

PLANNING PANEL

7th FEBRUARY 2007

AGENDA

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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 4/06/2681/0

48 DWELLINGS

OLD LAUNDRY SITE, LOW ROAD, WHITEHAVEN, CUMBRIA.
JENNYFORD LTD

Parish

Whitehaven

Full planning permission is sought for the erection of 48 dwellings on this brownfield site comprising 1.22 hectares. It is situated on the south side of the town, bounded to the north by the redundant Brake rail line and to the south by the cemetery.

Full planning permission for access and a site layout for 27 dwellings was previously granted in 2003 (4/03/0450/0F1 refers) following an outline approval for residential development in 1998 (4/98/0311/001 refers).

In terms of detail a mix of housing types is proposed comprising 25 no 2 bed apartments in the form of 3 three storey blocks utilising the roof space as the third floor; 18 linked dwellings (2, 3 and 4 beds), some with integral garaging, in the form of 2 blocks of 5 units, and 2 blocks of 4. Five 2 bed bungalows with garages are also proposed. Materials to be used include a mixture of facing brickwork and self coloured render with slate effect roof tiles and timber boarding detail.

Vehicular access to the site is via a single new estate access positioned midway along the site frontage from the adjacent class B Low Road to which the Highway Authority raise no objection. However, it should be noted that the creation of the new access will involve the felling of one of the individual trees subject to a TPO in order to facilitate the required visibility splay and road alignment into the site.

Formerly occupied by the Lakeland Penine Laundry, the site has been vacant for several years following demolition and has naturally regenerated. It now contains an abundance of both mature and young trees and greenery, the wooded area to the rear along with 5 individual trees on the site frontage being afforded special protection via a TPO.

The key consideration from a planning point of view are the trees on the site and the impact of the development upon them. The tree survey submitted with the application together with the Council's Landscape Officer's report identify that there are a considerable number of trees both within and outwith the TPO which are worthy of retention. Protracted negotiations have been ongoing with the applicants' agents and have now resulted in the submission of an amended scheme which, on balance, serves to benefit the trees on the site. This is borne out in the attached Landscape Officer's report.

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It does permit the felling of one healthy protected tree at the frontage of the site to facilitate the alignment of the estate access and the achievement of the required visibility splays, as well as selected agreed felling within the site. However, to compensate for this loss an area for strengthened planting at the site frontage has been identified which will include the planting of 2 new semi mature trees in an effort to retain and maximise the visual amenity this band of protected trees in this location offers. A substantial replanting scheme is also proposed on a 2 for 1 basis on the site as a whole, along with a landscape management plan. It is considered that this solution ensures that the landscape value and visual amenity afforded by the trees on this site is reinstated, maintained and in the medium to long term, improved.

The site is allocated in the adopted Copeland Local Plan 2001-2016 as land for housing with planning permission. The scheme now proposed represents an acceptable form of new housing development with an appropriate density of 39.3 units per hectare in accordance with the relevant local plan policies. It also presents an opportunity to redevelop a vacant brownfield site.

Recommendation

Approve (commence within 3 years)

2. The layout of the site, including details relating to the access, position of the dwellings and the trees shall be strictly in accordance with the amended plan received by the Local Planning Authority on 18 January 2007.
3. Development shall be carried out strictly in accordance with the amended Design and Access Statement dated 17 January 2007.
4. A buffer zone of 5 metres beyond the drip line of tree 31, as identified on the amended layout plan received by the Local Planning Authority on 18 January 2007, shall be strictly maintained. No development shall encroach within this zone at any time.
5. Trees 1, 2 and 5 at the site frontage, as identified on the amended layout plan received by the Local Planning Authority on 18 January 2007, shall be retained and protected.

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6. Before any development commences on site two new replacement mature trees shall be planted at the site frontage, one either side of the entrance road. Details of the exact size, species, location and time of planting shall be as agreed with the Local Planning Authority in writing. These trees shall be maintained thereafter. If within a period of five years from the completion of the development either tree is uprooted, destroyed or dies another tree shall be planted in the same place in accordance with the details approved in writing by the Local Planning Authority.
7. A minimum of fifty five native broadleaved trees shall be planted on the site in accordance with the details, including size, species, location and time of planting, submitted to and approved in writing by the Local Planning Authority before development commences. The scheme shall be implemented in accordance with the approved details.
8. Before development commences, details of the specification and position of fencing for the protection of the retained trees from damage during the course of development shall be submitted to the Local Planning Authority for written approval.
9. The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans before any equipment, machinery or materials are brought onto the site for the purposes of development and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.
10. No tree within the site, other than those with prior agreement for felling, shall be cut down, uprooted or destroyed, nor shall any tree be topped or lopped without the prior written consent of the Local Planning Authority. Any approved lopping shall be carried out in accordance with British Standard BS 3998 and BS 5837 on Tree Work.
11. If within a period of two years from the completion of the development any retained tree is uprooted, destroyed or dies another tree shall be planted in the same place. That tree shall be of a size, species and be planted at such a time as agreed in writing by the Local Planning Authority.

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12. 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. The development shall be carried out in accordance with the approved schedule.
13. Prior to development commencing site investigation measures, as identified in the desk top study submitted with the application, shall be undertaken. Any remediation measures identified as a result shall be implemented in full before any of the dwellings are occupied.
14. Any structural precautions deemed necessary as a result of undermining shall be incorporated into the design of the development, details of which shall be submitted to and approved in writing by the Local Planning Authority before any development commences on site.
15. The site shall be drained on a separate system with foul drainage only being connected into the foul sewer.
16. Before any development is commenced details of a scheme for the diversion of the culvert shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the route, size, materials, depth, levels and method of construction. The works shall be constructed and completed in accordance with the approved plans.
17. No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water regulation system has been approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved plans.
18. Details of measures to provide adequate screening between the site and neighbouring properties at Rose Cottage shall be submitted to and approved in writing by the Local Planning Authority before development commences on site.
19. A sample of the facing brick to be used in the construction of the dwellings shall be submitted to and approved in writing by the Local Planning Authority before development commences.
20. There shall be no interference with the public right of way along Footpath No 431061.
21. Before development of a building plot commences the roads and footways serving that plot shall be defined by kerbs, drained and surfaced with a sub-base in accordance with the Cumbria County Council "Roads for Housing : Technical Design Guide".

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22. Before a dwelling is occupied the roads and footways serving that dwelling shall be surfaced with a base course in accordance with the Cumbria County Council "Roads for Housing : Technical Design Guide".
 23. The carriageway and footways shall be designed, constructed, drained and lit to a standard suitable for adoption and in this respect further details, including longitudinal/cross sections, shall be submitted for the approved of the Local Planning Authority before any building commences on site. These details shall be in accordance with the standards laid down in the current Cumbria Design Guide "Roads for Housing".
 24. Ramps shall be provided on each side of every road junction to enable wheelchairs, prams and invalid carriages to be manoeuvred at kerb lines with relative ease.
 25. Access gates, if provided, shall be erected to open inwards only away from the highway.
 26. The access drives and parking areas shall be surfaced in a bound material.

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 ensure the continued protection of this rare tree specimen.

To ensure adequate protection of these trees from the development in the interests of amenity.

To strengthen and protect the existing band of protected trees at the site frontage in the interests of amenity.

To safeguard the character and appearance of the site which is subject to a TPO, in the interests of amenity.

To adequately protect the existing trees on the site.

To adequately safeguard the trees on the site.

To ensure the implementation of a satisfactory landscaping scheme.

To prevent pollution of the water environment.



Memo

From: Richard Mellor
To: Heather Morrison
My ref. 4/2006/2681
Date: 25th January 2007
Subject: Additional notes on the Proposed development, Old Laundry Site, Low Road, Whitehaven, Cumbria

Dear Heather,

Thank you for the most recent set of proposed drawings for the above site. Please find below my comments in relation to these:

I would like to start with the entrance to the site. Removal of trees TPO 3, 4 & 6 should be permitted with the retention of T1, 2 & 5. The loss of trees TPO 3, 4 & 6 would permit enough room to replant along the front of this site with two mature trees (25 – 30 cm in girth/ 5.0 – 6.0m in height – suppliers info can be provided); 1 x Quercus Robur (English Oak) & 1 x Aesculus Hippocastanum (Horse chestnut). Please may I also suggest the applicant submits a method statement involving the protection procedures around the root plate of T5? Another item worthy of note at this stage is a small group of trees, located directly T6 which comprises of juvenile (0 - 10yrs age) broadleaf trees, This group contains a mixture of predominantly Oak & to a lesser extent Birch. This group should be retained in situ or lifted by hand excavation and relocated around perimeter of site as this small group of trees is an excellent example of natural regeneration.

T30 As previously stated in a memo dated the 11th January, the removal of T30 would not prove too detrimental in the overall aesthetical value of the site. This is due to the fact that T30 is located adjacent to W1 woodland, which should ideally be thickened up around the area of T30 by including some of the previously defined replacement trees in exchange for specimens lost

T31 Has now been given the adequate protection (buffer zone) as described in my previous memo dated 11th January. As with trees T11, 12, 13 & 14 on site this tree should be protected inline with guidelines found with the BS5837: 2005 (trees in relation to construction)

Continued...

The final issue I would like to mention is the one regarding the proposed replanting scheme. I feel all proposed tree planting should be clarified prior to the commencement of any works via a written statement, which identifies all areas for tree planting including tree species, sizes, procedures for planting, protection and long term maintenance.

Sincerely,

Richard Mellor
Landscape Officer

MAIN AGENDA

To minimise the risk from mining subsidence.

To ensure a satisfactory drainage scheme.

To ensure a satisfactory surface water drainage system.

To reduce the increased risk of flooding.

To minimise the risk of overlooking/loss of privacy for adjacent residents.

To safeguard the appearance of the development in the interests of amenity.

In the interests of highway safety.

Reason for decision:- -

An acceptable high density housing scheme for this allocated housing site in accordance with Policies HSG 1 and HSG 8 of the adopted Copeland Local Plan 2001-2016.

2 4/06/2775/0

DOMESTIC WIND TURBINE
4, MERLIN DRIVE, MORESBY PARKS, WHITEHAVEN,
CUMBRIA.
MR R PYE

Parish Moresby

At the last meeting members resolved to carry out a site visit before determining this application. The site visit took place on Monday 22 January 2007.

Full planning permission is sought for the erection of a domestic wind turbine to the gable end of this semi-detached property situated within the residential estate of Merlin Drive, Moresby Parks.

The turbine itself is made up of a generator with three propeller blades mounted on a 2.5m to 3.3m long supporting pole. The turbine would be sited 2.9m from the rear of the property, to the far side of the existing drainpipe, with the generator projecting 2.0m above the existing roof line. It would be sited 3.0m from the neighbouring property to the south.

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Whilst the application site is situated within the Whitehaven parish, comments have been received from the neighbouring Moresby Parish Council, a copy of which is annexed to this report.

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

- (a) Whilst the objectors do not disagree with wind farms, domestic wind turbines have yet to be proven safe in built up areas.
- (b) The distance between the properties is roughly 3 metres. With a total blade span of 1.8 metres and the 2 metres height the turbine requires for maximum efficiency the objectors feel it is too big and close for the surrounding area.
- (c) Due to the close proximity there are concerns regarding safety and damage to the objectors' property.
- (d) The turbine is sited on the applicant's extension and is too close to the objector's garden.
- (e) Noise impact.
- (f) Concerns with light and views from objectors' side window.
- (g) The objectors may consider extending their property in the future which would reduce the distance to the turbine even further.
- (h) Concerned with the future maintenance of the turbine and appearance in years to come.
- (i) Devalue the objectors' property.

In terms of planning policy both local plan policies and national guidance contained in Planning Policy Statement 22: "Renewable Energy" provide a presumption in favour of renewable energy sources with the recognition that small-scale projects can provide a limited but valuable contribution to overall outputs of renewable energy and to meeting energy needs both locally and nationally.

Policy EGY 1 of the adopted Copeland Local Plan 2001-2016 states that proposals for any form of renewable energy development must satisfy the following criteria:-

1. that there would be no significant adverse visual effects
2. that there would be no significant adverse effects on landscape or townscape character and distinctiveness
3. that there would be no adverse impact on biodiversity

MAIN AGENDA

4. that proposals would not cause unacceptable harm to features of local, national and international importance for nature or heritage conservation
5. that measures are taken to mitigate any noise, smell, dust, fumes or other nuisance likely to affect nearby residents or other adjoining land users
6. that adequate provision can be made for access, parking and any potential adverse impacts on the highway network
7. that any waste as a result of the development would be minimised and dealt with using a suitable means of disposal
8. there would be no adverse unacceptable conflict with any existing recreational facilities and their routes
9. that they would not give rise to any unacceptable cumulative effects when considered against any previous planning approvals for renewable energy development or other existing/approved utility infrastructure in the vicinity.

In determining this application both the visual impact and associated noise are material planning considerations.

The Council's Environmental Health Department have expressed concern regarding the potential noise impact to the garden areas at the rear. Noise will be generated from both the generator together with the aerodynamic noise produced by the passing of the blades through the air. The suppliers "Windsave" have commissioned a noise assessment, which will determine noise levels associated with the system. The findings of this assessment have yet to be published and, as such, the Environmental Health Team are unable to provide a comprehensive response.

Whilst the applicant must be commended in his efforts, due to the inadequacy of the details to suggest otherwise the proposed wind turbine is likely to have an adverse negative impact on the amenity of the locality in terms of the generation of an unacceptable level of noise.

Recommendation

Refuse

In the absence of demonstrable evidence to the contrary the proposed wind turbine is likely to have an adverse negative impact on the amenity of the locality in terms of the generation of an unacceptable level of noise and, as such, is at variance with Policies EGY 1 and ENV 21 of the adopted Copeland Local Plan 2001-2016 and advice contained in Planning Policy Statement 22 "Renewable Energy".

RC

Moresby Parish Council

Clerk to the Council

J C Shaw Esq
4 Corkickle
Whitehaven
CA28 8AA

COPELAND BOROUGH COUNCIL
DEVELOPMENT SERVICES
- 6 DEC 2006
RECEIVED

Tel. No 01946 695701
E-mail jcshaw@talk21.com

5th December 2006

Copeland Borough Council
Development and Services Directorate
The Copeland Centre
Catherine Street
Whitehaven
CA28 7NY

Dear Sir

Planning Applications 4/06/2775/0F1

We have received a copy of the application in this case. The address 4 Merlin Drive does not fall within the parish boundary but the parish council have taken the view that they should comment on the application.

