

**PLANNING PANEL**

**7 JANUARY 2009**

**AGENDA**

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**Schedule of Applications - Main Agenda**

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**Schedule of Applications - Delegated Matters**

**19**

## 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 4/08/2388/0

DEMOLITION OF EXISTING COMMERCIAL BUILDING &  
ERECTION OF TWO 2 STOREY 2 BEDROOMED HOUSES,  
THREE 2 STOREY 3 BEDROOMED HOUSES & FOUR 3 STOREY  
3/4 BEDROOMED HOUSES (RE-SUBMISSION OF  
4/08/2146/0)  
GORSEY DEVELOPMENTS LIMITED, MILLOM ROAD, MILLOM,  
CUMBRIA.  
GORSEY DEVELOPMENTS LIMITED

Parish                      Millom

- Concerns regarding possible land contamination..

Planning permission is sought for nine dwellings on land at Millom Road, Millom. This application is a resubmission of an application of the same title which was withdrawn to undertake a road safety audit in accordance with Highway Authority requirements (4/08/2146/0 refers).

The area of land is rectangular in shape, 0.15 hectares in area and is currently waste ground with a former industrial building located centrally on the site. It has frontage onto Millom Road between the Millom Fire Station and an area of previously developed industrial ground which was granted planning permission for residential development in September 2006 (4/06/2178/0 refers). On the opposite side of Millom Road is a row of terraced houses known as Lonsdale Terrace and the side elevation of Our Lady and St James Church.

The fire station site and allotment gardens to the rear have also previously received outline planning permission for residential development in December 1993 (4/93/0708/0 refers).

The proposed development would consist of nine dwellings sited around a central access road. Six of the dwellings would be fronting the access road and the other three dwellings would front onto Millom Road with a parking and turning area to the rear of these dwellings. The plans as originally submitted showed five 2 storey dwellings and four 3 storey dwellings. However, due to concerns over the proximity to the dwellings on Millom Road the proposal has now been amended so that all of the dwellings are now 2 storeyed. All would have kitchen and living space to the ground floor with the six dwellings having 2 bedrooms and a bathroom to the first floor and the remaining three having 3 bedrooms.

Externally all the dwellings would be finished with a dry dash render with red facing brick, grey roof tiles with a red ridge and uPVC doors and windows. The site layout includes a 4.8m width access and turning area with 1 space per dwelling and 4 communal parking spaces which is considered acceptable for this town centre location.

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Outside the site a new 1.8m path would be constructed along Millom Road for the length of the frontage with dropped kerbs and tactile paving.

A single letter has been received regarding the proposal from a resident of Lonsdale Terrace who objects on the following grounds:-

1. The land has previously been designated for light industrial use only.
2. The land is contaminated from previous uses.
3. The 3 storey dwellings in the proposal are not acceptable.
4. The development will affect the outlook and view from the terraced houses.
5. The speed bumps on Millom Road would need relocating.

In response to these points I would comment that the loss of a view is not a material planning consideration and in respect of outlook, it should be noted that the facing gable to the end dwelling is over 21 metres from Lonsdale Terrace which meets with the standards for separation distances in Policy HSG 8 of the adopted Copeland Local Plan 2001-2016. Also, the impact of the development has been reduced by the removal of the three storey element.

Concerns have also been raised during the course of the application from the Town Council and Environment Agency as the area is known to have accommodated former contaminate uses. Therefore, should the application be approved, suitable conditioning will be included to ensure that this issue is satisfactorily addressed.

Although the site is not an allocated housing site within the adopted Copeland Local Plan 2001-2016 the proposal performs well in terms of the overall Local Plan objectives. As previously developed land in a key service centre the proposal scores highly against the sequential test set out in Policy DEV 4. It is also acceptable under Policy HSG 4 of the adopted Local Plan which permits the residential development of previously developed land within the settlement boundaries.

The proposal is considered to represent an acceptable form of development which will secure the regeneration of this unsightly town centre site.

