

## **PLANNING PANEL**

**25 JULY 2007**

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## RELEVANT INFORMATION

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

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

Town and Country Planning Act 1990

Planning and Compulsory Purchase Act 2004

Cumbria and Lake District Joint Structure Plan

Copeland Local Plan 2001-2016 - adopted June 2006

Lake District National Park Local Plan - Adopted May 1998

Cumbria Car Parking Guidelines

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

In particular:

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

Department for Communities and Local Government (DCLG):-

Planning Policy Guidance Notes and Planning Policy Statements

Development Control Policy Notes

Design Bulletins

## STANDARD CONDITIONS

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

### Outline Consent

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

### Reserved Matters Consent

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

### Full Consent

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

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1 4/07/2199/0

4 DETACHED DORMER BUNGALOWS WITH INTEGRAL GARAGES  
LAND ADJACENT TO, CROSS HOUSE FARM, MILLOM,  
CUMBRIA.  
MR D SIMPSON

Parish                      Millom

- Major concerns over application possibly contravening local plan and building regulations.

Planning permission is sought for 4 detached dormer bungalows with integral garages at the former Cross House Farm, Millom. This application was on the agenda at the meeting on 2 May 2007 with a recommendation for a site visit, which took place on 16 May 2007.

Planning permission was granted for 4 dwellings on this site in March 2005 (4.04/2831/0 refers). An application for 5 dwellings in November 2005 (4/05/2746/0 refers) was subsequently withdrawn by the applicants as it was at variance with the Council's approved Interim Housing Policy Statement of 15 June 2004.

A further application was then made in March 2006 for a revised layout (4/06/2157/0 refers) as building work had commenced on site but not in accordance with the approval granted in 2004 and a new application was required. The dwellings were substantially constructed but were found not to accord with Policy HSG 8 of the adopted Copeland Local Plan 2001-2016.

This submission again shows revised house types for the four dwellings. All four houses are of dormer bungalow construction but with different designs to attempt to meet the housing design standards in Policy HSG 8 of the adopted Copeland Local Plan 2001-2016.

Within this Policy the important issue is the minimum separation distances which are as follows:-

- detached and end of group dwellings retain at least 1.0 metre clear between walls and side boundaries
- a minimum of 21.0 metres is retained between face elevations of dwellings containing windows of habitable rooms
- a minimum of 12.0 metres is retained between face elevations of dwellings containing windows of habitable rooms and a gable or windowless elevation.

Firstly for Plot 1, it is proposed to remove stone work to the gable elevation as built in order to meet the distance of 1.0 metre to a

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boundary wall. With this removed the distance to the boundary varies along the elevation between 0.9 and 1.1 metres. It is considered that this minimum distance to the boundary is acceptable and still provides sufficient access and maintenance space. To the rear of the dwelling, the distance from the rear of the property to the boundary wall measures between 5.8 metres up to 6.4 metres which is as approved from the previous application. There is no stated necessary separation distance to garden land from habitable rooms, therefore this is viewed as acceptable in its current situation. The issues with separation distances from the new dwelling opposite will be dealt with under Plot 4 below.

For Plot 2, the house as built is located at a distance of 10.8 metres at the nearest point from an adjacent dwelling, No. 17 Mountbatten Way. The separation distance as stated above for this should be 12.0 metres. No work to the dwelling in its current form could be undertaken to improve this situation. However, it should be noted that Plot 2 on the previous approval was only 10.2 metres away from 17 Mountbatten Way and therefore this is an improvement, albeit small. In all other respects the dwelling complies with policy.

It should be noted that under the terms of the previous approval the existing properties on Mountbatten Way were protected from the new dwellings as much as possible with the inclusion of a 1.8 metre high fence as a condition of approval which is now in place.

Plot 3 has been repositioned at an angle, instead of as approved previously. This leads to issues as the dining room window is only 20 metres from No. 29 Mountbatten Way. Although not always regarded as a habitable room, this plan shows the deletion of this window in favour of patio style doors on the gable of the dwelling which faces onto an adjacent field. Again, as stated above, this distance should be 21 metres but the removal of the window to the gable ensures compliance. In comparison to the previous approval this was a blank gable, but at its closest point was 17.2 metres distant from the nearest dwelling on Mountbatten Way.

Another issue is that the gable wall of Plot 4 is visible from the living room of the dwelling. However, it does not face directly onto the gable so this is not considered to adversely affect either dwelling.

The dwelling on Plot 4 has been redesigned in order to address overlooking issues in relation to Plot 1. The dwellings as built measure 15.5 metres apart at the closest point and previously from living room to living room the distance was 17.5 metres, although not directly facing. The internal arrangements of the dwelling have been altered so that the bay window as previously proposed has now been removed and the room that faces Plot 1 will be a kitchen, with the living room now located to the rear of the property.

12 letters of objection have been received to the proposal, whose

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concerns can be summarised as:-

- that the development should not be allowed as the houses have been substantially constructed without consent
- that the development should not be allowed as it is backland development
- that the housing design standards have not been met
- that the dwellings overlook neighbouring gardens and properties
- that the drainage proposal is not acceptable
- that the site ownership details are not correct

that the plan does not meet with Highway Standards.

In response to these concerns, firstly I would comment that while the actions of the developer in this situation are deplorable, the retrospective nature of the application should not impact on the decision. With regard to the issue of backland development, all of the dwellings proposed are accessed off a single driveway, with each house having frontage to this. Also, it should be noted that the principle of development of this site was established by way of approval in 2004 for 4 dwellings (4/04/2831/0F1 refers).

With regards to the housing design standards, the issues relevant to each dwelling have been explained above. Also, for the complaint about the distance to garden land, it should be noted again that there is no specified distance for this in Policy HSG 8. In terms of overlooking, Plots 1 and 2 do not directly face the objector's property.

The drainage is stated as being to mains for the foul drainage, which United Utilities have no objections to, but note that the main network would need to be extended approximately 110 metres westbound along the A5093 to reach the site. If adopted, this would enable the existing properties at Cross House on non-mains drainage to connect into the public sewer should they choose to do so. It is stated on the plan that the surface water will be discharged to a culvert which runs through the site adjacent to Plot 3. Should the application be approved then an attenuation tank would be conditioned to limit the surface water run off. However, any easements to dispose of surface water onto or across the land would need to be addressed by the developer outwith the control of the Planning Acts.

The ownership details have been questioned by an objector who has submitted a Land Registry Plan which shows an additional owner of the site. The details submitted should be accurate and the Council have now received amended forms and an accurate site location plan.

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With regard to the highway issues, Cumbria Highways firstly recommended suitable conditions should the application be approved, but raised a number of issues about the application site. The agents for the proposal have now responded to these and a further site layout plan has been submitted responding to the issues. No further response has been received from the Highway Authority. The access road is now proposed to be 4.5 metres wide to allow vehicles to pass within the site, and the plan now shows two car parking spaces per dwelling.

The changes that have been made to the dwelling types have significantly addressed the previous concerns and although substantially constructed, this should have no bearing on the decision. Although larger than the dwellings approved in the 2004 application, it should be noted that this proposal again is only for 4 detached dormer bungalows as previous, and has similar separation distances.

Overall, the properties are now viewed as acceptable house designs within the existing development and, as such, are recommended for approval in accordance with Policies HSG 4 and HSG 8 of the adopted Copeland Local Plan 2001-2016.

Recommendation

Approve (commence within 3 years)

2. The access details for the junction with the adopted highway shall be carried out strictly in accordance with the amended plans received by the Local Planning Authority on 28 June 2007 before any of the dwellings hereby approved are occupied.
3. The parking and site layout details shall be carried out strictly in accordance with the amended plan received by the Local Planning Authority on 5 July 2007 before any of the dwellings hereby approved are occupied.
4. Occupation of the dwellings shall not take place until the access has been formed with a 6.5 metre radius kerb to give a minimum carriageway width of 4.5 metres and that part of the access road extending 10 metres into the site from the existing highway has been constructed in accordance with details approved by the Local Planning Authority.
5. 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 and the approved works subsequently carried out prior to any of the dwellings hereby approved being occupied.

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6. Notwithstanding the submitted plan, the gradient of the private road shall be 1 in 20 for the first 10 metres only.
7. Details of on-site attenuation to be implemented by the developer to aid surface water drainage shall be submitted to the Local Planning Authority for approval. Any approved works shall be implemented prior to any of the dwellings hereby approved being occupied and shall be maintained operational thereafter.
8. The site shall be drained on a separate system with only foul drainage connected into the foul sewer.
9. Modification works to each dwelling shall be carried out strictly in accordance with the floor plan and elevational drawings received by the Local Planning Authority on 21 March 2007 before that dwelling is brought into residential occupation.
10. Notwithstanding the provisions of Part 1 of Schedule 2 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 additional door or window openings, including dormer windows, other than those expressly authorised by this permission, shall be constructed without the prior written consent of the Local Planning Authority.
11. Notwithstanding the provisions of Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification) no fences, gates or walls shall be erected within the curtilage of any dwelling without the prior written consent of the Local Planning Authority.

Reasons for conditions:-

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

For the avoidance of doubt

For the avoidance of doubt and in the interests of highway safety

In the interests of highway safety

To ensure a satisfactory drainage scheme

To retain control over the appearance of the development in the interests of amenity



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## Reason for decision:-

An acceptable form of small scale infill housing development on a previously approved site compliant with Policies HSG 4 and HSG 8 of the adopted Copeland Local Plan 2001-2016.

2 4/07/2238/0

FOUR BEDROOMED DETACHED HOUSE WITH GARAGE  
PLOT 7, LAND ADJACENT TO, RAILWAY COTTAGES,  
MORESBY, WHITEHAVEN, CUMBRIA.  
MR AND MRS G ROSS

Parish

Moresby

- No comments received.

Outline planning permission for 19 dwellings was approved on this site adjacent to Railway Cottages, Moresby Parks in January 2005 (4/04/2782/001 refers).

In both May 2006 and January 2007 two identical applications for the erection of a detached dwelling on plot 7 were withdrawn due to outstanding issues regarding the drainage system on the site (4/06/2227/0R1 and 4/06/2822/0F1 refer).

Following approval of the site drainage system consent is now sought for reserved matters approval for the detailed design of a detached dwelling on plot 7 at the above ongoing residential site.

As originally submitted the dwelling took the form of a two storey detached dwelling measuring 11.3m in width by 9.8m in length with living accommodation in the roof space. A 6.0m x 3.0m single storey detached garage was also proposed. At its closest point the dwelling would have been sited 4.0m from the boundary with the adjoining property to the west.

Following receipt of two letters of objection received on behalf of the adjoining property owner to the west an amended scheme has now been received.

The revised dwelling again takes the form of a two storey detached dwelling with accommodation in the roof space. An attached utility room and garage with storage space above are also proposed.

The dwelling as a whole has been re-sited within the plot to increase

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the distance from the rear boundary in order to minimise impact to existing adjoining properties in order to address overlooking issues related to facing elevations. At its closest point the dwelling will now be sited at a minimum 6.25m from the rear boundary and 11.0m from the adjoining property's single storey kitchen extension.