The council have looked at the draft supplementary planning document at present under consultation and note that at 3.9 reference is made to micro-generation /domestic wind turbines. It notes that detailed guidance will if appropriate be produced by the local authority as part of the Local Development Framework. The parish council understands that no guidance has been produced at this stage in Copeland. The parish council has also considered the paper produced by the Office of the Deputy Prime Minister titled 'A Householder's Planning Guide to the Installation of Antennas including satellite dishes'

The parish council considers that this application should be considered by the planning panel. They believe that there are issues which are not seen in other forms of antenna. The turbine has blades which move and safety issues are involved There is the question of noise and whilst they should not be visibly intrusive the position in relation to adjoining houses is important.

The parish council believe that these issues are relevant to the planning application and were the panel to be satisfied perhaps through independent expert evidence the

parish council would be content. The believe that an application of this sort which may be the first within the district council's boundary and is certainly the first this parish council has seen may be the beginning of a spate of such applications and should be treated with particular care

Yours faithfully



J C Shaw

MAIN AGENDA

3 4/06/2812/0

REMOVAL OF CONDITION 2 FROM PLANNING PERMISSION
4/04/2455/OF1 RE OCCUPANCY RESTRICTION
PLOT 2 (CLARACK HOUSE), FIELD 0040, MOOR ROW,
CUMBRIA.
MR R GREGGAIN

Parish

Egremont

- No objection. Consider that this condition should remain in place as its removal could lead to ribbon development.

Consent is sought to remove condition 2 of planning permission 4/04/2455/OF1, which is the occupancy restriction relating to this existing dwelling on Scalegill Road, Moor Row. An application to approve the dwelling without the occupancy restriction was previously refused in September last year (4/06/2449/OF1 refers).

Planning permission was originally granted to construct dwellings on this and the neighbouring plot in 1986 (4/86/0777 refers). Both dwellings were approved subject to a condition restricting their occupation to a person employed in the then adjoining garage business.

In 1987 permission was granted to remove the condition on plot 1, leaving plot 2 only with the condition restricting occupancy. (4/87/1107 refers).

In 2003 planning permission was granted to change the use of the commercial premises adjacent to plot 2 to its current use as a haulage business (4/03/0622 refers). There was then a subsequent application in 2004 to alter the dwelling design approved on plot 2 to a dormer bungalow. This was approved subject to a condition restricting the occupancy of the dwelling to a person solely or mainly employed in the haulage business occupying the adjoining land, or a widow/er of such a person or resident dependants (4/04/0244/OF1 refers). It is this condition this application seeks to remove.

Irrespective of the reasons why the condition on plot 1 was removed it is important that this application is considered on its own planning merits. A confidential supporting case has been put forward in this instance which sets out an exceptional personal need and business case for removing the condition, a copy of which Members will have received separately.

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The key consideration in determining this application is whether it has been adequately demonstrated that there is no longer a long term need for restricting occupancy of the dwelling to the neighbouring business as required by Policy HSG 7 of the adopted Copeland Local Plan 2001-2016. In this particular instance, in view of the personal and business case put forward, I am of the opinion that the criteria of the policy has been satisfactorily met and that there is no longer a need to restrict the occupancy of this dwelling. Retaining this condition in light of the circumstances now prevailing would be considered unduly onerous from a planning point of view.

Recommendation

Approve removal of condition

Reason for decision:-

In light of the confidential case put forward, the removal of the condition restricting occupancy of this dwelling in association with the adjacent business is considered justified in accordance with Policy HSG 7 of the adopted Copeland Local Plan 2001-2016.

4 4/06/2814/0

DETACHED THREE BEDROOM DWELLING WITH INTEGRAL GARAGE
25, KINGSLAND ROAD, MILLOM, CUMBRIA.
MISS M BARBER

Parish Millom

- No comments received.

Planning permission is sought for the erection of a three bedroomed dwelling adjacent to 25 Kingsland Road, Millom.

The area of land is currently an overgrown garden area to No. 25, while bordered on the other side by No 21. Kingsland Road.

The dwelling will effectively be a house, with the bedrooms and a bathroom on the first floor, but has been designed with a low roof height to incorporate roof light windows to the rear to avoid potential over looking. The finishes proposed are a grey tiled roof, white dash and part facing brick on the elevations.

The proposal includes an integral garage and the house would be set back in the plot to accommodate a drive and two car parking spaces.

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Three letters of objection have been received, all from residents on Kingsland Road, whose main concerns can be summarised as:-

- a) The access would be unsuitable.
- b) There is not enough space presently for car parking on Kingsland Road.
- c) The development would cause disruption if allowed.

One of the letters is from the owner of the adjacent house, No. 21 Kingsland Road who raises the additional concerns:-

- a) The light to their livingroom will be affected as there is a window in the side of their house
- b) The car parking area in front of the window would affect their privacy.
- c) They would not be able to maintain the exterior wall of their dwelling.
- d) The development would affect their property value.

In response to these concerns, firstly with regard to the parking and access, Cumbria Highways have no objections to the application, subject to conditions, and as the proposed dwelling has two car parking spaces and a garage this is not likely to impact on the existing situation on Kingsland Road. The potential disruption during construction cannot be taken into account as a material consideration in the determination of this application.

With regard to the concerns of the resident of No. 21, the dwelling has been designed with the garage set back to avoid blocking light to her window. The effect on privacy from a car parking area is considered to be no greater than the current use as a garden area. The dwelling will be two metres away from the boundary which is greater than the minimum separation distance specified in the Copeland Local Plan 2001-2016. The impact of development on property values is not a material planning consideration.

Overall, the site is considered to be an acceptable infill plot within the Millom settlement boundary in accordance with Policy HSG 4 of the adopted Copeland Local Plan 2001-2016.

Recommendation

Approve (commence within 3 years)

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2. Access gates, if provided, shall be hung to open inwards only away from the highway.
3. The drive shall be surfaced in bituminous or cement bound materials, or otherwise bound, and shall be constructed and completed before the dwelling is occupied.
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.

Reasons for conditions:-

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

In the interests of highway safety.

Reason for decision:-

An acceptable house design on residential curtilage land within Millom settlement boundary in accordance with Policies HSG 4 of the adopted Copeland Local Plan 2001-2016.

5 4/06/2830/0

INSTALLATION OF A WINDTURBINE
29, WASDALE PARK, SEASCALE, CUMBRIA.
MR D JACKSON

MAIN AGENDA

Parish

Seascale

- Requested a site visit. They are concerned about visual intrusion, safety and its close proximity to the adjacent property. This is also a coastal area and could reach gusts of up to 100 miles per hour and they have no proven safety record.

This application was briefly discussed at the Planning Panel meeting on 10 January 2007 and a decision was made to undertake a site visit before determining the application. This took place on 22 January 2007.

Planning permission is sought for the installation of a domestic wind turbine at 29 Wasdale Park, Seascale.

The turbine would be located to the rear of the dwelling, and would be effectively a free standing unit. The main securing method would be by fixing the turbine into the ground but it would also be bracketed to a wall within the garden of the dwelling. This position would leave the turbine blades approximately 0.5 metres away from the boundary with the adjacent property, which is covered by the garage to No. 30 Wasdale Park. The turbine would face the gap between the properties so the blade face would be visible to residents living opposite above the wall.

The applicant has stated that he expects the overall height to be no more than 5 metres, and each blade length is approximately 0.85 metres.

One letter of objection has been received from a resident on Wasdale Park, who lives opposite the proposed site. Her concerns are that the turbine would be visible from the livingroom window and would ruin the open views that are currently enjoyed, and that the noise generated by the turbine may well be at an inappropriate and unacceptable level.

Policy EGY 1 of the adopted Copeland Local Plan 2001-2016 states that proposals for any form of renewable energy development must satisfy the following criteria:-

1. that there would be no significant adverse visual effects
2. that there would be no significant adverse effects on landscape or townscape character and distinctiveness
3. that there would be no negative impact on biodiversity
4. that proposals would not cause unacceptable harm to features of local, national and international importance for nature or heritage conservation
5. that measures are taken to mitigate any noise, dust, fumes, or

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other nuisance likely to affect nearby residents or other adjoining land users

6. that adequate provision can be made for access, parking and any potential adverse impacts on the highway network
7. that any waste as a result of the development would be minimised and dealt with using a suitable means of disposal
8. there would be no adverse unacceptable conflict with any existing recreational facilities and their access routes
9. that they would not give rise to any unacceptable cumulative effects when considered against any previous extant planning approvals for renewable energy development or other existing/approved utility infrastructure in the vicinity.

From this Policy, points 1 & 5 regarding the visual effect and noise pollution are material considerations for this application.

The Council's Environmental Health Department have expressed concerns regarding the potential noise impact on this residential area. Noise will be generated from both the generator along with the aerodynamic noise produced by the passage of blades through the air. The manufacturers "Windsave" have commissioned a noise assessment which will determine noise levels associated with the system. The findings of this assessment are yet to be published and the Environmental Health Team are therefore unable to provide a comprehensive response at this stage.

Therefore, while the potential use of renewable energy sources is commendable, due to the lack of information available to suggest otherwise, the proposed wind turbine is likely to generate an unacceptable level of noise and, as such, have an adverse negative impact on the amenity of the locality.

Recommendation

Refuse

In the absence of demonstrable evidence to the contrary the proposed wind turbine is likely to have an adverse negative impact on the amenity of the locality in terms of the generation of an unacceptable level of noise and, as such, is at variance with Policies EGY 1 and ENV 21 of the adopted Copeland Local Plan 2001-2016 and advice contained in Planning Policy Statement 22 "Renewable Energy".

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6 4/06/2831/0

TWO PORTAL BUILDINGS 72M X 25M X 12M WITH
INSULATED WALLS
ULLCOATS INDUSTRIAL ESTATE, EGREMONT, CUMBRIA.
BEAVERWAY ENG. SERVICES LIMITED

Parish St Johns Beckermeth

- No comments received.

Planning permission is sought for two large portal framed storage buildings at Ullcoats Industrial Estate, Egremont.

The two proposed buildings each measure 72m x 25m and 12m in height. The design is very basic, being box profile plastic covered steel sheeting in juniper green colour. Externally there would be 4 fire door exits and two large roller shutter doors. The roof is proposed to be the same construction and colour as the walls, but with a large number of rooflights.

Both of the buildings would be located within the existing site boundary of Ullcoats Industrial Estate, one centrally in the site and one along the north west boundary of the site. Should the application be approved, it would be considered appropriate to require a landscaping scheme to screen the latter building.

The majority of existing buildings at Ullcoats are used in association with contractual work at Sellafield. This application seeks to provide additional storage capacity on a speculative basis insofar as no specific end users have so far been identified.

No objections have been received regarding the proposal.

The proposed development is considered acceptable on an existing employment site in accordance with Policy EMP 4 of the adopted Copeland Local Plan 2001-2016.

Recommendation

Approve (commence within 3 years)

2. A planting scheme to consolidate the existing tree planting along the north western site boundary shall be submitted to and approved in writing by the Local Planning Authority before development commences on site. The planting scheme shall be carried out in accordance with the approved details before Unit A as indicated on the submitted site layout plan is brought into use.

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The reasons for the above conditions are:-

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

To afford additional screening in the interests of visual amenity.

Reason for decision:-

Two acceptable new industrial buildings within an existing industrial site in accordance with Policy EMP 4 of the adopted Copeland Local Plan 2001-2016.

Informative:-

The application site is located in an area of previous mining activity. The applicant should undertake site investigations to establish the nature of any risk from this previous use before development commences.

7 4/06/2838/0

APPLICATION TO FELL 2 SYCAMORE TREES AND CROWN
REDUCE 1 BEECH TREE AND 2 COMMON LIME TREES
PROTECTED BY A TREE PRESERVATION ORDER
LAND ADJOINING, THE OLD RECTORY, LAMPLUGH,
CUMBRIA.
HIGHFIELD (CUMBRIA) LTD.

Parish Lamplugh

- The Members understand that several parishioners living in the vicinity of the above have expressed concerns about the amount and type of the proposed tree works. The Members took these into consideration and have their own concerns about the amount of work being proposed in an area of mature woodland and the tree lopping which does not seem sensitive to the area.

It should be noted that this is an area of mature woodland that is accessible to the public within Lamplugh parish.

This application seeks consent to fell two sycamore trees and crown reduce one beech tree and two common lime trees on land adjacent to the Old Rectory, Lamplugh. This site is protected by a Tree Preservation Order.

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Detailed tree surveys have been carried out by Lowther Forestry Group and a copy of their report and recommendations dated 3 October 2006 was submitted as part of the application.

There is strong local opposition to this application. Three letters of objection and two petitions containing six and twenty-five signatures respectively have been received. The grounds for objection can be summarised as follows:-

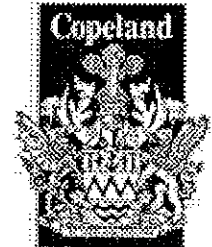
1. These trees, and the larger group of which they are a part, comprise a major natural feature of the landscape. Felling trees would contravene the original intention and purpose of the TPO.
2. These trees are a major part of the natural habitat of the red squirrels in the land adjoining The Old Rectory. Felling of these trees would be a significant risk to the survival of red squirrels in this area.
3. The applicant should have addressed the status of these trees and considered their preservation or loss before constructing new dwellings on the site.
4. These trees are subject to a Preservation Order and all the reasons for the Order being made are still relevant.
5. The ever increasing environmental impact of building new houses at Lamplugh is not being given adequate consideration. More houses mean more people, more cars and more pollution.
6. Large trees have a beneficial impact on the hydrologic balance of groundwater levels. Removing the trees would worsen the existing run off conditions.
7. If the application is successful it will set a precedent.
8. The felling and other works proposed are unnecessary and is an unjustified interference with mature trees.

It is worth noting that an error was made on the description of the application which suggested that works were to be carried out to 14 trees rather than 5. Following re-consultation, detailing the accurate proposal, the objectors still express concerns on the same grounds.

