

PLANNING PANEL

22 JULY 2009

AGENDA

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STANDARD CONDITIONS

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

Outline Consent

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

Reserved Matters Consent

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

Full Consent

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

RELEVANT INFORMATION

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

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

Town and Country Planning Act 1990

Planning and Compulsory Purchase Act 2004

Cumbria and Lake District Joint Structure Plan

Copeland Local Plan 2001-2016 - adopted June 2006

Lake District National Park Local Plan - Adopted May 1998

Cumbria Car Parking Guidelines

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

In particular:

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

Department for Communities and Local Government (DCLG):-

Planning Policy Guidance Notes and Planning Policy Statements

Development Control Policy Notes

Design Bulletins

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1 4/09/2198/0

ERECTION OF INDUSTRIAL BUILDING WITH OFFICE
ACCOMMODATION, CAR PARKING & SERVICE YARD
BECKERMET INDUSTRIAL ESTATE, HAILE, EGREMONT,
CUMBRIA.
MR M THOMSON

Parish St Johns Beckermat

- No comments received.

A proposal to erect a large building, part of which will incorporate a high tower, on an established industrial estate situated in the middle of open countryside between Haile and Beckermat. Vehicular access to the site is via an existing single track lane interspersed with passing places, which is the main access serving the industrial estate leading from the A595.

At the 27 May meeting Members resolved to visit the site to fully appraise all the issues the application raises prior to determination. This took place on 9 June 2009.

The site is located in the centre of the estate and currently houses two existing brick buildings and yard areas which are to be demolished. The main industrial building to be erected will measure over 61 metres in length by 33 metres in width covering a gross floor area of 2079 square metres. A 12.2 metre portion of this will be just over 32 metres in height, in effect forming a very high rig tower, the remaining linear section being just 15.5 metres in height. Attached to it at the side would be a two storey office block measuring just under 30 metres in length, 10.2 metres in width and 7.5 metres in height. The site will be enclosed by a 2 metre high galvanised palisade boundary fence and within this and adjacent to the building will be a service yard for HGV's and a car park accommodating 10 vehicles.

External materials to be used include profiled metal cladding, similar to other buildings on the estate.

The purpose of such a facility is to enable two large overhead cranes to be installed within the tower section of the building and two floor pits for testing decommissioning equipment in association with the nuclear industry at Sellafield. Essentially it will allow for the erection and dismantling of mock plant.

In the supporting documentation the applicant's agent wishes to point out that the company who will be leasing the facility are a large engineering firm specialising in the nuclear industry and they see this development and the inward investment it will bring to the area as an essential part of providing a high quality local service to their client with the advantage of employing a locally based, highly

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skilled and experienced workforce. When the building is commissioned they envisage the workforce will initially be around 20. The company have already secured 20 years worth of contracts with Sellafield indicating that the sustainability of their operations in the area is secure.

Following the Member site visit and in response to concerns raised there have been further negotiations. A subsequent amended plan and photomontage has now been submitted which demonstrates that the floor level of the building will now be set down a further 2 metres into the ground to help reduce the overall visual impact. It is also proposed to extend the length of the existing spoil heap buffer which is situated to the east of the site further round to the south east to provide improved screening, particularly when viewed from Haile. A separate application to upgrade the access to a two way road is also currently under preparation.

PLANNING HISTORY

Recent planning history relating to the site is relevant. In 2007 a scaffolding tower was approved on the site for a temporary period of 12 months which expired in April last year and has since been removed (4/07/2100/0F1 refers). This was intended as a forerunner to this application. The approved tower, however, was slightly smaller than the proposed tower section of the building and measured 24.6 metres in height as opposed to 32 metres now intended.

LOCAL PLAN POLICIES

In terms of planning policy the adopted Copeland Local Plan Policies DEV 1 : Sustainable Development and Regeneration, DEV 6 : Sustainability in Design and EMP 4 : Extension of an Existing Employment Use are relevant. The former permits development which contributes to the sustainable regeneration of the Borough; DEV 6 requires a high standard of design and that the development adheres to sustainability principles whilst the latter permits the extension of an existing employment use within or adjacent to existing boundaries where appropriate such as in this location.

CONSULTATION RESPONSES

Haile and Wilton Parish Council - were consulted as an adjoining parish . They strongly object to the application. The height of the building is their main concern as it will have a huge visual impact and be very much out of place in this rural parish. They are also concerned about potential noise and industrial pollution. Previous buildings have caused problems for residents of Haile Park due to bright spotlights shining across on them - question whether lighting has been considered.

Scientific Officer - Notes that the site is a former iron ore mine which has been used as a refuse tip and identifies that there might

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be a risk, particularly to site workers during development from landfill gas migration and on-site contamination. Requests the imposition of appropriate contaminated land conditions.

Flood & Coastal Defence Engineer - Raises no objection in principle as the site falls into Flood Zone 1, subject to suitable surface water drainage conditions being imposed.

Highway Authority - No objection. Consider that the proposal will be unlikely to have a material affect on existing highway conditions.