The overall ridge height of the dwelling has been reduced by 1.37m and obscure glazing placed within a first floor rear window to reduce visual impact and minimise the loss of privacy respectively.

Proposed external finishes comprise red facing brick, render, grey concrete roof tiles and white UPVC windows and doors.

No objections have been received from statutory consultees.

This is by far the most sensitive plot on this site given its proximity to the existing properties at Railway Terrace. Therefore, in order to fully assess the potential impact and determine whether or not this revised scheme materially addresses the concerns raised, it is recommended that Members visit the site prior to the application being determined.

Recommendation

Site Visit

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3 4/07/2278/0

RENEWAL OF TEMPORARY PERMISSION FOR CAR PARK &  
EXTENSIONS, SECURITY POST & BUS SHELTER  
YOTTENFEWS, SELLAFIELD, SEASCALE, CUMBRIA.  
BRITISH NUCLEAR GROUP

Parish St Johns Beckermert

- No comments received.

Temporary planning permission for the Yottenfews car park, including security gatehouse, bus shelters, etc. was originally granted in 1985. Renewals of this temporary consent have subsequently been granted, the most recent consent having expired on 31 May 2007 (4/06/2191/0F1 refers).

An application for further renewal of the planning consent was received on 23 April 2007, the application being accompanied by a

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letter requesting that an extension of the temporary planning permission be granted for a further period of two years.

Car parking restrictions on the Sellafield site, as a consequence of security requirements, have resulted in an increase in the use of the Yottenfews car park for BNG staff, visitors and sub-contractors. In order to progress matters a meeting was held with the applicants on 21 May 2007 when it was agreed that the most appropriate method of dealing with the current application would be to provide a 12 months extension to facilitate the submission and consideration of the following key documents:-

1. Travel Plan
2. Site Access Plan
3. Accommodation Strategy (3 year and 10 year)
4. Assessment of the viability of moving the site fence inwards to provide additional alternative external car parks.

The applicants have accordingly agreed to amend their application to seek a renewal of planning permission for 12 months only instead of two years.

It was also agreed that any subsequent approval for extended use of the Yottenfews car park would need to be subject to a Section 106 agreement to address an "offset package" in recognition that such development outwith urban areas does not represent a sustainable form of development and is, therefore, contrary to local and national planning policies and guidance.

On the basis of the above it is considered that renewal of permission for a further period of 12 months is acceptable.

Recommendation

Approve (commence within 3 years)

1. This permission shall expire on 31 July 2008. At or before the expiration of this period the temporary car park use shall cease and its surface, together with all structures hereby approved, shall be permanently removed and the land restored in a manner to be agreed in writing with the Local Planning Authority unless the prior written consent of the Local Planning Authority has been obtained for a continuation of the use.

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- 2. By 31 August 2007 the applicants shall provide the Local Planning Authority with a Travel Plan, Site Access Plan, Three Year Accommodation Strategy and an Assessment of the Viability of moving the site fence inwards to provide additional/alternative car parking areas, as confirmed by the applicants in their letter to the Local Planning Authority dated 16 June 2007.

Reasons for conditions:-

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

The Local Planning Authority would not support any further renewal of planning permission for the Yottenfews car park in the absence of such supporting information and a detailed appraisal thereof

4 4/07/2299/0

MAIZE MAZE  
FIELD NOS 7851 & PART OF 7976, SANDWITTH,  
WHITEHAVEN, CUMBRIA.  
MR T WEST

Parish St Bees

- No comments received.

At the last meeting Members agreed to visit the site before determining this application in order to fully appraise the issues a tourist facility of this scale in this isolated rural location raises. This took place on Wednesday, 11 July 2007.

It is proposed to create a local tourist attraction in the form of a maze of maize (corn) which would be grown on an isolated 15 acre greenfield site to the south east of Sandwith.

The site itself comprises two agricultural fields, the larger 12 acre one of which would accommodate the maze. The other would be used to provide parking for some 40 cars along with ancillary facilities. Vehicular access would be via the existing agricultural access onto the adjacent unclassified road locally known as "Byersteads Road". The remainder of the site would accommodate associated activities including an agricultural park; a portacabin to accommodate small animals; toilets; children's play areas and catering facilities. It is the intention that the maze, by its very nature, be operated on a

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seasonal basis, from July to September inclusive, each year. Further details of the proposals are contained in the appended Design and Access Statement.

To date no local concerns have been received and it should also be noted that the facility was in operation for a temporary period last summer which was deemed to be a success.

The key issue is the potential impact of the facility on the local highway network. The Highway Authority have raised concerns regarding the potential the proposal has to increase traffic volumes on a predominantly single track road as well as the restricted visibility at the point of access. They request improvements to visibility at the access and the provision of intervisible passing places along the approach road. Negotiations taken place to date and the proposed improvements put forward fail to satisfy the Highway Authority's requirements. To provide the visibility splays required at the current access would involve the loss of a number of mature trees which cannot be sanctioned. There is scope, however, for this access to be located elsewhere on the frontage which would improve visibility and minimise tree loss but would involve substantial time to carry out excavation and construction work which, as a result, would prevent the facility from operating this year. Whilst it is noted that the approach road from Sandwith/Kells is generally single track there are already several existing informal passing places that fall within highway limits and provide the opportunity for two cars to pass.

In policy terms the adopted Copeland Local Plan 2001-2016 generally recognises that small scale tourist attractions in rural areas may be acceptable providing they do not have a significant adverse traffic impact and the use is compatible with the character and appearance of the surrounding rural area (Policy RUR 1 refers).

Taking the above into account, and noting that the facility has already operated for one season without any obvious problems, it is recommended that permission be granted for this season only (temporary period) which would give adequate opportunity for the outstanding highway issues to be satisfactorily resolved, paving the way for the consideration of a permanent permission next year.

Recommendation

Approve (commence within 3 years)

1. This permission shall expire on 31 October 2007. The maze shall cease to be operational on this date and the ancillary buildings and facilities removed from the site by 30 November 2007.
2. The maze shall not be open to the public outside the hours of 9.00am to 6.00pm on any day.

**St Bees Maize Maze**  
**Design and Access Statement**

**ASSESSMENT****Physical**

The site proposed for planning application is made up of two agricultural fields. Field 7851 grows a crop of maize and field 7976 is a grazing field. There are no buildings on the land. Hedges are trimmed back along the Byresteads Road to allow clearer visibility for cars.

**Social**

The site is in a quiet enclosed area with two neighbouring houses, one of which the site is not visible from their locations. The location that has visibility is very supportive of the event. The opening hours of the maize maze are 10am-6pm Thursday-Sunday so will not disturb any sleeping patterns. Occasionally we may open in an evening but local residents will be informed. A fee is charged as admission to the maize maze.

**Economic**

The crop of maize will be used at the end of the event as cattle feed. The event provides an education for the elder and young people who visit. It is a great day out in the country and fresh air where people are getting exercise and fun. People can make a day of it as there are catering and toilet facilities on site, children can meet animals and play on activities not available in their gardens and local parks. It is a brilliant and different tourist attraction for West Cumbria, something for the locals to do and something different to attract the tourists which will also support local bed and breakfast and food bars.

**Planning Policy**

As the event is open to the public, planning permission is needed to hold the event for more than 28 days.

**INVOLVEMENT**

We have been in contact with the local Parish Council to inform residents of the local village (St Bees) of the plans intended. This allowed the opportunity to raise any objections or queries; however they have been very supportive. Discussions with Cumbria County Council have been carried out for guidance. Meetings have been held with several colleagues at the Tourist Information Board to again provide guidance and advertising support. We have also been liaising with the NFU, residents of Byresteads Farm and local producers.

**EVALUATION**

Entrance to the site has a passing area opposite to allow ample space, however the condition of the road surface could be improved in the passing area.

**DESIGN**

**(Please refer to the detailed map provided)**

Both fields outlined in the plan are currently agricultural use.

**Maize Maze (field 7851)**

In field number 7851 we propose to grow a field of maize covering the full 12 acre field which also has a stoned access track to the right hand side. Pathways will be cut into the maize, as yet the design for the paths has not been finalised but I have provided a

COPELAND BOROUGH COUNCIL

30 APR 2007

RECEIVED

draft outline on the plan as a rough idea. At a point central in the maize maze field there will be a refreshment stall selling pre packed snacks (marked R). A look out tower will also be present in case of emergencies (marked L). The look out tower is a steel structure, grey in colour and approximately 3metres in height; this is to be located roughly in centre of the maize maze field (number 7851).

### **Activity Field (7976)**

#### **Animal Area**

In the adjoining field (field number 7976) we propose to provide a selection of activities and services. Along the bottom edge of the field there is a securely fenced area to keep animals (marked Animal Park). Hygienic hand wash is provided along with notices for people entering and exiting this area. Animals present will include roughly a Kune Kune pig with piglets, 7 saddle back pigs, 4 llamas, 4 goats, 10 chickens, 2 lambs, 2 donkeys, 4 rabbits (all figures are approximates) all of which will be kept within secure fencing and cared for to the highest standards.

#### **Temporary Structure**

At the top side of this field, an estimated 20metres from the hedge will be a temporary single story structure measuring approximately 24ft by 30ft, the detail of this structure will be provided at a later date. This area is to provide seating, catering, shelter and other services for visitors (marked Temp S).

#### **Toilet facilities**

Portaloos will be situated along the left hand side hedge, these will be suitable for disabled access which is serviced on a regular routine (marked toilets). To begin with we will have 2 toilets on site, one of which will be disabled. They will be serviced twice a week and extra toilets will be available on request if visitor figures are high.

#### **Activities**

Other activities including trampolines (marked T), sandpit (marked S), bale maze (marked B) and small activities like giant jenga will be around the site.

A portacabin will be on site to accommodate small animals e.g. rabbits and guinea pigs (marked PC), this is dark blue in colour and is located to the left hand side of the field.

#### **Parking**

To the right of the field will be a manned parking area (marked Car Park). This is approximately 0.5 acres and has a capacity for around 40 cars.

#### **Access Route**

At the bottom right hand corner of field number 7851 there is a wide entrance measuring 24 ft wide (marked with an arrow pointing to C), this wide entrance continues for 5 metres into the field to enable passing. The entrance to exit route is marked with continuous arrows → → → . The route takes cars up a slight incline where they will turn into the car parking field at the top, there is a fenced off vehicle access route along the top of the field leading to the parking area with designated spaces for the disabled. To exit cars will depart on a decline to help prevent vehicles getting stuck and they will follow a fenced off track to exit the site. This is the access route previously used in 2006 and after a police visit they did not raise any problems with it.

All entrance, exit and pedestrian routes are clearly sign posted to raise awareness of direction and moving traffic. Pedestrian routes are marked with arrows pointing to A & D. There will be no lighting or signs other than car park and pedestrian direction signs.

**Catering Facilities**

Autograph Foodservice will be providing the catering facilities. They propose to supply the maize maze with pre made and packed sandwiches/baguettes for the maize maze staff to sell on site from the temporary structure along with drinks and light snacks, autograph are going to put the staff through a health and hygiene course prior to selling the food. To begin with we propose to cater for approximately 40 people per day.