Specialist advice has been sought from the Council's Landscape Officer and a copy of his report dated 4 January 2007 is appended.

Whilst the concerns of the objectors are noted, the Council's Landscape Officer is satisfied with the proposal subject to a replanting scheme being carried out.

Memo



From: Richard Mellor
To: Rachel Carrol
My ref. 4/2006/2838
Date: 4th January 2007
Subject: Application to fell 5 Sycamore trees & crown reduce Beech trees & common Lime trees protected by a tree preservation order, Land adjoining, The Old Rectory, Lamplugh, Cumbria

Dear Rachel,

Thank you for your recent memo regarding the above application.

Having visited the above site on the 20th December I can now confirm observations in relation to this application.

- T10 Remove as prescribed within the recommendations provided by Lowther Forestry
- T11 Crown reduce inline with BS3998: 1989 (Recommendations for Tree Surgery & via attendance of Ian Jack from Lowther Forestry whilst works are carried out) and to no more than 30% of total crown volume and in accordance with proper arboricultural pruning technique's. This tree should also receive a minor crown lift programme in terms of raising the height of the lowest tree branches to 3m from ground level.
- T12 I would like to recommend that this tree is given consideration for a cable or bracing system (ref for types of bracing can be found under section 16 of the BS 3998: 1989) which provide support for two unions as highlighted within the prescribed notes from Lowther Forestry. Via implementing this type of methodology it would alleviate the need for any pruning which could pose a detrimental affect on such a large mature specimen. Selective crown thinning could also be carried out to no more than 20% of the total crown volume, again inline with BS3998: 1989 (Recommendations for Tree Surgery) and in accordance with proper arboricultural pruning techniques but with the emphasis on the section of crown overhanging the Loweswater Road as the tree is already displays an uneven growth pattern.
- T13 As T11
- T14 Remove as prescribed within the recommendations provided by Lowther Forestry

As previously stated within the works prescribed for T11 & 13 I would like to state that due to the nature and technical operations involved in the thinning of both these trees crown and also T12, that Ian Jack from Lowther Forestry be present on the day of works in order to ensure correct pruning techniques and areas are reduced inline with the proposed report and my professional recommendations.

With regards to a replacement tree programme for the removal of T10 & 14 I would like to recommend that the following is implemented as part of a replanting schedule:

3 x Betula Pendula (Silver Birch)
1 x Quercus Robur (Common Oak)

All of the above trees should be planted by the developer prior to the sale of the plot & within the grounds of Highfield but not necessarily planted in exact locations as where intended tree removal is to be carried out. All of these trees should be the following sizes:

8 – 10cm girth & 2.75 – 3m in height (Standard Size) and in root balled form.

Please can I reiterate the need for all the trees are maintained to ensure their establishment for the first 12 months (i.e. tied and staked at 45 degrees into the prevailing wind, and irrigated).

Sincerely,

Richard Mellor
Landscape Officer

MAIN AGENDA

I am therefore confident in his findings in ensuring that only works deemed essential for the long term wellbeing of the trees are sanctioned.

Recommendation

Approve the tree works in accordance with the report of the Council's Landscape Officer dated 4 January 2007 and subject to the following conditions:-

1. A tree replanting scheme shall be carried out comprising:-

3 x Betula Pendula (Silver Birch)
1 x Quercus Robur (Common Oak)

All the above trees should be planted by the developer prior to the sale of the plot and within the grounds of Highfield but not necessarily in the exact locations where intended tree removal is to be carried out.

All of the trees should be root balled and of a standard size (8-10cm girth and 2.75-3m in height) and tied and staked at 45 degrees into prevailing wind and irrigated for the first 12 months to ensure establishment.

Reason for decision:-

Acceptable tree works in accordance with Policy ENV 10 of the adopted Copeland Local Plan 2001-2016.

8 4/06/2847/0

ERECTION OF NEW CLUBHOUSE & COMMUNITY FACILITY &
DEMOLITION OF EXISTING
THE COUNTY GROUND, COACH ROAD, WHITEHAVEN,
CUMBRIA.
MR B ROBSON

MAIN AGENDA

Parish

Whitehaven

A full planning application has been submitted for the development of a replacement clubhouse and community facility at the County Ground off Coach Road.

The proposal involves changing facilities and associated administration and support areas at ground floor with two separate community functions on the first floor. This will include a public bar for approximately 72 persons and a multi-use room for about 200 persons. Outdoor terraces are also provided for spectators (up to 80) and other events. The main community room will form a hub for community events and activities. There is a small service yard to the rear of the building.

The application also seeks permission for a small scale wind turbine at the south eastern corner of the site, close to the C2C Cycle Route and the underpass under the railway. It is proposed to be 6.5m high, with 1.5m long blades.

The application is supported by a Design and Access Statement and a Flood Risk Assessment. A wide range of consultations have been sought, the development has been advertised in the local press and a site notice has been displayed at the Coach Road access point.

The proposal will be a significant enhancement to the built environment in the Pow Beck Valley and will make a substantial contribution to the regeneration plans for the area. However, there is some concern about the proposed vehicular access being via the cycleway from Coach Road and the Highways Authority has requested a Transport Statement and a Travel Plan. The Council is currently awaiting the results of a strategic flood risk assessment for the wider area.

A Ward Councillor has requested a site visit.

Recommendation

Site Visit

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9 4/06/2848/0

CONVERSION OF CANINE TREATMENT CENTRE TO HOLIDAY
COTTAGE
HIGH WALTON FARM, CORONATION TERRACE, EGREMONT,
CUMBRIA.
CHRIS FRY

Parish St Bees

- No objections.

Permission is sought to convert one of the barns adjoining this former farmhouse, which is now a private dwelling, to a one bed holiday cottage. The site is situated within an isolated courtyard group of former farm buildings, two of which have been converted to residences.

Part of the barn had previously been used to house a canine swimming pool and associated business. Personal consent was granted to the previous owners for this purpose in 2001 (4/01/0697/0). The property has now changed hands and the barn is vacant.

The barn is traditional in form being of single storey construction with sandstone walls under a pitched roof which is now tiled. The conversion scheme proposes a holiday unit comprising a living room, dining/kitchen, bathroom and bedroom. Due to the fact it occupies a sloping site a ramped access will be provided to the front and rear entrances. The scheme utilises the existing openings and proposes the addition of 5 new openings on the front elevation and the addition of rooflights. It is the intention to retain the character of the barn by keeping the exposed sandstone walls, inserting timber sliding sash windows, timber doors and reinstating a slate roof.

Vehicular access would be via the existing access and parking area constructed for the canine business which is to the north, away from the main courtyard. The highway authority raise no objections as they consider that it is unlikely to have a material affect on existing highway conditions.

Five letters of objection have been received from residents in the vicinity, including the two immediate neighbours. They express concerns on the following grounds:-

1. Deliveries of foodstuffs/equipment to the applicant's home for business use has already damaged the shared access.
2. Will lead to the conversion of the other outbuildings for the same purpose.
3. There are already holiday cottages approved down the road and question whether there is the need for any more.

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4. Will significantly reduce the value of the neighbouring properties.
5. Affect on peace and tranquility on the small community in this area as well as loss of privacy.
6. There are no visitor facilities in the area.
7. Increased traffic on this small busy adjacent minor road.
8. The applicant already owns numerous properties which are let on a permanent basis. This cottage could become a permanent residence.
9. Concern that it will increase the overflow/leaks of effluent from the existing septic tank into one of the neighbours fields adjacent. Consider the septic tank cannot sustain further development.
10. Movement of neighbours horses in the early hours of the morning adjacent to the site would result in complaints from the holiday makers.
11. Storage and use of farm machinery in the neighbouring yard and field would render the proposed accommodation unsuitable for children, elderly or disabled people.
12. Another holiday residence would be of no benefit to this small community.

To address the issues raised I would comment that:-

1. The concern regarding the use of the main access is not a matter to consider in respect of this application. In this particular case it is proposed to use a separate existing vehicular access to the cottage.
2. Planning permission would be required to convert any of the other redundant buildings in the vicinity and accordingly they would be assessed against the relevant local plan policies as to whether their development would be feasible.
3. The issues of need and property values are not relevant planning matters and should be disregarded.
4. Whilst there may be some impact from the development in terms of holidaymakers using the cottage and likewise the activities of neighbours, in view of the scale of the development proposed this is unlikely to be so significant to justify restricting the use or a refusal.
5. Whilst there may be no visitor facilities in the immediate

MAIN AGENDA

locality this is not a relevant consideration, but perhaps a matter of choice for the users.

6. It is not considered that the development would lead to a significant increase in traffic and the highway authority raise no objections.
7. To use the property as a permanent residence would require planning permission.
8. Details regarding drainage would be addressed at the building regulation stage.

Taking the above into account it is considered that, on balance, the proposed conversion of the barn to a one bed holiday unit is acceptable both within the terms of policy HSG 17 of the adopted Copeland Local Plan, which permits such conversions in rural areas providing the relevant criteria are met, and the general tourism policies which encourage the provision of such holiday accommodation in the Borough.

Recommendation

Approve (commence within 3 years)

2. The cottage shall be used as holiday accommodation only.
3. The roof covering shall be natural slate.
4. Windows, including rooflights, shall be of timber construction and dark stained.
5. The existing sandstone walls to the barn shall be retained and repointed as necessary.

Reasons for conditions:-

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

To restrict the occupation of the cottage to holiday use only and for no other purposes whatsoever.

To safeguard the traditional appearance of the barn in the interests of visual amenity.

Reason for decision:-

An acceptable scheme to convert this traditional barn to holiday accommodation in accordance with Policy HSG 17 and general tourism policies of the adopted Copeland Local Plan 2001-2016.

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10 4/06/2852/0

CHANGE OF USE FROM 3 SHOPS & STORAGE INTO 2
OFFICES & A CYCLE BARN
9, 10 & 10A, MARKET PLACE, EGREMONT, CUMBRIA.
MR R MERRETT

Parish Egremont

- Recommend a site visit.

At the last meeting Members resolved to carry out a site visit, as recommended by the Town Council, before determining this application. This took place on 22 January 2007.

Planning permission is sought for the change of use from 3 shops and storage into 2 offices and a cycle barn at 9, 10 and 10A Market Place, Egremont.

The properties are currently vacant and in a poor state, with the 3 shop fronts blocked up to the detriment of the Egremont Conservation Area. This proposal would see the traditional shop frontage restored with painted softwood windows and doors. The two proposed office units would be split over the two floors of the main building. It is proposed to use natural grey slates on the roof over the front elevation in place of the existing tiles.

The outbuilding to the rear, which would be used as a cycle barn, was built for use as a chapel of rest but has only been used for storage. The conversion works would not require any extension to the existing building and the majority of the existing openings are proposed to be used. The building would provide a cycle store, a communal kitchen room and a disabled bunkroom on the ground floor and three further bunkrooms on the first floor. It should also be noted that the adjacent residential property is the applicant's dwelling.

The finishes to the outbuilding and rear of the main property are proposed to be as existing, which is roughcast render, uPVC windows and grey concrete tiles. As this is the existing situation, and the front elevation will be in traditional materials, this is viewed as acceptable.

Cumbria Highways have raised no objections to the proposal subject to conditions and the Egremont Regeneration Partnership is in support of the application. No objections have been received.

Overall, the proposal is viewed as compliant with Policies TCN 5 and

MAIN AGENDA

TSM 3 of the adopted Copeland Local Plan 2001-2016 and in addition to providing additional tourist accommodation will bring vacant units back into use and remove the current blocked up frontage which will improve Market Place as a whole.

Recommendation

Approve (commence within 3 years)

2. New ground floor windows and doors abutting the highway shall be of a type which cannot be opened outwards into the highway.

Reasons for conditions:-

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

In the interests of highway safety.

Reason for decision:-

An acceptable tourism use and reuse of vacant shop premises in accordance with Policies TSM 3 and TCN 5 of the adopted Copeland Local Plan 2001-2016.

11 4/06/2867/0

CHANGE OF USE FROM HAIRDRESSERS TO
SANDWICH/COFFEE BAR
32, MAIN STREET, EGREMONT, CUMBRIA.
MR J N & I FRASER

Parish Egremont

- No objections but request that the shop frontage is retained as it is in the Conservation Area.

Planning permission is sought for a change of use from hairdressers to a sandwich/coffee bar at 32 Main Street, Egremont.

In response to the Town Council's comments no proposed elevation drawings have been submitted at this point, so should the application be granted, a condition will be included to retain control over any external changes. Currently the property is vacant.

A letter of objection has been received from a nearby shop owner. The main point of this objection is that there are too many food

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outlets already within Egremont town centre and another business of this nature would be of no benefit to the town. However, it should be noted that the number of businesses of a particular type within a location and any resultant increased competition is not a material planning consideration and should be disregarded accordingly.

Overall the change of use is viewed as compliant with Policy TCN 14 of the adopted Copeland Local Plan 2001-2016 and will bring a vacant unit within Egremont town centre back into use.

Recommendation

Approve (commence within 3 years)

2. Detailed plans of any proposed external alterations to the premises shall be submitted to and approved in writing by the Local Planning Authority before such development is commenced.

Reason for conditions:-

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

To retain control over the appearance of the building in the interests of amenity within the Egremont Conservation Area.

Reason for decision:-

An acceptable change of use to a sandwich/coffee bar in accordance with Policy TCN 14 of the adopted Copeland Local Plan 2001-2016.

12 4/06/2874/0

CONSTRUCTION OF SINGLE STOREY SIX BEDROOMED
RESPITE UNIT FOR PEOPLE WITH LEARNING
DISABILITIES
LAND AT, BIRKS ROAD, CLEATOR MOOR, CUMBRIA.
PROGRESS HOUSING GROUP LTD.

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Parish

Cleator Moor

- Members welcomed the building of the respite unit, but questioned whether the plot was large enough for the development.

The principle for developing this site for residential purposes was established by the grant of outline planning permission in July 2006 for the erection of dwelling(s) (4/06/2380/001 refers).

This current application now seeks full planning permission for the erection of a single storey respite unit within this infill site fronting Birks Road, Cleator Moor. The unit itself will cater for people with learning disabilities.