## Recommendation

Approve (commence within 3 years)

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2. Permission in respect of site plan, site layout and block "C" shall relate only to amended plans G45/0651-04- Rev C, G45/0651-05 Rev C and G45/0651-12 Rev C received by the Local Planning Authority on 1 October 2008. Development shall be carried out strictly in accordance with the approved details.
3. Prior to the commencement of development approved by this planning permission the following components of a scheme to deal with the risks associated with the contamination of the site shall be submitted to and approved in writing by the Local Planning Authority:-
  - (a) A preliminary risk assessment which has identified:
    - all previous uses
    - potential contaminants associated with those uses
    - a conceptual model of the site indicating sources, pathways and receptors
    - potentially unacceptable risks arising from contamination at the site
  - (b) A site investigation scheme based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
  - (c) The site investigation results and the detailed risk assessment (b) and, based on these, an options appraisal and remediation measures required and how they are to be undertaken.
  - (d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the Local Planning Authority. The scheme shall be implemented as approved.

4. Prior to development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a plan for longer term monitoring of pollution linkages, maintenance and arrangements for contingency action as identified in the verification plan and for the reporting of this to the Local Planning Authority.

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5. If during development contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted to and obtained written approval from the Local Planning Authority for an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.
6. The carriageway, footways, footpaths etc shall be designed, constructed and lit to a suitable standard for adoption and in this respect further details shall be submitted to the Local Planning Authority for approval before work commences on site. No work shall be commenced until a full specification has been approved. These details shall be in accordance with the standards laid down in the current Cumbria Design Guide. Any works so approved shall be constructed before the development is complete.
7. Ramps shall be provided on each side of every junction to enable wheelchairs, pushchairs etc to be safely manoeuvred at kerb lines. Details of all such ramps shall be submitted to the Local Planning Authority for approval before development commences. Any details so approved shall be constructed as part of the development.
8. No dwelling or buildings or structures shall be commenced until the access road, as approved, is defined by kerbs and sub-base construction.
9. No dwellings shall be occupied until the estate road, including footways to serve such dwellings, have been constructed in all respects to base course level and street lighting where it is to form part of the estate road has been provided and brought into full operational use.
10. There shall be no vehicular access to or egress from the site other than via the approved access, unless otherwise agreed in writing by the Local Planning Authority.
11. Access gates, if provided, shall be erected to open inwards only away from the highway.
12. Details of all measures to be taken by the applicant to prevent surface water discharging onto or off the highway shall be submitted to the Local Planning Authority for approval prior to the development being commenced. Any approved works shall be implemented prior to the dwellings being completed and shall be maintained operational thereafter.
13. The whole of the access area bounded by the carriageway edge, entrance gates and the splays shall be constructed and drained to the specification of the Local Planning Authority in consultation with the Highway Authority.



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14. The development shall not be brought into use until visibility splays providing clear visibility delineated by straight lines extending from the extremities of the site frontage with the highway to a point 2.4m along the centre line of the access drive measured from the edge of the adjacent highway has been provided. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind shall be erected, parked or placed, and no trees, bushes or other plants shall be planted or be permitted to grow within the visibility which obstruct the visibility splays.
  15. No dwellings shall be occupied until the footway has been constructed and the pedestrian crossing points on Millom Road have been completed in all respects to the satisfaction of the Local Planning Authority in accordance with a specification which has first been approved by the Local Planning Authority and as indicated on Drawing No G45/0651-04 Rev C.
  16. The traffic calming humps currently on Millom Road shall be removed and relocated to the specification and to an agreed location with the Local Planning Authority in consultation with the Highway Authority before development commences on site.
  17. The site shall be drained on a separate system, with foul drainage only connected into the foul sewer.
  18. Full details of the proposed surface water drainage system shall be submitted to and approved in writing by the Local Planning Authority before development commences.

