

PLANNING PANEL

1 APRIL 2009

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STANDARD CONDITIONS

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

Outline Consent

1. The 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.

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

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1 4/09/2035/0

TIMBER SUMMERHOUSE/DECKING (RETROSPECTIVE)
72, HILLTOP ROAD, KELLS, WHITEHAVEN, CUMBRIA.
MR W SMITH

Parish

Whitehaven

Permission in retrospect is sought for the erection of a detached timber summerhouse at the top of the steeply sloping garden of this semi detached bungalow situated within the residential area of Kells, Whitehaven. This and the neighbouring properties benefit from roads serving both the front and rear of their dwellings.

Measuring some 4.0 metres in length by 4.0 metres in width and 2.052 metres in height to the apex this single storey building is externally finished in stained timber with a red felt tile pitched roof. Due to the topography of the site and the steep increase in levels the building is positioned at a much higher level than the parent house. It is sited on a purposely constructed elevated concrete platform with an accompanying balcony/decking area to the front surrounded by timber handrails, some 7.3 metres distant from the front building line of the applicant's dwelling. A set of 7 timber clad steps provide access from the adjoining lawned area on to the balcony. Access to the building itself is via half glazed patio doors to the front from the balcony and adjacent to this is positioned a window. The remaining walls are featureless, containing no windows or doors.

The building is so positioned that the front of it, together with the balcony and fenestration, faces directly out onto the adjoining neighbour's garden. A letter of objection has been received from this neighbour expressing the following concerns:-

1. Owing to the size of the construction it is totally out of keeping for the garden and general area.
2. It overlooks their garden , kitchen, bathroom and bedroom and is a gross invasion of their privacy and peace.
3. It functions as a fully equipped bar and encourages large numbers of strangers to gather on the verandah area overlooking their garden at very close proximity and looking right into kitchen and bedroom areas.
4. As a result of this proximity the objector and his wife feel that they cannot venture into their garden or linger at the windows as they feel they are on show.
5. They have lived here for 45 years and are now elderly and this is causing them great distress and worry.

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Policy HSG 20 of the adopted Copeland Local Plan 2001-2016 states that proposals for extensions and alterations to existing dwellings will be permitted as long as:-

1. The scale, design and choice of materials involved respect the character of the parent property with the use of pitched roofs where practicable.
2. They would not lead to a significant reduction in day lighting available to either the parent property or adjacent dwellings.
3. They would not create potential noise nuisance, security or privacy or overlooking problems for residents of either the parent property or adjacent dwellings.
4. They would not result in a loss of 50% or more of the undeveloped curtilage of the parent property.

The proposal fails to satisfactorily comply with criteria 1 and 3 of the above policy. Due to the topography of the site, the elevated location of the building and its position and proximity to the adjoining property, with the balcony and windows/doors overlooking the neighbouring private garden, results in considerable harm to the amenity of the neighbouring dwelling in terms of overlooking and loss of privacy to an unacceptable degree. The building (and associated structures) by virtue of its scale and elevated location is also considered to be overly dominant in its setting and as such is incongruous and detrimental both to the character and appearance of the parent and neighbouring properties.

The application is accordingly recommended for refusal. Given the retrospective nature of the application, if Members support this recommendation to refuse planning permission, authority is also sought to proceed with appropriate enforcement action to secure the removal of the unauthorised development.

Recommendation

Refuse

By virtue of its scale and elevated siting the detached timber summerhouse and balcony result in an unacceptable degree of overlooking and loss of privacy to the adjoining property. Furthermore, the height and position of the building constitute an over dominant form of development out of character with the parent property and neighbouring dwellings at variance with Policies DEV 6 and HSG 20 of the adopted Copeland Local Plan 2001-2016.

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2 4/09/2036/0

OUTLINE APPLICATION FOR THE ERECTION OF NEW
AMENITY BLOCK WITH MANAGERS ACCOMMODATION
DISTINGTON GOLF COURSE &, DRIVING RANGE,
CHARITY LANE, HIGH HARRINGTON, CUMBRIA.
MR R GATE

Parish Distington

Outline planning permission is sought for the erection of a new amenity block with integral manager's accommodation and associated parking within the grounds of this existing golf course on the outskirts of Distington. The site comprises sloping ground heavily covered in gorse to the north west of the driving range, adjacent to the course and the main entrance to the site.