The six bedroomed unit measuring 24.4m in length and between 11.2m and 14.3m in width would be set back some 10.4m from the existing footway edge, with an open aspect to the rear.

The unit would be sited a minimum of 7.9m from the boundary with the adjoining property to the west and a minimum of 11.2m from the adjoining property to the east. Closeboarded timber fences at heights of 1.0m increasing to 1.8m would be erected to both the side and rear boundaries.

The site is accessed directly off Birks Road with off street car parking provided for within the grounds of the respite unit.

External finishes comprise black concrete roof tiles, facing brick and woodgrain effect upvc double glazed windows.

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

1. The siting of this unit is not appropriate given that it would be surrounded by residential properties.
2. Potential adverse effect on day to day quality of life.
3. The detrimental effect the development will have on the saleability and property prices in the immediate vicinity.
4. Potential clients of the unit may have challenging behaviour problems, possibly compromising the objector's privacy and safety.
5. Detrimental effects from noise and nuisance.
6. Concerned regarding the proximity of the unit to the junction with Dawson Street as there are already problems with on street parking.
7. Would there realistically be adequate parking for staff, visitors, doctors, ambulances etc.

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In land use terms the proposal accords with Policy SVC 11 of the adopted Copeland Local Plan 2001-2016 which supports proposals for new or extended education, training, health and other community facilities which are related to the needs of the local community and are, or can be, served by a range of transport modes.

No objections have been received in response to statutory consultation procedures. However there is one outstanding issue relating to the Highways Authority who have requested the applicant completes a transport form in order to make a full assessment. This has now been received and forwarded to the Highways Authority.

It is therefore recommended that authority be delegated to the Development Services Manager to grant approval subject to no adverse comments being received from the Highways Authority.

Recommendation

Approve (commence within 3 years)

That delegated authority be given to the Development Services Manager to grant planning permission subject to no adverse comments being received from the Highways Authority and subject to the following conditions:-

2. Permission in respect of site layout shall relate solely to the amended plan received by the Local Planning Authority on 29 January 2007.
3. No development approved by this permission shall be commenced until a desk study has been undertaken and agreed in writing by the Local Planning Authority to investigate and produce an assessment of the risk of the potential for on-site contamination. If the desk study identifies potential contamination a detailed site investigation should be carried out to establish the degree and nature of the contamination and its potential to pollute the environment or cause harm to human health. If remediation measures are necessary they shall be implemented in accordance with the assessment and to the satisfaction of the Local Planning Authority.

Reasons for the above conditions:-

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

For the avoidance of doubt.

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

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Reason for decision:-

The proposed respite unit represents an acceptable form of development within this residential area of Cleator Moor in accordance with Policy SVC 11 of the adopted Copeland Local Plan 2001-2016.

13 4/07/2007/0.

ENLARGEMENT OF OPENING ONTO ROAD C4016
DEEPDALE, WILTON, EGREMONT; CUMBRIA.
MR L R ROBERTSON

Parish Haile

- No comments received.

Planning permission is sought, in retrospect, to enlarge a 1.5m wide pedestrian only access onto the Egremont to Wilton classified road in order to provide an independent 5.3m wide vehicular access to the front of the applicant's property.

Originally the applicant utilised the existing shared access which also serves two adjoining properties. This access is sited on a sharp corner where a mirror has been erected to aid with the poor visibility.

No objections have been received in response to neighbour notification procedures. However, the Highways Authority have recommended that the application be refused on the following grounds:-

1. Inadequate information has been submitted to satisfy the Local Planning Authority that the proposal is acceptable in terms of:
 - (a) Access
 - (b) Visibility splays
 - (c) Its effects on local traffic conditions and public safety.
2. The application site has insufficient frontage with the county highway to provide an access with adequate visibility for and of emerging vehicles, with consequent danger to all users of the county highway.

Policy DEV 7 "Sustainability in Design" of the adopted Copeland Local Plan 2001-2016 is the relevant policy against which the proposal

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should be determined. In particular criterion 3 requires all new development to provide safe and convenient access, egress and internal circulation for all users.

In my opinion this access fails to satisfy this criterion and, as such, is at variance with Policy DEV 7.

Given the retrospective nature of the application, if Members are minded to support the recommendation to refuse planning permission authorisation to proceed with enforcement action is also sought to secure removal of the unauthorised vehicular access.

Recommendation

Refuse

By virtue of its insufficient frontage to provide an adequate visibility for and of emerging vehicles, the vehicular access as exists poses a danger to all users of the county highway, contrary to Policy DEV 7 of the adopted Copeland Local Plan 2001-2016.

14 4/07/2010/0

ALTERATIONS TO EXISTING BARN TO FORM RESIDENTIAL DWELLING
ROTHERSYKE COTTAGE BARN, THORNHILL, EGREMONT, CUMBRIA.
MR J S ROBINSON

Parish Lowside Quarter

- No comments received.

Permission is sought to convert a vacant barn, formerly part of an isolated farm complex at Rothersyke, to a three bed dwelling. An adjacent barn has already been converted to residential use and the remaining section has recently received permission for a four bed conversion (4/88/0897 and 4/05/2231/OF1 refers). There is also a separate dwelling linked to these buildings.

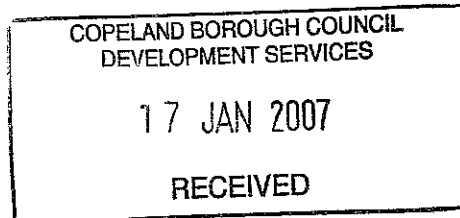
Consent to convert this barn was originally granted in 2005 (4/05/2231/OF1 refers). This proposal only differs from that approval in respect of the overall height - an increase of between 0.1 and 0.2 metre and 0.5 metre over and above the previously approved increase in height of 1.2/1.3 metres is now proposed. The applicant is also intending to erect a large detached garage with an integral flat which is the subject of a separate application on this

HM

Merry Hill House
Rothersyke
Egremont
Cumbria
CA22 2US

Mr. T Pomfret
Development Services Manager
Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
Cumbria
CA28 7SJ

Your ref 4/07/2010/0*001*1



16 January 2007

Dear Mr. Pomfret

Re: Planning Application for Rothersyke Cottage Barn to form Residential Dwelling

In response to your letter of 10 January 2007, reference as above, regarding the planning application for the development of Rothersyke Cottage Barn. I have the following objections and comments on the proposals:

1. I object to the proposed increase in the height of the barn as this will increase the visual intrusion of the building from my garden, reducing my enjoyment of my garden and the views from it. Additionally the increase in height will cast long shadows over my garden, impacting on what I can grow and again reducing the amenity and enjoyment of my garden. Further, it is unclear from the reasons for the design statement what the proposed increase in height of the barn is. Two figures are quoted, one of 1000mm increase in height at the eaves, with a second value of 500mm for raising the ground floor. Is the overall height increase 1000mm or 1500mm? This needs to be made clear.

Would not the original planning approval (4/05/2231/0) for development of the barn have considered the adequacy of those proposals to comply with the required room heights? If so, why is such a large increase in height required now?

2. I strongly object to the erection of the proposed flat and garage. This building is 12m long and is proposed to be sited against my boundary running three quarters the length of my garden. The height of the building is not stated but I would estimate this would be at least 4m. Such a large structure adjacent to my boundary would impose a claustrophobic feeling and destroy the open aspect I currently enjoy. Further the building would be extremely visually intrusive and cast long shadows over my garden. This would have a significant impact on what I could grow in my garden and intrude on the views in and around my garden. The building would also be visually intrusive on the views from my house. This building therefore would significantly reduce the amenity and enjoyment of my house and garden.

Further, the windows in the east elevation of the flat look directly into my garden,

reducing the privacy for me and my family when relaxing in the garden.

The impact of such a large structure against my boundary adversely affects the future saleability of my house and consequently adversely affects its value.

Additionally, the size and location of this building is forward of the building line of the barn and is not consistent with the rural nature of the area. This is contrary to the ENV 6 status for this area. I note that the original planning approval (4/05/2231/0) was sympathetic to the rural nature of the area by maintaining the development behind the building line of the cottage barn so retaining the natural appearance of the development as viewed from the road.

3. Although the desire on the part of the applicants to provide private accommodation for their son is laudable, it should not be to the detriment of adjoining properties as would be the case in this instance. I suggest that the applicants could, with some reconsideration of the room arrangements, provide adequate private accommodation within the cottage. Thus they could achieve their objective with no requirement to move the garage from its currently approved location alongside the Barn.

I further note that the size of the proposed flat is less than one third of the proposed new building. The other two thirds is to provide two garages for the benefit of the owners. The original planning approval (4/05/2231/0) was for a single garage in line with the cottage. The location and footprint of this garage as originally approved could easily be used to accommodate the proposed flat without the need for the proposed new structure. The impact of the location of the single garage on the nearby farmhouse was presumably considered as part of the original planning approval. Thus there should be no need to relocate the garage simply because of its effect on light to the farmhouse. I would also note that the rooms in the farmhouse with windows in the gable end also have windows in other elevations and so are not solely dependent on the gable end windows for light.

4. The original approved plans showed all outward facing elevations to be sandstone in keeping with the rural nature and landscape of the area. These new proposals show these now to be a wet dash render. I consider this to be contrary to ENV 6 and would request that all outward facing elevations are in sandstone consistent with the original approved plans.
5. Roofing materials are indicated on page 2 of the Planning Application to be tiles. This is not consistent with item 5 of the original planning approval (4/05/2231/0) which requires all dwellings and garages to be roofed in local slate, the material to be approved in writing by the Local Planning Authority. To be consistent with the other developments at Rothersyke Farm these proposals should also include slate roofs to all buildings.
6. The location of the septic tank drainage soakaway may have an adverse effect on drainage from the road, which is already liable to flooding during heavy rain. Any

further water burden in the ground alongside the road may only exacerbate the situation.

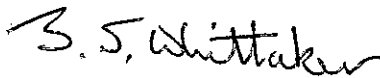
7. The plans submitted are incorrect. Merry Hill House is not explicitly identified as an adjoining residential dwelling and my garden is shown as field 3745, see annotated drawing roth/locplan/001 attached. The distance of the proposed flat and garages from my boundary is not stated, although the drawing indicates it is virtually on my boundary. This distance needs to be stated. The Site plan, showing the arrangement of the buildings, and drawing roth/plan/004 Rev A should explicitly indicate the boundary with Merry Hill House, see annotated drawings, roth/plan/004 and Site Plan attached. Roth/plan/001Rev A shows an existing 'crendon' farm building to be demolished. This building has already been demolished and needs to be removed from this 'as existing' plan.
8. I moved to Merry Hill House to obtain an open aspect and space in a rural environment to get away from being closed in by buildings and to expand my enjoyment of gardening. This proposed development significantly degrades the quality of life I and my family currently enjoy by again closing us in with large buildings. This is a significant loss of amenity for me and my family.

Given that the information presented on the plans provided is either incomplete or inaccurate please will you provide me with corrected drawings prior to submission of the planning application for consideration by the Planning Panel so that I can confirm they are in receipt of accurate information.

Please confirm there will a site visit prior to consideration of this proposal by the Planning Panel.

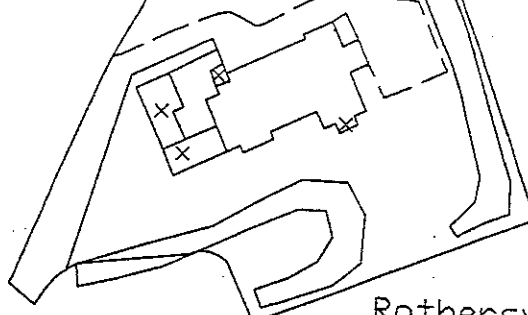
Please provide a written response to this letter.

