town centre area) should be explored and encouraged where practical.”*

#### **4.0 APPLICATION OF THE SEQUENTIAL APPROACH**

- 4.1 The Review of planning guidance set out in Appendix 1 has highlighted the McNulty statement as requiring developers to show flexibility in promoting development proposals that should take account of local circumstances. The draft version of PPS 6 has introduced the need to make efficient and sustainable use of land and reduce social exclusion. The McNulty statement makes specific reference that evidence of flexibility should be demonstrated by:-
- more efficient design;
  - more efficient layout;
  - greater use of multi-storey development;
  - more efficient car parking provision;
  - mixed uses; and
  - opportunities for home delivery.
- 4.2 The McNulty statement refers to the class of goods approach which requires developers to demonstrate flexibility in terms of scale and format when promoting proposals for different types of goods, ie convenience and comparison. The assessment carried out by DPP 2004 has been based upon the application proposal as a whole rather than its constituent parts. It has not distinguished between the comparison and convenience goods floor space. Whilst Section 3.0 has shown that there is a quantitative need for the scale of floor space proposed it is considered that the sequential assessment undertaken by the applicant has not adopted a class of goods approach considering the convenience and comparison goods elements separately. While the store is constructed on stilts with the car parking underneath, it appears that no flexibility has been shown on other aspects of the store's design.
- 4.3 In particular the store is likely to contain a number of administrative elements that could be accommodated on upper floors that could be used to reduce the footprint. In addition whilst car parking provision has been provided broadly in-line with the standard set out in PPG13 it is conceivable that a lower level of provision might be provided as part of a co-ordinated strategy for the maximum use of existing car parks elsewhere in the town centre.
- 4.4 Despite these misgivings on the level of analysis provided by DPP it is considered unlikely that a more sequentially preferable site could be identified for the scale of development proposed. Therefore the application site represents the most sequentially preferable in the town.



## 5.0 ASSESSMENT OF RETAIL IMPACT

### Existing Store Performances

- 5.1 Before considering the implications of trade diversion associated with the proposal it is appropriate to consider the existing trading performance of stores in the catchment area. The household survey undertaken by RTP 2003 has shown that the main stores in Whitehaven (the Tesco and Safeway stores) are trading at levels marginally in excess of the company average. The performance of these stores improves slightly when higher growth rates for convenience goods are adopted. The household survey has revealed that the Iceland store, which is effectively an edge of centre store, is trading significantly below the company average. However, it is considered that the household survey may have under recorded the turnover of this store and when considering the health of the town as a whole, it is unlikely to be a significant cause for concern.

**Table 5.1: Summary of Store Turnovers**

Store	Turnover 2004 assuming 0.9% pa annual growth	Percentage of 2004 Company Average turnover
Town Centre	4.0	102
Tesco	26.9	116
Safeway	23.0	112
Aldi	3.8	112
Iceland	1.3	50
Kwik Save	2.4	68
Lidl	0.8	16

### Potential Trade Diversion

#### a) Convenience Goods

- 5.2 The method of calculating retail impact set out in DPP 2004 (paragraph 8.26) implies a mechanistic approach based upon the proportion of sales achieved by existing stores. Whilst this might be appropriate, the assessment set out in DPP 2004 Table 11 appears to suggest relatively high impact on the Co-op store in Cleator Moor as well as some trade diversion from a number of very small stores in nearby settlements such as Frizington, Seascale, St Bees and Bigrigg.
- 5.3 It is considered that stores in the smaller centres serve essentially localised catchment areas and are unlikely to be affected by the Tesco store opening. As such DPP appear to dissipate the potential impact of the proposal over a wide catchment area. In contrast it is considered that the diversions will be focused on those stores that compete directly with it, ie those in Whitehaven. Elsewhere DPP 2004 suggest other trade diversions that appear inconsistent.

For example DPP estimate that the Co-op store at Cleator Moor will experience a similar level of trade diversion to the Aldi store in Whitehaven town centre, but the Kwik Save store also in Whitehaven will experience a far lower level of diversion.

- 5.4 It is anticipated that all the discount stores in Whitehaven and those adjacent to the town centre will experience similar levels of trade diversion as they typically cater for a similar customer profile. In contrast the Cleator Moor Co-op store provides a more localised shopping facility and many residents are likely to continue using this store. Table 5.2 sets out the estimated store turnovers based upon RTP 2003 (adopting the higher growth estimates 0.9% pa) and a revised estimate of the application's anticipated trade diversion.

**Table 5.2 Summary of Estimate Impact – Convenience Goods**

Store	Turnover 2007 (based on RTP survey with growth at 0.9% pa)	Percentage of Company Average (%) - Before	Tesco trade diversion (£)	Percentage of Company Average (%) – After
Town centre	7.2	105	-0.55	99
Tesco	27.7	119	+6.3	
Safeway	23.6	115	-4.05	96
Aldi	3.9	115	-0.45	102
Iceland	1.4	51	-0.45	34
Kwik Save	2.5	69	-0.45	57
Lidl	0.8	16	-0.2	7
Cleator Moor CoOp	6.2	122	-0.15	119

- 5.5 This shows that the greater part of any impact falls on the existing Safeway store and that other edge of centre stores are still able to achieve reasonable turnovers in relation to their company average. Whilst there is an element of impact amongst stores on the edge of Whitehaven town centre, the application proposal is, in sequential terms, an edge of centre store and therefore the trade diversion is a matter of competition. Furthermore PPG 6 states that it is not the purpose of the planning system to inhibit competition. In overall terms the convenience turnover of Whitehaven town centre increases by £0.8m after taking account of trade diversions in 2007 (an increase of 1.3%) or an increase of 7% if the comparison goods element is included. As such the proposal will result in a positive rather than negative impact in the overall turnover of the town centre.

b) Comparison Goods

- 5.6 Section 3.0 has identified that there is sufficient expenditure capacity to support the comparison goods element of the proposal. As such there is unlikely to be any significant impact as a result

of the proposal. Moreover, the current planning permission on the Tesco store contains no condition limiting the range of goods sold. As such the existing store could be used entirely for the sale of comparison goods. This fall back position is a relevant consideration in assessing the potential harm of the proposal. It is inevitable that some trade will be diverted from other stores in Whitehaven town centre. Currently the Safeway store (being re-branded as a Morrisons store) only has a limited element of comparison shopping. As such the greater proportion of trade diversion is likely to be experienced by competing retailers in Whitehaven town centre such as Argos and Woolworths and to some extent other value orientated retailers such as New Look, McKays and Peacock. However, as the Tesco store is well related to the town centre it will achieve an overall increase in the town centre's turnover which will secure a positive rather than negative impact.

#### Conclusion

- 5.7 As the application proposal is well related to the existing town centre, in an edge of centre location, it will secure an overall positive impact on the town's turnover.

## 6.0 CONCLUSION

### The Proposal

- 6.1 This report reviews a retail assessment prepared by the Development Planning Partnership in support of a planning application for a replacement Tesco store on land at North Shore Road/ Bransty Row, Whitehaven. The application proposes a significant increase in the overall store size from 4,273 sq m to 8,057 sq m (gross) ie an increase of 3,784 sq m. The increase in the net sales area is split roughly between convenience and comparison goods sales (1,019 sq m and 1,211 sq m respectively). DPP anticipates that the existing store is trading marginally above the company average and the increase in the store's convenience goods turnover is only £6.3 m by 2007 adopting a 2002 price base whilst the comparison goods element increases by £7.8 m. The application proposes the relocation of the store so that the entrance is marginally closer (60m) to the edge of the defined primary shopping area (300 m) than the existing store.

### Planning Policy

- 6.2 The main part of the site is unallocated in the adopted local plan and the adjacent site, which is now incorporated in the current application, is allocated for harbour related uses. It is considered that the site will operate as an edge of centre site as there are easy pedestrian links between it and the rest of the town centre.
- 6.3 Whilst retail development would be permitted by both the Adopted and Deposit Draft Local Plan in this location, by virtue of a criteria based policy, it is considered that these policies are out of date in relation to national planning guidance (PPG 6).

### Evidence of Need

- 6.4 Recent clarifications of PPG 6 (the McNulty statement) have identified qualitative need as growth in spending for the types of goods proposed to be sold i.e. convenience and comparison. Previous retail studies (Roger Tym & Partners 2003) have concluded that there is little growth in convenience goods spending as a result of a static population in the catchment area. Even adopting more up to date forecasts of growth in convenience spending per head, there is insufficient growth in spending to support the scale of this proposal.
- 6.5 However, it is considered that new shopping facilities can be supported where it can be demonstrated that existing facilities are incapable of satisfying current customer requirements or poorly located in the context of sustainable patterns of development. It is concluded that the principal food stores in Whitehaven (Safeway and Tesco) are trading marginally above their respective company averages. Combined with the proportion of retail sales associated in out of centre locations there is sufficient spending to support the scale of the application proposal for convenience goods.

- 6.6 RTP 2003 concluded that there was sufficient growth in comparison goods spending to support new development in Whitehaven. Its analysis would not support the scale of turnover proposed in the Tesco application by 2007 although it would by 2008. As such it is considered that there is a quantitative need for additional comparison floorspace.

#### The Sequential Approach

- 6.7 The McNulty statement has confirmed that a class of goods approach should be adopted in applying the sequential test. It is considered that DPP have simply considered the application as a whole, and not its individual elements, in reviewing sequential sites. Despite these misgivings it is unlikely that there will be other sites that are suitable, available and viable for the scale of development proposed.

#### The Significance of Impact

- 6.8 DPP assert that a number of stores in the catchment area (the Tesco and Safeway at Whitehaven and the Co-op at Cleator Moor) are trading marginally above the company average. The scale of over-trading suggested by DPP is not directly supported by the household survey in RTP 2003. Nevertheless, even after the anticipated trade diversion of the proposal, the majority of edge of centre stores are able to achieve satisfactory turnovers and the application proposal will result in a net increase in the convenience goods turnover of the town centre as a whole. As such it is concluded that the proposal will not result in an adverse impact.
- 6.9 In terms of comparison goods shopping the amount of growth in the catchment area is sufficient to support the proposal by 2008 when allowance is made to enable existing town centre retailers to achieve a modest increase in turnover. RTP 2003 concluded that proposals for the enhancement of comparison shopping provision in Whitehaven should be actively pursued in the context of increasing competition from nearby centres such as Carlisle and Workington. As such the proposal complies with this approach.
- 6.10 The significance of any impact on comparison goods is mitigated by the applicant's fallback position. The current store has no restriction on the range of goods and theoretically could be used entirely for comparison goods shopping in any event. As there is significant growth in available spending for comparison goods in the catchment area it is unlikely that the proposal will result in any adverse impact. Whilst there may be some impact on existing town centre retailers selling a comparable range of goods the application proposal will secure an overall increase in the comparison goods turnover of the town centre resulting in a positive rather than negative impact.