The reasons for the above conditions are:-

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

For the avoidance of doubt

To prevent pollution of controlled waters

In the interests of highway safety

To obtain a satisfactory drainage system

Reason for decision:-

The proposal represents an acceptable infill development on previously developed land in a residential area within the Millom settlement boundary in accordance with Policies DEV 4 and HSG 4 of the adopted Copeland Local Plan 2001-2016

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2 4/08/2546/0

REPLACEMENT DWELLING  
LEEWARD, MAIN STREET, DRIGG, HOLMROOK, CUMBRIA.  
MR E GRANTHAM

Parish Drigg & Carleton

- No comments received.

Planning permission is sought for a replacement dwelling at Leeward which is situated within the linear settlement of Drigg on the B5344 between Seascale and Holmrook. Permission has previously been granted for a replacement dwelling on this site in July 2008 (4/08/2288/0 refers), but this proposal is considered to be sufficiently different to require a new application.

The site is approximately 0.05 hectares (520m<sup>2</sup>) in size and is situated between two existing dwellings. The dwelling currently on the site is a two bedroomed bungalow with attached garage.

The proposed replacement dwelling would be similar to the existing at ground floor level with only a former bedroom changed and extended into a dining room. The garage will also be extended but a 1m distance to the boundary will be retained. At first floor level there are now 3 bedrooms, a bathroom and a large open landing area proposed. The dwelling will have a render and dash finish, blue slates to the roof and uPVC windows and doors. The uPVC finish is the only change from existing as this is currently timber. The proposed dwelling will be a dormer bungalow with a height of 4.2m to the eaves and 7m to the ridge.

The proposal differs from that previously approved in two respects. Firstly, it has been internally rearranged to include an additional bedroom. The former en-suite bathroom has been changed to the main bathroom with additional space from the main bedroom. The room where the bathroom was proposed would now be a bedroom.

Secondly, the extension to the rear of the property has been amended to increase the size of the dining room at ground floor and a bedroom at first floor. It is now proposed to extend 2.0m to the rear where previously it was 1.5m and it has also been extended by 1.3m along the existing rear elevation.

The area to the front of the dwelling will not be altered by the proposal and, therefore, the Highways Authority has raised no

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objections.

An objection has, however, been received to the proposal from an adjoining resident who is not objecting to the principle of the development but has concerns over the septic tank and the soakaway as the objector's garden wraps around the application site. The applicant has stated that the existing septic tank and soakaway for the dwelling will be used. However, more information on both has been requested due to the increased size of the dwelling. Should the application be approved, then until these points can be resolved, a condition can be included to ensure a satisfactory drainage scheme is achieved.

Policy HSG 14 of the adopted Copeland Local Plan 2001-2016 is the relevant policy for this application as this covers replacement dwellings. This states:-

'The replacement of existing dwellings will be permitted subject to Policy HSG 4, except where the dwelling is:

1. listed as a Building of Special Architectural or Historic Interest, or is in a Conservation Area (see Policies ENV 28 and 34) or is
2. in the countryside (ie all areas outside defined development boundaries prescribed by Policy DEV 4), and
  - a) is the result of a temporary or series of temporary permissions, or
  - b) its replacement would be in serious conflict with public health or safety, the economy of public services, or the appearance or potential for improvement of the countryside, or
  - c) is derelict (ie incapable of being re-inhabited without carrying out works requiring planning permission), or
  - d) is no longer in existence (unless the dwelling has been accidentally destroyed in the recent past, for example by fire or flood, and was occupied at the time of the accident)
  - e) is the habitat of wildlife species protected by law when expert advice must be sought to establish an appropriate course of action.

So long as the scale and character of the replacement dwelling matches that which it is proposed to replace'

With regard to this it firstly should be noted that the site is not within any settlement boundary as prescribed by Policy DEV 4 of the adopted Copeland Local Plan which means it is classed as being in the countryside. However, to be contrary to the above policy, it must

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also fall within one of the other categories which is not the case.