Yours sincerely



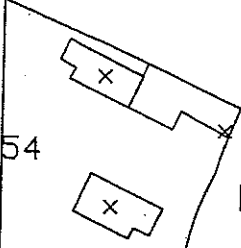
S J Whittaker

4 / 0 7 / 2 0 1 0 / 0 F 1



Rothersyke House

COPELAND BOROUGH COUNCIL
- 3 JAN 2007
RECEIVED



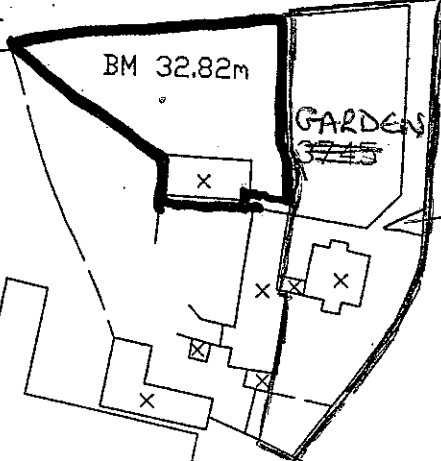
Home Farm

54

31.4m

32.0m

4651



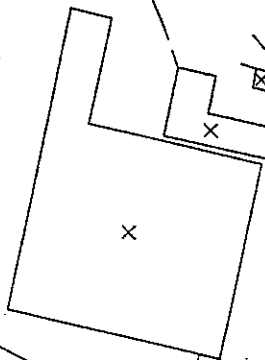
BM 32.82m

GARDEN
~~3745~~

MERRY HILL
House

Rothersyke

Tank



x

BARN CONVERSION AT ROTHERSYKE
FARM, THORNHILL, EGREMONT, CUMBRIA

CARE OF AGENT

LOCATION PLAN

DRAWN BY	DATE	SCALE
MH	DEC 2006	1:1250

DWG NO.	REV	REF
001	A	roth/locplan/001

ETL

39

Merry Hill

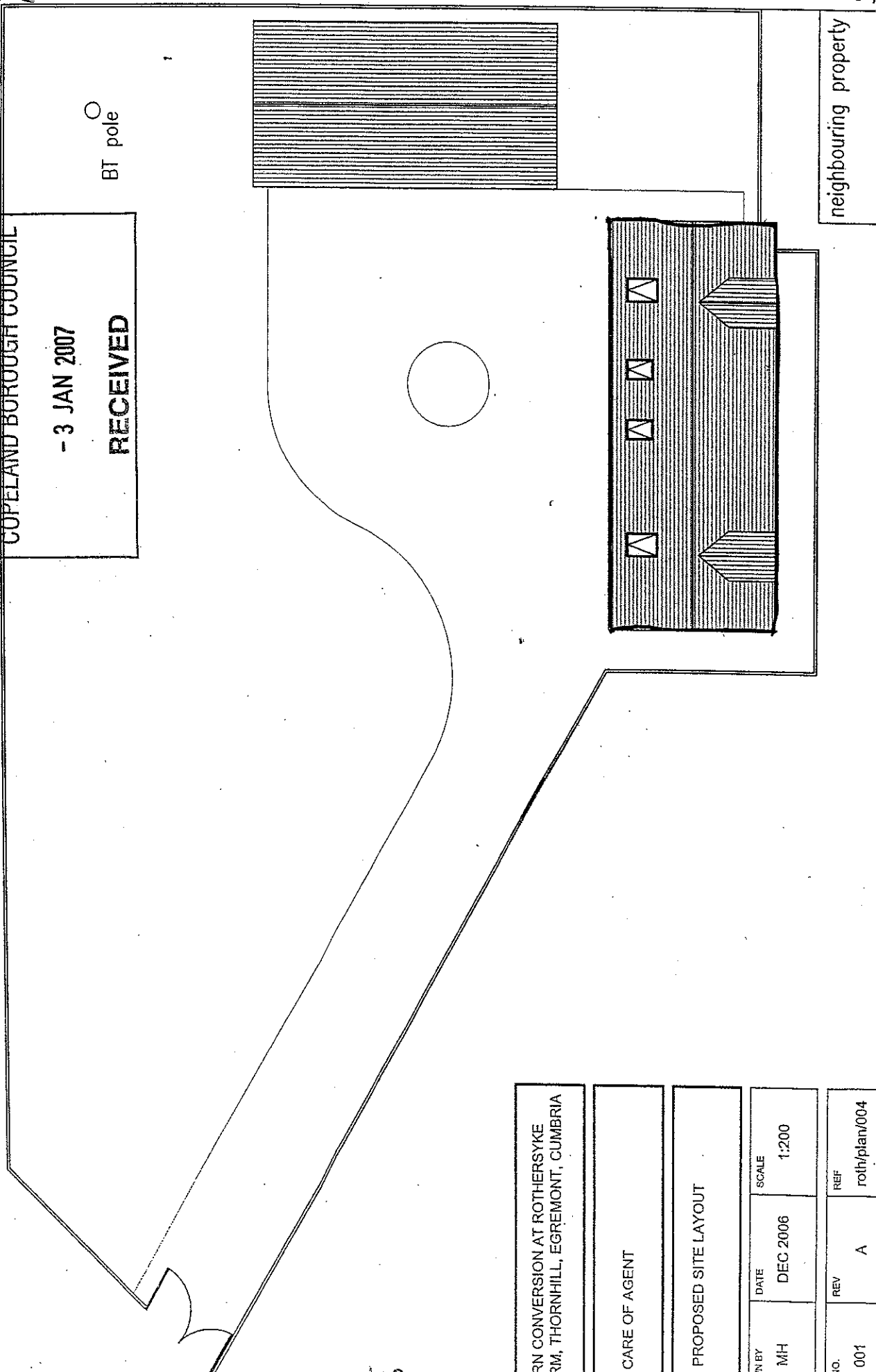
4/07/2010/0F1

CUPELAND BOROUGH COUNCIL
- 3 JAN 2007
RECEIVED

BT pole

MERRY HILL HOUSE

neighbouring property

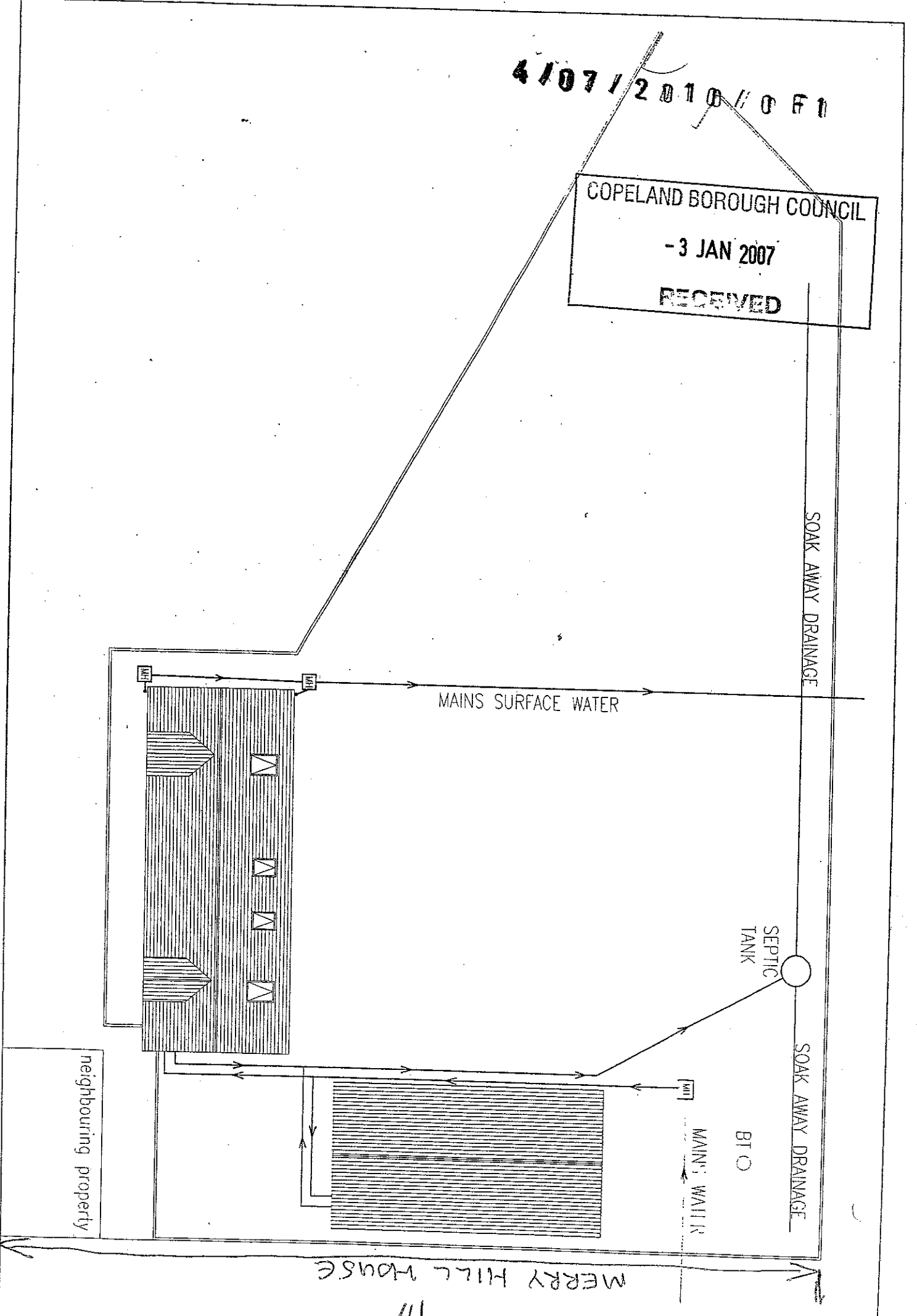


60

BARN CONVERSION AT ROTHERSYKE FARM, THORNHILL, EGREMONT, CUMBRIA			
CARE OF AGENT			
PROPOSED SITE LAYOUT			
DRAWN BY	DATE	SCALE	REF
MH	DEC 2006	1:200	roth/plan/004
DWG NO.	REV	REV	REF
001	A		roth/plan/004

4107/2010/0F1

COPELAND BOROUGH COUNCIL
- 3 JAN 2007
RECEIVED



MERRY HILL HOUSE

MAIN AGENDA

agenda. (4/07/2017/OF1 refers).

A letter objecting to the scheme has been received from an immediate neighbour, a copy of which is appended to this report for consideration. In view of the concerns raised it is recommended that Members visit the site to fully appraise all relevant planning issues prior to making a decision.

Recommendation

Site Visit

15 4/07/2014/0

SINGLE STOREY BEACH BUNGALOW
INNESFREE, COULDERTON BEACH, COULDERTON, CUMBRIA.
MR & MRS D WILKINSON

Parish Lowside Quarter

- No comments received.

Planning permission is sought to construct a beach bungalow on a vacant area of ground between two existing beach bungalows, with visible remains of previous development on the site. A previous application was submitted on this site in 2005 for a new dwelling. However, this was refused as it contained an upstairs and represented a permanent dwelling (4/05/2136/0 refers).

The beach bungalow would accommodate two bedrooms, a bathroom, study, kitchen and living room, all on the ground floor. The finishes proposed are a grey tile roof and white dash on the elevations.

It should be noted that the proposal differs from the refused application insofar as the upper floor has now been deleted. Policy TSM 6 of the adopted Copeland Local Plan 2001-2016 supports the replacement of beach chalets effectively on a like for like basis. A suitable designed chalet was approved on a nearby plot in March 2006 (4.05/2691/0 refers).

Policy HSG 24 of the adopted Copeland Local Plan 2001-2016 states that "Planning permission will not be granted for new or replacement dwellings within or adjoining the existing area of beach bungalows between St Bees and Braystones". It is considered that the proposal now represents a beach bungalow rather than a permanent dwelling.

MAIN AGENDA

However, consistent with previous approvals for the redevelopment of existing beach bungalow sites, it is recommended that permission should be granted subject to the applicants entering into an agreement with the Council under Section 106 of the Town and Country Planning Act 1990 to restrict occupancy of the beach bungalow to holiday accommodation only.

In response to statutory consultation procedures no objections have been raised by the Highway Authority, United Utilities or the Environment Agency.

Recommendation

That planning permission be granted subject to the applicants entering into an agreement with the Council under Section 106 of the Town and Country Planning Act 1990 requiring the beach bungalow to be occupied solely as holiday accommodation and not as a permanent dwelling and subject to the following conditions:-

2. No development approved by this permission shall be commenced until a scheme for the conveyance of foul drainage to a private treatment plant/septic tank has been submitted to and approved in writing by the Local Planning Authority. The beach bungalow shall not be brought into use until such treatment plant/septic tank 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 ensure a satisfactory drainage scheme

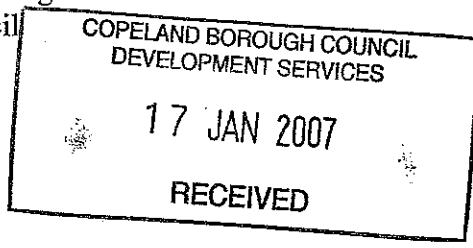
Reason for decision:-

An appropriate form of holiday accommodation within a long established area of beach bungalow developments in accordance with Policies TSM 6 and HSG 24 of the adopted Copeland Local Plan 2001-2016.

137

Merry Hill House
Rothersyke
Egremont
Cumbria
CA22 2US

Mr. T Pomfret
Development Services Manager
Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
Cumbria
CA28 7SJ



Your ref 4/07/2017/0*001*1

16 January 2007

Dear Mr. Pomfret

Re: Planning Application for Flat and Garage at Rothersyke Cottage Barn

In response to your letter of 11 January 2007, reference as above, regarding the planning application for the development of a flat and garage at Rothersyke Cottage Barn. I have the following objections and comments on the proposals:

1. I strongly object to the erection of the proposed flat and garage. This building is 12m long and is proposed to be sited against my boundary running three quarters the length of my garden. The height of the building is not stated but I would estimate this would be at least 4m. Such a large structure adjacent to my boundary would impose a claustrophobic feeling and destroy the open aspect I currently enjoy. Further the building would be extremely visually intrusive and cast long shadows over my garden. This would have a significant impact on what I could grow in my garden and intrude on the views in and around my garden. The building would also be visually intrusive on the views from my house. This building therefore would significantly reduce the amenity and enjoyment of my house and garden.

Further, the windows in the east elevation of the flat look directly into my garden, reducing the privacy for me and my family when relaxing in the garden.

The impact of such a large structure against my boundary adversely affects the future saleability of my house and consequently adversely affects its value.

Additionally, the size and location of this building is forward of the building line of the barn and is not consistent with the rural nature of the area. This is contrary to the ENV 6 status for this area. I note that the original planning approval (4/05/2231/0) was sympathetic to the rural nature of the area by maintaining the development behind the building line of the cottage barn so retaining the natural appearance of the development as viewed from the road.

2. Although the desire on the part of the applicants to provide private accommodation for their son is laudable, it should not be to the detriment of adjoining properties as would be the case in this instance. I suggest that the applicants could, with some reconsideration of the room arrangements, provide adequate private accommodation within the cottage. Thus they could achieve their objective with no requirement to move the garage from its currently approved location alongside the Barn

I further note that the size of the proposed flat is less than one third of the proposed new building. The other two thirds is to provide two garages for the benefit of the owners. The original planning approval (4/05/2231/0) was for a single garage in line with the cottage. The location and footprint of this garage as originally approved could easily be used to accommodate the proposed flat without the need for the proposed new structure. The impact of the location of the single garage on the nearby farmhouse was presumably considered as part of the original planning approval. Thus there should be no need to relocate the garage simply because of its effect on light to the farmhouse. I would also note that the rooms in the farmhouse with windows in the gable end also have windows in other elevations and so are not solely dependent on the gable end windows for light.

3. The original approved plans showed all outward facing elevations to be sandstone in keeping with the rural nature and landscape of the area. These new proposals show these now to be a wet dash render. I consider this to be contrary to ENV 6 and would request that all outward facing elevations are in sandstone consistent with the original approved plans.
4. Roofing materials are indicated on page 2 of the Planning Application to be tiles. This is not consistent with item 5 of the original planning approval (4/05/2231/0) which requires all dwellings and garages to be roofed in local slate, the material to be approved in writing by the Local Planning Authority. To be consistent with the other developments at Rothersyke Farm these proposals should also include slate roofs to all buildings.
5. The location of the septic tank drainage soakaway may have an adverse effect on drainage from the road, which is already liable to flooding during heavy rain. Any further water burden in the ground alongside the road may only exacerbate the situation.
6. The plans submitted are incorrect. Merry Hill House is not explicitly identified as an adjoining residential dwelling and my garden is shown as field 3745, see annotated drawing roth/locplan/001 attached. The distance of the proposed flat and garages from my boundary is not stated, although the drawing indicates it is virtually on my boundary. This distance needs to be stated. The Site plan, showing the arrangement of the buildings, and drawing roth/plan/004 Rev A should explicitly indicate the boundary with Merry Hill House, see annotated drawings, roth/plan/004 and Site Plan attached. Drawing roth/plan/003 Rev A needs to include the height for the proposed

garage and flat.