An indicative amended plan accompanying the application shows a footprint for a large, single storey L shaped building which would provide much needed facilities to support the course in the form of a garage/workshop for machinery, toilets, customer changing rooms, office and manager's living accommodation. It is also proposed that 30 new car parking spaces would be created in addition to the existing car parking areas already serving the site. The existing vehicular access to the site is considered adequate and would remain unchanged. The Highways Authority raise no objection.

The previous planning history is relevant. Outline permission for a new clubhouse on this site was approved in 2000 but has now lapsed (4/00/0537/001 refers). Blight caused by the recently constructed bypass which adjoins the site has previously prevented it from being improved. The bypass is now complete and in use and, as such, the applicant now considers it timely to upgrade and invest in the site. An accompanying application to re-grade and re-contour the course has just been submitted.

The Design and Access Statement and supporting letter put forward the case for the facility and the manager's accommodation. This is an isolated and exposed site with a public footpath running through it. As such, it is vulnerable and the provision of adequate security is a material planning consideration. In order to provide the level of investment required to upgrade and service the course security is considered essential in the form of "live in" accommodation on the site.

Policy SVC 14 of the adopted Copeland Local Plan 2001-2016 supports expanded recreation facilities providing they do not harm the local landscape; adversely affect neighbours or create unacceptable traffic conditions. It has been adequately demonstrated that the proposal would not adversely impact on the local highway network and there are

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no nearby neighbours likely to be affected. Whilst the site is exposed, a single storey building here would be seen against the backdrop of the existing driving range building. As such, this is considered the most suitable location and reinforced planting to the north and west boundaries will help to mitigate against the impact on wider views. Local Plan Policy DEV 5 : Development in the Countryside is also relevant. This only supports development in such countryside locations where it is justified for leisure or tourism related purposes. In respect of the accommodation element I consider that the local need case put forward is worthy of support given that it is an existing established course in a vulnerable and remote location subject to a condition restricting occupancy to an employee of the business.

Recommendation

Approve in Outline (commence within 3 years)

3. Permission shall relate to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them:-

Amended buildings/car park site plan, scale 1:250 dated 20 March 2009

Design & Assess Statement, MJN Associates, February 2009

Location Plan, Proposed dwelling and ancillary facilities, scale 1:250

Supporting letter from Mr Keith Wareing dated 4 March 2009

4. Occupation of the dwelling shall be limited to a person employed full time in the management and/or operation of the Distington Golf Course and Driving Range or a widow or widower of such a person, or any resident dependents.
5. Before development commences full details of a foul and surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.
6. Before development commences full details of the soft landscaping works shall be submitted to and approved in writing by the Local Planning Authority.
7. No development shall take place until a schedule of landscape maintenance has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details for its implementation and planting shall be carried out in accordance with the approved schedule.

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8. Public footpath No. 26003 shall remain unobstructed at all times.
 9. No development approved by this permission shall be commenced until a desk study has been undertaken and agreed in writing by the Local Planning Authority to investigate and produce an assessment of the risk of the potential for on-site contamination. The desk study should include sufficient documentary research to enable a thorough understanding of the history of the site, including past and present uses. If the desk study identifies potential contamination a detailed site investigation shall be carried out to establish the degree and nature of the contamination and its potential to pollute the environment or cause harm to human health. If remediation measures are necessary they shall be implemented in accordance with the assessment to the satisfaction of the Local Planning Authority.

The reasons for the above conditions are:-

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

The Local Planning Authority would not be prepared to grant planning permission for a dwelling in this location except for occupation by persons so employed

To ensure the implementation of a satisfactory drainage scheme

To ensure the provision and implementation of a satisfactory landscaping scheme

To protect the public footpath in the interests of safeguarding the public's right of way

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

Reason for decision:-

An acceptable outline proposal for the erection of an amenity block with integral manager's accommodation to upgrade facilities on this established golf course in compliance with Policies DEV 5 and SVC 14 of the adopted Copeland Local Plan 2001-2016

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3 4/09/2042/0

LAWFUL DEVELOPMENT CERTIFICATE FOR THE FUTURE
DEVELOPMENT OF ONE DETACHED BUNGALOW & GARAGE ON
PLOT 1 IN ACCORDANCE WITH PLANNING PERMISSION
REFS: 4/82/1090/003 & 4/83/1281/423
LAND ADJOINING, PRIMROSE LEA BUNGALOW,
CLEATOR STREET, MILLLOM, CUMBRIA.
MR J CARTMELL-COULTON

Parish Millom

- No objections.