The proposal is therefore viewed as being in accordance with Policy HSG 14 of the adopted Copeland Local Plan 2001-2016 and is recommended for approval.

Recommendation

Approve (commence within 3 years)

2. No development approved by this permission shall be commenced until full details for the disposal of foul drainage to the septic tank have been submitted to and approved in writing by the Local Planning Authority. If a new septic tank is required, no part of the development shall be brought into use until such septic tank has been constructed and completed in accordance with the approved plans.
3. No development approved by this permission shall be commenced until full details of the soakaway have been submitted to and approved in writing by the Local Planning Authority. If a new soakaway is required, no part of the development shall be brought into use until the soakaway has been constructed and completed in accordance with the approved plans.

Reasons for conditions:-

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

To prevent pollution of the water environment

Reason for decision:

The proposal represents an acceptable replacement dwelling in accordance with Policy HSG 14 of the adopted Copeland Local Plan 2001-2016.

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3 4/08/2549/0

EXTERNALLY ILLUMINATED FASCIA SIGN (RETROSPECTIVE)  
11, TANGIER STREET, WHITEHAVEN, CUMBRIA.  
MR R OPAN

Parish Whitehaven

In January 2008 planning permission to change the use of this former bakery to a hot food takeaway was approved (4/07/2709/0F1 refers). As part of this scheme it was indicated on the plans that any new signage would be subject to a separate advertisement consent application.

Advertisement consent is now sought, in retrospect, to display an externally illuminated plastic fascia sign to the front elevation of this prominent town centre property fronting Tangier Street, Whitehaven.

Measuring 3.9m in length by 0.8m in depth the sign has a bright blue background with contrasting yellow and white lettering and a chicken caricature in the centre (see photo attached).

The Highways Authority have raised no objections to the sign subject to standard conditions.

The host building is not within an area of special advert control. However, it is within the town centre conservation area and, as such, the relevant policies governing this form of development are ENV 40 and ENV 26 of the adopted Copeland Local Plan 2001-2016 which are set out below.

ENV 40: Advertisements

"Outside areas of Special Advertisement Control, advertisements will only be granted consent 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;

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6. where displayed in Conservation Areas, they would preserve or enhance the character and appearance of the area and comply with Policy ENV 26."

ENV 26: Development in and affecting Conservation Areas

"Development within Conservation Areas or that which impacts upon the setting of a Conservation Area will only be permitted where it preserves or enhances the character or appearance of the Area and, if appropriate, views in and out of the Area. In particular it should:

1. respect the character of existing architecture and any historical associations by having due regard to positioning and grouping of buildings, form, scale, detailing and use of traditional materials
2. respect existing hard and soft landscape features including open space, trees, walls and surfacing
3. respect traditional street patterns, plot boundaries and frontage widths
4. improve the quality of the townscape".

In addition to the above, Planning Policy Guidance Note (PPG) 15 "Planning and the Historic Environment" and Planning Policy Guidance Note (PPG) 19 "Outdoor Advertisements" are also considered relevant to the determination of this application.

Whilst PPG 15 recognises that outdoor advertising is essential to commercial activity in a free and diverse economy it also points out that all outdoor advertisements affect the appearance of the building or neighbourhood where they are displayed. As such, outdoor advertising should contribute positively to the appearance of an attractive and cared-for environment.

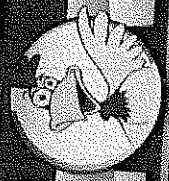
PPG 19 states that where an area is designated as a conservation area "...special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area". In assessing an advertisement's impact on "amenity", Local Planning Authorities should have regard to its effect on the appearance of the building or on visual amenity in the immediate neighbourhood where it is to be displayed and should also consider what impact the advertisement, including its cumulative effect, will have on its surroundings.

The unauthorised sign is sited on the front elevation of an attractive town centre building with traditional style shopfront. The applicant has been invited to remove the sign and submit a revised scheme for a more traditional sign constructed out of traditional materials. No response has been received.