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Reasons for the above conditions:-

The site is not considered suitable for this use on a permanent basis unless and until associated access improvements have been carried out

To safeguard the amenities of the locality

Reason for decision:-

The proposed use of these fields to accommodate this tourist facility is considered acceptable for a temporary period only in accordance with Policy RUR 1 of the adopted Copeland Local Plan 2001-2016.

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5 4/07/2341/0

CONVERSION OF FORMER NURSERY INTO AN APARTMENT  
TO THE REAR OF, 42, MAIN STREET, EGREMONT,  
CUMBRIA.  
MR M FOSTER

Parish                    Egremont

- No objections.

Planning permission is sought for the change of use of a former nursery building to the rear of 42 Main Street, Egremont to provide a single apartment.

The building is located within the Egremont Conservation Area and is single storey with a flat roof. The last use was as a nursery but has previously been used as a garage and store. It is attached to a two storey building to the rear of 42 Main Street which was previously converted into apartments in 2000. Along the side of the building is a terrace of properties on Lamb Lane and there is an existing parking area to the rear.

The conversion would provide accommodation consisting of a bedroom, sitting room, kitchen and bathroom. To the exterior, the property would be rendered to match the existing adjoining apartment block and the flat felt roof would be replaced by a pitched roof with grey tiles.

A letter of objection has been received from the occupant of a dwelling on Lamb Lane whose concerns are as follows:-

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1. That the apartment would overlook their property
2. That the conversion would affect light into the property
3. That noise from the property could become an issue.

In response to these concerns I would comment that only two velux windows would be located into the roof pitch facing the properties on Lamb Lane and these would be for the kitchen and bathroom. There would be no directly facing windows in the elevation and overlooking from the velux in the roof would seem unlikely.

Also, the conversion should improve the current situation with regards to light to the properties as the highest point of the proposed pitched roof is the same height as the current flat roof. Finally, it is considered that the proposed use would not increase the potential for noise pollution over and above the previous nursery use.

The Highways Authority have raised no objections to the proposal and no other adverse comments have been received.

Overall, the proposal is considered to be an acceptable conversion of an existing building within the Egremont Conservation Area and is in accordance with Policy HSG 4 of the adopted Copeland Local Plan 2001-2016.

Recommendation

Approve (commence within 3 years)

Reason for condition:-

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

Reason for decision:-

An acceptable residential conversion of an existing building within Egremont Conservation Area in accordance with Policies HSG 4 and ENV 26 of the adopted Copeland Local Plan 2001-2016.

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6 4/07/2354/0

TWO STOREY DETACHED DWELLING AND DETACHED DOUBLE  
GARAGE AND ASSOCIATED WORKS  
LAND BETWEEN 17 & 19, VICARAGE LANE, ENNERDALE BRIDGE  
MR J JACKSON - PERSIMMON HOMES

Parish Lamplugh

- No objection but ask that care is taken to ensure that it is within the building line.

Full planning permission is sought for the erection of a house on this vacant site situated within the Vicarage Lane residential estate, Ennerdale Bridge. During the initial stages of development this site was reserved as an access way to the allocated housing site to the rear. The settlement boundary for Ennerdale Bridge has since been amended by the adopted Copeland Local Plan 2001-2016 and, as a result, the allocated housing site has now been deleted.

The dwelling takes the form of a four bedroomed detached house with rear conservatory and detached double garage. External finishes comprise a grey slate roof, white wet dash rendered walls with buff artstone cills, heads and quoins and brown woodgrain effect UPVC windows.

No objections have been received from statutory consultees.

Three letters have been received from neighbouring property owners. Whilst they are not opposed to development in principle, the following concerns have been raised:-

1. The distance of the development to the boundary is at a maximum 500mm. The phase 2 development has maintained a significantly greater space between buildings.
2. The construction of the house will require significant access being made via No. 19, for example, to erect scaffolding.
3. Due to the restricted space no maintenance to the upper elevations of the west side will be possible without ladder or scaffolding access from No. 19.
4. The majority of properties on Vicarage Lane have integrated garages or larger plots. The ratio of house and garage footprint to plot size is significantly greater than elsewhere.
5. The Design Brief includes natural stone and the neighbouring property owners were advised that quoins were not allowed, although two houses on the estate have quoins.
6. The plans identify a significant narrowing of the pavement which

should remain in keeping with the width throughout Vicarage Lane.

7. Safety of neighbouring children during the erection of the dwelling.

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

1. Policy HSG 8 requires that all new detached and end of group dwellings retain at least 1.0m clear between walls and side boundaries. This has now been clearly demonstrated through the submission of an amended layout plan.
2. Boundary maintenance and access arrangements are matters to be resolved between landowners concerned.

I am therefore of the opinion that the proposed detached house represents an acceptable form of infill development within this established residential estate in accordance with Policies HSG 4 and HSG 8 of the adopted Copeland Local Plan 2001-2016.

#### Recommendation

Approve (commence within 3 years)

2. Permission shall relate solely to the amended plan (Drawing no. 612:101 Rev A) received by the Local Planning Authority on 22 June 2007.
3. Access gates, if provided, shall be hung to open inwards only away from the highway.
4. 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.
5. Details of all measures to be taken by the applicant/developer to prevent any surface water discharging onto or off the highway shall be submitted to the Local Planning Authority for approval prior to development being completed and shall be maintained operational thereafter.

Reasons for conditions:-

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

For the avoidance of doubt

In the interests of highway safety

MAIN AGENDA

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In the interests of highway safety and environmental management

Reason for decision-

An acceptable form of residential infill development in accordance with Policies HSG 4 and HSG 8 of the adopted Copeland Local Plan 2001-2016.

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7 4/07/2359/0

SINGLE STOREY EXTENSION TO PROVIDE GARAGE AND  
ERECTION OF REAR DORMER EXTENSIONS  
26, CHURCH STREET, EGREMONT, CUMBRIA.  
MR AND MRS MCFARLAND

Parish Egremont

- No objections.

Planning permission is sought to erect a single storey extension to the side of this detached bungalow fronting Church Street, Egremont. Three dormer windows are also proposed to the rear elevation.

Measuring 3.6m in width by 7.6m in length the side extension will be sited between 1.0m and 1.65m from the adjoining boundary to the east.

Internally, the extension would create a garage and utility room at ground floor level and allow for two additional bedrooms to be incorporated into the roof space.

Proposed external finishes comprise concrete roof tiles, pebble dash render and UPVC windows and doors, all of which match the existing property.

In order to accommodate adequate off-street car parking, an additional vehicular access is also proposed.

No objections have been received from statutory consultees.

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

1. The view from the objector's main kitchen window will be that of a gable end.

MAIN AGENDA

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2. The gable end will be 17 feet from the objector's window, reducing natural lighting levels.
4. The objector was advised in the past that she could not have a garage extension as it would be too close to no. 26.
5. During weekends and mass service, Church Street is heavily congested. When leaving the new access visibility will be severely restricted, increasing the risk of collisions.
6. There is a risk that a child running out of Hartley's will be run over by someone using the proposed access.
7. The use of the existing drainage system is not acceptable. Every year both surface water and foul drains block.
8. The objector requests a site visit from the Planning Panel to review the application.

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

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

It is worth noting that the objector has a car port extension at the side of her property which abuts the boundary. The objector's kitchen window would be sited a minimum of 5.0m away from the proposed extension.

In my opinion the proposed extensions represent an acceptable form of development in compliance with Policy HSG 20. Any impact of the development on the neighbouring property would not be so significant as to warrant refusal of planning permission.

Recommendation

Approve (commence within 3 years)

2. Access gates, if provided, shall be hung to open inwards only away from the highway.
3. The access drive shall be surfaced in bituminous or cement bound materials, or otherwise bound, and shall be constructed and completed before the extension hereby approved is brought into use.

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- 4. Details of all measures to be taken by the applicant to prevent surface water discharging onto or off the highway shall be submitted to the Local Planning Authority for approval prior to development being commenced. Any approved works shall be implemented prior to the development being completed and shall be maintained operational thereafter.
- 5. The vehicular crossing over the footway, including the lowering of kerbs, shall be carried out to the specification of the Local Planning Authority in consultation with the Highway Authority, before the extension hereby approved is brought into use.

Reasons for conditions:-

In compliance with Section 51 of the Compulsory Purchase Act 2004

In the interests of highway safety

In the interests of highway safety and environmental management

To ensure a suitable standard of crossing for pedestrian safety

Reason for decision:-

Acceptable domestic extensions and alterations in accordance with Policy HSG 20 of the adopted Copeland Local Plan 2001-2016.

8 4/07/2362/0

REPLACEMENT PRIVATE DWELLING ON YOUTH HOSTEL SITE  
DUDDON YOUTH HOSTEL, BORWICK RAILS, MILLOM,  
CUMBRIA.  
MR D FRIEND

Parish

Millom

- Object due to the fact that the planned building is out of character and proportion for the area. The Youth Hostel is a valuable asset to the tourist industry of Millom, which is the main industry for the town. To allow this development to go ahead would mean another loss of a well used facility which is an outstanding area of natural beauty and includes the nature reserve.

Planning permission is sought for a replacement private dwelling on

MAIN AGENDA  
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the site of the current Duddon Youth Hostel at Borwick Rails, Millom.

The proposal would see the removal of the current buildings on site which consist of the youth hostel block and a small adjoining cottage, used as the on-site manager's accommodation. The youth hostel provides accommodation for 18 people, comprising 2 No. 8 person dormitories, a 2 bed-room, dining room, kitchen and toilet.

The proposed new dwelling on the site would be of a modern design over two floors. It is made up of two "blocks" with the main block providing 4 bedrooms, a lounge, dining room, kitchen and bathrooms. A two storey glazed atrium leads into the second block, which contains a study, gymnasium, sauna and master bedroom with bathroom.

As regards external finishes, the proposed flat roof would have a high performance polymer finish, and light coloured wet dash rendered block work walls with feature slate walling. There is a roof access proposed from the main staircase to a "look out point". Whilst the dwelling would be contained within the footprint of the existing building, it will be considerably larger than the existing as it is entirely two storeys.

The site is within the settlement boundary for Millom but borders onto both a Local Nature Reserve and the Duddon Estuary Site of Special Scientific Interest (SSSI). The likely impact this new dwelling would have on both of these designations must, therefore, be carefully considered.

The access is as existing for the youth hostel and the Highways Authority have raised no objections.

In addition to the Town Council's objections an anonymous letter has been received headed "Save Our Youth Hostel".

In response to the concerns raised the owner has submitted a letter which defends and explains the decision to close the facility, stating that it is not economically viable to run. This letter is appended to the report.

The site is particularly sensitive in visual and biodiversity terms, overlooking the Duddon Estuary and adjoining an SSSI. Natural England has made representations regarding the proposal, which the applicants have responded to. Copies are attached.

The proposal is relevant in terms of Policies DEV 6, ENV 2, EMP 7 and SVC 12 of the adopted Copeland Local Plan 2001-2016.