A Lawful Development Certificate is sought for the development of one bungalow and garage adjacent to Primrose Lea at Cleator Street, Millom.

The area of land is located within the Millom settlement, in a residential area at Holborn Hill. Currently the area of land has the bungalow known as Primrose Lea occupying the southern portion of the plot, with the northern half being vacant ground/garden area to the dwelling.

In November 1982 outline planning permission was granted for two dwellings on the land which was then followed by an application for approval of reserved matters which was subsequently granted for 2 three bedroomed bungalows with a shared access onto Cleator Street. The area of land was proposed to be split centrally with the dwellings sited approximately 10m apart with a front facing gable elevation. Each dwelling measured 9.3m x 15m in length and was to be finished with a Redland roof tile and white/grey dry dash to the walls.

This Lawful Development Certificate application seeks confirmation that planning permission still remains valid for the erection of a second dwelling in accordance with the historic approval.

As in all cases with planning permission there is a time limit set for the commencement of the approved works, but no timescale for completion. In this case, the applicant commenced the works in accordance with the valid planning permissions, constructing one bungalow on the site but ceased at this point. Therefore, there still is a relevant permission for the construction of another bungalow on site in accordance with the plans submitted in the 1983 application. As such, the Lawful Development Certificate should be granted.

Recommendation

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That a Lawful Development Certificate be granted for the future development of one detached bungalow and garage on Plot 1 (land adjoining Primrose Lea) in accordance with planning permission refs. 4/82/1090/003 and 4/93/1281/423

4 4/09/2049/0

MULTI USE GAMES AREA
GREEN SPACE SITE, ROBERT OWEN AVENUE,
CLEATOR MOOR, CUMBRIA.
HOME NORTH WEST

Parish Cleator Moor

- No objections.

Planning permission is sought for the erection of a Multi Use Games Area (MUGA) on this area of public open space to the rear of Robert Owen Avenue and Keir Hardie Avenue at Cleator Moor.

At present the area is a simple grassed site flanked by rear gardens on all sides. There is an existing gated vehicular access to the site off Robert Owen Avenue and a pedestrian access off Keir Hardie Avenue.

Measuring 20.0m x 11.0m complete with 2-3m high ends and 1.0m high sides comprising coloured metal railings, the proposed pitch will be centrally located within this existing rectangular shaped green space. As such, it will be between 11.5m and 30.0m from the rear garden boundaries of adjacent properties.

The surface itself will be laid on a tarmac base and will have a blue/silver powder coated steel framework around all sides.

Within the Design and Access Statement the applicant states that this has been the site of play equipment in the past. However, unacceptable activities such as dog fouling, fly tipping and bonfires have periodically taken place.

The aims of the proposed development are to provide a safe place for children/young people to play; encourage the community to get active; raise community spirit and create a community space that can be used for sports activities as well as other community events.

No objections have been received from statutory consultees.

Two letters of concern have, however, been received from neighbouring property owners on Keir Hardie Avenue who are concerned that the 1.0m

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high sides will not prevent balls from entering their gardens.

A copy of the applicant's response is appended.

Policy SVC 14 of the adopted Copeland Local Plan 2001-2016 supports proposals for new outdoor recreational and leisure facilities provided that the development would not:-

1. be detrimental to the appearance of the local countryside or result in the loss of or harm to an area of landscape, wildlife or conservation importance
2. adversely affect the living conditions of local residents or those likely for occupiers of land allocated for residential development in the plan
3. create unacceptable traffic conditions in the vicinity of the site.

In addition to Local Plan policies, Planning Policy Guidance Note 17 "Planning for open space, sport and recreation" is also considered relevant to the determination of this application. Within PPG 17 outdoor sports facilities (with natural or artificial surfaces) including sports pitches, tennis courts, golf courses and school playing fields are all deemed as open space that may be of public value. PPG 17 states that Local Authorities should ensure that provision is made for local sports and recreational facilities and in doing so should seek to improve the value of, add to and enhance the range and quality of existing facilities.

In my opinion, the proposal represents an acceptable form of development that will enhance this existing public open space and provide a much needed community facility.

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 form of development to provide a new community facility in this existing underused public open space in accordance with Policy SVC 14 of the adopted Copeland Local Plan 2001-2016 and Planning Policy Guidance Note 17 "Planning for open space, sport and recreation".