In my opinion the sign, as displayed, fails to satisfy the above policy criteria in that it is an obtrusive and dominant feature

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UK FRIED & PIZZA 01946 693432



CHICKEN

HOME DELIVERY  
01946 693432

28/11/2008

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within the street scene, does not respect the scale, proportions and architectural features of the host building and does not preserve or enhance the character and appearance of the town centre conservation area within which it sits.

As such, it is recommended that this application be refused. If members endorse this recommendation appropriate enforcement action to secure its removal is also requested.

Recommendation

Refuse Advertisement Consent

By virtue of its scale, style, design and materials the fascia sign as displayed is entirely out of character with the host building in that it does not respect the scale, proportions and architectural features of the building; is an obstrusive and dominant feature within the street scene and does not preserve or enhance the character and appearance of the town centre conservation area within which the building sits and, as such, is at variance with Policies ENV 26 and ENV 40 of the adopted Copeland Local Plan 2001-2016 and Planning Policy Guidance Notes 15 "Planning and the Historic Environment" and 19 "Outdoor Advertisements".

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4 4/08/2559/0

CHANGE OF USE FROM TATTOO PARLOUR TO HOT FOOD  
TAKEAWAY (A5 USE CLASS)  
27, DUKE STREET, WHITEHAVEN, CUMBRIA.  
MR T GORDON

Parish Whitehaven

Planning permission is sought to change the use of these mid terraced town centre premises into a hot food takeaway. Formerly a tattoo and body piercing parlour, the premises fronting onto Duke Street are now vacant and boarded up.

No external alterations are proposed as part of the scheme other than the installation of an extraction system.

Proposed opening hours are from 5.00p.m. until 11.00p.m. Monday to Friday and Sundays and between 5.00p.m. and 12 midnight on Saturdays. This is well within the opening hours of existing hot food takeaways within the town centre which, at the latest, are required to close by 1.30a.m. on Thursdays, Fridays and Saturdays and by 12 midnight on Sundays to Wednesdays inclusive.



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No objections have been received from statutory consultees.

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

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

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

In my opinion the proposal satisfactorily meets these criteria. Duke Street is predominantly commercial with a number of similar hot food takeaways in the vicinity.

## Recommendation

Approve (commence within 3 years)

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

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Reasons for conditions

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

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

Reason for decision

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

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CUMBRIA COUNTY COUNCIL  
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5 4/08/9009/0

VARIATION OF CONDITIONS 2 AND 1 OF PLANNING  
CONSENTS 4/93/9004 & 4/04/9014 RESPECTIVELY TO  
ALLOW THE CONTINUATION OF MINERAL EXTRACTION  
UNTIL 31 DECEMBER 2021  
GHYLL SCAUR QUARRY, THE HILL, MILLOM, CUMBRIA.  
AGGREGATE INDUSTRIES UK LTD

Parish                      Millom Without

Ghyll Scaur Quarry was first granted planning permission in 1949. The quarry is currently operating on the basis of two planning permissions; firstly for mineral extraction and secondly for mineral waste tipping/stockpiling. These are respectively planning permissions 4/93/9004 and 4/04/9014. Both these planning permissions expire in 2010 and this current application seeks an extension to the quarry operation to 31 December 2021.

Ghyll Scaur Quarry is located close to the A5093 and approximately 2km north east of the town of Millom. The quarry is rectangular in shape and is situated on the eastern slope of Millom Park Hill which is extensively clothed in commercial conifer plantations. The current extraction area extends to some 12.2 hectares and is concealed behind lower hillside slopes. The processing plant, stockfield and ancillary operational areas of the existing quarry are situated at the foot of the hill, at 30 metres AOD, in a narrow valley close to the eastern boundary of the site. The plant area is long and linear, extends to 1.5 ha and is approximately 50 metres wide. It is contained to the west by a 14 metre rock face and a strip of coniferous woodland. Public footpath 416077 is routed alongside the woodland and an open pasture field lies between this and the A5093, which is a further 20 metres to the east. Vehicular access is obtained from the A5093 by means of an unfenced single track metalled access road with passing places. The current operational tip is located at the south western corner of the quarry which has been extended following the grant of planning permission in November 2004.