Policy DEV 6 states that permission will only be granted for development which "shows a high standard of design and choice of materials where building scale, density and proportion, landscaping and overall layout contribute to creating or maintaining a strong sense of place".



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Policy ENV 2 states that "Proposals for development likely to have an adverse effect on a Site of Special Scientific Interest (SSSI) which will have a direct or indirect adverse effect on the special interest of the site will be subject to special scrutiny. Development proposals will not be permitted unless the reasons for the development clearly outweigh the nature conservation value of the site itself and the national policy to safeguard such site."

Policy EMP 7 states "Outside Policy EMP 1 employment sites the development or change of use of land or premises currently or last in employment use to non-employment use will only be permitted if the proposed use meets the requirements of other plan policies and:-

1. there is no current or likely future demand for the site or premises;
2. the site or use gives rise to environmental problems which can be mitigated with an alternative use in accordance with Policy EMP 6, or
3. it is the only viable means of retaining a building of architectural or historical interest; or
4. it is not an important part of a wider regeneration proposal or meets need established by the Local Plan in support of the Community Strategy

and the wider community benefits outweigh the loss of employment land".

Policy SVC 12 states "Development or change of use which would result in the loss of an existing social or community facility will be resited where it is satisfied that there is a demand for that facility that is unlikely to be met elsewhere".

Having regard to the above policies, there is no objection in principle to the introduction of a contemporary design solution and the proposal appears to be sustainable in terms of energy efficiency.

Whilst the site is situated within the settlement boundaries for Millom as defined in the adopted Copeland Local Plan 2001-2016 it is within a wider area of previously developed land designated as an Employment Opportunity Site, where leisure/tourism related uses would be acceptable but not housing development unrelated to any site specific local need. In the context of this policy the current proposal is deemed unacceptable.

In conclusion, the application fails to provide demonstrable evidence that the existing Youth Hostel use is no longer viable and that alternative tourism/leisure uses and/or employment uses have been investigated. Redevelopment of this highly sensitive site which is

## RE. THE CLOSURE OF YHA DUDDON ESTUARY

More than two months ago, we told the previous owners, Philip Webster and Helen Annan, that, with great reluctance, we had concluded that the hostel was not economically viable and would need to close. With only two provisional bookings beyond 30<sup>th</sup> June, this was set to be the sad day. And sad it is because we had every intention of operating the Hostel for as long as we were able; all of our activities since take over 25<sup>th</sup> January provide clear evidence to support this assertion.

The purchase was a commercial transaction at full market value. No undertakings were given by us as to future trading, and none were sought by the vendors.

Certainly, we had expressed our wish to continue operating the Hostel if possible, and take up some of the community involvements, which the vendors had to give up when they moved away. Both of these we have done with enthusiasm and commitment. Our burgeoning community activities we trust will continue and develop for many years to come because Millom is our chosen home.

What was not clear when we took over, was that this hostel, in common with many others, had virtually faded from the YHA radar of support. A week after we arrived, we were astonished to learn at a Team Briefing at Ambleside that the Association's perceived competitor had been identified as Travel Lodge! All the emphasis was on ensuite family rooms and the provision of a comprehensive "food and bev." package, including evening meal with beers and wines. Our little mid/late twentieth century style, self catering hostel with bunk bedded dormitories and shared loos and showers seemed glaringly irrelevant to twenty-first century YHA thinking...and so, as we subsequently discovered, it was!

We came across a YHA press notice from January 2006. It set the scene for what was now becoming apparent to us. It revealed a plan to close 32 hostels over two years. Many of these, judged on a range of criteria, were vastly superior to YHA Duddon Estuary. It might reasonably be assumed that if, in 2000, The Harriet Trust had sold to YHA instead of Helen and Philip, the list would have numbered 33 hostels for closure!

We had acquired a healthy forward booking schedule from the vendors. After nearly a month, we were becoming increasingly concerned that no new bookings had emanated from YHA. Our concern turned to alarm when, after further investigation, an analysis showed that the great majority of this future business had not come from YHA at all. This was apparently true for past business as well. Helen and Philip, through their wide ranging web of contacts, and long experience within the hostel movement, were the engine for what was, in any event, a very modest occupancy rate of 46%.

During our first three months of operation, we received from the YHA only eight new bookings, with one exception, of two nights duration only – a total of just seventeen nights!

We knew from the financial information package provided to all the prospective purchasers that the net income was grossly inadequate to reward either effort for running the operation, or pay for the sizeable capital employed. Fortunately, we were not dependent on this source for our income needs. We had come to Millom for a lifestyle change, not to get rich! However, if nothing changed, when the forward bookings unwound, we would be in a loss situation and that was something we couldn't cope with.

The historical overhead expenses, excluding any wages or partners' remuneration, amount to approximately £7500 pa. In addition, as an aspiring entrant to the YHA's new and obligatory "Enterprise Scheme" for partner affiliates, I would be required to pay a flat annual fee of £4300.50! It got worse. Because of the lack of past profits, aspects of backlog maintenance on the properties were becoming apparent. The hostel roof was beyond its predicted life. The facilities in both the Hostel and cottage warranted serious upgrade.

At the beginning of March, we had applied to Cumbria Tourism for substantial improvement grants under the new "Tourism Connect Scheme", first for hostel upgrade, and secondly, conversion of cottage into a holiday let unit. Some weeks later these were both rejected for non fulfilment of criteria. This was disappointing, but, from information gleaned subsequent to the grant application's submission, not surprising. Investment in the Hostel could not generate a required return. The cottage was a substandard dwelling that could not be adequately improved within the existing physical constraints. Comments from cottage rental agencies were more blunt in condemnation!

Most telephone enquirers wanted private room with private facilities. Bunk beds in dormitories and shared toilets were definitely the end of story!

We became ever more preoccupied with how to generate bookings: this was neither indicated, nor our intention when we acquired this business. All indications were that booking requirements were being adequately serviced by YHA.

One past income stream that had been reasonably regular emanated from schools.

We inherited a small stock of impressive YHA brochures dedicated to S.E.N. groups and featuring, among others similar facilitated, YHA Duddon Estuary. Further scrutiny revealed that they were dated April 2005, and request to YHA for update produced the response that there were no plans to repeat this brochure.

The rebranded "Rent a Hostel", now "Escape to....." brochure at the hostel was a similar hollow promise. It had been produced by YHA as a one off more than a year previously with no intention to update and reissue.

A substantial e.mail campaign, including a generous discount, aimed at attracting RSPB members to the Hostel as a base for Hodbarrow Reserve and our estuarine birds produced zero response.

Probably the *coup de grace* was the discovery that a growing number of educational and other public bodies were setting up in opposition to us by establishing their own facilities around the country and then marketing this group accommodation to each other.

YHA regretted losing the Hostel but offered "comfort" –well done for trying,.... not your fault,.... the Hostel is an anachronism ( euphemism for substandard, apparently) – too far from a major centre and lacking local facilities – very low client appeal.

Whilst the closure is a very sad event for us, and others who have worked hard to try and maintain this outdated hostel facility here, we can take real comfort from the success of The Duddon Villa which now provides self catering, group accomodation, to the very highest standard, less than one hundred yards away! Such contribution to the local community and the town of Millom as may have come from here will enjoy continuity from our worthy neighbour.

For todays much changed market, Duddon Villa is far more appealing and certainly more worthy of the accolade of excellence as demonstrated by its FIVE STAR VisitBritain Quality in Tourism award.

David Friend,  
Partner, with Carol Wood,  
YHA Duddon Estuary,

1<sup>st</sup> July 2007

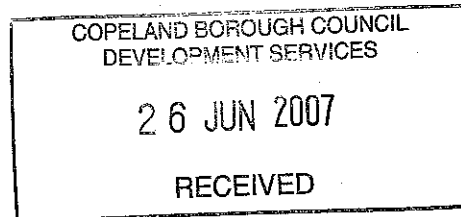
19 June 2007

Our ref: SD 28/2

Your ref: 4/2007/2362



Simon Blacker  
Development Services  
Copeland Borough Council  
The Copeland Centre  
Catherine Street  
Whitehaven  
Cumbria CA28 7SJ



Juniper House  
Murley Moss  
Oxenholme Road  
Kendal  
Cumbria  
LA9 7RL

T 01539 792800  
F 01539 792830

Dear Mr Blacker

**Proposal: 4/2007/2362, Replacement private dwelling on Youth Hostel Site**  
**Location: Duddon Estuary Youth Hostel, Borwick Rails, Millom**

Thank you for your letter of 6 June 2007. This letter is Natural England's formal consultation response under Section 28 of the Wildlife and Countryside Act 1981 (as amended) and Regulation 48(3) of the *Habitats Regulations 1994*<sup>1</sup>.

The application is adjacent to land which forms part of the Duddon Estuary SPA and Ramsar sites and Morecambe Bay SAC. The location of the proposal in relation to this European Site means that the application must be determined in accordance with the requirements of the Conservation (Natural Habitats &c) Regulations 1994 (the *Habitat Regulations*) in particular Regulations 48 and 49. Part I B of *ODPM Circular 06/2005 - Biodiversity and Geological Conservation - Statutory Obligations and their Impact within the Planning System* describes the procedure for the consideration of plans and projects that may affect European and Ramsar sites. We have attached Figure 1 from this Circular which summarises the procedure.

Based on the information provided, **Natural England objects to the proposed development** as there is insufficient information with the application for us to advise you whether the proposal is likely to have a significant effect on the European site.

Regulation 48 requires your authority, before deciding to give any consent to a project which is (a) likely to have a significant effect on a European site (either alone or in combination with other plans or projects), and (b) not directly connected with or necessary to the management of the site, to make an appropriate assessment of the implications for the site in view of its conservation objectives (see attached).

In this case the proposal is not directly connected with or necessary to the management of site but may have a significant effect on a European site. In order to determine the application in accordance with the *Habitats Regulations*, the planning authority must require the applicant to submit the following information:

- That the septic tank is in a satisfactory condition and ground conditions are such that effluent will not enter the European marine site.
- How surface water run-off will be prevented from entering the adjacent site during construction works.

<sup>1</sup> *The Conservation (Natural Habitats, &c.) Regulations 1994*

- How machinery and materials will be contained within the development site during construction.

If the application is amended to include this additional information, Natural England should be re-consulted for a further 21 days in accordance with *Circular 08/2005*.

Natterjack toads are known to breed at the Local Nature Reserve adjacent to the proposed development. Natterjack toads are a European Protected Species and as such are fully protected. As a result of this we strongly suggest the following conditions to try and minimise the chances of killing or injuring natterjack toads during in this development:

- During 1<sup>st</sup> of March – 31<sup>st</sup> of October of any year, any excavations or holes are to be left open for the minimum period possible and are to be covered at night to prevent natterjack toads or toadlets from falling in.
- Any holes are to be checked in the morning (even if they were covered over night) to ensure that no toads or toadlets have got trapped in the holes over night.

**Reason:** Toads forage over a wide area and are active at night. They can become trapped in excavations and are unable to climb or jump out of such holes. They are vulnerable to predation, weather conditions and starvation once trapped even if they are not threatened by work on the trenches. Trenches therefore must be checked each morning even if they have been covered overnight. Covering trenches hopefully stops some toads from falling in but others may seek shelter under the covering or find holes along its length and end up in the trenches. Minimising the length of time the trenches are open for clearly reduces the risk of animals becoming trapped.