Rachel Carrol

From: Spencer, Angela [Angela.Spencer@homegroup.org.uk]
Sent: 10 March 2009 14:34
To: Rachel Carrol
Cc: sylviaarenney@yahoo.co.uk; c.hetherington@tesco.net; Baines, David
Subject: Comments matters Rasied

Hi Rachel,

Re: RC/4/09/2049/0F1

I understand and appreciate Mr Rudd's concern however as the space is now, ball games etc can be played and can still come into his garden.

Once the MUGA is installed it will help contain ball games and also children/young people will get tired of having to run out of the area to fetch stray balls and so take more care keeping them inside the area.

It is the community that is trying to provide a space for its young people to gather and get active also providing a diversionary activity. Young people have to meet somewhere. The community police team are a partner in this project and so have 'buy-in' and will therefore monitor and police the area. This will also give them chance to meet young people to build up relations and deter them from other less favoured activities. The community as stated have been leading on this whole project and so will be there to give informal oversight to children/young people and of course the green space and equipment itself. Therefore adding to the community 'buy-in' and the success of keeping it damage free and well used.

I will of course contact Mr Rudd by letter and offer to go and speak to him and his neighbours about the project. I will ask that we monitor the risk of balls entering his garden. If it becomes a problem I will of course work with the community and the Friends Of The Park group to address the issue, if it does indeed become one.

We have budgeted for the equipment at the heights specified and so at this crucial point cannot change the design spec as this will add further costs, which we have no funding for.

I hope this is an acceptable response Rachel and if there is anything further please do not hesitate to get in touch.

Kind regards
Angela

ANGELA E. SPENCER
Community Regeneration Officer
Home North West
Moor Park
CROSBY
CA15 6SG
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Home Values: customer focus / innovative / integrity / motivated / openness / reliability / respect

The following are all part of Home:

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5 4/09/2051/0

OUTLINE APPLICATION FOR ERECTION OF SINGLE
DWELLING
2, STANDINGS RISE, WHITEHAVEN, CUMBRIA.
MR A SPARKES

Parish Whitehaven

An outline proposal for the erection of a single dwelling on a site located between two existing dwellings, 2 Standings Rise and 10 Hillcrest Avenue, at Hillcrest, a residential area in Whitehaven. The site comprises part of the gardens belonging to these two properties and vehicular access to it would be directly off Standings Rise, close to the junction with Hillcrest Avenue. The application constitutes a resubmission of one that was withdrawn in November last year to enable additional information to be provided (4/08/2470/001 refers). A tree survey and a report on the disposal of surface water accompany this submission.

The Design and Access Statement and indicative layout plan supporting the application demonstrate how a dwelling could be accommodated on the site fronting onto Standings Rise and in line with No. 2. The side wall/gable end of the property would be so positioned that it would face Nos. 10 and 8 Hillcrest Avenue at an oblique angle to the west and No. 2 Standings Rise to the east and due to proximity of these properties would be windowless. The tree survey recognises that some trees will be affected by the development but contends that there will be no significant negative impact. The land drainage report indicates that surface water could be disposed of via Midgley Ghyll to the north of the site via attenuation. The applicant's agent puts forward the argument that the principle of erecting a dwelling within larger garden areas has been set over the years and meets principles set down within the Council's Local Plan and can be controlled by condition.

In terms of consultation responses the Highway Authority raise no objection to the proposal subject to conditions relating to surface water and the access gates opening inwards. United Utilities also raise no objection providing the site is drained on a separate system with foul drainage only being connected into the foul sewer. However, the Council's Drainage Engineer still has concerns. Whilst he notes the site falls within Flood Zone 1 category he objects as the proposed means of surface water disposal is not clear from the drainage report submitted. It states that United Utilities are unwilling to accept surface water from the development and that a soakaway is not an option for the site. Consideration should therefore be given to a rainwater harvesting system and surface water being allowed to flow

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preferentially into the woodland of Midgely Ghyll to the north where it would naturally attenuate.

The Council's Landscape Officer, whilst noting the results of the tree survey, requests that an arboricultural impact assessment and a tree protection plan be provided as the potential for the building of a dwelling within this plot could affect some of the trees identified for retention and the woodland to the rear was once part of a larger ancient woodland.