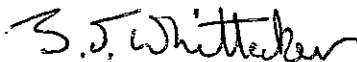
7. I moved to Merry Hill House to obtain an open aspect and space in a rural environment to get away from being closed in by buildings and to expand my enjoyment of gardening. This proposed development significantly degrades the quality of life I and my family currently enjoy by again closing us in with large buildings. This is a significant loss of amenity for me and my family.

Given that the information presented on the plans provided is either incomplete or inaccurate please will you provide me with corrected drawings prior to submission of the planning application for consideration by the Planning Panel so that I can confirm they are in receipt of accurate information.

Please confirm there will a site visit prior to consideration of this proposal by the Planning Panel.

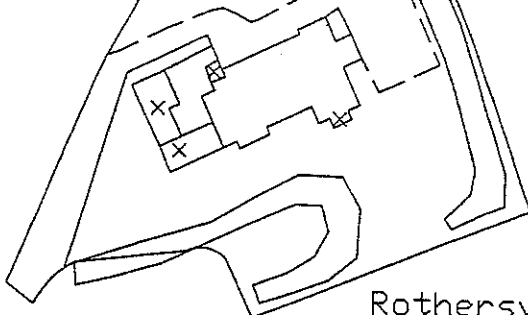
Please provide a written response to this letter.

Yours sincerely



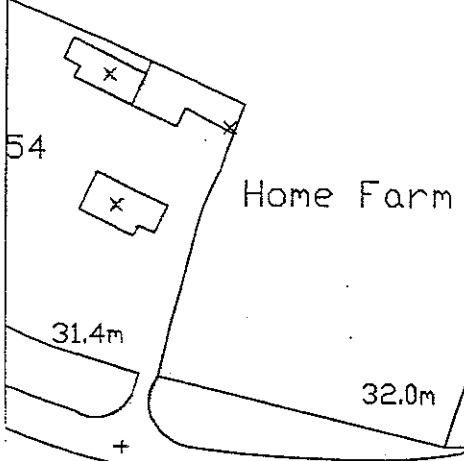
S J Whittaker

4/07/2010/0F1



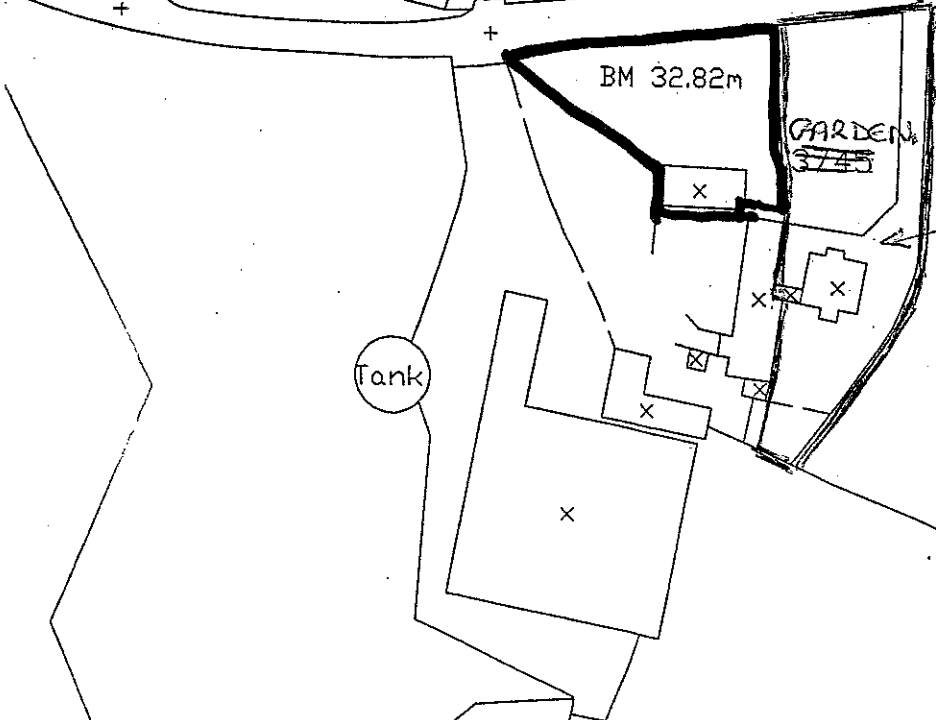
Rothersyke House

COPELAND BOROUGH COUNCIL
- 3 JAN 2007
RECEIVED



Home Farm

4651



BM 32.82m

GARDEN
~~374~~

MERRY HILL HOUSE
Rothersyke

Tank

BARN CONVERSION AT ROTHERSYKE FARM, THORNHILL, EGREMONT, CUMBRIA

CARE OF AGENT

LOCATION PLAN

DRAWN BY	DATE	SCALE
MH	DEC 2006	1:1250

DWG NO.	REV	REF
001	A	roth/locplan/001

Merry Hill

4 / 0 7 / 2 0 1 0 / 0 F 1

COPELAND BOROUGH COUNCIL

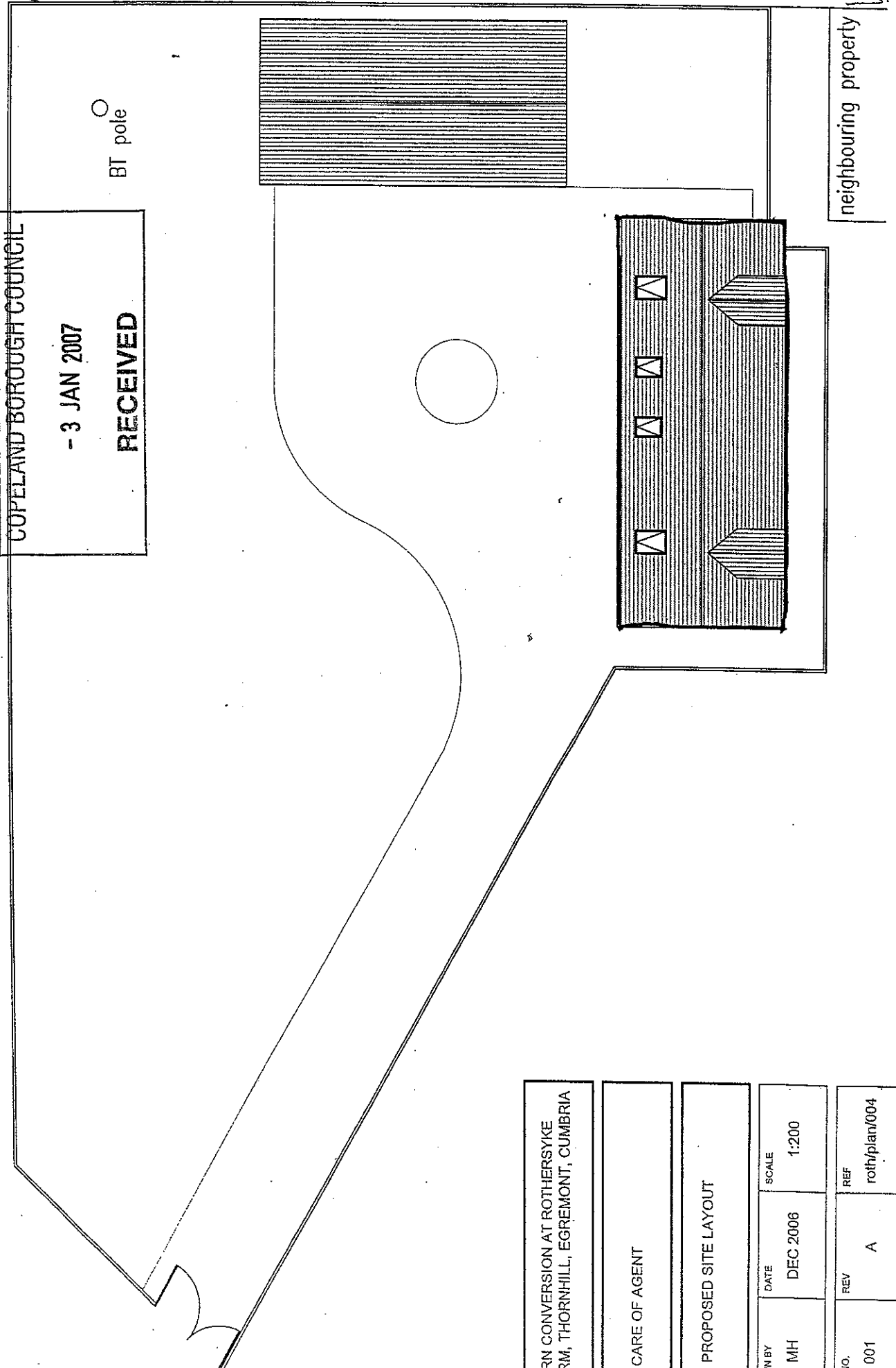
- 3 JAN 2007

RECEIVED

BT pole

MERRY HILL HOUSE

neighbouring property

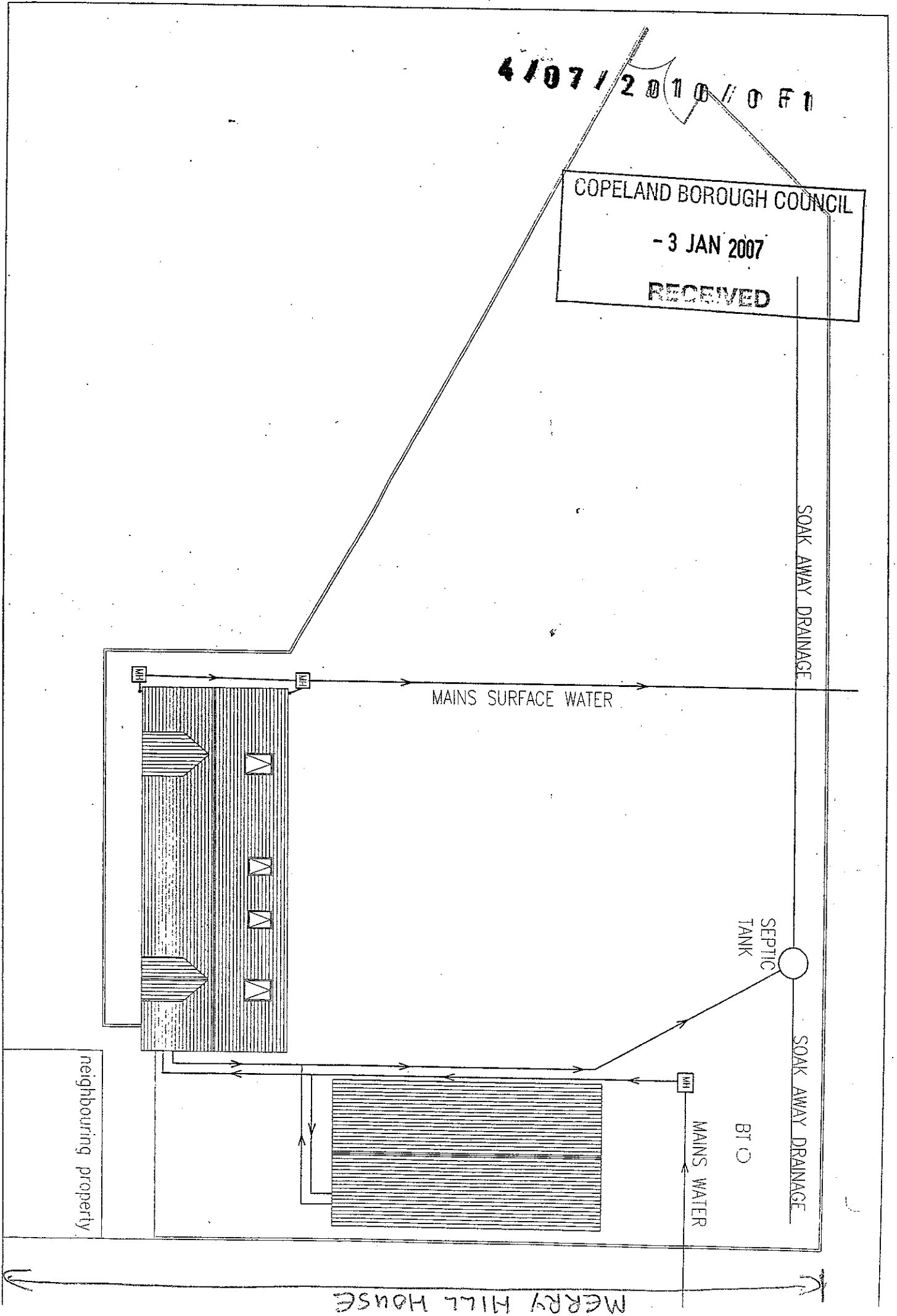


49

BARN CONVERSION AT ROTHERSYKE FARM, THORNHILL, EGREMONT, CUMBRIA			
CARE OF AGENT			
PROPOSED SITE LAYOUT			
DRAWN BY	DATE	SCALE	
MH	DEC 2006	1:200	
DWG NO.	REV	REF	
001	A	roth/plan/004	

4107/2010/0F1

COPELAND BOROUGH COUNCIL
- 3 JAN 2007
RECEIVED



AMENDED PLAN

4/03/0640/OF1

EXTENSION – THE EYRIE, KIRKLAND, LAMPLUGH

In July 2003 planning permission was granted to erect a 2 storey extension to the rear of this detached house to which no representations were received.

Permission is sought to amend the scheme in the following way:-

1. add two velux windows to the front elevation
2. reposition door in the side elevation
3. add utility room window to side elevation
4. add frosted glass en-suite bathroom window to rear elevation
5. new patio door combination to front elevation
6. reduce the size of the first floor bathroom window
7. addition of staggered wall to side elevation patio area.