6.11 In overall terms while DPP has not provided the level of detail that might be expected, it is considered that there is a case to support the proposal in terms of need, the sequential approach and the assessment of impact.

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The existing adopted Section of the North Shore Road to be incorporated into the site will need to be formally closed using Section 247 procedure of the Town and Country Planning Act 1990, all costs associated with this to be at the applicant's expense.

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3 4/05/2031/0

APPLICATION TO FELL ONE CHESTNUT TREE PROTECTED  
BY A TREE PRESERVATION ORDER  
CHESTNUT HOUSE, THE GROVES, HENSINGHAM,  
WHITEHAVEN, CUMBRIA.  
D GRAVES

Parish Whitehaven

Permission is sought to fell a Horsechestnut tree protected by a Tree Preservation Order within the garden area of a dwelling at The Groves, Hensingham.

The applicant has stated that the tree has a split up one major fork and is showing signs of rot. Concern is expressed that the tree is a danger to a nearby dwelling.

An in-depth inspection of the tree has been undertaken by the Council's Landscape Technical Officer. The survey results suggest that there is a substantial area of sound timber within the subject tree fork.

Tree surgery work was recently undertaken on this mature tree following the January gales resulting in the removal of one limb. Further monitoring of dead wood within the remaining tree is now recommended to establish whether the tree is adapting to the production of callus growth following the recent tree works.

It is advised by the Council's Technical Landscape Officer that there is insufficient evidence at this stage to support the total removal of this tree. Instead it is recommended that the Council closely monitors and surveys the tree in the summer and autumn in order to carry out further tests to ascertain the health of the tree. A remedial crown reduction of no more than 20% of the total crown volume is considered to be appropriate in the short term and should alleviate further stresses on the tree.

It is considered that the specimen forms an integral part of the landscape within The Groves housing development and the immediate surroundings and at this stage felling of the tree is considered to

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be premature. However, a 20% crown reduction is considered to be acceptable in the short term.

Recommendation

The felling of this protected tree is considered premature and at variance with Policy ENV 10 of the Copeland Local Plan 2001-2016 2nd Deposit Version. Further health check surveys should be undertaken in summer and autumn to monitor the health and safety of the tree. However, a 20% reduction is deemed acceptable in the short term and is hereby authorised.

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4 4/05/2054/0

RESIDENTIAL DEVELOPMENT (26 DWELLINGS)  
ST GEORGE'S ROAD, MILLOM, CUMBRIA.  
MILLOM PROPERTIES

Parish Millom

- No objection to the building of the houses. However, concerns raised over the access and egress from the site onto an already busy junction. Possible traffic calming measures at the cost of the developer. Concerns over footpath next to the site - possible danger to pedestrian and the legality of the footpath.

At the 2 March 2005 meeting Members resolved to carry out a site visit before determining this application. The site visit was held on 15 March 2005. Since the site visit the proposal has been amended to take account of comments received from the Highway Authority.

Permission is sought to erect 26 dwellings on this 1.66 acres site to the rear of the Bridge Cafe in the centre of Millom. The cleared site was formerly used as railway sidings and is located between the west coast railway and St George's Church and St George's Nursing Home.

The proposed development would be served by a central access road onto St George's Road. In order to achieve satisfactory visibility at the junction it will be necessary to relocate an existing (partially demolished) gate post and boundary wall to St George's Church yard. This wall is considered to represent a feature of significant interest within the Millom Conservation Area. If Members are minded to grant permission it is recommended that details of the repositioned wall should be reserved for subsequent approval.



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The proposed development incorporates the following house types:-

- Type A : Three bedroomed bungalow
- Type B : Two storey, three bedroomed townhouse
- Type C : Three storey, four bedroomed semi-detached house.
- Type D : Two storey, four bedroomed semi-detached house.

It is proposed to finish all the properties with grey concrete roof tiles, light coloured render and sandstone heads, cills and quoins.

The area of the site adjoining St George's Church slopes steeply. A cross-sectional drawing shows how this slope will be excavated to accommodate the three storey development.

A footpath runs between the development site and the church yard wall. Enquiries to the Highway Authority reveal that this is not a public right of way. Nevertheless, it provides a valuable pedestrian link between Millom town centre and Haverigg Road with links to Moor Road and the Lowther Road estate.

A letter has been received from the local branch of the Ramblers Association who are concerned that rear garden walls or fences will enclose the footpath. This would deter walkers from using the path. Also, the Association wishes to see the footpath upgraded to a cycleway.

The applicant has agreed to protect a 3 metre wide footpath. This should allow upgrading to a cycleway at a later date subject to inclusion in the Local Transport Plan. Also, it is proposed to retain the 1200mm high metal railings which adjoin the path. Nevertheless, it is considered important to retain control over boundary treatments by removing permitted development rights.

A letter has been received from the vicar of Millom who expresses the following concerns:-

1. The access has restricted visibility and adjoins the entrance to the Church, Vicarage and St George's Nursing Home. Sufficient provision should be made to ensure the new access is as safe as possible.
2. Part of the development will be on steeply sloping ground. There is no indication on the plans to stabilise the sloping ground.

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

- (a) The Highway Authority raise no objections to the proposal subject to conditions to ensure adequate visibility and subject to the design and construction of the road being to Cumbria Design Guide Standards. The Church has been consulted in respect of the proposed modifications to the boundary wall.

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- (b) The Building Regulations ensure that suitable precautions are incorporated regarding the stability of adjoining land.

The site is considered to be previously developed land as defined by Annex C of PPG 3 "Housing". Accordingly, the proposal is considered to comply with the Council's Interim Housing Policy. It should be noted that the site is not an allocated housing site within the Copeland Local Plan 2001-2016 2nd Deposit Version. However, the site performs very well in terms of the overall Local Plan policies and objectives.

As previously developed land in a key service centre the proposal scores highly against the sequence of priority sites set out in Policy DEV 4. Furthermore, regeneration of the site in a sustainable location close to local services and public transport links complies with Policy DEV 1 of the Plan. In terms of the "Plan, Monitor and Manage" approach the site will help the Council meet its targets to reuse brownfield land. This is considered to be the type of windfarm site which is envisaged by Policy HSG 9 of the Plan.

The proposal is considered to be an acceptable form of sustainable housing which will secure the regeneration of this town centre site.

Recommendation

Approve

2. Permission in respect of site layout shall relate solely to the amended drawings No.. 3084-01 d received by the Local Planning Authority on 6 May 2005.
3. Before development is commenced full detailed drawings of the proposed repositioning of the church gate pillar and any modifications to the church yard boundary wall shall be submitted to and approved in writing by the Local Planning Authority. The modifications shall be undertaken strictly in accordance with the approved plans before any dwelling is occupied.

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4. No development approved by this permission shall be commenced until a desk study has been undertaken and agreed by the Local Planning Authority to investigate and produce an assessment of the risk of the potential for on-site contamination. The desk study should include sufficient documentary research to enable a thorough understanding of the history of the site, including past and present uses. If the desk study identifies potential contamination a detailed site investigation shall be carried out to establish the degree and nature of the contamination and its potential to pollute the environment or cause harm to human health. A scheme of remediation to remove or contain any contamination found on site shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme of remediation shall be implemented prior to development being commenced on site.
  5. The development shall not commence until visibility splays providing clear visibility of 70m x 2.4m x 70 metres measured down the centre of the access road/drive and the near-side channel line of the major road have been provided at the junction of the access road/drive 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 within the visibility splay which obstruct the visibility splays. The visibility splays shall be constructed before the general development of the site commences so that construction traffic is safeguarded.
  6. The carriageway, footways, footpaths, cycleways etc shall be designed, constructed, drained and lit to a standard suitable for adoption and in this respect further details, including longitudinal/cross sections, shall be submitted to the Local Planning Authority for approval before work commences on site. No work shall be commenced until a full specification has been approved. These details shall be in accordance with the standards laid down in the current Cumbria Design Guide. Any works so approved shall be constructed before the development is complete.
  7. No dwellings shall be commenced until the access roads, as approved, are defined by kerbs and sub-base construction.
  8. No dwellings shall be occupied until the estate road, including footways and cycleways to serve such dwellings, has been constructed in all respects to base course level and street lighting where it is to form part of the estate road has been provided and brought into full operational use.

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9. Ramps shall be provided on each side of every junction to enable wheelchairs, pushchairs etc to be safely manoeuvred at kerb lines. Details of all such ramps shall be submitted to the Local Planning Authority for approval before development commences. Any details so approved shall be constructed as part of the development.
  10. Access gates, if provided, shall be hung to open inwards only away from the highway.
  11. The access drives shall be surfaced in bituminous or cement bound materials, or otherwise bound, and shall be constructed and completed before the dwellings are occupied.
  12. Details of all measures to be taken by the developer 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.
  13. 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 fences, gates, walls or other means of enclosure exceeding 1.0 metre in height shall be erected along the boundaries of plots 1 to 19 inclusive adjoining the existing footpath.
  14. The existing footpath shall be protected to a width of 3.0 metres for its length adjoining the development.

The reasons for the above conditions are:-

For the avoidance of doubt.

To protect the existing church yard wall and gate pillar within the Millom Conservation Area.

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

In the interests of highway safety.

To protect the existing footpath against inappropriate development and to facilitate its future upgrading to a cycleway.

Reason for decision:-

An appropriate form of housing development on this previously developed town centre site compliant with Policies DEV 4 and HSG 3 of the Copeland Local Plan 2001-2016 2nd Deposit Version.

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5 4/05/2102/0

OUTLINE APPLICATION FOR 8 NO. SELF BUILD PLOTS  
INCLUDING ACCESS ROAD  
PLOTS 1-8, OFF EAGLES WAY, MORESBY PARKS,  
WHITEHAVEN, CUMBRIA.  
SENATOR HOMES LIMITED

Parish Moresby

- No comments received.