The residents of No 8 adjoining the plot and neighbours next to the parent property have raised strong objections to the proposal on the following grounds

- 1) loss of light - they already have their light blocked by existing trees in this garden and a gable end of a building would block even more light with the result that more than half their garden would be shaded all year round,
- 2) water drainage, impact on the trees when the foundations are dug,
- 3) access to the site and the problems it will bring with it being close to a busy junction,
- 4) affect on privacy which will be spoiled and taken away by the building of this house as it will overlook neighbouring gardens.

Policies DEV 6: Sustainability in Design and HSG 4: Housing within Settlement Boundaries are the two main adopted Copeland Local Plan 2001-2016 policies against which this application should be assessed. The former advocates a high standard of design and general amenity in development proposals and the latter permits new house building within settlement boundaries where appropriate. It is considered that this part of the residential estate of Hillcrest is characterised by low density housing comprising detached residential properties on large plots resulting in an open and spacious character. Any new dwelling in this location would result in a cramped form of development which would adversely affect this character. Furthermore, the position of the dwelling in close proximity to the neighbouring properties, particularly the rear of the semi-detached properties 8 and 9 Hillcrest Avenue, and its situation on higher ground could result in a large dwelling which would oppressively dominate these properties to an unacceptable degree adversely affecting their living conditions. There are also concerns regarding drainage and loss of trees on the site which have not been satisfactorily resolved by this resubmission.

Recommendation

Refuse

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The proposed scale and positioning of the dwelling would result in overdevelopment of this part of the estate to the detriment of its character and appearance. Furthermore, its proximity to neighbouring dwellings to the west would result in an overdominant form of development which would adversely affect the living conditions and general amenity of the occupants of these properties, contrary to Policies DEV 6 and HSG 4 of the adopted Copeland Local Plan 2001-2016.

6 4/09/2062/0

ERECTION OF 1 No GARAGE
LAND TO REAR OF, BEDA ASH, ALDBY GROVE,
CLEATOR MOOR, CUMBRIA.
MR M TODD

Parish Cleator Moor

- No comments received.

Planning permission is sought to erect a detached garage to the rear of a detached house in the residential area of Aldby Grove, Cleator Moor.

An existing flat roofed garage already occupies the site and will be demolished to make way for the proposed development. The site fronts directly onto an existing surfaced road which serves an adjacent coal yard and the on-going residential development at Aldby Farm.

Measuring 10.3m in length by 10.5m in width, the proposed garage with pitched roof will have a maximum height of 6.2m. It will be sited immediately adjacent to the rear boundary of a detached house, Beda Ash, and will be a minimum 20.0m away from the rear boundary of the applicant's property, Myanner.

The garage is to house a camper van which, according to the design and access statement, is parked in the access road of Aldby Grove. However, during the Officer's site visit the camper van was clearly parked on the paved area to the front of the applicant's house. During the site visit it was also noted that the applicant's property is for sale.

Externally, the proposed garage will be finished with dry dash rendered walls, a concrete tiled roof and a 3.0m high roller shutter door.

No objections have been received in response to statutory

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consultation and neighbour notification procedures.

The relevant policies governing this form of development are HSG 25 and DEV 6 of the adopted Copeland Local Plan 2001-2016.

Policy HSG 25 sets out the criteria for non-residential developments in housing areas. It states:-

"Proposals for non-residential development which causes undue disturbance and affects the character of existing residential areas will not be permitted unless:

1. there would be no significant loss of amenity to surrounding property
2. the proposed use is ancillary to the residential character of the area
3. the proposed use conforms with other policies or proposals in the plan.

Policy DEV 6 sets out the criteria for sustainable design. In particular, criterion 1 states that development should show 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 and achieves an efficient use of land.

In my opinion, the proposed development fails to satisfy the above policy criteria. Whilst an existing flat roofed pre-fabricated garage already occupies the site, the sheer size of the proposed garage is far greater than what would normally be required to house a domestic vehicle or camper van. For example, the roller shutter door which is to allow access/egress of the camper van is 3.0m high, yet the overall height of the garage is some 6.2m.

Recommendation

Refuse

By virtue of its size and siting some 20.0m away from the rear boundary of the applicant's property, the proposed garage represents an over-intensive form of development out of character with the residential nature of this area at variance with Policies DEV 6 and HSG 5 of the adopted Copeland Local Plan 2001-2016.