The average annual rate of production over the 5 year period to 2007 was 320,000 tonnes which, when considered against the remaining reserves, gives a life of some 13/14 years, i.e. 2021. The quarry operation is currently limited to 31 December 2010 by the above planning permissions. Following the completion of the proposed working programme a further period of up to 2 years (2021-2023) will be required for the completion of the restoration scheme contained within the existing planning permissions. The quarry consists of a highly complex structure of differing volcanic rock types, although in simplified terms the rocks consist of a variable mix of volcanic tuffs with occasional thicknesses of igneous bodies being intruded.

CUMBRIA COUNTY COUNCIL  
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Ghyll Scaur Quarry principally supplies very high specification aggregates for highway pavement wearing courses with high skid resistance capabilities in intense traffic situations. There are considered to be no alternative sources in England capable of satisfying the demand for this aggregate. The proposed variation to the planning permissions will ensure the continued supply of very high specification aggregates to meet the predicated national, regional and local demand over the period to 2021. The proposal would secure the continuing direct employment of 20 persons, supported by some 20 indirect jobs.

The current application is supported by an Environmental Statement and a non-technical summary. The Statement covers the following issues in great detail:-

- Landscape and visual
- Water management
- Public rights of way, public access and common land
- Working environment
- Ecology and biodiversity
- Transport
- Geotechnical
- Cultural heritage
- Land use/soils
- Noise, dust, vibration and site lighting
- Impact on human beings
- Planning policy, guidance and consultations
- Economic justification
- Restoration proposals

The overall design parameters of the quarry workings conform to the provisions of modern statutory and other requirements with face heights not exceeding 15m, final bench widths of not less than 4m and haul ramps not exceeding a gradient of 1 in 10. Although both existing planning permissions expire in 2010, the current remaining permitted reserve of some 4.2 million saleable tonnes will provide a source of high specification aggregates for some 13 years dependent upon exercising the permitted levels of sales as set out in Condition 13 (4/93/9004).

Wherever possible, progressive or phased restoration of the completed parts of the development will be undertaken. In practice, restoration is likely to be restricted to completed final faces and the outer slopes of the overburden disposal areas during the working life of the development. Upon completion of each quarry sinking, scalplings, waste rock and overburden will be spread and planted with trees and shrubs on the final bench positions prior to the commencement of the next sinking. The lower sinkings of the quarry will require dewatering and these will ultimately fill with water following cessation of working. The restoration proposals therefore allow for the creation of a lake with a surface level of 27m AOD. The existing lagoons are relatively small and shallow. These will be

reshaped by partial infilling, regraded and planted to form a wetland area. A wider bench will be retained at the 27m level for safety purposes and to enable easier access around the lake. The open areas of the final floor will be cultivated and sown with a grass/wild flora mixture and the re-excavated cleft will be planted with trees and shrubs. The main body of the lake will consist of deep water contained by the 70 metre rock face. In order to establish a fringe of wetland vegetation, a bench 1 metre deep and 3 to 5 metres wide will be excavated at intervals around the lake to create a series of shallows and shoals. At the cessation of working it is proposed to convert the lagoon to a reed bed. A vehicular route through the former plant area will be retained to allow access to the lake and the adjacent commercial plantations. The aim will be to develop and thereafter maintain an education facility which will advance the knowledge of local geology in its facets. By the creation of this purpose made educational facility which will include a rock park, interpretation boards, information pamphlets and viewing platform visitors, including local, county and others will benefit by increasing not only their knowledge but also interest in the natural processes that make up the earth's landscape and structure.