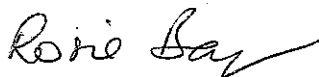
- Minimise storage of materials on the ground. All storage materials have to be moved carefully in case natterjack toads are hiding underneath.
- Where possible, materials are to be stored on pallets and hard standing to reduce the chance of natterjack toads hiding under storage materials.

**Reason:** During the day natterjack toads seek shelter under objects like timber or stones. They can also burrow into sandy substrates where these are available. In order to reduce the potential for natterjacks to shelter in building materials they should be stored flush to the ground (on hardcore or a hard surface reduces the chance of there being holes underneath) and on pallets (hence giving a small area in contact with the ground) if this is possible. The details submitted take account of this although it appears the pallets are not located on hard standing. The area to be covered in hardcore needs to be checked carefully for any natterjacks before it is put down and the cabin installed.

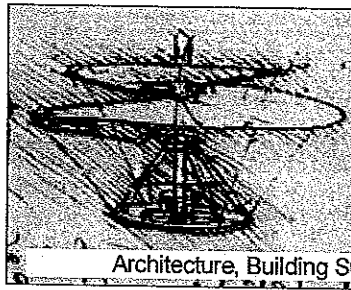
- If any natterjack toads are found, work is to stop until advice has been sought from Natural England.

If you wish to discuss any of the above please do not hesitate to contact me.

Yours sincerely



Rosie Baynes  
Adviser

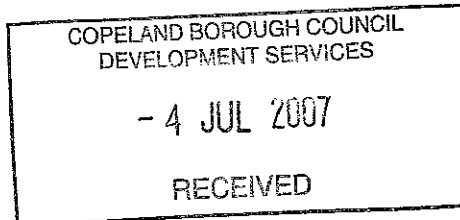


**Diseño**  
**Associates Ltd**

Architecture, Building Surveying & Disability Access Auditing

Kellet House, Main Street, Silecroft, Cumbria, LA18 4NU  
Tel/Fax: 01229 771704 email: mail@diseno-associates.co.uk

Mr S. Blacker  
Planning Officer  
Copeland Borough Council  
The Copeland Centre  
Catherine Street  
Whitehaven  
Cumbria  
CA28 7SY



DT/lld/7008sb03  
3 July 2007

Your ref: **SB/4/07/2362/OF1**

**Planning Application 4/07/2362/OF1 – Replacement Private Dwelling on Youth Hostel Site, Duddon Youth Hostel, Borwick Rails, Millom, Cumbria.**

Dear Mr Blacker

Further to your letter dated 27 June 2007, we are pleased to provide the following responses to the points raised by Natural England:-

- 1) The Septic tank located adjacent to the nature reserve is in a fully operational condition and was last inspected and cleaned in April 2007. No defects were reported when the inspection was undertaken and it appears to be in a satisfactory condition. The proposed redevelopment of the site to a residential property is expected to reduce the demand on the septic tank and subsequent outflow from the current usage of 20 person plus per day to initially the use of two persons, with a maximum usage by ten people if the property was fully occupied. It is intended that the septic tank will be fully inspected during the course of the rebuilding works and any necessary maintenance will be undertaken at this time.
- 2) It is intended that the proposed project will utilise the existing building foundations and surface water drainage system, reducing the problems surrounding excavation works and surface water drainage. The current site is presently bounded on three sides by raised earth mounds (as shown on the attached drawing) encapsulating the site, forcing any rainwater run-off away from the nature reserve towards the southern boundary. Additional temporary surface water drainage will also be provided where the trawler is located, which is scheduled to be removed prior to works commencing.

Registered Office:- Kellet House, Main Street, Silecroft, Cumbria, LA18 4NU  
David Taylor BSc (Hons) (Director) Company Number:- 05396385

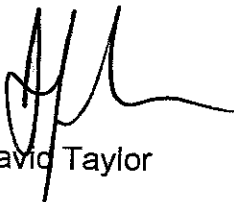
- 3) Materials and machinery used on site will be enclosed within the fenced area which currently bounds the site on the existing boundary line. Materials will be stored adjacent to the old trawler as indicated on the attached drawing. All materials will be delivered to site when they are to be used directly. Where temporary storage is required, materials will be stored on pallets raised above the ground. Plant such as cranes, diggers, etc will be brought to site on the days required and then immediately removed from site once works are completed.

Our Client feels very strongly about the preservation of the Nature Reserve and will ensure that it is protected at all costs. He is currently the secretary of the local Millom Ironworks Nature Reserve which abutts his property and as such is very concerned that the works undertaken fully take into account the natterjack toad and all other species. Prior to our application for Planning Permission, informal discussions were undertaken with Judy Palmer, a Cumbria County Council Ecologist, to ensure that any proposed development would not adversely affect the surrounding area and nature reserve.

It is intended for works to commence on site (subject to Planning Permission) in September 2007, with the works hopefully completed by March 2008, to minimise the possible effect on the adjoining nature reserve breeding cycles.

We hope the above clarifies the points raised and shall look forward to hearing from you in the near future. Should you need any further information please do not hesitate to contact me on 01229 771704 or 07834 340909

Yours sincerely



David Taylor



Nature Reserve

Earth mound banks

Fenced area

The Harrie

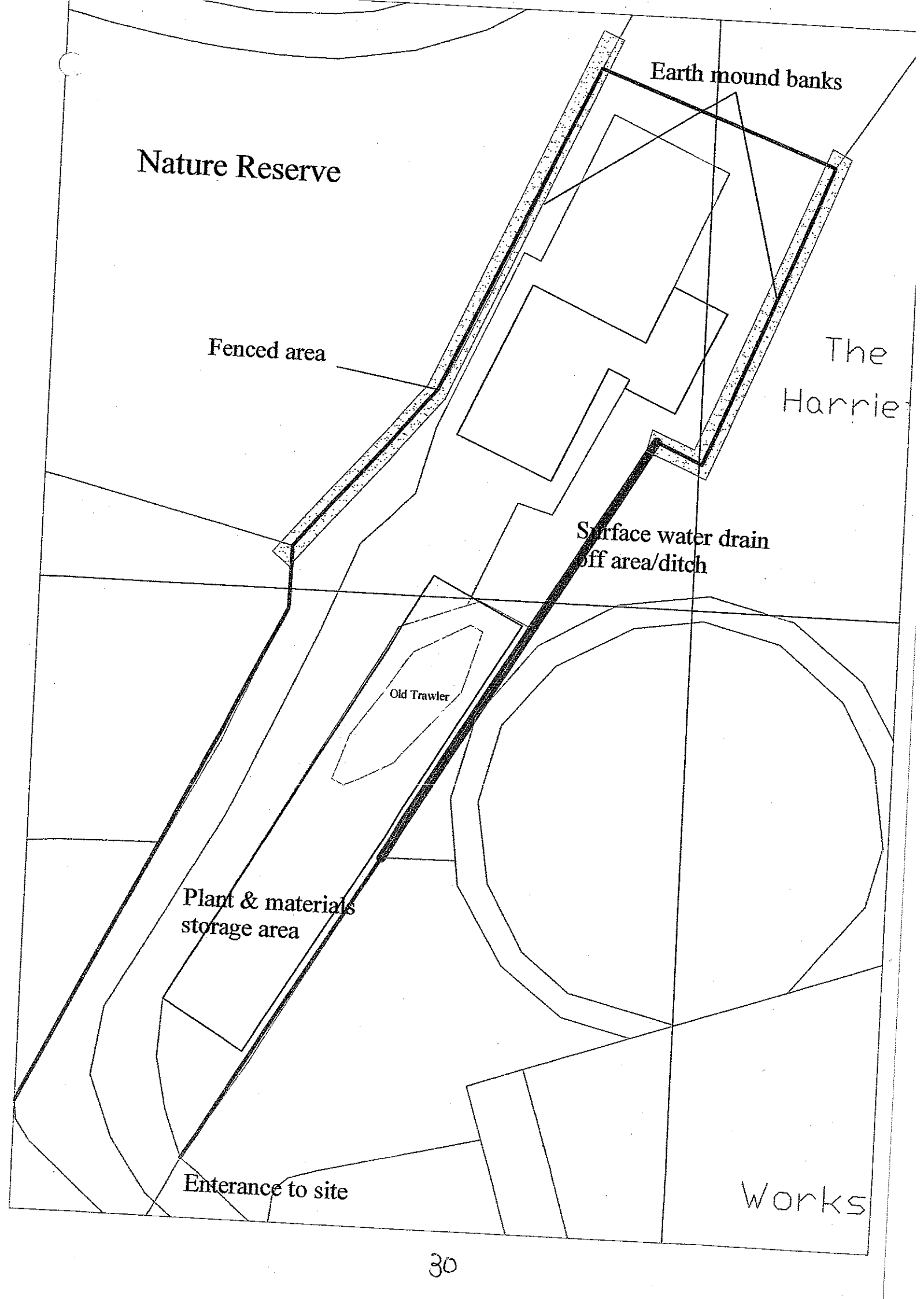
Surface water drain  
off area/ditch

Old Trawler

Plant & materials  
storage area

Entrance to site

Works



part of the Duddon Estuary SPA and Ramsar sites and Morecambe Bay SAC in the form of a private dwelling is deemed inappropriate and at variance with Policies DEV 6, ENV 2, EMP 7 and SVC 12 of the adopted Copeland Local Plan 2001-2016.

Recommendation

Refuse

1. The applicant has failed to demonstrate that the existing Youth Hostel use is no longer viable. The loss of this social/tourism facility would be at variance with Policy SVC 12 of the adopted Copeland Local Plan 2001-2016.
2. The site lies within a wider area of previously developed land designated as an Employment Opportunity site where private housing development unrelated to any site specific local need would be unacceptable and at variance with Policy EMP 7 of the adopted Copeland Local Plan 2001-2016.
3. The application site is adjacent to land which forms part of the Duddon Estuary SPA and Ramsar sites and Morecambe Bay SAC. The application fails to demonstrate that the proposed development will not have a significant effect on the European site and Natural England object to the proposal accordingly.

9 4/07/2371/0

SWIMMING POOL AND CHANGE OF USE FROM AGRICULTURAL  
LAND TO GARDEN  
BOWTHORN BARN, BOWTHORN FARM, CLEATOR MOOR,  
CUMBRIA.  
MR P CARTMELL

Parish

Cleator Moor

- No objections.

In November 2004 consent was granted for an extension to the existing domestic curtilage of this property in order to accommodate a garage extension (4/04/2735/0F1 refers). Consent is now sought to extend the domestic curtilage further in order to accommodate a swimming pool extension.

Externally the 6.4m x 10.6m swimming pool extension would be finished with a slate roof and dashed walls to match the existing garage. This would require the change of use of just under 80m2 of

MAIN AGENDA  
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agricultural land to domestic curtilage.