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7 4/09/2064/0

1 NO INTERNALY ILLUMINATED FREE STANDING
DOUBLE-SIDED DISPLAY UNIT (RETROSPECTIVE)
SPROATS NEWSAGENTS, ENNERDALE ROAD, CLEATOR MOOR,
CUMBRIA.
SPROATS NEWSAGENTS

Parish Cleator Moor

- No comments received.

Advertisement consent is sought, in retrospect, to display a double sided, free standing display unit outside Sproats Newsagents on Ennerdale Road, Cleator Moor. The sign is sited on the parking forecourt of the newsagents, immediately adjacent to Ennerdale Road.

The 1.9m high by 1.3m wide display unit is internally illuminated and mounted on a 0.6m high stand, taking the overall height of the unit to 2.5m.

The unit is available for general advertising purposes and not specifically related to the adjacent or any other local businesses. At present the display unit is advertising confectionery.

No objections have been received from statutory consultees.

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

1. they would not be obtrusive or dominant features in the street scene;
2. they would not create clutter on a building or within the street scene;
3. they would not harm public safety;
4. where attached to a building, they would respect its scale, proportions and architectural features;
5. where attached to a Listed Building, or within the grounds of a Listed Building, they would preserve the special architectural or historic character and appearance of the building;
6. where displayed in Conservation Areas, they would preserve or enhance the character and appearance of the area and comply with Policy ENV 32.

In addition to Policy ENV 40, Planning Policy Guidance Note (PPG) 19 "Outdoor Advertisement Control" is also considered relevant to the

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determination of this application.

Paragraphs 9 and 11 state that the display of outdoor advertisements can only be controlled in the interests of "amenity" and "public safety". In assessing an advertisement's impact on amenity, Local Planning Authorities should have regard to its effect on visual amenity in the immediate neighbourhood where it is to be displayed. They should therefore consider what impact the advertisement, including its cumulative effect, will have on its surroundings.

In my opinion, given that the newsagents already benefits from signage relating specifically to the business, it is considered that this additional signage, the contents of which are not directly related to the business, is not reasonably required and appears incongruous in its setting detrimental to the interests of amenity. As such, it is considered that the sign, as displayed, fails to satisfy the above policy criteria and refusal is therefore recommended.

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

Recommendation

Refuse Advertisement Consent

By virtue of its scale, siting and design the signage as erected is an obtrusive and dominant feature within the street scene and constitutes unnecessary additional commercialism at variance with Policy ENV 40 of the adopted Copeland Local Plan 2001-2016 and Planning Policy Guidance Note 19 "Outdoor Advertisement Control".

8 4/09/2078/0

OUTLINE APPLICATION FOR A DWELLING IN THE GARDEN
OF ROSE COTTAGE
ROSE COTTAGE, HIGH STREET, WHITEHAVEN, CUMBRIA.
MR C MASSEY

MAIN AGENDA

Parish

Whitehaven

Outline planning permission is sought for the erection of a single dwelling on this area of extended garden land to the rear of Rose Cottage on the outskirts of Whitehaven Town Centre.

This section of garden is situated at a higher level than Rose Cottage and is some 30m away from its rear elevation. To the west of the site, and again at a lower level, is the rear of St James' Junior School.

This is a predominantly residential area with the site being in close proximity to several houses, two of which are relatively new having been built in 2001 and 2002 respectively (4/01/0239/0 and 4/02/0284/0 refer).

Whilst submitted in outline, an indicative layout plan has been provided showing a detached dwelling sited to the southern end of the site with a parking and turning area to the north.

The site has an existing gated access off James Pit Road and through a courtyard area serving Jameson House over which the applicant and the adjacent property, West Winds, have a right of access.

Statutory consultations are ongoing.

The site is situated within the settlement boundary for Whitehaven as defined by the adopted Copeland Local Plan 2001-2016. Policy HSG 4 states that within the defined limits of settlements prescribed by Policy DEV 4 proposals for housing redevelopment involving existing buildings or previously developed land will be permitted in accordance with the provisions, Table HS8 and subject to the requirements of other plan policies.

Given the rather constrained nature of the site and in order to fully appreciate the relevant planning issues I recommend that Members visit the site before determining this application.