A financial contribution has been agreed with the Highways Authority to improve the road adjacent to "The Oaks" farm on the A5093. Investigations into transporting materials from the site by rail and by ship have been undertaken, although no firm proposals are included within this proposal.

The quarry is set in very attractive landscape. However, it is well screened from all directions by the topography and tree planting and the quarry operations cannot therefore be seen from outside the site.

The proposal is a continuation of a 60 year quarry operation on this site. Whilst it incorporates up to date environmental thinking and elements of improved restoration the underlying quarry operations remain as previously. In particular, this submission does not increase the scale of operations nor any material qualitative change.

As a consequence the worst case impacts of the development will not exceed those hitherto and, infact, because of improved environmental design, management and control, will improve upon past practice. No new impacts that are or could be cumulative with other sources of impact are envisaged.

The Environmental Health Officer has been consulted separately by the County Council and any comments will be reported to the Panel.

#### Recommendation

That Copeland Borough Council raise no objection to the proposed application for extension of the quarry operations to 31 December 2021.

CUMBRIA COUNTY COUNCIL  
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6 4/08/9010/0

VARIATION OF CONDITION 1 OF APPLICATION 4/03/9016  
TO EXTEND TIMESCALE UNTIL AUTUMN 2009 TO ALLOW  
COMPLETE RESTORATION TO AGRICULTURAL SWARD  
FAIRFIELD FARM, PICA, WHITEHAVEN, CUMBRIA.  
MR R FOTHERINGHAM

Parish                      Distington

In August 2003 planning permission was granted for agricultural land improvements and additional cap protection works over the spoil tip at the former Oatlands Colliery site, Fairfield Farm, Pica (4/03/9016/0 refers). Permission was granted for a temporary 5 year period with works due to be completed by 30 November 2008.

Planning permission is now sought to vary condition 1 of the planning approval 4/03/9016/0 to extend the timescale for completion of site restoration works until autumn 2009.

An extension in timescale is sought given that the filling and restoration of the site is not complete due to the irregular availability of infill materials, extremely poor weather and subsequent ground conditions and ill health of the applicant.

Working hours are to remain as existing which are between 7.00a.m. to 5.00p.m. weekdays and 7.00a.m. to 1.00p.m. Saturdays. There will be no tipping on Sundays or public holidays.

In light of the environmental improvements afforded by the scheme a favourable recommendation is given to this time extension.

Recommendation

Permission be granted

Schedule of Applications - DELEGATED MATTERS

4/08/2514/0	Whitehaven	REAR CONSERVATORY  7, WORDSWORTH ROAD, HIGH MEADOWS, WHITEHAVEN, CUMBRIA. MR D SWINBURN
4/08/2516/0	Egremont	REAR TWO STOREY EXTENSION  82, MAIN STREET, EGREMONT, CUMBRIA. MR A ATKINSON
4/08/2523/0	Whitehaven	TWO STOREY SIDE EXTENSION & REAR CONSERVATORY  6, LATRIGG ROAD, MIREHOUSE, WHITEHAVEN, CUMBRIA MR SMITH
4/08/2525/0	Whitehaven	LISTED BUILDING CONSENT FOR INSTALLATION OF SKY MINI SATELLITE DISH 22B, ROPER STREET, WHITEHAVEN, CUMBRIA. MR A ADEBANJO
4/08/2526/0	Whitehaven	INSTALLATION OF SKY MINI SATELLITE DISH  22B, ROPER STREET, WHITEHAVEN, CUMBRIA. MR A ADEBANJO
4/08/2528/0	Whitehaven	TWO STOREY EXTENSION  36, RANNERDALE DRIVE, WHITEHAVEN, CUMBRIA. MR P MAHER
4/08/2529/0	Whitehaven	TWO STOREY BEDROOM EXTENSION  27, HILLCREST AVENUE, WHITEHAVEN, CUMBRIA. MR & MRS I E NICHOLL
4/08/2530/0	Whitehaven	ERECT NEW PORCH, WC & GARAGE EXTENSION  GROVEWOOD HOUSE, SANDWITH, WHITEHAVEN, CUMBRIA. MR T FERGUSON
4/08/2531/0	Cleator Moor	ALTER REAR EXISTING ROOF FROM A FLAT ROOF TO A MONO PITCH ROOF 29, MAIN STREET, CLEATOR, CUMBRIA. MR P ELDON
4/08/2533/0	Whitehaven	PROVIDE RAMPED ACCESS IN CONCEALED PASSAGEWAY  42, QUEEN STREET, WHITEHAVEN, CUMBRIA. IMPACT HOUSING ASSOCIATION
4/08/2535/0	St Bees	CONSTRUCTION OF EXTERNAL CHIMNEY (RETROSPECTIVE  KEIRDLANN, FINKLE STREET, CROSS HILL, ST BEES, CUMBRIA.