Outline planning permission is sought for eight dwellings on this site which forms part of the final phase of development at this ongoing estate development at Moresby Parks.

Permission was granted for 263 houses for the whole of this estate in October 1980 (4/79/1311/0 refers). Reserved Matters were subsequently approved in January 1983 (4/82/0334/122 refers). Out of the 263 houses, 104 were constructed by the developer at that time. In recent times portions of the remaining undeveloped land have been released for self-build plots. So far this has totalled 77 dwellings (4/00/0274/0F1, 4/01/0258/0F1, 4/01/0755/0 and 4/03/0924/0 refer).

The site to which this current application relates formed part of the original development site in 1980 and is within the Moresby Parks settlement boundary as set out in the adopted Copeland Local Plan 2001. The exclusion of the application site from the settlement boundary of the 1st Deposit Version of the Local Plan is an error which has been rectified in the recently published 2nd Deposit Version of the Local Plan.

The proposed development is located in the southern corner of this housing site. The road and plot layout which accompanies this application shows a single cul-de-sac with the eight plots arranged around it. Access would be from the main access road which serves the rest of the estate.

Five letters of objections together with a petition containing 12 signatures have been received. The grounds for objection are summarised below:-

1. The house types should be restricted to bungalows, especially where they back onto existing development.
2. The self-build plots have resulted in work being carried out at unsociable hours and the building works are spread over a longer

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period of time.

3. The land is not allocated for housing in the Copeland Local Plan.
4. The development would reduce natural light from the existing properties on Eden Drive.
5. This part of the estate has only bungalows and therefore this site should be the same.
6. An existing drain runs across the site and discharges into a stream. This should be incorporated into the proposal to avoid potential flooding.
7. The access road may not be wide enough for two way traffic. The road would have to be dug up to lay services which will cause disruption and dangers for children.
8. The site does not appear to be large enough to take eight dwellings.

I would respond to the points raised as follows:-

1. There is merit in restricting the dwelling types to single storey both to reduce their impact on surrounding properties and to reflect the character of the immediate area.
2. How the land is disposed of or developed either by individuals or a company is not a planning issue.
3. If hours of work or noise nuisance occurs then the Council's Environmental Health section can take action under separate legislation.
4. The issue of whether the land is allocated has been addressed previously.
5. The issues of detailed design can be addressed at the Reserved Matters stage.
6. The Highways Authority raises no objections to this proposal.

This application forms part of the original housing site. The proposed number of dwellings and road and plot layout are considered acceptable and in accordance with Local Plan policies.

Recommendation

Approve in Outline

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3. Permission shall relate solely to the amended plans received by the Local Planning Authority on 19 April 2005.
4. The development shall be restricted to single storey dwellings only.
5. The site shall be drained on a separate system with foul drainage only connected into the foul sewer.
6. Before development commences a comprehensive drainage engineer's report shall be submitted to the Local Planning Authority for approval. The report shall include a detailed survey of the existing drainage system and proposals for the foul and surface water drainage systems for the site, including any surface water attenuation. The approved scheme shall be completed in accordance with the approved details before any dwellings are occupied.
7. No dwellings shall be commenced until the the access roads, as approved, are defined by kerbs and sub-base construction.
8. No dwelling shall be occupied until the estate road to serve that dwelling has been constructed in all respects to base course level and street lighting has been provided and brought into full operational use.
9. All matters relating to the layout of the site, the means of access, parking and turning within the site shall be reserved for approval at the detailed planning stage.
10. Full details of the surface water drainage system shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing on site.

Reasons for the above conditions:-

For the avoidance of doubt.

To assimilate the new development with existing adjacent development.

To ensure a satisfactory drainage system.

In the interests of highway safety.

Reason for decision:-

An acceptable form of residential development on an allocated housing site in accordance with Policy HSG 4 of the Copeland Local Plan 2001-2016 2nd Deposit Version.

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6 4/05/2173/0

HOUSE AND OIL TANK  
ROSE COTTAGE, MAIN STREET, SANDWITH, WHITEHAVEN,  
CUMBRIA.  
MR A ROPER

Parish                    Whitehaven

At the last meeting Members resolved to carry out a site visit before determining this full application to construct a three bedroomed detached house with associated oil tank within the curtilage of the applicant's existing house. The site visit took place on Wednesday, 4 May 2005.

The proposed dwelling would be served by off-street parking to the front and finished with a dry dash render under a grey concrete tiled roof.

The site lies outside any settlement boundary as defined by Policy DEV 4 of the Copeland Local Plan 2001-2016 2nd Deposit Version and the application should therefore be considered against Policy HSG 5 of the emerging plan which states that:-

"Outside the settlement boundaries defined by Policy DEV 4 new housing development will not be permitted except where it is required to meet exceptional circumstances arising from local social and economic conditions. Where this criterion is fulfilled the development must comply with the relevant requirements of Policy DEV 6 and be sited so as to minimise its visual impact and incorporate traditional elements in its design, scale and external finishes. The development must not have an adverse effect on areas of greenspace which has an important recreation or amenity value to the local community. All planning permissions granted in accordance with this policy will be subject to a planning obligation or condition limiting occupation of the dwelling(s) solely to persons who can demonstrate an exceptional social or economic need."

The attached letter sets out the applicant's local needs case in support of his application. Whilst sympathising with the circumstances outlined, Members noted at the site visit that a range of residential properties are currently on the market within Sandwith. Whilst Members will have to decide how much weight to give to the argument put forward I must stress that the financial circumstances of the applicant are not, per se, sufficient grounds for granting planning permission.



4 / 0 5 / 2 1 7 3 / 0 F 1 ANTHONY J ROPER

ROSE COTTAGE

SANDWICH

WHITEHAVEN

CA28 9UG

Dear Sir Madam, I am writing to you to kindly ask if you would consider our case for building a single dwelling in Sandwich Village as a local needs case, we have a family home (Rose Cottage) in which my mother, Sister and husband and there 2 children reside. This is still jointly owned by myself and neither myself or my sister can afford to buy the other out, and due to meeting a partner and having 2 children myself space is very tight, we would propose to join a 3 bedroom home keeping in with Rose Cottage. We have explored every option available to us, renting which is between £500 and £900 per month, and buying a building plot which is around £75-£100,000 or to buy a property which for a 3-4 bedroom homes start at £160,000, all of these options would financially cripple us to be truthful.

4 / 05 / 2173 / 0 F 1  
and due to the fact I work for TW  
West Ltd in Sandwith and my Partner  
Louise is a mobile beauty therapist  
and are both on modest wages. This is  
when I thought about the amount of  
land surrounding rose cottage in which  
it would be ideal to build a  
modest dwelling, so financially we  
would have an affordable mortgage,  
because we would not have to buy  
a plot and still be able to live.  
Since I have lived in Sandwith  
all my life (40 years) and worked in Sandwith  
24 years, it would break a family unit  
in which we are so close and because,  
myself and my Partner work unsociable  
hours it would help that my Mother  
and Sister are close by to help, look  
after our 2 children, it would also  
help due to the fact our Son is at  
kells infants school and this would be  
a further disruption if we have to

move him to another school as he is  
so happy and settled there. I also  
need to be near my work especially  
this time of year due to call outs from  
local farmers needing help with lambing  
cairving, milking etc as this is part  
of my job. I do hope you will  
be sympathetic to our case and  
also include our proposed plans  
for you to look at. we look  
forward to hearing from you.

Yours Sincerely

A. Koper.

~~4 / 05 / 2173 / 0 F 1~~



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In my opinion the case put forward does not outweigh the strong policy presumption against allowing further new housing development in the countryside. Moreover, the proposal is considered to represent an overintensive form of development given its disposition relative of Rose Cottage.

Recommendation

Refuse

In the absence of demonstrable exceptional circumstances arising from local social and economic conditions the proposal is considered to represent an overintensive, inappropriate form of non-essential housing development in the countryside contrary to Policies DEV 6 and HSG 5 of the Copeland Local Plan 2001-2016 2nd Deposit Version.

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7 4/05/2175/0

TWO STOREY EXTENSION  
59, RUTLAND AVENUE, WHITEHAVEN, CUMBRIA.  
MR & MRS A KITTO

Parish Whitehaven

A decision on this application was deferred at the last meeting to enable Members to visit the site. The site visit took place on Wednesday, 4 May 2005.

The application seeks permission to construct a two storey extension to the side of this semi-detached house to accommodate a ground floor kitchen and utility room with a bedroom and en-suite facility at first floor level.

The scale of the proposed extension is such that it would increase the existing 90 sq m floorspace by 75 sq m floorspace. Given that it is also intended to provide an additional staircase within the extension its scale would facilitate the creation of a separate dwelling unit.

Whilst no representations have been received in response to neighbour notification procedures the proposed extension would result in habitable room windows directly facing the front elevation of an existing house to the rear with a separation distance of only 10 metres. The adopted and emerging Copeland Local Plans require a minimum separation distance of 21 metres in such situations.

Recommendation

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Refuse

By virtue of its size and location the proposed extension would result in an unacceptable loss of amenity for the residents of the neighbouring property to the rear at variance with Policies HSG 16 and HSG 32 of the adopted Copeland Local Plan 2001 and Policies HSG 8 and HSG 20 of the Copeland Local Plan 2001-2016 2nd Deposit Version.

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8 4/05/2178/0

OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT  
SITE OF FORMER CHURCH, PRESTON STREET,  
WHITEHAVEN, CUMBRIA.  
MR & MRS HANNAH

Parish Whitehaven

Outline planning permission is sought for a residential development on this now cleared site following fire destruction of a former church on Preston Street, Whitehaven.

The site is bounded to the south and rear by elevated land comprising the Kwik Save supermarket and its associated car park and is situated opposite the Focus DIY superstore.

Cumbria Highways have recommended that the application be refused on the following grounds:-

1. The introduction of a residential development into a commercial area.
2. That Preston Street provides the main traffic route into a commercial area.
3. Future commercial developments in the area are likely to increase further traffic flows within the vicinity.
4. On-site parking and turning arrangements are likely to be limited and details have not been submitted in support of the application.

This proposal is sited on the periphery of Whitehaven Town Centre and should, therefore, be assessed against Policies HSG 4, TCN 3 and TSP 6 of the Copeland Local Plan 2001-2016 2nd Deposit Version.