Recommendation

Site Visit

Schedule of Applications - DELEGATED MATTERS

| | | |
|-------------|------------------------|--|
| 4/09/2025/0 | Whitehaven | SINGLE STOREY REAR EXTENSION TO FORM UTILITY ROOM/SUNROOM 9, SNAEFELL TERRACE, SEACLIFFE, WHITEHAVEN, CUMBRIA. MR R DIAMOND |
| 4/09/2026/0 | Cleator Moor | FRONT PORCH AND REAR TWO STOREY EXTENSION 79, CLAYTON AVENUE, CLEATOR MOOR, CUMBRIA. MR S BENNETT |
| 4/09/2027/0 | Lamplugh | ERECTION OF PVCU CONSERVATORY TO FRONT OF HOUSE PVCU PORCH TO REAR OF HOUSE FERN LEYS, LAMPLUGH, CUMBRIA. MR & MRS HODGSON |
| 4/09/2028/0 | Whitehaven | PORCH & FIRST FLOOR EXTENSION TO BAY WINDOW ON FRONT ELEVATION 35, BROOM BANK, THE HIGHLANDS, WHITEHAVEN, CUMBRIA. MR T NAYLOR |
| 4/09/2033/0 | Distington | EXTENSION TO PROVIDE ADDITIONAL ACCOMMODATION 33, PINWOODS, GILGARRAN, DISTINGTON, CUMBRIA. MR L GREGGAIN |
| 4/09/2034/0 | Whitehaven | ERECTION OF PLAQUE PILLAR ADJACENT TO, CASTLE PARK GATES, CASTLE PARK, WHITEHAVEN, CUMBRIA. MRS L DAVEY |
| 4/09/2038/0 | St Johns Beckermest | PORCH AND DETACHED GARAGE GRANGE BROW FARM, GRANGE, EGREMONT, CUMBRIA. MR & MRS D JACKSON |
| 4/09/2045/0 | Whitehaven | ERECT NEW PORCH W.C AND GARAGE EXTENSION (AMEND SCHEME) GROVEWOOD HOUSE, SANDWITH, WHITEHAVEN, CUMBRIA. MR T FERGUSON |
| 4/09/2053/0 | Whitehaven | ERECTION OF SINGLE STOREY LOUNGE AND BATHROOM EXTENSION TO SIDE OF PROPERTY 18, THORNTON ROAD, WHITEHAVEN, CUMBRIA. MR EDWARDS |
| 4/09/2004/0 | St Johns Beckermest | SITING OF A TWO BEDROOMED STATIC RESIDENTIAL CARAVAN TO SUPPORT FARMING BUSINESS LAND AT ST HELENA, EGREMONT, CUMBRIA. MR J CORRIE |
| 4/09/2019/0 | St Bridgets Beckermest | TO FELL ONE CHESTNUT TREE WITHIN BECKERMET CONSERVATION AREA |

Schedule of Applications - DELEGATED MATTERS

| | | |
|-------------|------------|--|
| | | CROFT LODGE, BECKERMET, CUMBRIA. MR J BALL |
| 4/09/2020/0 | Egremont | FELL 3 SYCAMORES 1 ELDER & 1 MAPLE TREE. CROWN RAISING OF 1 SYCAMORE & 1 BIRCH TREE WITHIN LAND TO REAR OF, 8, MARKET PLACE, EGREMONT, CUMBRIA. MR R MERRETT |
| 4/09/2023/0 | Millom | CHANGE OF USE FROM OFFICE TO DWELLING 155, ALBERT STREET, MILLOM, CUMBRIA. MR J MACKIE |
| 4/09/2029/0 | Egremont | ERECTION OF 3.6M HIGH FENCE TO EXTEND SCHOOL BOUNDARY ST BRIDGETS RC SCHOOL, ST BRIDGETS LANE, EGREMONT, CUMBRIA. MRS E O'REILLY |
| 4/09/2030/0 | Millom | NEW BOUNDARY WALL & SECURE BLOCK BUILT GARDEN SHED LAND AT, RICHMOND STREET, MILLOM, CUMBRIA. MR D KIRBY |
| 4/09/2010/0 | Whitehaven | MODIFICATION OF CONDITION 7 OF PLANNING PERMISSION 4/08/2413 WHITEHAVEN GOLF COURSE, RED LONNING, WHITEHAVEN CUMBRIA. WESTERN LAKES LIMITED |
| 4/09/2011/0 | Whitehaven | MODIFICATION OF CONDITION 13 OF PLANNING PERMISSION 4/08/2402 WHITEHAVEN GOLF COURSE, RED LONNING, WHITEHAVEN CUMBRIA. WESTERN LAKES LIMITED |