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

In planning policy terms, whilst part of the application site falls outside the existing domestic curtilage and is within open countryside, Policy HSG 20 of the adopted Copeland Local Plan 2001-2016 provides a presumption in favour of domestic extensions and alterations.

In my opinion the proposed swimming pool extension and consequent extension of domestic curtilage represents an acceptable form of development in accordance with Policy HSG 20. In these circumstances, however, it is considered appropriate to restrict use of the swimming pool extension.

Recommendation

Approve (commence within 3 years)

2. The swimming pool hereby permitted shall not be used other than for purposes ancillary to the residential use of the dwelling known as Bowthorn Barn, Cleator Moor and shall not be sold or let separately.

Reasons for the above conditions:-

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

To ensure that non conforming uses are not introduced into the area.

Reason for decision:-

An acceptable swimming pool extension and extension of existing domestic curtilage in accordance with Policy HSG 20 of the adopted Copeland Local Plan 2001-2016.

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MAIN AGENDA

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10 4/07/2377/0

ERECTION OF EXTENSION TO MUSIC STUDIO TO PROVIDE  
ASSOCIATED THREE BEDROOMED LIVING ACCOMMODATION  
GRANGE BROW FARM, GRANGE, EGREMONT, CUMBRIA.  
MR T TYSON

Parish                    St Johns Beckermest

- No comments received.

This proposal seeks permission for living accommodation in the form of an extension to this existing music studio business within the isolated hamlet of Grange.

The business has been established on the site for some 18 years in a converted single storey former farm building with the owner living in the adjacent former farmhouse (4/89/1026 refers). Consent was granted in 1995 for a two bedroomed extension to the music studio to provide on-site ancillary accommodation and resiting the studio in the building (4/95/0138/0 refers). Whilst the latter work was carried out the extension was never erected. This application seeks approval for a revised scheme for the extension which differs in scale and design.

It is now proposed to construct a single storey extension to the west on a larger footprint which will provide three bedrooms and ancillary facilities in association with the music studio business. External finishes proposed include a pitched slate roof to match the existing building and a mixture of rendered walls with a natural stone facade and a design incorporating glazing features to maximise local views.

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

In view of the fact there is an existing live consent for ancillary accommodation here and this proposal, in effect, seeks only to enlarge that to provide an additional bedroom/office, together with the special business need for the development I consider it is justified within the terms of Policy HSG 5 of the adopted Copeland Local Plan 2001-2016.

Recommendation

Approve (commence within 3 years)

2. The living accommodation shall be occupied solely in association with the adjoining recording studio business known as the "Music Farm" and shall not be sold or let separately.

3. A sample of the natural stone to be used for the facade shall be submitted to and approved in writing by the Local Planning Authority before development commences.

Reasons for conditions:-

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

The Local Planning Authority would not be prepared to grant planning permission for the erection of a dwelling on the site except for occupation by persons so employed

To safeguard the character and appearance of the dwelling and its environs in the interests of amenity

Reason for decision:-

An acceptable proposal to provide three bedroomed accommodation in association with the existing music studio business on the site in accordance with Policy HSG 5 of the adopted Copeland Local Plan 2001-2016.

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11 4/07/2395/0

TEMPORARY DISPLAY OF 1 x 48 SHEET POSTER PANEL  
WITH ASSOCIATED LED DISPLAY TO PROVIDE COUNTDOWN  
TO CHANGEOVER FROM ANALOG TO DIGITAL TELEVISION  
RECEPTION WITHIN COPELAND DISTRICT  
(RETROSPECTIVE)  
ADJACENT TO SLIPWAY, SUGAR TONGUE, HARBOURSIDE,  
WHITEHAVEN, CUMBRIA.  
J C DECAUX UK LIMITED

Parish

Whitehaven

Advertisement consent is sought, in retrospect, to display a 4.2m high by 6.0m wide poster hoarding at the entrance to the Sugar Tongue on Whitehaven Harbourside for a temporary period until 5 November 2007.

With its LED countdown and overhead illumination the aim of the display is to provide greater public awareness of the changeover from analogue to digital television reception that is occurring within the Copeland district.

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

A single letter of objection has been received from a resident of Whitehaven. The grounds for objection can be summarised as follows:-

1. The display is large, unprecedented and totally out of character in the location described, which is the beginning of the coast to coast cycleway.
2. The display serves no useful purpose for the local people.
3. The sign is detrimental to the Georgian character of the town and harbourside.
4. The objector does not believe the population of the town need a reminder following the intense publicity to date.
5. The display is set at an angle which is difficult to judge to someone who has visual problems.
6. Obstructs the view of the harbour.
7. Consideration should be given to its removal.

Whilst the retrospective nature of the application is not condoned, the digital countdown display is considered to represent an acceptable form of temporary development to provide public information during this unique time. As such, the proposal is considered to be compliant with Policy ENV 40 of the adopted Copeland Local Plan 2001-2016 and is favourably recommended.

Recommendation

Approve Advertisement Consent

1. This consent shall expire on 5 November 2007. The poster panel shall be removed from site on or before this date and the land restored to its former condition.

Reason for condition:-

This prominent harbourside location within the Whitehaven Town Centre Conservation Area is inappropriate for the permanent display of such commercial advertising material

Reason for decision:-

An acceptable temporary advertisement display in accordance with Policy ENV 40 of the adopted Copeland Local Plan 2001-2016.

MAIN AGENDA  
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12 4/07/2396/0

ERECTION OF TWO NEW COVERED STANDS WITH RAKED  
SEATING AND GROUND IMPROVEMENTS  
WHITEHAVEN RUGBY LEAGUE F/BALL CLUB, COACH ROAD,  
WHITEHAVEN, CUMBRIA.  
WHITEHAVEN RUGBY LEAGUE FOOTBALL

Parish                      Whitehaven

The proposal is to increase the capacity of the ground from 6,755 (6,200 standing and 555 seated) to 8,031 (6,500 standing and 1,531 seated) by constructing two additions to the existing stand. The existing stand has seating capacity for 555 and is flanked by two open terraces which offer a combined capacity of 400. The proposal results in the open terraces being removed and replaced by two covered seating areas with a combined seating capacity of 976.

The proposed new build, combined with a barrier upgrade to the existing Kells standing area will provide an increased crowd capacity of 8,031.

The steel framed structures will be clad in blue colour coated profile metal cladding to the roof, rear, part sides and fascias, with facing brick plinths and low front walls to match the existing central stand.

Access and parking to the ground remains unaltered. Due to the land locked location of the stadium, limited on-site parking is available. The space available is allocated to staff, players and for disabled parking facilities. On match days, additional parking is utilised in surrounding areas.

It is recommended that Members visit the site before determining this application as there are a number of issues relating to this proposal. The issues to be considered include vehicular and pedestrian access, car and coach parking, surface water and flooding and design of the structures. Also, the site lies within the Pow Beck Valley, for which a Supplementary Planning Document (SPD) has recently been agreed for consultation purposes and the proposal needs to be considered against this document.

## Recommendation

Site Visit

13 4/07/2406/0

DWELLING (OUTLINE)  
SYCAMORE, THE GROVES, HENSINGHAM, WHITEHAVEN,  
CUMBRIA.  
MR B CONNOLLY

Parish

Whitehaven

Outline permission is sought for the erection of one dwelling on garden land adjoining the side of this large, detached house situated at The Groves, a small residential estate in south Whitehaven.

Measuring some 602 square metres in area with a road frontage, vehicular access would be via the existing estate road which leads off Homewood Drive. An indicative drawing submitted with the application shows how a large, split-level detached dwelling would be accommodated on the site.

Planning permission for the estate layout was granted in 1998 (4/98/0338/0F1 refers) with detailed consent for this particular plot at around the same time (4/98/0265/0F1 refers).

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

1. The submitted drawing neglects to show the proximity of his property next door.
2. There is a service cable running across the site.
3. Disturbance and safety problems construction vehicles using the estate road will create.
4. Their access is a private drive not to be used by construction vehicles.
5. Excavations may affect the boundary fence.
6. Inaccuracies on the drawing.
7. Construction work in vicinity of the tree may have a detrimental effect on its future health.
8. The land is not vacant, it was last used as a garden for Sycamore House and prior to that part of Homewood grounds.

The concerns raised regarding construction vehicles, boundary and



ownership issues are not planning considerations and should be disregarded. The other concerns are noted and point 7 in particular is relevant.

As the area benefits from established trees and wooded areas a Tree Preservation Order was confirmed in August 1994 in order to protect the existing trees and minimise tree loss from any future development. This plot had 3 protected mature sycamores within its side garden which is the area to which this application now relates.

Consent was granted for the felling of two of those trees earlier this year (4/07/2109/TPO refers). This work has now been carried out and only one protected tree remains which has significant amenity value and is in good health. The key issue here from a planning point of view is whether the erection of a dwelling would adversely impact on the tree. As the drip line of the tree extends substantially over the plot, (in fact further than that indicated on the accompanying block plan which shows it abutting the dwelling) it demonstrates that any dwelling here due to the spatial constraints, when taking into account construction activity and trenching for foundations, would encroach well within the crown/drip line. This would not allow for any future growth and would substantially compromise the health of the tree as confirmed in the appended Landscape Officer's report. Policy ENV 10 of the adopted Copeland Local Plan 2001-2016 seeks to protect trees subject to a TPO from inappropriate development such as this.

There is also an issue relating to separation distances. The indicative plan does not satisfactorily demonstrate that a dwelling can actually be accommodated on the site in accordance with the separation distance requirements of Policy HSG 8 of the adopted Copeland Local Plan 2001-2016 which could adversely affect the amenity of adjoining residential properties. The proposal also compromises the existing dwelling by taking up the majority of its garden, leaving it devoid of a reasonable amount of amenity space.

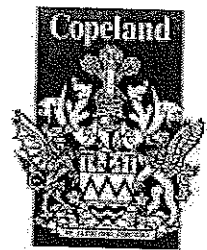
For the above reasons a proposed dwelling in this location, given its impact on the protected tree and neighbouring dwellings, is considered to be at variance with Policies ENV 10 and HSG 8 of the Local Plan.

Recommendation

Refuse

The proposal fails to demonstrate that the existing sycamore tree on the site, which is protected by a Tree Preservation Order, can be adequately safeguarded to enable a satisfactory form of development to take place and, as such, the proposed development is at variance with Policy ENV 10 of the adopted Copeland Local Plan 2001-2016. Furthermore, the proposed dwelling could not satisfy the minimum required separation distances from neighbouring dwellings, thereby resulting in potential overlooking and a loss of privacy at variance with Policy HSG 8 of the adopted Plan.

# Memo



**From:** Richard Mellor  
**To:** Heather Morrison  
**My ref:** 4/2007/2393  
**Date:** 29<sup>th</sup> June 2007  
**Subject:** Dwelling (outline), Sycamore, The Groves, Hensingham, Whitehaven, Cumbria

Dear Heather,

Following the receipt of the above application which I received on the 29<sup>th</sup> June, I have now carried out a site visit to The Groves in order for me to assess the single which in which this application relates.

The *Acer pseudoplatanus* (Sycamore) tree within the grounds of this residential property is of a early mature to mature age classification and as such is approximately 70 years of age with an estimated height of around 40-50 feet.