Policy HSG 4 states that proposal for "small scale housing

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redevelopment in the form of infilling, conversion and rounding off will be permitted subject to the requirements of other plan policies".

Other relevant plan policies include:-

Policy TCN 3 which outlines various commercial uses that would normally be supported in this Whitehaven Town Centre peripheral area including petrol filling stations; taxi and vehicle businesses; car show rooms; car parks; warehouses; offices and large retail stores/warehouses. Notably housing is not included. Other historical planning approvals associated with this site have all been for commercial uses to include car storage; warehousing, together with a gymnasium.

Policy TSP 6 sets out general development requirements relating to access, travel needs and highway safety. As noted above, the Highway Authority objects to this proposal.

In my opinion piecemeal residential development within this town centre peripheral area would be out of character with the commercial environs and adjacent to a main traffic route into Whitehaven where insufficient evidence has been provided to demonstrate that satisfactory vehicular access and parking arrangements can be provided.

Recommendation

Refuse

A residential development on this site is considered to be at variance with Policies HSG 4, TCN 3 and TSP 6 of the Copeland Local Plan 2001-2016 2nd Deposit Version by virtue of being out of character with the commercial environs on a physically constrained site off a main traffic route with insufficient evidence having been provided to demonstrate satisfactory vehicular access, parking and householder amenity provisions.

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9 4/05/2229/0

FORMATION OF 4 NO. SELF CONTAINED DWELLINGS AND  
CONVERSION OF RETAIL UNIT TO BETTING SHOP  
1-3, LAPSTONE ROAD, MILLOM, CUMBRIA.  
D & M ROSS

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Parish

Millom

- Concerns regarding parking and noise levels.

This former furniture showroom situated at the corner of Lapstone Road and Lancashire Road has been vacant for a number of years. As a result its appearance within the Millom Conservation Area has deteriorated. In April 2004 planning permission was granted to convert the building into a restaurant (4/04/2071/0F1 refers). The consent has not been implemented but remains extant.

Planning permission is now sought to convert the building to create four dwellings and a betting shop. The premises adjoin an existing terrace of houses. It is proposed to convert the section of building adjoining the residential terrace into a two bedroomed terraced house. The remainder of the ground floor would provide the proposed betting shop unit. It is proposed to convert the first and second floors to create 2 two bedroomed apartments together with a single bedroomed apartment.

Externally, on the Lancashire Road elevation, it is proposed to block up an existing window and create a door opening. In order to house new stairwells it is proposed to erect a flat roofed extension to the rear elevation. Although flat roofed extensions are not normally supported this will be recessed between two existing extensions and is unlikely to be visible except from directly to the rear of the property.

It is proposed to replace the existing timber mock sash windows with white uPVC mock sash windows. In view of the fact that the property is located in a Conservation Area if Members are minded to approve the application details of the window design and materials should be reserved for subsequent approval.

A letter of objection has been received from the owner of the adjoining residential property whose concerns can be summarised as follows:-

1. Potential noise being emitted from the betting shop will cause nuisance in this residential area.
2. The proposal will create additional car parking problems. The objector currently experiences parking problems resulting in the back street being obstructed. This will be exacerbated by the proposed development and the ongoing conversion of the West County Hotel.

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

- (a) The property is located in an area of mixed use including both residential and commercial properties. Given the character of the area the proposed betting shop is unlikely to give rise to



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nuisance. The proposed house between the betting shop and the objector's property should minimise the risk of nuisance.

- (b) No objections have been received from the Highway Authority in respect of the proposal. The Highways Control Officer notes that whilst there is no off-street parking associated with the property an underutilised public car park is located nearby. On-street parking problems cannot be dealt with through the Planning Acts.

The proposal is considered to be an acceptable form of development retaining retail/commercial floor space whilst providing four additional dwellings. This is likely to be a viable proposal to secure the reuse of this prominent building compliant with Policies HSG 15 and TCN 5 of the Copeland Local Plan 2001-2016 (2nd Deposit Version).

Recommendation

Approve

2. Permission shall relate solely to the amended drawing No. 3116-01b received by the Local Planning Authority on 5 May 2005.
3. Before development is commenced details of the proposed window display to the betting shop unit shall be submitted to and approved in writing by the Local Planning Authority. The approved window display shall be installed before the use becomes operational and shall not be removed or altered without the prior written consent of the Local Planning Authority.
4. Notwithstanding the plans hereby approved full details of the type, design and materials for the proposed windows shall be submitted to and approved in writing by the Local Planning Authority before development is commenced. The windows as installed shall comply strictly with the approved details.
5. All new ground floor windows and doors abutting the highway shall be of a type which cannot be opened outwards into the highway.

The reasons for the above conditions are:-

For the avoidance of doubt.

To ensure a satisfactory window display compliant with Policy TCN 13 of the Copeland Local Plan 2001-2016 2nd Deposit Version.

To ensure appropriate window design in the Millom Conservation Area.

MAIN AGENDA

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In the interests of highway safety.

Reason for decision:-

An appropriate mixed use conversion scheme for the reuse of this vacant building within the Millom Town Conservation Area compliant with Policies HSG 15 and TCN 5 of the Copeland Local Plan 2001-2016 2nd Deposit Version.

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10 4/05/2231/0

CHANGE OF USE TO RESIDENTIAL OCCUPATION OF  
REDUNDANT FARM BUILDINGS TO CREATE TWO DWELLINGS  
ROTHERSYKE FARM, EGREMONT, CUMBRIA.  
MR T DIXON

Parish                      Lowside Quarter

- No comments received.

This application seeks consent to convert two redundant agricultural buildings into two dwellings. A statement in support of the application is annexed to this report which explains that the traditional farm buildings and house at Rotherisyke Farm have become surplus to requirements due to a farm amalgamation. An accompanying structural engineer's report confirms that the buildings are structurally capable of conversion.

One barn immediately adjoins the existing farmhouse. It is proposed to convert this building to create a four bedroomed dwelling over three levels. Externally, the building has traditional sandstone elevations and a local slate roof. The front elevation contains a large loading door with a bridge access ramp.

It is proposed to create four new window openings in the front elevation. These reflect the character of the barn and the proposed windows will be of dark stained timber construction. External doors are vertically boarded.

The proposed south (gable) elevation will incorporate three windows. One window will have a ledge and brace door to give the effect of a hay loft. The proposed north (gable) elevation incorporates two new window openings. It is proposed that each window and door will have a sandstone surround.

The second barn is currently attached to a disused modern agricultural

building. It is proposed to remove this modern building to expose a sandstone elevation. The building has been modified in the past to allow for modern agricultural use. This includes an asbestos sheeting roof and a smooth rendered elevation facing the farmyard.

It is proposed to replace the roof with a local slate covering. The sandstone elevation will be altered to provide a window and door opening together with a large arched window opening. The proposed farm yard elevation will include four new window openings. Due to restricted height on the first floor of the dwelling it is proposed to include two "cottage style" dormer windows. Whilst dormer windows are not normally appropriate on barn conversions the design and location of the windows are not considered to compromise the scheme.

Two detached garages are proposed adjacent to the second barn. The proposed garages have sandstone elevations except the hidden elevations adjacent to the barn which will be wet dash rendered. It is proposed to cover the roofs with local slate.

The proposal is considered to be an acceptable scheme to convert these rural buildings to residential use.

#### Recommendation

##### Approve

2. Permission in respect of site layout shall relate solely to the amended drawing No. roth/pl/07 B received by the Local Planning Authority on 13 May 2005.
3. Permission in respect of the design of the dwellings shall relate solely to the amended drawing Nos. roth/pl/04 A, roth/pl/05 A and roth/pl/06 A received by the Local Planning Authority on 10 May 2005.
4. Before development is commenced a scheme to provide owl nesting boxes and bat roosts shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be installed and made operational before any dwelling is occupied and shall be retained thereafter.
5. A representative sample of the proposed local roofing slate shall be submitted to and approved in writing by the Local Planning Authority. All the dwellings and garages shall be roofed using the approved slate.
6. 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), the dwellings and garages shall not be extended or externally altered other than as expressly authorised by this permission.



COPELAND BOROUGH COUNCIL

31 MAR 2005

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Mitchells

Surveyors, Valuers, Auctioneers,  
Land & Estate Agents,  
Residential Letting AgentsDivisions of Mitchells Auction  
Company Limited**Estate Agency  
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Planning Appraisal in support of Planning Application for change of use to residential occupation of redundant farm buildings at Rothersyke Farm, Egremont, Cumbria, CA22 2US

Our Client: Messrs Dixon

**Background:**

Rothersyke Farm has been in the same family ownership and worked as an active agricultural dairy and livestock rearing unit for the last 35 years, since 1970, and has been handed down, within the family, from father to son.

Mr T Dixon retired from active farming in 1998, and is now domiciled in Aspatria, north of Cockermouth. Mr D Dixon now manages the agricultural unit.

Rothersyke Farm is a dairy farm and livestock rearing unit of 125 acres, with old traditional Cumbrian sand stone buildings, which in today's modern agricultural economic environment are unviable economically, structurally and in size, due to the advancement in technology of agricultural equipment and modern farming techniques.

Mr D Dixon, since the beginning of 2004, has been forced by economic circumstances to take the additional Agricultural Tenancy of Pickett How Farm, Egremont, a neighbouring agricultural unit of 315 acres, in order to continue farming in a solvent manner. Pickett How provides more modern and larger agricultural buildings, and economies of scale now provide a more profitable agricultural business.

Under the Agricultural Tenancy agreement Mr D Dixon now has a new agricultural base with offices, and also has to reside at Pickett How. Mr Dixon has been divorced since 1988, is single without a partner, and has therefore no need of two substantial residences within ¼ of a mile of each other.

Mr D Dixon now does not want to retain or need an interest in Rothersyke's farmstead, and it is his intention, due to the economic circumstances of having continued farming a small un-economic agricultural unit for several years, to sell the farm house and two old redundant agricultural sand stone buildings at Rothersyke Farm, but to retain the land and other associated

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Registered in England No. 7796  
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dairy unit buildings, and invest the money back into the now larger and more profitable, but under funded, farming activity.

### **Consultation:**

Pre-planning consultation was requested with Mrs Rebecca Wilson, Area Planning Officer for Copeland Borough Council, and an on site meeting was arranged for the 6<sup>th</sup> October 2004, with Messrs Dixon and the writer of this report.