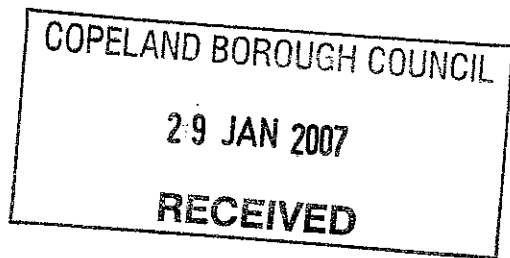
Following consultation two letters of objection have been received from adjoining property owners, copies of which are appended to this report.

In terms of the amended scheme itself the only material planning issue raised by the objectors is that the windows in the side elevation will overlook the objector's rear garden. The only additional window in the side elevation in comparison to the approved scheme is a small ground floor utility room window.

In my opinion the amendments as submitted are considered acceptable in that they will cause no demonstrable harm in terms of overlooking and loss of privacy.

In the absence of any justifiable planning reason directing otherwise, the amended plan should be approved.

Recommendation: That the amended plan received by the Local Planning Authority on 16 January 2007 be approved.



Mr & Mrs GJ Atkinson
Ghyll House
Kirkland
Frizington
Cumbria
CA26 3XY

27 January 2007

Ms Rachel Carrol
Planning Officer
Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
CA28 7SJ

Dear Ms Carrol

Re: Two Storey Extension - The Eyrie, Kirkland, Frizington CA26 3XY

In response to your letter date 17 January 2007, your ref: RC/4/0/0640/OF1, we wish to strongly object to the planning application for the above property.

When the Eyrie was built it was supposed to be built to the roofline of the houses on the street that it is on, and should have in fact been a bungalow (single storey structure)! However, it was built to the roofline of the main street which our house is on and is therefore twice the height it should have been. This caused untold friction and anger throughout the village at the time, and still does today.

When we bought our house, it was never disclosed that the Eyrie had planning permission for an extension. We understand that you will effectively say '*that is not the council's problem, but we should take this up with the former occupiers of Ghyll House*'. For your information, the couple who sold the house were divorcing at the time and had no interest in making objection to a planning application, as they were selling their property and indeed did not care. The Rowans next door made no objections as it was a new house and the builder, Mr Richardson, did not care what plans any other neighbour had at the time. I cannot understand how the Planning Office ever allowed and agreed to Mr and Mrs Woods building a further two-storey extension to a house which had originally meant to be a bungalow!

Why does this property need to be built into a bigger and more grotesque fortress than it already is and on the edge of the Lake District National Park too? This is a rural hamlet and not an urban housing estate! Why do Mr and Mrs Wood insist on trying to build an extension to the back of their property and upsetting their neighbours, unnecessarily? Why can't they build to the front of their property, where there is plenty of space, and not try and cram it all into a small space and forcing the neighbours to look at the high, obscuring walls of Fort Eyrie!

We feel enraged if this extension goes ahead, which no doubt it will, as you have already freely given permission. Our objections will fall on deaf ears and no-one will care how we feel, as those who make the decisions do not have to live with this hideous fortress, a blot on the landscape! We most strongly object to the windows overlooking our garden (see side elevation diagram), especially as there is no need for them if they are increasing the size of the patio doors and including velux windows in the roof, which will allow plenty of natural light. They are even closer to our house and as this will be their living area they are directly in line with our bedroom windows. We do not want to have to live with our blinds permanently closed!

I should be grateful if you could notify us of your decision, with regards to Mr and Mrs Woods application.

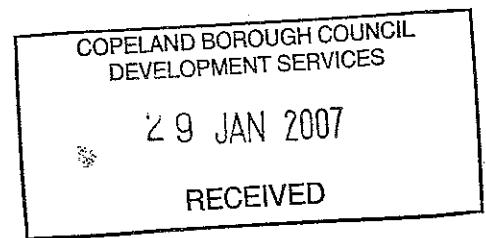
Kind regards,

Yours sincerely

George Atkinson

Morag Atkinson

David & Marian Meats
Rowan House, Kirkland,
Frizington, Cumbria. CA26 3XY
Telephone 01946 861992



Miss Rachel Carrol
Development Services
Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
CA28 7SJ

24th January 2007

Dear Miss Carrol

Re: Your letter dated 17th January 2007; Your Ref: RC/4/03/0640/0F1
Rear Two Storey Extension, The Eyrie, Kirkland, CA26 3YB

We refer you to all previous correspondence regarding 'The Eyrie'. We also refer you to what must be the now the bulging case file of 'The Eyrie' that chronicles the saga or pantomime that is the ongoing development of 'The Eyrie' in Kirkland.

For the avoidance of doubt we object to any development to the side and/or rear of The Eyrie and in particular the latest amended plans. Your letter states that the original plans for a two storey extension were approved in July 2003. Since the amended plans have the same footprint as the original ones their approval would seem a *fait accompli*. However we would like to have placed on file such grievances, concerns and objections that we have.

1. We bought Rowan House in October 2003 and obviously had no opportunity to object to the original plans that had been passed in July 2003. We had no knowledge of the approved plans for two storey extension to The Eyrie since during the purchase process this was not disclosed on the Copeland searches or disclosed by the vendors, Richardson et al, on the Law Society enquiry forms that they signed. We are informed that our neighbours at Ghyll House, who purchased in January 2004, had identical problems with their searches and vendors.
2. Given that The Eyrie was already a controversial building that dominated the houses around it and given that the approval of the two storey extension was going to make matters much worse we are left with the impression that some 'horse trading' could have occurred that was concerned with the construction of Rowan House. How else could The Eyrie plans which, regardless of the construction of Rowan House, would have such a detrimental effect on the village have been passed if it were not on a *quid pro quo* basis?
3. The proximity, height and shadow of the proposed two story extension to The Eyrie does not differ a great deal from the plans for a three storey extension that were submitted in December 2006 and which were considered unacceptable by the Planning Department. The detrimental effect that it will have on our privacy, environment, right to light will be essentially the same.

David & Marian Meats
Rowan House, Kirkland,
Frizington, Cumbria. CA26 3XY
Telephone 01946 861992

4. We would request that the council conduct a review or enquiry into the whole affair surrounding the approval of the original plans for The Eyrie extension in July 2003, suspending any building work until matters have been clarified or resolved.
5. We would ask the council to consider revoking the approval that was given in July 2003.

Yours sincerely

A handwritten signature in black ink, appearing to read 'DM Meats', written in a cursive style.

On behalf of David & Marian Meats

LAKE DISTRICT NATIONAL PARK AUTHORITY

17 7/06/4119/0

RETENTION OF MONITORING BOREHOLES FOR A FURTHER
10 YEAR PERIOD
LAND AT, DRIGG, CUMBRIA.
BRITISH NUCLEAR GROUP LTD.

Parish Drigg & Carleton

In pursuance of LDNPA planning permission ref. 7/95/4089 six boreholes were drilled in 1996 (the Characterisation Boreholes). These are shown on the attached plan, Boreholes "A" and "B" being situated within the National Park, the remainder being outwith and falling as "County Matters", the following agenda item (4/07/9001/0) refers.

The above permission also contains Condition 16, which states the following:-

"Post drilling monitoring shall cease on 31 December 2006 by which date all remaining surface structures shall be removed and the boreholes infilled, sealed and capped to a specification approved in writing by the Local Planning Authority".

British Nuclear Group Sellafield Limited, the Environment Agency and the NDA have agreed to establish a project further to refine the LLWR site hydrogeological interpretation of the data which has thus far been derived from the Characterisation Boreholes the subject of the above consent and shown on the attached plan. In addition, the project will require the collection of further data from the Characterisation Boreholes.

The principle aim of the project is to establish a more detailed view of the site's groundwater movement, so as to better predict, manage, and if necessary, mitigate any potential movement of material from the site.

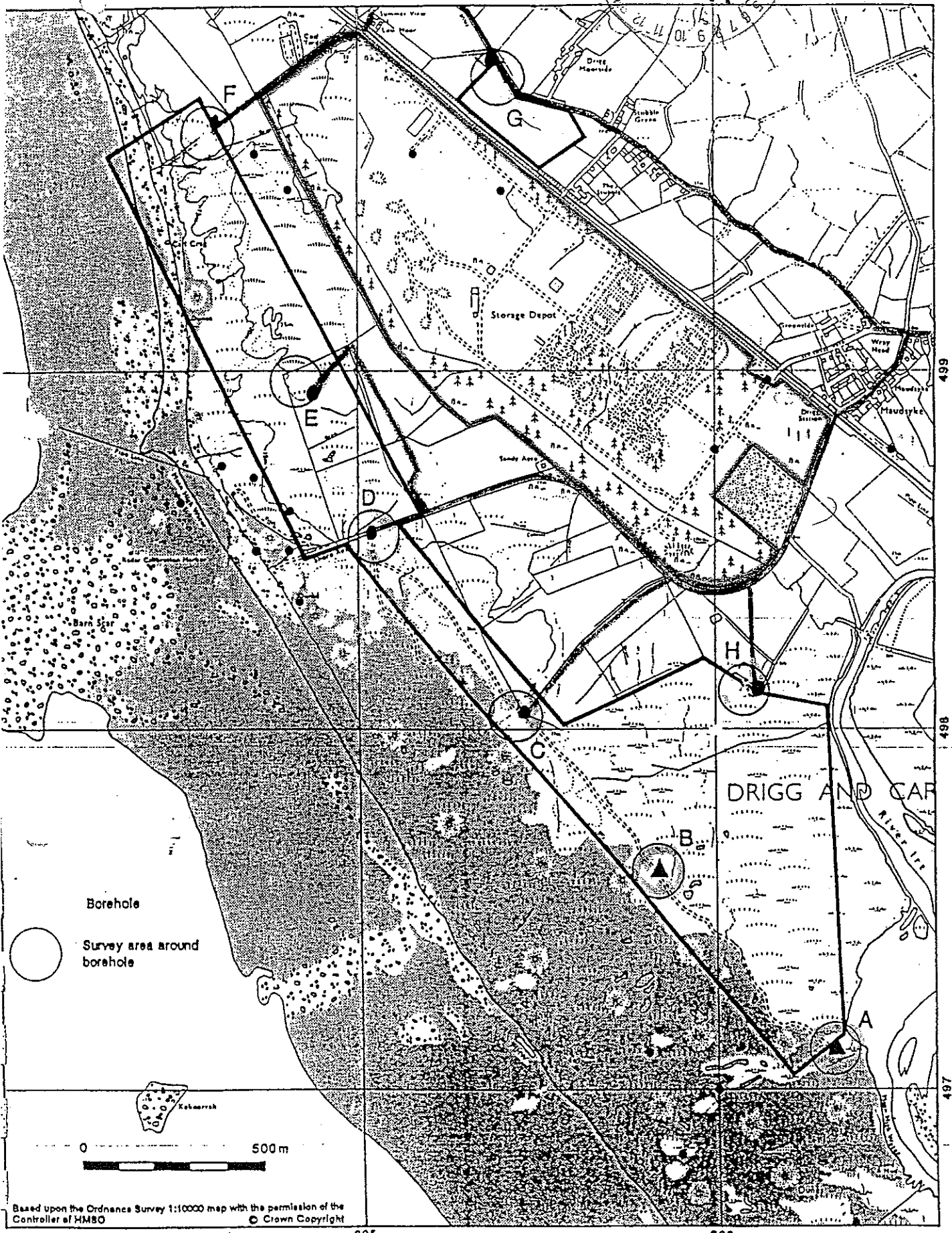
It should be noted that the other conditions of the above consent have been fully complied with. The operations which are proposed by virtue of the extended period of operation are monitoring operations and would, therefore, not alter the level and type of access which has been in place since the boreholes were drilled and constructed in 1996; the means of access for monitoring has been and is intended to be on foot at quarterly intervals. For this reason, it is considered that there would be no adverse environmental effects from the continued monitoring use of the Characterisation Boreholes.

Recommendation

LAKE DISTRICT NATIONAL PARK AUTHORITY

That permission be granted for condition 16 of planning approval ref. 7/95/4089 to be amended to allow for the continuation of Characterisation Boreholes monitoring until 31 December 2016.

RECEIVED
DEC 27 2006
LDNPA



Based upon the Ordnance Survey 1:10000 map with the permission of the Controller of HMSO © Crown Copyright

Site nos. 10, 14 & 18 outside area shown

305

306

Fig.2 Site map

CUMBRIA COUNTY COUNCIL

18 4/06/9018/0

REVISED SITE PROFILE
DISTINGTON LANDFILL SITE,
LILLYHALL INDUSTRIAL ESTATE, DISTINGTON, CUMBRIA.
MR C RIDDELL

Parish Distington

Permission is sought for the deposit of waste at this existing 18 ha landfill site at Lillyhall above the pre settlement contours approved by the existing permissions relating to this site (2/01/9015 & 4/01/9014 refer).

This would involve the deposit of an additional 175,000 cubic metres and an extension to the time limit by 19 months until 31 October 2009.

This application is retrospective as part of the site already exceeds the approved pre settlement contours and therefore seeks to regularise this. It also proposes a revised profile for the rest of the site. The reason for this increase in waste arising has been attributed to the acceptance of animal carcasses for disposal over and above normal domestic waste during the foot and mouth epidemic.

In physical terms this has meant that three areas of the site exceed the approved contours. On the western side they are exceeded by a maximum of 4 metres, whereas on the north side they are only just exceeded. On the south side they are exceeded only where there is a soil store and it is proposed to use this as restoration of the rest of the site progresses.

The key issue is the visual impact of the proposed alteration to the landscape. Although it does result in an alteration to the approved contours and therefore the landscape, particularly to the west of the site, it is considered nevertheless to result in a visually acceptable landform with generally elevated levels and more sweeping contours. Once an allowance has been made for post restoration settlement it is envisaged this would result in slightly steeper more curved contours to the west with no increase in the overall height of the highest part of the site. As there is only limited visibility of this part of the site the landscape assessment that accompanies the proposal considers that the impact of the change would be negligible.