This is the only tree left within the grounds of the plot following a recent application to remove two other *Acer pseudoplatanus* and as such this remaining specimen has an extremely straight, well formed, single stem which supports a slightly uneven crown (predominantly located to the north west of the bole). The crown displays reasonable to good foliage proliferation and average leaf size for this time year.

This very brief report into this trees physiology forms the basis for my recommendation for the retention of this tree, which would mean that a residential dwelling could not be sited within the remaining plot space without posing any considerable risk to both tree and dwelling due to spatial constraints.

Please make I take this opportunity to comment on the fact that the number of mature trees within vicinity of The Groves has slowly declined over the last few years as a result of development occurring too close to the existing tree population.

Regards

Richard Mellor  
Landscape Officer

14 4/07/2409/0

OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT  
LAND ADJOINING, 9, ALDER CLOSE, WHITEHAVEN,  
CUMBRIA.  
MR W GLASSON

Parish                      Whitehaven

An outline proposal for residential development on an area of steeply sloping land, currently designated open space, comprising 1032 square metres in area. It is situated to the immediate rear of 4, 5 and 6 Ash Grove and adjoins 9 Alder Close, Whitehaven.

Indicative drawings submitted with the application show two dwellings being accommodated on this site with a new vehicular access via a steep, single width track created between the side boundaries of 4 and 5 Ash Grove. To achieve this would involve the demolition of one half of a pair of semi detached single garages adjacent to Ash Grove, the remaining half belonging to the adjoining property, 3 Ash Grove. A public footpath currently runs along this route from Ash Grove between the garages and an adjacent detached garage along the eastern side of the site to the fields beyond. A separate existing footpath to the site runs alongside the southern boundary of 9 Alder Close providing a pedestrian link to the site from Alder Close.

In terms of planning history the site has a formal designation as a play area/open space for the benefit of local estate residents which was secured by an amended permission in 1987 (4/85/0705 refers). An outline application for the erection of one dwelling on the site was withdrawn in February last year. (4/06/2035/001).

6 letters have been received from residents in the immediate vicinity who object to the proposal on the following collective grounds:

1. The circumstances have not changed since the last application for such development.
2. The land has been designated open space/play area as part of the estate since 1987.
3. It is still used by children in the local community and is the only such area remaining, though it has not been maintained.
4. Proposed development would result in a loss of an important area of public open space which makes a significant contribution to the

- locality. Green space here is needed.
5. A previous application for a dwelling on this site, then known as plot 10 Alder Close, was withdrawn in 1987 following strong local objections from residents. The resulting impact on Ash Grove properties was considered unacceptable.
  6. The topography of the site has since changed. Earth has been deposited on it following the building of 9 Alder Close. The site is now much steeper and any development would have a serious impact on the Ash Grove properties it adjoins by virtue of loss of outlook and serious overlooking.
  7. Previous planning history for the site reveals that there was never any intention to permit building on this site, contrary to what the applicant's agent states in his covering letter. An amended layout for a play area on the site in 1987 (4/85/0705) was approved subject to it being landscaped to provide a levelled area and seeded within 12 months from the date of approval, which has never been done.
  8. Access to the site is currently a public footpath regularly in use by the community. Having a new access road along it would create issues of public safety. There is not enough room here to accommodate the public footpath and a private access road.
  9. There is also an existing footpath link between Alder Close and the site, provided in 1987 to give public access to the play area/open space which is in regular use. This has been in use for over 20 years and is established as a right of way. To be denied this access would be to the detriment of the children and the local community.
  10. There would be inadequate visibility at the junction with Ash Grove which itself is only a single carriageway. It is very narrow and the steep incline turning into it from Rannerdale Drive is hazardous without further access being allowed.
  11. Emergency vehicles would have great difficulty accessing the site due to the steep gradients and narrowness of the access.
  12. Demolition of the existing semi detached garage should not be allowed as the remaining garage would detract from the appearance and character of surrounding properties.
  13. The dwellings are too close to the adjoining Ash Grove properties and would not be in keeping with the rest of the estate.
  14. Query whether the application for two dwellings is not just a tactic to get one.
  15. Dwellings here would encroach on the privacy of the neighbouring

MAIN AGENDA  
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houses on Ash Grove and 9 Alder Close.

16. Drainage problems: concerns over the drains and sewers being unadopted which has prevented development in the past.
17. Concerned that the developer is willing to contribute in kind a figure to be agreed upon to provide community benefit. Trust that the Planning Committee will not be influenced by such a suggestion. It would be better if the developer levelled and seeded the existing site as he was originally supposed to.
18. Query the accuracy of the submitted plans and whether two dwellings could actually fit on the site as shown.
19. Recent purchasers of 9 Alder Close, (next door) only bought it because it had a designated play area next to them that their 4 children could play on. Although its not formally developed as such it is a safe area of open space that they can use.
20. No need for additional housing in this area.
21. There are issues relating to land ownership with the neighbouring landowner adjacent to the proposed access track. The access track would encroach on neighbouring land not owned or in the control of the applicant.
22. Concern that two dwellings are now being proposed which will mean more vehicles using the access road.

It should be noted that the issues raised relating to land ownership and need for the dwellings are not relevant considerations and should be disregarded.

In respect of planning policy the site is situated outside the settlement boundary as identified in the adopted Copeland Local Plan 2001-2016 and, as such, there is a presumption against speculative housing development here by virtue of Policies DEV 5 and HSG 5 unless exceptional need grounds apply. No such grounds accompany this application.

Housing development on this site would also result in demonstrable harm to neighbouring dwellings in terms of proximity, massing and overlooking. It is a steeply sloping site which sits high above neighbouring dwellings on Ash Grove and is restricted in scale. The indicative drawings confirm that the required separation distances of a minimum of 21 metres (Policy HSG 8 refers) between the facing elevations of 4, 5 and 6 Ash Grove and the new dwellings cannot be achieved. Due to the topography of the site dwellings here would tower above these properties, increasing the perception of overlooking and, as a consequence, adversely affecting amenity.

In addition, proposed vehicular access to the site is substandard,

MAIN AGENDA  
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requiring the demolition of an existing semi detached garage which would only permit the creation of a narrow access some 27 metres in length between property boundaries, part of which is a dedicated public right of way with no facility for separately protecting this. The Highway Authority also question whether an acceptable gradient can be physically achieved because the site is so steep. This is contrary to Policy DEV 6 of the Local Plan which only supports development which, amongst meeting other criteria, can provide a safe access.

Also of relevance is the fact that the site is a designated play area/open space serving the estate. Policy SVC 13 of the Local Plan does not support the loss of such facilities unless adequate provision is made elsewhere or it can be demonstrated there is no shortfall. No justification for the loss is put forward with this application. It is evident from local concerns the application has raised that this is a well used and valued local facility.

Taking the above into account it has been demonstrated that the proposal is contrary to Policies DEV 5 and 6, HSG 5 and 8 and SVC 13 of the adopted Copeland Local Plan and, as such, cannot be supported.

## Recommendation

## Refuse

In the absence of any exceptional need, residential development here would constitute non essential development in the countryside contrary to Policies DEV 5 and HSG 5 of the adopted Copeland Local Plan 2001-2016. In addition, by virtue of its proximity, position and elevated siting the proposed residential development would have an adverse impact on neighbouring properties in terms of overlooking, loss of privacy and general amenity at variance with Policy HSG 8 of the Local Plan. Due to the restricted nature of the site and steep gradients involved vehicular access would also be substandard, contrary to Policy DEV 6 of the Local Plan. Furthermore, the proposal would result in the loss of an important area of public open space which makes a significant contribution to the locality, contrary to Policy SVC 13 of the Local Plan.

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MAIN AGENDA

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15 4/07/2432/0

CONSTRUCTION OF CONSERVATORY TO REAR OF PROPERTY  
17, CORONATION DRIVE, WHITEHAVEN, CUMBRIA.  
MR AND MRS N TODHUNTER

Parish                      Whitehaven

Planning permission is sought to erect a 3.75m x 3.75m white UPVC conservatory with facing brick plinth to the rear of this detached property on Coronation Drive, Whitehaven. Measuring 3.2m at its highest point the conservatory will be set in 0.5m from the edge of the existing house and will be sited 0.9m from the adjoining boundary to the north.

Following officer concerns a letter has been received from the applicant confirming that obscure glass will be installed in the side elevation of the conservatory facing No. 19 Coronation Drive in order to prevent loss of privacy.

No objections have been received from statutory consultees.

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

1. The submitted plan is incorrect as the border does not run as shown on the plans.
2. The applicant's previous extension was built along the border and, as a result, the guttering overhangs the single storey element of the objector's property. There is therefore no space between the two properties.
3. The proposed structure will completely overshadow the rear sun lounge of the objector's property.
4. The proposed structure will only be 1.4m from the only window in the sun lounge, creating severe loss of amenity through reduction in daylight and sunlight.
5. The conservatory will be 3.9m away from the objector's kitchen window resulting in further overshadowing.
6. Loss of privacy to the objector's rear lounge and kitchen windows.
7. The construction of the applicant's previous extension resulted in the underpinning of the objector's foundations due to it subsiding.

In response to the objections raised I would comment as follows:-

MAIN AGENDA

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1. Issues relating to construction and boundary maintenance are not material planning considerations but matters to be resolved between landowners concerned.
2. Policy HSG 20 of the adopted Copeland Local Plan 2001-2016 presumes in favour of proposals for extensions or alterations to existing dwellings so long as:-
  - (a) the scale, design and choice of materials involved respect the character of the parent property with the use of pitched roofs wherever practical
  - (b) they would not lead to a significant reduction in daylighting available to either the parent property or adjacent dwellings
  - (c) they would not create potential noise nuisance, security or privacy or overlooking problems for residents of either the parent property or adjacent dwellings
  - (d) they would not result in a loss of 50% or more the the undeveloped curtilage of the parent property.
3. Issues relating to potential loss of privacy have been resolved through the use of obscure glazing in the side elevation of the conservatory facing the objector's property.

I am therefore of the opinion that the proposed conservatory represents an acceptable form of development in compliance with Policy HSG 20. Any impact of the development on the neighbouring property would not be so significant as to warrant refusal of planning permission.

Recommendation

Approve (commence within 3 years)

2. Notwithstanding the submitted details received by the Local Planning Authority on 29 June 2007 the side elevation of the conservatory adjoining No. 19 Coronation Drive shall be fitted with obscure glazing as confirmed by the applicant in her letter to the Local Planning Authority dated 16 July 2007 and shall be so maintained thereafter.

Reasons for conditions:-

In compliance with Section 51 of the Compulsory Purchase Act 2004

To minimise potential overlooking and loss of privacy for neighbouring residents



MAIN AGENDA

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Reason for decision:-

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

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CUMBRIA COUNTY COUNCIL  
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16 4/07/9009/0

RE-PROFILING, EXTENDING THE OPERATING LIFETIME AND  
INCREASING THE HEIGHT OF THE EXISTING CALDER  
LANDFILL SITE  
SELLAFIELD WORKS, SEASCALE, CUMBRIA.  
BRITISH NUCLEAR GROUP SELLAFIELD

Parish                      Ponsonby

THE SITE

The Calder Landfill Site (Calder Tip) is within the Sellafield boundary and lies to the south of the site, adjacent to the Barrow in Furness to Carlisle west coast railway line and to the south east of the River Calder. Seascale golf course lies to the south of the tip.