Various suggestions and proposals were discussed with Mrs Wilson, during the detailed site inspection, and Mrs Wilson further responded with written advise on the 12<sup>th</sup> October (see Appendix), and enclosed a copy of Policy HSG 29 of the adopted Copeland Local Plan 2001.

Further to this written correspondence and additional telephone consultation, Structural Inspection Reports by White Young Green Consulting Limited were commissioned, and accompany the Planning Application, confirming that the redundant agricultural sandstone barns are structurally in a good condition and could be retained in residential conversion.

A second pre-planning consultation with Mrs Rebecca Wilson took place on Tuesday 8<sup>th</sup> March.

### **The Proposal:**

The Planning Application proposal is for the remainder of the existing partially residential converted attached barn adjacent Rothersyke Farmhouse, to form a new residential dwelling, and for the vacant former piggery block associated with the application for use as garaging or stabling, and for the former detached sandstone barn to form a new residential property.

The attached barn adjacent Rothersyke Farmhouse has already been partly developed, in that the existing dwelling has been extended into the barn on two floors. The current residential accommodation, which is fully modernised and includes double glazed window units and oil fired central heating, is as follows:

#### **Ground Floor**

The existing external door leads into the rear Hallway, leading to a large area currently utilised as an Utility Room/ 2<sup>nd</sup> Kitchen, with office/ study room off, and a further Shower Room off.

#### **Second Floor**

Two Double Bedrooms

The attached barn is of a traditional Cumbrian sandstone construction, with full sandstone elevations, under a twin pitched slate roof. The proposal makes full use of the internal dimensions and of the existing external openings and access points, yet retains the traditional appearance and character of the building and its surroundings.

The detached barn, currently has an old steel and concrete framed agricultural shed, with elevations and roof clad with corrugated sheeting materials which are past their useful economic age, located adjacent the front elevation. This agricultural shed is to be demolished. This in turn will expose the attractive feature sandstone wall frontage of the barn to the road, and the proposal will further include the replacement of the

asbestos sheeted roofing material, with slate to correspond with the existing roof on Rothersyke Farmhouse and attached barn, making for a much more attractive property.

### **Other Uses:**

Other uses have been considered for the redundant sandstone barns.

B1 Use Classes Order for commercial, light industrial and holiday home uses have been investigated, and in turn rejected.

Rothersyke, located 1 mile within the proximity of Egremont, is not the natural choice as an economic centre for light commercial uses.

Egremont currently has a plentiful supply of industrial, commercial and retail accommodation, and with far superior logistical transport and employment facilities. As does Whitehaven and Cleator Moor.

Mitchells Estate Agency office has currently on its books For Sale, two former industrial properties in rural locations. One has been on the market for almost 18 months, and the other for approximately 6 months with no interest as economic commercial or industrial use. Commercial properties in larger urban conurbations, such as Egremont, Cleator Moor and Whitehaven, have a successful record for levels of interest and commercial viability.

It was also considered that the re-instatement of the redundant stone buildings, in order to facilitate modern commercial use, was beyond economic viability.

Tourism and Holiday Home use has also been considered. However, with the close proximity of the adjacent caravan park, and St Bees, it was felt that this sector in the locality was sufficiently serviced. Not with standing that the Owner, Mr Dixon is a single dairy and livestock farmer, who does not have the time, finances, understanding or wish to develop Holiday Homes.

### **Conclusion:**

The Planning Application for the proposed re-development of the redundant traditional Cumbrian sandstone barns at Rothersyke has taken into account the above mentioned factors and further considerations.

The proposed future sale of Rothersyke Farm steading as residential properties, and the re-investment of the sale proceeds into the farm business will enable the farm to continue to operate profitably, and secure the financial future of those employed.

The two additional barn conversions have the benefit of their existing individual accesses from the public highway, and domestic utilities already facilitate the site.

The dwellings will form part of a development that would provide three residential dwellings, including Rothersyke Farmhouse, of high quality individual accommodation around an existing courtyard, in the proximity of the other dwelling houses surrounding Rothersyke.

The alternative is that the redundant Cumbrian sandstone buildings would simply deteriorate, as there is no other practical use for them, and will have a future of dereliction, if the potential is not fully utilised for residential re-development.



MAIN AGENDA

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7. The whole of the access area bounded by the carriageway edge, entrance gates and the splays shall be constructed and drained to the specification of the Local Planning Authority in consultation with the Highway Authority.
7. 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.

The reasons for the above conditions are:-

For the avoidance of doubt.

To protect and conserve existing wildlife present on site.

To safeguard the amenities of the locality.

To retain control over the external appearance of the buildings in the interests of amenity.

Reason for decision:-

An acceptable scheme to convert redundant rural buildings to residential use compliant with Policy HSG 17 of the Copeland Local Plan 2001-2016 2nd Deposit Version.

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11 4/05/2237/0

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

Parish Moresby

- No comments received.

Planning permission is sought to extend Roseneath House at Low Moresby to form three new dwellings.

Roseneath, which has been subdivided into eight flats, is set in its own grounds and is accessed to an unadopted and unsurfaced single track access road which also serves approximately 30 more dwellings. It is proposed to build a block of 3 dwellings at right angles from

MAIN AGENDA

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the gable end of Roseneath, with a pedestrian gateway between the two buildings. Access would be via the main entrance to Roseneath and parking provision would be at the front of the terrace.

The Copeland Local Plan 2001-2016 1st and 2nd Deposit Versions have removed the settlement boundary from Low Moresby and, as such, there are no allocated or windfall housing sites in the village. Therefore, there is a general presumption against development except where it would meet an exceptional need. In support of their application the applicants have submitted a need case which they consider demonstrates that there is a demand for housing in the area, particularly from employees moving to West Cumbria, the attached letter dated 31 March 2005 refers.

Five letters of objection have been received from local residents together with a petition containing 13 signatures. The grounds for objection are summarised below:-

1. Part of the site contains an open surface water drain which has flooded on a number of occasions causing damage to adjacent properties. This has to be addressed as part of any proposed development.
2. The proposal is not internally linked to Roseneath House and, therefore, cannot be classed as an extension.
3. By removing the gateway leading to Commongate Farm it would remove a possible emergency exit in case of fire.
4. Construction vehicles will further erode the private road. The proposal would also increase the amount of traffic which would cause additional hazards, especially to children.
5. The proposal would add to the existing drainage system which is dealt with by a septic tank and is nearing capacity.

In reviewing the Copeland Local Plan the Council, in line with national guidance, has identified a hierarchy of settlements which has informed proposed housing allocations to meet local identified need and to support the Council's overall regeneration policy. Most of the housing allocations have been confined to Key Service Centres such as Whitehaven, Cleator Moor, Millom and Egremont. Whilst local centres such as Beckermeth, Arlecdon and Seascale have small-scale housing allocations, settlements below this, including Low Moresby, are not included in the settlement hierarchy because they do not have the services, scope or need to develop further.

The local need case submitted with this application reflects a wider housing demand which is addressed by allocations in key service centres. It is not specific to Low Moresby and, as such, it is considered that the proposed development does not justify overriding the presumption against development contained in Policy HSG 5 of the

The Old Rectory  
Lamplugh  
Cumbria  
CA14 4TY

31<sup>st</sup> March 2005

COPELAND BOROUGH COUNCIL

31 MAR 2005

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Dear Julie

Re: Building at Roseneath, Low Moresby

Further to our telephone conversation a few months ago, regarding the possibility of building 3 two bed properties adjacent to Roseneath House in Low Moresby, I would like to take the opportunity to expand on our reasons for wanting to further develop the site, with a view to your offering your comments on whether you would be able to support the application on this basis.

The existing house at Roseneath was converted into 8 self contained one bed roomed apartments some 15 years ago, before which the site had been operated as a hotel. The apartments have subsequently been run as a business offering rental accommodation on a standard 6-month Assured Shorthold Tenancy basis, with a very healthy record of occupancy levels.

To give an indication of the type of people who rent the apartments current tenants are listed below:

Name	Place of work	Moved to area from
Mr Wormleighton	BNFL	Rochdale
Mr McCabe	BNFL	Blackburn
Miss Kaczorowska	NHS Dentist	Poland
Miss Coulthard	Teacher	Barrow
Mr Browne	BNFL	Kent
Mr Jackson	BNFL	Sussex
Mr Garbutt	Westlakes	Lancashire
Miss Stalker	Bleasdales	Birmingham

As you can see all the current tenants have moved to the area to take up employment, with several being employed either directly as permanent staff at BNFL or contractors on the site, through to a trainee solicitor and a dentist. We have asked tenants what made them choose to live at Roseneath and some of the main reasons include it's convenient location for access to major Roads, off street parking, quite location in a quality location and the ability to socialise with other tenants.

For our own benefit in order to check that there is sufficient demand for additional accommodation in the area we have surveyed local businesses to see what requirements they have for temporary accommodation for staff they employee. The results encompass many businesses at Westlakes, the hospital, BNFL and the agencies that supply BNFL. A copy of the questionnaire is enclosed and the results show that companies do not have people with the required skills available locally and they all

have a need for between 20 to 50% of recruitment to be from out of the region. 100% said that the ability to recruit from out of the region was critical to their business, with a specific need for more one & 2 bedroom accommodation being required.

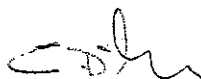
Another consideration from our own business perspective is the location of the Nuclear Decommissioning Agency in Whitehaven will bring an additional 200 jobs to the area. It is likely that a good percentage of these jobs will be of a high skill level that will not be able to be filled from the local area, giving rise to an increased demand for temporary accommodation.

We have also considered the housing needs survey carried out on behalf of Copeland Council by Northern Housing Consortium (published January 2004) that identifies a need for an additional 283-rental units borough wide with demand most apparent in Whitehaven North and Egremont (Executive Summary 3.11), which these additional 4 units could help to fill.

We are aware from the comment of our own tenants that there is insufficient accommodation in the area that provides a good standard of accommodation and many of their colleagues travel from the Allerdale area to work in Whitehaven, as they were unable to find the quality they required in the local area. The salary level of these skilled professionals is such that their accommodation expectations are high and we would intend our 3 new builds to be of the highest quality to fill this segment of the market.

We feel that the proposed build would fulfil the need identified above and would ask you to give consideration to supporting our application, and look forward to receiving your comments.

Yours sincerely,



Caroline Dillon

MAIN AGENDA

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Copeland Local Plan 2001-2016 2nd Deposit Version.