Recommendation

Permission be granted

CUMBRIA COUNTY COUNCIL

20 4/06/9022/0

NEW COMMUNITY FIRE STATION AND DIVISIONAL
HEADQUARTERS
VACANT LAND, MEADOW ROAD, WHITEHAVEN, CUMBRIA.
MR B DOLAN

Parish Whitehaven

The County Fire Service is seeking outline planning permission through the County Council for a new community fire station and divisional headquarters. The site is on undeveloped land off Meadow Road, south of the town centre and north of Mirehouse residential area. It is bounded by Meadow Road to the west and Pow Beck to the east. The Council's cemetery is on the opposite side of the road to the north. The larger part of the site is currently overgrown with scrub vegetation and a variety of immature trees, mainly birch. The application is accompanied by a Design and Access Statement and a Transport Statement.

Access to the town centre and built up areas is provided by Meadow Road and Low Road with access further afield provided by the A595. It is proposed to develop the site to provide a new community fire station and area HQ. The station will include the full range of accommodation together with training facilities and space for the maintenance and storage of equipment. The site will also be used as a base for work promoting fire safety in the community but, at any one time, a larger proportion of staff will remain on site. The community room will be used to promote fire safety, complementing work carried out in the community. It would also be available for use by community groups for meetings, seminars and training but not entertainment.

The development includes 3 appliance bays, a two storey building with offices, gym, communications, community room and ancillary space, a single storey training facility and a four storey training tower. There is a drill yard, car parking and fuel pump. It is proposed to use soft landscaping to cover surplus site areas. Local species will be selected for low maintenance, year round interest and promotion of biodiversity. It is proposed that other peripheral areas would be grassed with the possibility of some areas maintained as meadow to be investigated at a later stage. An ecological survey is to be undertaken.

Typically there would be 7 operational staff on site. During the working day, 14 staff would also be present working in the Area HQ. There are also 12 retained firefighters.

The Transport Statement concludes that the potential highway issues relating to the development have been explored and discussed with the highway authority and recommendations have been made for resolving any issues that may prohibit development of the site. The proposed

CUMBRIA COUNTY COUNCIL

development will not create any capacity problems on the local highway. The accident history shows that there are no inherent highway safety problems on the local highway network that would be exacerbated by the development of the site. The site is adequately served by sustainable transport provision. There are therefore no reasons on highway grounds to refuse planning permission.

The site is allocated in the adopted Copeland Local Plan for employment purposes and was similarly allocated in the previous plan. In land use terms therefore the site is appropriate for this use. The Highway Authority has been consulted about impacts on the highway network and has raised no objections. There is some concern that the use of sirens close to the cemetery would be insensitive. However, the Fire and Rescue Service's Service Orders prohibit the use of sirens and lights on vehicles unless it is necessary to warn other road users of their presence. Between the hours of 11.30pm and 7.00am they can only be used if it is to indicate danger to other users. In normal circumstances it would not be necessary to use either audible or visual warnings. The land is low lying and close to Pow Beck and there is evidence of standing water on the site. The site is close to both Zone 3 and Zone 2 flood risk areas, although it is outside of both. The County Council will be in contact with the Environment Agency regarding any risk of flooding associated with this development.

There are no planning grounds to object to the proposals.

Recommendation

That Copeland Council raise no objection to the application.

21 4/07/9001/0

AMENDMENT OF CONDITION 16 OF APPLICATION
4/95/9020 TO ALLOW FOR THE CONTINUATION OF
CHARACTERISATION BOREHOLE MONITORING UNTIL 31
DECEMBER 2016
LAND ADJACENT TO, LOW LEVEL WASTE REPOSITORY,
DRIGG, CUMBRIA.
BRITISH NUCLEAR GROUP LTD.

CUMBRIA COUNTY COUNCIL

Parish

Drigg & Carleton

In pursuance of planning approval ref 4/95/9020 by Cumbria County Council six boreholes were drilled in 1996 (the Characterisation Boreholes). These are shown on the plan attached to the preceding agenda item, boreholes "A" and "B" being situated within the National Park.

The above permission also contains Condition 16 which states the following:-

"Post drilling monitoring shall cease on 31 December 2006 by which date all remaining surface structures shall be removed and the boreholes infilled, sealed and capped to a specification approved in writing by the Local Planning Authority."

British Nuclear Group Sellafield Limited, the Environment Agency and the NDA have agreed to establish a project further to refine the LLWR site hydrogeological interpretation of the data which has thus far been derived from the Characterisation Boreholes the subject of the above consent and shown on the attached plan. In addition, the project will require the collection of further data from the Characterisation Boreholes.

The principle aim of the project is to establish a more detailed view of the site's groundwater movement, so as to better predict, manage, and if necessary, mitigate any potential movement of material from the site.

It should be noted that the other conditions of the above consent have been fully complied with.

The operations which are proposed by virtue of the extended period of operation are monitoring operations and would, therefore not alter the level and type of access which has been in place since the boreholes were drilled and constructed in 1996; the means of access for monitoring has been and is intended to be on foot at quarterly intervals. For this reason, it is considered that there would be no adverse environmental effects from the continued monitoring use of the Characterisation Boreholes.

Recommendation

That permission be granted for condition 16 of planning approval ref 4/95/9020 to be amended to allow for the continuation of Characterisation Borehole monitoring until 31 December 2016.

Schedule of Applications - DELEGATED MATTERS

4/06/2781/0	Whitehaven	FIRST FLOOR EXTENSION 46, LOOP ROAD NORTH, WHITEHAVEN, CUMBRIA. MR S WILLIAMS
4/06/2782/0	Whitehaven	ERECTION OF FRONT DOOR CANOPY WOODLEE, 6, CHURCH HILL, HENSINGHAM, WHITEHAVEN CUMBRIA. MR & MRS J SHARPE
4/06/2784/0	Whitehaven	TWO STOREY REAR EXTENSION PLUS CONSERVATORY AND DETACHED GARAGE 71, BUTTERMERE AVENUE, WHITEHAVEN, CUMBRIA. T PIKINGTON
4/06/2788/0	Lamplugh	LISTED BUILDING CONSENT TO REPLACE THREE DOORS WITH WINDOWS THE BARN, LOW MILLGILLHEAD BARN, LAMPLUGH, CUMBRIA. MR & MRS R FIELDING
4/06/2790/0	Whitehaven	TWO STOREY SIDE AND SINGLE STOREY REAR EXTENSIO TO PROVIDE ADDITIONAL LIVING SPACE 31, HILLCREST AVENUE, WHITEHAVEN, CUMBRIA. MR & MRS HARVEY
4/06/2795/0	Egremont	GARAGE 38, SPRINGFIELD ROAD, BIGRIGG, EGREMONT, CUMBRI EDWARD & SUSAN ANYON
4/06/2802/0	Whitehaven	LIVING ROOM AND BEDROOM EXTENSION 4, PATERDALE AVENUE, WHITEHAVEN, CUMBRIA. ANTHONY HILL & CLAIRE JANE STAMP
4/06/2806/0	Whitehaven	FIRST FLOOR EXTENSION AND CONSERVATORY 36, AIKBANK ROAD, WHITEHAVEN, CUMBRIA. MR A WRIGLEY
4/06/2815/0	St Johns Beckermest	SINGLE STOREY EXTENSION 11, CRINGLETHWAITE TERRACE, EGREMONT, CUMBRIA. MR & MRS S GRIFFIN
4/06/2824/0	Arlecdon and Frizington	SINGLE STOREY EXTENSION 76, YEATHOUSE ROAD, FRIZINGTON, CUMBRIA. MR & MRS J LANCASTER
4/06/2828/0	Egremont	ERECTION OF EXTENSIONS TO KITCHEN & GARAGE 1, FELL VIEW DRIVE, EGREMONT, CUMBRIA.

Schedule of Applications - DELEGATED MATTERS

		MR TOOMEY
4/06/2829/0	Whitehaven	ERECTION OF PVC CONSERVATORY 109, BALMORAL ROAD, WHITEHAVEN, CUMBRIA. MR L ROBERTS
4/06/2841/0	Egremont	SINGLE STOREY EXTENSION TO DWELLING & SINGLE GARAGE 9, CRINGLETHWAITE TERRACE, EGREMONT, CUMBRIA. MR R POWE
4/06/2845/0	Whitehaven	CONSERVATORY TO FRONT ELEVATION 1, LONSDALE HOUSE, NORTH SHORE, WHITEHAVEN, CUMBRIA. MR & MRS JOHNSTON
4/06/2849/0	Whitehaven	SINGLE STOREY SUN ROOM EXTENSION RAEBURN, CALDER AVENUE, WHITEHAVEN. J R LESLEY
4/06/2857/0	Whitehaven	GARAGE PLOT 14, FAIRVIEW GARAGE SITE, BRANSTY, WHITEHAVEN, CUMBRIA. MR S WALKER
4/06/2859/0	Egremont	CONVERSION OF LOFT TO HABITABLE ACCOMMODATION 31, EAST ROAD, EGREMONT, CUMBRIA. MR & MRS G WARD
4/06/2753/0	Lamplugh	FELLING OF ONE ELM TREE AT REAR & PRUNING OF TREES AT FRONT PROTECTED BY A TREE PRESERVATION WINDSWEPT, LOWESWATER ROAD, LAMPLUGH, CUMBRIA. M D & L A WESTHEAD
4/06/2799/0	Whitehaven	CHANGE OF USE FROM RETAIL FOOD STORE CLASS A3 T CLASS A5 HOT FOOD TAKEAWAY (FISH AND CHIP SHOP) 34a, LAKELAND AVENUE, WOODHOUSE, WHITEHAVEN, CUMBRIA. MR & MRS G CORKHILL
4/06/2803/0	St Bees	ERECTION OF TWO STEEL FRAMED SHELTERS TO PROVIDE A SMOKERS SHELTER AND A CYCLE SHELTER HERDUS HOUSE, WESTLAKES SCIENCE & TECHNOLOGY PARK, INGWELL DRIVE, MOOR ROW, CUMBRIA. NUCLEAR DECOMMISSIONING AUTHORITY
4/06/2804/0	Whitehaven	REPLACEMENT RETAIL UNIT AND FIRST FLOOR FLAT NEWS AGENT, WOODHOUSE ROAD, WOODHOUSE,

Schedule of Applications - DELEGATED MATTERS

		WHITEHAVEN, CUMBRIA. MR I FOWLER
4/06/2805/0	Whitehaven	ERECTION OF A DWELLING PLOT NO. 10, THE HOLLINS, WHITEHAVEN, CUMBRIA. MR & MRS R BENSON
4/06/2816/0	Whitehaven	MODIFICATION TO EXISTING EXTRACTION SYSTEM WITH FLUE THE GEORGIAN HOUSE HOTEL, 9-11, CHURCH STREET, WHITEHAVEN, CUMBRIA. S SKELLY
4/06/2817/0	Whitehaven	LISTED BUILDING CONSENT FOR MODIFICATION TO EXISTING EXTRACTION SYSTEM WITH FLUE THE GEORGIAN HOUSE HOTEL, 9-11, CHURCH STREET, WHITEHAVEN, CUMBRIA. STEPHANIE SKELLY
4/06/2844/0	Whitehaven	ERECTION OF 4 BEDROOMED DETACHED DWELLING PLOT 13, THE HOLLINS, HOLLINS CLOSE, WHITEHAVEN CUMBRIA. MR P TYSON
4/06/2791/0	Millom	REAR GARAGE, REAR STORE AND MODIFICATIONS UPSTAIRS FOR WC 34, LAPSTONE ROAD, MILLOM, CUMBRIA. MR L MACKIE
4/06/2796/0	Millom	DETACHED DOUBLE GARAGE WITH STORE AND DORMERS T BUNGALOW ROOF 48, SALTHOUSE ROAD, MILLOM, CUMBRIA. MR & MRS G R SHELDON
4/06/2807/0	Egremont	4 NO. DETACHED DWELLINGS LAND AT, TREE TOPS, OFF, SPRINGFIELD GARDENS, BIGRIGG, EGREMONT, CUMBRIA. BATES & GRAHAM LTD.
4/06/2809/0	Egremont	CONVERSION OF UPPER FLOORS AND REAR WORKSHOP BUILDINGS TO CREATE 7 RESIDENTIAL UNITS AND 5, MARKET PLACE, EGREMONT, CUMBRIA. C/O ANTHONY COLLIER ASSOCIATES
4/06/2823/0	Millom	CREATION OF 2 X 1 BEDROOM FLATS 3, MARKET SQUARE, MILLOM, CUMBRIA. MR L MACKIE
4/06/2833/0	Millom	FRONT PORCH 43, SETTLE STREET, MILLOM, CUMBRIA.

Schedule of Applications - DELEGATED MATTERS

MR & MRS STOREY

- | | | |
|-------------|------------------------|---|
| 4/06/2850/0 | Millom | ERECT SILAGE STORE & CUBICLE BUILDING EXTENSION
SALTHOUSE FARM, MILLOM, CUMBRIA.
MESSRS WHITAKER |
| 4/06/2851/0 | Millom | DEMOLISH EXISTING MODERN LEAN TO & SMALL
TRADITIONAL BUILDINGS, ERECT MILKING PARLOUR
SALTHOUSE FARM, MILLOM, CUMBRIA.
MESSRS WHITAKER |
| 4/06/2856/0 | Egremont | EXTERNAL RAMP TO PROVIDE LEVEL ACCESS

NAT WEST, 29, MARKET PLACE, EGREMONT, CUMBRIA.
LEWIS & HICKEY |
| 4/06/2810/0 | Drigg & Carleton | RENEWAL OF TEMPORARY PERMISSION FOR CENTRAL
MONITORING (ASSAY) BUILDING
LOW LEVEL WASTE REPOSITORY, DRIGG, CUMBRIA.
BRITISH NUCLEAR GROUP SELLAFIELD |
| 4/06/2860/0 | St Bridgets Beckermeth | RENEWAL OF TEMPORARY PERMISSION FOR A TWO STORE
BUILDING TO SERVE AS OFFICE ACCOMMODATION
SELLAFIELD, SEASCALE, CUMBRIA.
B SNELSON MANAGING DIRECTOR |
| 4/06/2861/0 | St Bridgets Beckermeth | RENEWAL OF TEMPORARY PERMISSION FOR A SINGLE
STOREY BUILDING TO SERVE AS OFFICE ACCOMMODATIO
SELLAFIELD, SEASCALE, CUMBRIA.
BRITISH NUCLEAR GROUP |