THE PROPOSAL

The tip is subject to regulation both under the Town and Country Planning Act, regulated by Cumbria County Council, and the Radioactive Substances Act, regulated by the Environment Agency. Planning permission was originally granted by the County Council in 1987. The tipping area was designed to achieve long term disposal of inert and non hazardous material within limited ranges of radioactive contamination and disposal operations authorised by the Environment Agency. A planning restriction on the type of waste to be disposed of ("dry, inert, non-toxic, non-putrescible and non-radioactive") was removed in 1997 but permission was limited for a period expiring on 31 May 2007.

An extension to the current planning permission deadline is needed in order to continue operations and defer restoration beyond 31 May 2007. The application is to continue the operation for a further 20 years to 31 May 2027 and also to allow the increase in height (involving a maximum height increase of 9 metres) and profile of the tip.

The application is accompanied by an Environmental Statement supporting the proposal. Landfill within the Calder Tip is largely complete but it is now proposed, following discussions with the Environment Agency (EA), to operate the segregated part of the site for the disposal of certain very low level radioactivity contaminated putrescible wastes including de-watered sewage sludge, de-watered road sweepings, timber, roof waste (i.e. moss, grit, vegetation) and bird and small animal carcasses. The area is physically segregated from the remainder of the Calder Tip by an impermeable base level.

The Environmental Statement is very comprehensive covering the following:-

CUMBRIA COUNTY COUNCIL

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1. Site physical characteristics
2. Consideration of options
3. Assessment of Environmental Effects

The Council's Engineer has been consulted on the proposal and has made comments directly to the County Council on surface water run off; erosion of the landfill; leaching of contaminants and coastal erosion.

The proposal lies within and to the south of the Sellafield site boundary and is adjacent to the Barrow in Furness to Carlisle west coast railway line and the Seascale golf course. The tip is within the operational site and the visual impact of the proposal will be marginal. Other issues regarding contamination etc are dealt with within the Environmental Statement. Subject to the issues raised by the Council's Engineer being addressed the proposals are considered acceptable.

Recommendation

That permission be granted, subject to the matters raised by the Council's engineer in his letter dated 26 June 2007 in respect of surface water run off; erosion of the landfill; leaching of contaminants and coastal erosion being addressed by the County Council.

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Schedule of Applications - DELEGATED MATTERS

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4/07/2356/0	St Bees	CONSERVATION AREA CONSENT FOR DEMOLITION OF PLUMBERS STORE AND GARAGE 116A, MAIN STREET, ST BEES, CUMBRIA. MR M DAVISON
4/07/2307/0	Arlecdon and Frizington	HIGHER SECURITY FENCE TO REPLACE CURRENT BOUNDARY FENCING AND WARNING SIGN TO THE REAR FENCE FRIZINGTON COUNTY SCHOOL, MAIN STREET, FRIZINGTON, CUMBRIA. MR J BLACKWELL
4/07/2310/0	Whitehaven	TWO STOREY SIDE EXTENSION & SINGLE STOREY REAR EXTENSION 9, LINK ROAD, MIREHOUSE, WHITEHAVEN, CUMBRIA. MR AND MRS S WOOD
4/07/2318/0	Whitehaven	ERECTION OF TIMBER FRAMED CONSERVATORY  46, VICTORIA ROAD, WHITEHAVEN, CUMBRIA. MR AND MRS MASON
4/07/2321/0	Parton	CONSTRUCTION OF A GROUND FLOOR KITCHEN EXTENSION TO EXISTING PROPERTY VIEW FIRTH, BREWERY BROW, PARTON, WHITEHAVEN, CUMBRIA. MR A ARMSTRONG
4/07/2322/0	St Johns Beckermat	TWO STOREY REAR EXTENSION TO DWELLING TO PROVIDE GROUND FLOOR ENTERTAINING ROOM AND RATIONALISE OLD MILL FARMHOUSE, MILL LANE, BECKERMET, CUMBRIA. MR AND MRS S GRAHAM
4/07/2328/0	Whitehaven	FIRST FLOOR EXTENSION TO DWELLING  29, BOWFELL ROAD, MIREHOUSE, WHITEHAVEN, CUMBRIA MR S ROGAN & MISS S VAUGHAN
4/07/2330/0	Distington	ERECTION OF A TWO STOREY EXTENSION  19, PINWOODS, GILGARRAN, DISTINGTON, CUMBRIA. MR AND MRS GAMBLES

Schedule of Applications - DELEGATED MATTERS

4/07/2331/0	Whitehaven	ERECTION OF A TWO STOREY EXTENSION  9, PARK DRIVE, MIDGEY, WHITEHAVEN, CUMBRIA. MR AND MRS STARKEY
4/07/2333/0	Seascale	FIRST FLOOR BEDROOM EXTENSION  23, SCAWFELL CRESCENT, SEASCALE, CUMBRIA. MR K I FAWCETT
4/07/2338/0	Whitehaven	PERIMETER FENCING AND GATES TO CAR PARKING AREA FRONT ELEVATION ST PETERS PARISH & COMMUNITY HALL, LAKELAND AVENUE, SEACLIFFE, WHITEHAVEN, CUMBRIA ST PETERS PCC
4/07/2340/0	Distington	NEW UTILITY ROOM AND DETACHED GARAGE TO REPLACE OLD UTILITY/WC AND DETACHED GARAGE 62, MAIN STREET, DISTINGTON, CUMBRIA. MR N WALTON
4/07/2342/0	Whitehaven	DETACHED GARAGE  LAND AT REAR OF, 7, NORTH ROW, KELLS, WHITEHAVE CUMBRIA. MR AND MRS E LONSDALE
4/07/2344/0	Lowside Quarter	REAR CONSERVATORY  THE OLD ORCHARD, CRINGLETHWAITE, EGREMONT, CUMBRIA. MR AND MRS STOKES
4/07/2348/0	Lamplugh	FORMATION OF DORMER WINDOW AND ERECTION OF BALCONY WILLOWS, CHAPEL ROAD, ROWRAH, FRIZINGTON, CUMBRIA. MR AND MRS M WATSON
4/07/2351/0	Whitehaven	DOUBLE GARAGE TO REPLACE EXISTING SINGLE GARAGE  36, AIKBANK ROAD, WHITEHAVEN, CUMBRIA. MR A WRIGLEY
4/07/2355/0	Whitehaven	SINGLE STOREY REAR EXTENSION  THE LODGE, SANDWITH, WHITEHAVEN, CUMBRIA. L JACKSON
4/07/2375/0	Cleator Moor	SINGLE STOREY EXTENSION  10, JOHN COLLIGAN WALK, CLEATOR MOOR, CUMBRIA. C KING
4/07/2336/0	Whitehaven	LISTED BUILDING CONSENT FOR REPLACEMENT OF

Schedule of Applications - DELEGATED MATTERS

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REDUNDANT BOILER SYSTEMS  
FLAT NOS 4, 5 AND 6, GOLDEN LION COURT,  
WHITEHAVEN, CUMBRIA.  
GOLDEN LION COURT LTD.

4/07/2347/0 Whitehaven  
INSTALL A 22cm DIAMETER ANTENNA ON A 2.3m HIGH  
MAST ON THE ROOF  
WHITEHAVEN LIBRARY, LOWTHER STREET, WHITEHAVEN,  
CUMBRIA.  
THUS PLC

4/07/2358/0 Moresby  
CHANGE OF USE OF DERELICT LAND TO GARDEN  
  
LAND ADJACENT TO, 40 & 41, MERLIN DRIVE,  
MORESBY PARKS, WHITEHAVEN, CUMBRIA.  
MR AND MRS L HODGSON

4/07/2360/0 Lamplugh  
ERECTION OF EXTENSION TO COTTAGE APARTMENT  
  
ADJOINING WINDER BROW FARM, WINDER, FRIZINGTON,  
CUMBRIA.  
MR S RICHARDSON

4/07/2369/0 St Bees  
INTERNAL ALTERATIONS TO REPLACE W.C. & SHOWER  
PARTITIONS & REPLAN LAYOUT (LISTED BUILDING  
BEGA HOUSE, LONSDALE TERRACE, ST BEES, CUMBRIA.  
ST BEES SCHOOL

4/07/2393/0 Weddicar  
REMOVAL OF 2 OAK TREES, 1 SYCAMORE TREE, 2 ALDE  
TREES, 1 BIRCH TREE, 2 WILLOW TREES, PRUNE 1 OA  
SUMMERGROVE HOTEL, SUMMERGROVE, WHITEHAVEN,  
CUMBRIA.  
BRITISH NUCLEAR GROUP

4/05/9006/0 Whitehaven  
NEW ALL WEATHER/MULTI-USE GAMES AREA TO REPLACE  
EXISTING HARD PLAY AREA EXTENSION TO PROVIDE NE  
ST JAMES JUNIOR SCHOOL, WELLINGTON ROW,  
WHITEHAVEN, CUMBRIA.  
PTSU

4/07/2191/0 Millom  
TWO STOREY EXTENSION TO LIVING ROOM COMPRISING  
1 BEDROOM WITH EN-SUITE BATHROOM  
27, BUTTERMERE DRIVE, MILLOM, CUMBRIA.  
MR A J & MRS P E BENN

4/07/2303/0 Egremont  
CHANGE OF USE TO RESIDENTIAL UNIT AT UPPER FLOOR  
  
13, MARKET PLACE, EGREMONT, CUMBRIA.  
MR BRYN OWEN

4/07/2334/0 Millom  
TWO STOREY REAR/SIDE EXTENSION  
  
1, MOOR END, HAVERIGG ROAD, HAVERIGG, MILLOM,  
CUMBRIA.  
MRS M LANCASTER

Schedule of Applications - DELEGATED MATTERS

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4/07/2335/0	St Bees	REMOVE EXISTING BUILDING AND REPLACE WITH GENERAL PURPOSE BUILDING FOR STORAGE USE AND CATTLE LOUGHRIGG FARM, EGREMONT, CUMBRIA. MR J CRICHTON
4/07/2349/0	Egremont	INSTALLATION OF CYCLE STORAGE  THE FALCON CLUB, CROADALLA AVENUE, EGREMONT, CUMBRIA. THE FALCON CLUB
4/07/2350/0	Millom	DEMOLITION OF EXISTING FACILITIES BUILDING AND ERECTION OF NEW AND UP TO DATE DAY CARE ST GEORGES CENTRE, BRADBURY CENTRE, ST GEORGES ROAD, MILLOM, CUMBRIA. MR M BLAKE
4/07/2374/0	St Bridgets Beckermert	RENEWAL OF TEMPORARY PLANNING PERMISSION FOR SINGLE STOREY PREFABRICATED STORAGE FACILITY SELLAFIELD, SEASCALE, CUMBRIA. UKAEA