Recommendation

Refuse

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.

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12 4/05/2243/0

REPLACEMENT BEACH BUNGALOW  
SOLWAY VIEW, COULDERTON, NR EGREMONT, CUMBRIA.  
MR & MRS R C PATTINSON

Parish                      Lowside Quarter

- No comments received.

This application seeks consent to replace an existing beach bungalow at Coulderton Beach. The existing beach bungalow has a masonry base and chimney, the remainder being of timber construction clad with felt shingles. It is considered that the bungalow is beyond repair or of being improved to modern standards.

It is proposed to erect a sectional timber chalet replacement measuring 11.95m x 7.63m with a 2.6m x 3.8m porch projection. Internally, the proposed building would contain two bedrooms, a bathroom and an open-plan lounge/dining/kitchen area.

Externally, it is proposed to tile the pitched roof which will have a ridge height of 3.74m and to stain the timber cladding. It is recommended that details of the external finishes should be reserved for subsequent approval.

Policy TSM 6 of the Copeland Local Plan 2001-2016 2nd Deposit Version supports the replacement of existing holiday chalets subject to the applicant entering into a Section 106 agreement restricting occupation solely for holiday purposes. This proposal is considered to represent a suitable replacement scheme.

Recommendation

MAIN AGENDA

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That permission be granted subject to the applicant entering into an agreement under Section 106 of the Town and Country Planning Act 1990 to restrict occupation to holiday purposes only and subject to the following conditions:-

2. Details and representative samples of the proposed external finishes, including roofing tiles and timber stain, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed strictly in accordance with the approved scheme.

Reason for the above condition:-

To safeguard the amenities of the locality.

Reason for decision:-

A satisfactory scheme to replace an existing holiday chalet compliant with Policy TSM 6 of the Copeland Local Plan 2001-2016 2nd Deposit Version.

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13 4/05/2244/0

CHANGE OF USE FROM OFFICES TO TEN DWELLINGS  
19/20, IRISH STREET, WHITEHAVEN, CUMBRIA.  
G & A M LAWSON LIMITED

Parish                      Whitehaven

Planning permission is sought for a change of use from this vacant Grade II listed building to flats.

This impressive three storey former Copeland Council office building will accommodate 10 one and two bedroomed flats. Internal alterations will be kept to a minimum, sufficient only to accommodate the scheme but with the retention of features of architectural interest.

External elevations will largely remain unchanged except for a new external rear window, a new gate and wall on the front (Irish Street) elevation to match the existing together with a new link to the rear car park with railings inserted to match the existing. Eight car parking spaces are proposed to the rear of the building. Public car parking is also available nearby.

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

MAIN AGENDA

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In my opinion this is a suitable alternative use for this vacant town centre Grade II listed building in compliance with Policies TCN 2, HSG 15, ENV 26 and ENV 30 of the Copeland Local Plan 2001-2016 2nd Deposit Version.

Recommendation

Approve

Reason for decision:-

An acceptable residential use for this Grade II listed building in accordance with Policies TCN 2, HSG 15, ENV 26 and ENV 30 of the Copeland Local Plan 2001-2016 2nd Deposit Version.

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14 4/05/2245/0

LISTED BUILDING CONSENT FOR WORKS ASSOCIATED WITH  
CHANGE OF USE FROM OFFICES TO TEN DWELLINGS  
19/20, IRISH STREET, WHITEHAVEN, CUMBRIA.  
G & A M LAWSON LIMITED

Parish                      Whitehaven

This application for Listed Building Consent follows the preceding item which details the works associated with the proposed change of use from offices to provide 10 one and two bedroomed flats within this Grade II Listed Building.

The scheme is considered to comply with Policy ENV 30 of the Copeland Local Plan 2001-2016 2nd Deposit Version which states:-

"Listed Building Consent will not be granted for alterations or extensions which do not respect the architectural or historic character of the building".

In my opinion the proposed alterations are deemed to be sympathetic to this Grade II Listed Building and consent for the proposed works is recommended accordingly.

Recommendation

Approve Listed Building Consent

MAIN AGENDA

Reason for decision:-

The proposed alterations to this Grade II listed building are considered to be sympathetic to and respect the historic character of the building in accordance with Policy ENV 30 of the Copeland Local Plan 2001-2016 2nd Deposit Version.

15 4/05/2259/0

HOUSE  
PLOT 321, MORESBY PARKS, WHITEHAVEN, CUMBRIA.  
MR G CHARLTON

Parish Moresby

- No comments received.

Outline planning permission was granted for 22 dwellings on this site in November 2003 (4/03/0924/001 refers). This proposal involves the detailed design of a dwelling for one of the approved plots.

The proposed dwelling is two storeyed with a hipped roof and integral garage. Access is from the new estate road which leads onto Merlin Drive. The proposed external finishes include flat grey concrete tiles and red/brown facing brick. This is consistent with previous phases of development.

A letter of objection has been received from a resident who lives opposite the site. He is concerned that the scale, mass and overall design of the dwelling is overpowering and, as such, is excessive for this particular plot - a bungalow would be more suitable. He is concerned regarding the lack of open space; the overall mix of house types; the individual nature of each house type and the overall management of the building site.

Planning permission was granted for 263 houses for the whole of this estate in October 1980 (4/79/1311/0 refers). Reserved matters were approved in January 1983. As work commenced on the first phase of this development this permission has not expired and, as such, the principle of housing on this site has been established.

With regard to the house design, no restrictions were placed on the plots with regard to whether they should be single or two storeyed. This particular application complies with the Local Plan policy requirements regarding separation distances. In addition, the overall site does have a good mix of dwelling types ranging from



MAIN AGENDA

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semi-detached and detached houses to smaller bungalows. The most recent phases have concentrated on larger detached dwellings.

Recommendation

Approve

2. Permission in respect of the ground floor layout plan shall relate solely to the amended plan received by the Local Planning Authority on 20 April 2005.
3. The roof covering shall be dark grey tiles as confirmed by the applicant's agent in his letter to the Local Planning Authority dated 12 May 2005.
4. The site shall be drained on a separate system, with foul drainage only connecting into the foul sewer.
5. Access gates, if provided, shall be hung to open inwards only away from the highway.
6. The access drive shall be surfaced in bituminous or cement bound materials, or otherwise bound, and shall be constructed and completed before the dwelling is occupied.
7. 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 dwelling being completed and shall be maintained operational thereafter.

The reasons for the above conditions are:-

For the avoidance of doubt.

To retain control over the external appearance of the dwelling.

To ensure a satisfactory drainage scheme.

In the interests of highway safety.

Reason for decision:-

An acceptable form of residential development on an established housing site in accordance with Policy HSG 4 of the Copeland Local Plan 2001-2016 2nd Deposit Version.

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MAIN AGENDA

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16 4/05/2264/0

DISCHARGE OF SECTION 106 AGREEMENT IN RESPECT OF  
NEW BARN  
ASHERN, CRINGLETHWAITE, EGREMONT, CUMBRIA.  
CHANTAL C COLLEY & GRAHAM COLLEY

Parish                      Lowside Quarter

- No comments received.

In 1994 outline planning permission was granted to erect four dwellings on this site (4/93/0439/0 refers). The consent was subject to conditions requiring the access track to be made up to adoptable standards. The applicant considered these works to make the development of four dwellings uneconomic.

As an alternative, planning permission was sought in 1995 to erect a single dwelling on the site (4/95/0033/001 refers) without making up the road. To prevent the site being developed on a piecemeal basis without road improvements the applicant entered into a Section 106 agreement restricting development to the construction of one dwelling only. The house subject to the consent was built in the 1990's.

In May 2004 planning permission was granted to convert a barn at the site into a two bedroomed dwelling (4/04/2206/0F1 refers). The Highway Authority raised no objections to the proposal. Following the grant of planning permission the issue of the Section 106 agreement has been raised. Whilst the proposal is for conversion rather than the construction of a new dwelling, legal opinion suggests that it would be prudent to now address the issue of the agreement. This application seeks consent to discharge the agreement. A letter from the applicant's agent is annexed to this report.

The Highway Authority raise no objections to the agreement being discharged. However, a letter has been received from the owner of the original farmhouse on site, a copy of which is also attached.

I concur with the resident's view that it would have been helpful if the planning application and the discharge of the Section 106 agreement had been considered together. However, this application should be considered on its individual planning merits and taking account of DoE Circular 1/97 in particular which provides advice in respect of planning obligations and agreements.

It is considered that the Section 106 agreement provided an essential function in 1995 to resolve valid planning objections to a development. However, it is considered that the agreement has now served its useful planning function and should be discharged. Notably the Highway Authority are satisfied that a safe vehicular access can be provided to the development. Any future development on

4/05/2264/091.

# Milburns Solicitors

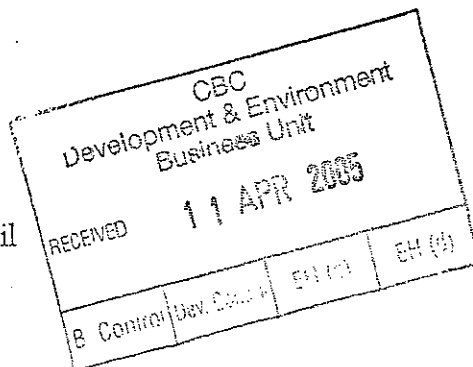
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Tel: (01946) 694818 Fax: (01946) 64273 DX 62905 Whitehaven

E-Mail: whitehaven@milburnssolicitors.co.uk  
(not valid for the service of documents)  
Website: www.milburnssolicitors.co.uk

our ref: DG/CD/C993  
your ref:

6 April 2005

Copeland Borough Council  
The Copeland Centre  
Catherine Street  
Whitehaven  
Cumbria  
CA28 7NY



Dear Sirs

**Our Client: Chantal Clare Colley and Graham Colley**  
**New Barn at Ashern, Cringlethwaite, Egremont, Cumbria**  
**Section 106 Agreement dated 28 April 1995**

We write further to previous correspondence in connection with the above.

We should be obliged if Copeland Borough Council would take this letter as a formal application on behalf of our clients that the Agreement be discharged.