Schedule of Applications - DELEGATED MATTERS

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MRS C WILSON

4/08/2294/0 St Bees TWO STOREY DETACHED DWELLING & GARAGE (RESERVED MATTERS)  
OUTRIGGS, OUTRIGG, ST BEES, CUMBRIA.  
MR M REID

4/08/2512/0 Whitehaven NEW ILLUMINATED SIGNAGE COMPRISING: IMAGE  
PROJECTION ON FRONT CENTRE WINDOW AT 1ST FLOOR  
WHITEHAVEN CIVIC HALL, LOWTHER STREET,  
WHITEHAVEN, CUMBRIA.  
MR P SUTTON

4/08/2522/0 Whitehaven SMALL CROWN REDUCTION OF ASH TREE (10%), AND DR  
DAMAGED GROWTH WITHIN THE CROWN  
JOHNSON HOUSE, HILLCREST, WHITEHAVEN, CUMBRIA.  
MR K BRADFORD

4/08/2527/0 Whitehaven REMEDIAL PRUNE AND RAISE CROWN 3.5M OF MATURE  
COPPER BEECH TREE AND FELL ONE COPPER BEECH TRE  
BETHANY HOUSE, 20, FRONT CORKICKLE, WHITEHAVEN,  
CUMBRIA.  
MR D DITCHBURN

4/08/2538/0 Whitehaven NEW AGRICULTURAL BUILDING FOR STORAGE OF GRAIN  
  
DEMESNE FARM, SANDWITH, WHITEHAVEN, CUMBRIA.  
MR J ATKINSON

4/08/2518/0 Millom Without REPLACEMENT BRIDGE  
  
BLACK BECK BRIDGE, THE GREEN, MILLOM, CUMBRIA.  
MR H LAWTON

4/08/2519/0 Millom Without REMOVAL OF TWO BRANCHES FROM ONE LIME TREE  
COVERED BY A TREE PRESERVATION ORDER  
GHYLL SCAUR QUARRY ENTRANCE, UNDERWOOD, THE HIL  
MILLOM, CUMBRIA.  
MR P JACKSON

4/08/2520/0 Millom CHANGE OF USE FROM CHURCH HALL INTO A FLAT  
  
23, CROWN STREET, MILLOM, CUMBRIA.  
MR J MACKIE

4/08/2521/0 Millom Without ERECT GARAGE/PRIVATE WORKSHOP  
  
NEWTON BARN, LADYHALL, MILLOM, CUMBRIA.  
MR J BENSON

4/08/2524/0 Ponsonby SINGLE STOREY ACCESS CONTROL CABIN  
  
SELLAFIELD SITE, SEASCALE, CUMBRIA.  
SELLAFIELD LTD



Schedule of Applications - DELEGATED MATTERS

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4/08/2532/0      Lowca

REPLACE 4 NO LINKED HOUSES ON PLOTS 8 TO 11, WI  
2 NO PAIRS OF SEMI DETACHED UNITS  
GHYLL BANK, LOWCA, WHITEHAVEN.  
PERSIMMON HOMES LANCASHIRE