We cite the following reasons for discharge of the Agreement:

1. Our clients are entitled to apply to the Council under section 106A of the Town and Country Planning Act 1990 (as amended by the Planning and Compensation Act 1991) for discharge of the planning obligation contained in the Section 106 Agreement and we would respectfully point out to the Council that the relevant period of 5 years has expired to enable our clients to make such application.
2. Our clients would submit that the planning obligation no longer serves a useful purpose, as a result of changes to the area and also the local plan implemented in 2001. We note that the local plan, under the heading Sustainable Development Principles states that it is Copeland's intention to prioritise development sites particularly for housing where a sequential approach should be adopted involving the re-use or conversion of empty buildings. We note that policy HSG16 –

*Partners: David Telford LL.B., Richard Atkinson LL.B., Barry Earl MA. (Cantab.), Nick Molyneaux LL.B., Piers Tupman LL.B., Emma Atkinson BA., Jane Shaw B.Sc. (Hons.), John Moore LL.B., PG.Dip*  
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*Specialist Consultant in Clinical Negligence & Personal Injury Claims: John Marsham LL.B.*  
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 Curzon House, 45 Curzon Street, Maryport, Cumbria CA15 6LP. Tel: (01900) 813541 Fax: (01900) 818173 DX 62830 Maryport  
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 Regulated by the Law Society



Conversion to Dwelling in Urban Areas states that in urban areas proposals for the conversion of suitable non-residential buildings to provide new residential accommodation will be permitted.

3. Our client's parents have been granted Planning Permission for the proposed conversion under reference 4/04/2206/0. The Planning Permission states that the property is currently "a redundant barn" and the conversion would accord with policy HSG4 of the adopted Copeland local plan 2001. Accordingly the restriction imposed by the Section 106 Agreement should be discharged. We would also ask the Council to consider that whilst our client's parents have been granted Planning Permission our clients have co-operated with Copeland Borough Council by making the necessary enquiries of the Council regarding the observance of the Section 106 Agreement. We would submit that the Planning Obligation should have been highlighted to the applicants when permission was applied for. We suggest that the Council should discharge the agreements as a gesture of goodwill to the applicants and our clients

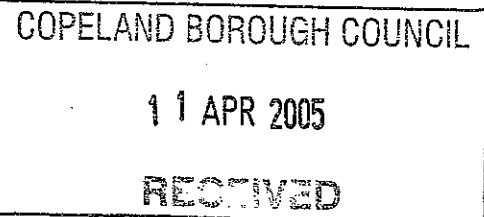
4. The Planning Obligation was entered into by Mr Cook, some ten years ago. The area in question has changed in character considerably since 1995. The Egremont by pass has been constructed

5. The property does not adjoin a public highway. Access to the property is over a private unadopted roadway. The circumstances are that our clients are acquiring the barn from Mrs Colley's parents (Mr & Mrs Meteer, who have the benefit of the Planning Permission referred to above). The barn is to be their private residence. Our clients do not have plans to use the property for commercial purposes. Accordingly the works will not interfere with/adversely affect members of the public.

We should be obliged if Copeland Borough Council would consider our clients application for discharge of the Section 106 Agreement as soon as possible. Please acknowledge receipt of this letter and confirm when this matter will be considered.

We look forward to hearing from you.

Yours faithfully



New House Farm  
Egremont  
Cumbria  
CA22 2RW

28 April 2005

Copeland Borough Council  
Planning Department  
The Copeland Centre  
Catherine Street  
WHITEHAVEN  
Cumbria  
CA28 7SJ



**For the attention of Michael Sandelands**

Dear Mr. Sandelands,

**Re: Reference No 4/05/2264/0\*001\*1 - Discharge of Section 106 agreement**

In connection with the above request I find it rather satirical considering the planning permission has already been granted for this conversion. The section 106 which was placed on my land at the same time as Ashern's was put there by CBC for a specific reason, now due to Council inaccuracies with the original planning application you feel compelled to go through the motions to have it withdrawn.

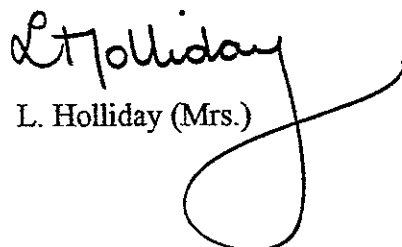
Originally the Section 106 was put in place and it was said that unless the road was upgraded to accommodate for the extra traffic no further construction could take place. Obviously we now have the Egremont By-pass but Cringlethwaite it still a very active road and at present due to the Council's line system in place it is impossible to turn right from the entrance from New House Farm due to parked cars.

As you know Section 106's are not located lightly and in accordance should not be lifted just to pacify the planning application already granted.

I know this application will have to go to a full planning committee and have very good reason to be lifted. I have no doubt this agreement will be lifted in its entirety but feel this is only due to the nature of the original planning application.

I look forward to hearing from you.

Yours sincerely

  
L. Holliday (Mrs.)



MAIN AGENDA

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the site should be considered on its own merits taking into account the advice of statutory consultees.

Recommendation

That the Section 106 agreement dated 28 April 1995 relating to New House, Egremont be discharged.

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17 4/05/2274/0

RE-ROOFING EXISTING BUILDING USING AN APEX ROOF  
BUILDERS YARD, BRIDGE END, EGREMONT, CUMBRIA.  
A W McSHANE & SONS

Parish                    Egremont

-No comments received.

Partially retrospective planning permission is sought to remedy an unauthorised alteration to a builders store at Bridge End, Egremont.

The builders store, which resembles a large garage in design, has had the previously existing mono-pitched roof removed and is currently being fitted with an apex roof. This will make the building 3.8 metres high at the ridge compared to 3.6m at the highest point of the roof as originally approved.

Two letters of objection have been received from neighbouring residents expressing the following concerns:-

1. There is to be a window installed in the side elevation, which will cause overlooking and a resultant loss of privacy.
2. The apex roof will increase the height of the store and this will reduce the light to No. 19 Bridge End.
3. The car parking spaces and a wall have been moved.
4. The yard is full of stored material.

In response to the concerns raised, firstly it must be noted that there is no window in the side elevation adjacent to No. 19 Bridge End. There is, however, a window in the front elevation which was already existing. As the mono-pitched roof sloped up towards 19 Bridge End at its nearest point, it is considered that the light to

MAIN AGENDA

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the dwelling will not be reduced by the apex roof. The overall building height is considered to be acceptable for a building of this nature. The other issues such as the wall height and positioning, and the car parking arrangements will be dealt with separately as amendment to the approved scheme.

This proposal for re-roofing will not result in any significant increase in size for the existing builder's store and, in my opinion, there are no justifiable planning grounds to warrant refusal.

Recommendation

Approve

Reason for decision:-

An acceptable alteration to an existing storage building use in accordance with Policy EMP 4 of the Copeland Local Plan 2001-2016 2nd Deposit Version.

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COPELAND BOROUGH COUNCIL  
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18 4/05/2248/0

OUTLINE APPLICATION FOR RESIDENTIAL DWELLING(S)  
FORMER, GARAGE PLOT SITE, LINGLA BANK,  
FRIZINGTON, CUMBRIA.  
COPELAND BOROUGH COUNCIL

Parish                    Arlecdon and Frizington

- No comments received.

Outline planning permission is sought for residential development on this Council owned garage site which is located within an existing built-up frontage of dwellings. The proposal forms part of a wider housing allocation to redevelop the remainder of the adjacent land which was cleared of housing some years ago. Access to the site would be via the former estate road.

A letter has been received from a garage tenant who has a 10 year lease. He is concerned at the loss of this facility and, as a sitting tenant, states that he should be given an opportunity to purchase this site.

It is considered that the redevelopment of this site for housing is acceptable in land use terms. Most of the garage site is currently unoccupied and, as such, the loss of this facility would not have a significant impact on the existing levels of on-street parking. The issue with regard to the lease is not a material planning consideration in determining this application.

Recommendation

-  
  
That full Council be recommended to grant outline planning permission under Regulation 3 of the Town and Country Planning General Regulations 1992 subject to the following conditions:-

COPELAND BOROUGH COUNCIL

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

The reasons for the above conditions are:-

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

Reason for decision:-

An acceptable brownfield site for residential development which forms part of a larger allocated housing site and, as such, is in accordance with Policy HSG 4 of the Copeland Local Plan 2001-2016 2nd Deposit Version.

Note:

There is an existing water main close to the eastern boundary of the site. Access is required for maintenance purposes and, as such, development in close proximity would not be permitted. For further information please contact United Utilities (telephone 01925 234000).

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19 4/05/2249/0

RE-LANDSCAPING OF ROUNDABOUT  
JUNCTION OF, A595, UP TO HOSPITAL, HENSINGHAM,  
WHITEHAVEN, CUMBRIA.  
COPELAND BOROUGH COUNCIL

COPELAND BOROUGH COUNCIL

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Parish                      Whitehaven

Planning permission is sought to re-landscape the roundabout on the A595 trunk road at its junction with Homewood Road. The site is 0.047 hectares in size and currently has poor vegetation coverage. This scheme forms part of the Whitehaven Gateway Project.

The re-landscaping works to be undertaken are a mixture of stone and gravel areas along with sustainable planting areas, together with an architectural feature in the centre of the site. This will take the form of a willow sculpture similar to those recently erected at Bransty Toll Bar.

The Highways Agency have made no objections to this proposal.

Policy ENV 38 of the Copeland Local Plan 2001-2016 2nd Deposit version states that new works of public art will be encouraged and this includes forms of sculpture and imaginative landscaping. This proposal is considered to be acceptable under this policy.

Recommendation

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That Full Council be recommended to grant planning permission under Regulation 3 of the Town and Country Planning General Regulations 1992.

Reason for Decision:-

An acceptable landscaping scheme in accordance with Policy ENV 38 of the Copeland Local Plan 2001-2016 2nd Deposit Version.

Note:

The applicant should be aware that any proposed lighting or directional information will require prior consent from the Local Planning Authority.



Schedule of Applications - DELEGATED MATTERS

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4/05/2256/0	Millom	CONSERVATORY  62, LOWTHER ROAD, MILLOM, CUMBRIA. MR & MRS JORDAN
4/05/2262/0	Whitehaven	RE-INSTATE AS SINGLE PRIVATE DWELLING FROM BASEMENT THERAPY TREATMENT ROOMS WITH LIVING 153, QUEEN STREET, WHITEHAVEN, CUMBRIA. MR J & MRS S YALIAS
4/05/2207/0	Cleator Moor	LISTED BUILDING CONSENT FOR RAMPED AND STEPPED ACCESS TO THE CHURCH ENTRANCE ST JOHN'S CHURCH, CROSSFIELD ROAD, CLEATOR MOOR CUMBRIA. ST JOHN'S PAROCHIAL CHURCH COUNCIL
4/05/2208/0	Cleator Moor	RAMPED AND STEPPED ACCESS TO THE CHURCH ENTRANC  ST JOHN'S CHURCH, CROSSFIELD ROAD, CLEATOR MOOR CUMBRIA. ST JOHN'S PAROCHIAL CHURCH COUNCIL
4/05/2214/0	Moresby	LISTED BUILDING CONSENT FOR EXTENSION TO HOUSE LIFT AND MEDICAL ROOMS ROSEHILL HOUSE, ROSEHILL, MORESBY, WHITEHAVEN, MR & MRS HILL-EADES
4/05/2134/0	Lowside Quarter	CONVERSION AND EXTENSION TO FORM NEW DWELLING  FORMER SUNDAY SCHOOL, NETHERTOWN, EGREMONT, CUMBRIA. MR H MOSSOP
4/05/2166/0	Millom	DEMOLISH EXISTING PREFABRICATED GARAGE AND EREC NEW GARAGE/STORE 51, MOUNTBATTEN WAY, MILLOM, CUMBRIA. MR G P FREEMAN
4/05/2196/0	Egremont	CONVERSION OF FARM BUILDINGS TO RESIDENTIAL DWELLING AND TWO HOLIDAY LETTING UNITS PICKETT HOW FARM, ULLDALE VIEW, EGREMONT, CUMBRIA. MR & MRS R SPEARS
4/05/2204/0	Gosforth	LISTED BUILDING CONSENT TO REBUILD COPPICE BARN DUE TO STORM DAMAGE HALL SENNA, HALLSENNA, GOSFORTH, CUMBRIA. MR & MRS C J STEELE
4/05/2206/0	St Johns Beckermat	BEDROOM AND HALL EXTENSION  WATENDLATH, MORASS ROAD, BECKERMET, CUMBRIA. MR & MRS C TELFORD
4/05/2213/0	Haile	EXTENSION AND ALTERATION TO LINK GARAGE TO HOUS

Schedule of Applications - DELEGATED MATTERS

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		AND THE ERECTION OF PROPOSED DOUBLE GARAGE QUICKSANDGILL, WILTON, CUMBRIA. MRS P J DE GARA
4/05/2216/0	Millom	PORCH TO REAR OF DWELLING  55, LOWTHER ROAD, MILLOM, CUMBRIA. MR P DRIVER
4/05/2234/0	Millom Without	DETACHED GARAGE  CRAGG HOUSE, LADYHALL, MILLOM, CUMBRIA. W R & Y TRAVIS
4/05/2254/0	Millom	CHANGE OF USE OF 1ST FLOOR INTO SELF CONTAINED FLAT 14, WELLINGTON STREET, MILLOM, CUMBRIA. MR & MRS STORRY
4/05/2129/0	Whitehaven	PROPOSED SINGLE STOREY SIDE EXTENSION AND PORCH  1, MITREDALE CLOSE, RED LONNING, WHITEHAVEN, CUMBRIA. MR S FOLEY
4/05/2177/0	Weddicar	DOUBLE AND SINGLE STOREY EXTENSIONS TO DWELLING  TWO PENNY GATE, LOW WREAH, HENSINGHAM, WHITEHAVEN, CUMBRIA. MR & MRS C P MURRAY
4/05/2198/0	Whitehaven	CONSERVATORY  2, JUNIPER GROVE, THE HIGHLANDS, WHITEHAVEN, CUMBRIA. MR & MRS D LONGDON
4/05/2200/0	Whitehaven	REAR AND FRONT EXTENSIONS  16, HOLLINS CLOSE, WHITEHAVEN, CUMBRIA. MR G MAY
4/05/2203/0	Whitehaven	CONSERVATORY TO REAR OF PROPERTY  18, PATTERNDALE CLOSE, RICHMOND, WHITEHAVEN, CUMBRIA. MR A CHAPMAN
4/05/2217/0	Whitehaven	DOUBLE GARAGE  16 & 17, GARAGE SITE, BEHIND, RICHMOND HILL ROAD WHITEHAVEN, CUMBRIA. S R BOAK
4/05/2218/0	Whitehaven	TWO STOREY EXTENSION TO PROVIDE GROUND FLOOR

Schedule of Applications - DELEGATED MATTERS

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		LOUNGE, ENTRANCE/UTILITY ROOM AND CLOAKROOM AND 39, CARLTON DRIVE, FAIRFIELD PARK, WHITEHAVEN, CUMBRIA. MR & MRS P SCOTCHBROOK
4/05/2221/0	Egremont	GARAGE  OPPOSITE, 16, OLD SMITHFIELD, EGREMONT, CUMBRIA MR C NIXON
4/05/2222/0	Whitehaven	PITCHED ROOF TO REPLACE FLAT, MOVE KITCHEN AND BUILD NEW CONSERVATORY FAIRWINDS, BRANSTY ROAD, WHITEHAVEN, CUMBRIA. MR & MRS K JOYCE
4/05/2156/0	St Bees	CONSTRUCTION OF A TIMBER BOARDED FENCED ENCLOSURE FOR AN EXTERNAL GENERATOR AND CONDENSER COMPOUND GALEMIRE COURT, WESTLAKES SCIENCE & TECHNOLOGY PARK, MOOR ROW, CUMBRIA. NUCLEAR DECOMMISSIONING AUTHORITY
4/05/2157/0	Whitehaven	REDEVELOPMENT OF GROUND FLOOR RETAIL UNIT AND CONVERSION OF UPPER FLOORS TO 4 BEDROOMED 14, KING STREET, WHITEHAVEN, CUMBRIA. VIEWSITE PROPERTIES LTD.
4/05/2161/0	Whitehaven	LOFT CONVERSION TO EXISTING DWELLING  16, COLLEGE VIEW, WHITEHAVEN, CUMBRIA. MR & MRS J WOOLEY
4/05/2183/0	Whitehaven	LISTED BUILDING CONSENT FOR NEW TOILET AND SHOW ROOM TO 1ST FLOOR 85, MAIN STREET, HENSINGHAM, WHITEHAVEN, CUMBRIA MR D GRIEVES
4/05/2184/0	Whitehaven	CHANGE OF USE FROM COMPUTER SHOP TO SANDWICH SHOP  74, MARKET PLACE, WHITEHAVEN, CUMBRIA. MRS L OLIVER
4/05/2188/0	St Bees	GENERAL PURPOSE BUILDING - STRAW STORAGE, CATTLE HANDLING FACILITIES LOUGHRIGG FARM, EGREMONT, CUMBRIA. J CRICHTON
4/05/2192/0	Whitehaven	PROPOSED REVISED LAYOUT FOR TWO DETACHED HOUSES  PLOTS 5 AND 6, GARLIESTON COURT, WHITEHAVEN, CUMBRIA. REED GRAHAM DEVELOPMENTS LTD.
4/05/2197/0	Whitehaven	ERECTION OF FENCING TO FORM SECURE COMPOUND

Schedule of Applications - DELEGATED MATTERS

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FOCUS DIY UNIT, PRESTON STREET, WHITEHAVEN,  
CUMBRIA.  
FOCUS DIY LTD.

4/05/2199/0 Egremont

TWO STOREY DWELLING

19, LARCH COURT, MOOR ROW, CUMBRIA.  
MR & MRS P COX

4/05/2230/0 Whitehaven

CHANGE OF USE TO TAXI OFFICE AND ERECT TWO WAY  
RADIO AERIAL AND TV AERIAL FOR USE BY TAXI OFFI  
UNIT C8, HAIG ENTERPRISE PARK, KELLS, WHITEHAVE  
CUMBRIA.  
RONALD GRAHAM



For the parish of Drigg & Carleton

7/05/4021/0 MR A PRATT  
BOADLE GROUND, CARLETON, HOLMROOK, CUMBRIA.  
STORAGE OF MILK AND VEGETABLES IN EXISTING BARN  
(RETROSPECTIVE)

Recommendation : Permission be granted (Delegated)

For the parish of Ennerdale and Kinniside

7/05/4016/0 MR J ROGERSON-McCOY  
HIGH MERE BECK FARM, KINNISIDE, CLEATOR, CUMBRIA.  
NEW GROUND FLOOR BEDROOM AND ENSUITE FOR DISABLED  
USE

Recommendation : Permission be granted (Delegated)

For the parish of Gosforth

7/05/4019/0 GOSFORTH PARISH COUNCIL  
GOSFORTH PLAYING FIELDS, GOSFORTH, CUMBRIA.  
REPLACEMENT OF OLD WOODEN PAVILION WITH PURPOSE  
BUILT SPORTS FACILITY

Recommendation : Permission be granted (Delegated)

For the parish of Ulpha

7/05/4018/0 THE NATIONAL TRUST  
PIKESIDE FARM, DUDDON VALLEY, CUMBRIA.  
NEW PORTAL FRAME DOUBLE PITCH BUILDING TO HOUSE  
STOCK WITH A COVERED MIDDEN

Recommendation : Permission be granted (Delegated)

For the parish of Waberthwaite

7/05/4022/0 W W & D BOOW  
CORNEY HALL, BOOTLE, CUMBRIA.  
ERECT SHEEP/LAMBING BUILDING

Recommendation : Permission be granted (Delegated)

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For the parish of Whicham

7/05/4009/0 MORRIS-EYTON & SON  
BECKSIDE, WHICHAM, CUMBRIA.  
CONVERSION OF SINGLE STOREY STONE UNDER SLATE  
BUILDING TO COTTAGE

Recommendation : Permission be granted (Delegated)

7/05/4017/0 MISS A JENKINSON  
FIELD 9415, GILL COTTAGE, WHITBECK, CUMBRIA.  
ERECT GENERAL PURPOSE AGRICULTURAL BUILDING

Recommendation : Permission be granted (Delegated)

7/05/4020/0 MR J CAPSTICK  
WHICHAM HALL, SILECROFT, CUMBRIA.  
NEW SILAGE BUILDING, MANURE STORAGE EFFLUENT TANK  
ROOF FOR OLD SILAGE CLAMP AND CHANGE OF USE TO  
CATTLE SHED

Recommendation : Permission be granted (Delegated)