Local Representations -

Letters have been received from two residents of Haile village who have views overlooking the industrial site. Collectively they express the following concerns:-

1. Visual Impact - the site is within a few hundred yards of the village of Haile.
 - the proposed positioning of this construction will change the visual profile of the industrial estate which is situated on top of a hill. It is massive and will be seen from a significant distance in all directions and will spoil the objector's view as well as that of many Haile residents.
 - will change the skyline permanently. The current buildings to be demolished are not fully visible. However, the erection of this building will be. The proposed 107 foot tower will have a detrimental impact on the village as it will loom above it.
2. The site is inappropriate for large scale industrial buildings - it is a small brown field site set within rural farmland. The only reason it exists is due to it being a former iron ore mine. The site has no strategic merit for this use.
 - there has already been another building built on the estate which sticks out like a sore thumb
 - everything that happens on this estate, due to its elevated position, is visible to Haile village.
3. The proposed location is close to the tranquil church at Haile which could be disturbed if the plan is approved.
4. Light pollution - when the temporary structure was built it had large powerful floodlights which were visible late at night. They shone out towards the village causing light pollution.
5. Other suitable sites - there are many sites in Copeland that already have these facilities and are not being used to their full potential. The proximity of the site to Sellafield is unlikely to

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be of benefit as non-operations staff are located away from Sellafield. There may be empty buildings at Lillyhall which could be upgraded to provide the facility. It is a better site and has the capability of expansion. This would be a better environmental option and enable closer links with educational establishments which can be managed to help maximise the long term sustainable benefit to West Cumbria and for this reason request this be rejected and a more strategic view be taken.

6. Villagers want to retain the quiet rural aspect of their neighbourhood. Concern that this will be the start of further major development on the site. Request a site visit from Haile village to see the impact it will cause. Do not want measures to minimise the impact of the development - do not want it at all. The site should be used for light industrial start up businesses.

In response to the concerns raised I would comment that whilst the objections regarding visual impact are noted, the building will be sited well in excess of 600 metres away from Haile Park, a small estate development on the edge of Haile which benefits from rural views out across the open countryside and the industrial estate. It is also well away from the church. Although the development will affect views it will not be so close to the residences or the church to have a significant adverse impact on their amenity in planning terms. It is also going to be located within the confines of the existing estate as opposed to an extension to it. As regards lighting, no external activities are proposed as part of the application so there is no requirement for floodlighting. The strategic issue regarding location of the building and whether there are other suitable locations in West Cumbria for this building is not a matter to be considered as part of this proposal. The role of the planning authority here is to consider the merits of this specific application and whether this particular site is suitable for the development proposed as opposed to any wider issues it raises.

KEY ISSUES AND CONCLUSION

The key issue to be considered is the likely visual impact of the building, and in particular, its 32 metre high tower in relation to the surrounding landscape of open countryside and the skyline generally as well as any nearby residential properties. A building of this height and scale will have a significant impact on the local landscape, particularly as it is to be situated on what is already an elevated site. There is some concern that the previous approval on this site was for a smaller scaffolding tower, some 7.5 metres lower in height, and that this application proposes a significant increase.

It is claimed, however, that this is necessary to replicate the decommissioning of Sellafield Plant and ensure the site is as future proof as possible taking into account forthcoming contracts.

The amended scheme proposes various mitigation measures designed to limit the visual impact of the building on the local landscape and

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from views across from Haile. These comprise:-

1. Reducing the floor level of the building by 2 metres by excavating into the site. This is considered significant and would help reduce the overall visual impact on the local landscape and skyline.
2. Extending the existing spoil heap buffer mounds in length to the south east which will effectively hide the bulk of the building (excluding the tower element) from views from Haile as demonstrated by the amended photomontage attached to this report.
3. The cladding of the building and particularly the tower could be altered to a lighter colour from the dark green originally proposed to reduce the impact on the skyline. This can be reserved by condition.
4. Landscaping the spoil heaps to provide additional screening.

I am satisfied that these measures will be significant in helping reduce the visual impact on the local landscape and particularly views from Haile to the west.

It is recognised that the building will provide the capability to undertake large scale rig developments to meet a local identified need in association with nearby Sellafeld. Although its scale, and in particular the height of the tower, will have a significant impact on the local landscape and distant views this has to be considered against the fact that this is an established industrial site, albeit in open countryside, and that the building's impact will be reduced by the mitigation measures proposed.

On balance, taking into account the proposed local economic and regeneration advantages such a scheme is likely to have on the area, the benefits of the scheme on the whole are considered to outweigh any harm likely to be caused. As such it is considered to satisfactorily comply with Policies DEV 6, EMP 1 and EMP 2 of the Local Plan.

Recommendation

Approve (commence within 3 years)

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

Design and Access Statement by Ken Thompson of Coniston Consultants, received on 8 May 2009

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Amended Block Plan, Drawing No BE/KT/09/04A, scale 1:500 and 1:2500, received on 14 July 2009

Floor Plan, Drawing No BE/KT/09/03, scale 1:200, received on 8 May 2009

Amended Elevations, Drawing No BE/KT/09/01A, received on 19 July 2009

Amended Location Plan, Drawing No BE/KT/09/02, Scale 1:200A, received on 14 July 2009

Amended Plan letter, dated 13 July 2009, from Ken Thomspn, received 14 July 2009

Amended Photomontages, received on 17 July 2009

3. Existing ground levels shall be reduced by a minimum of 2.0 metres across the entire ground floor area of the proposed building and full details of any associated retention works shall be submitted to and approved in writing by the Local Planning Authority.
4. Before development commences full details of a surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall become operational before the development is brought into use and shall be so maintained thereafter.
5. There shall be no operational use of the building between the hours of 8.00 pm and 8.00 am on any day.
6. Before development commences full details of the car parking and servicing arrangements shall be submitted to and approved in writing by the Local Planning Authority. The approved works shall be constructed and brought into use before the new development becomes operational and shall be so maintained thereafter.
7. Before development commences representative samples of external cladding materials shall be submitted to and approved in writing by the Local Planning Authority. The approved materials thereafter shall not be changed without the prior written approval of the Local Planning Authority.
8. No development shall take place until full details of the proposed soft landscaping works for the site, including the buffer mounds, and a schedule of landscape maintenance including details of its implementation have been submitted to and approved in writing by the Local Planning Authority.

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Planting shall be carried out in accordance with the approved scheme and schedule.

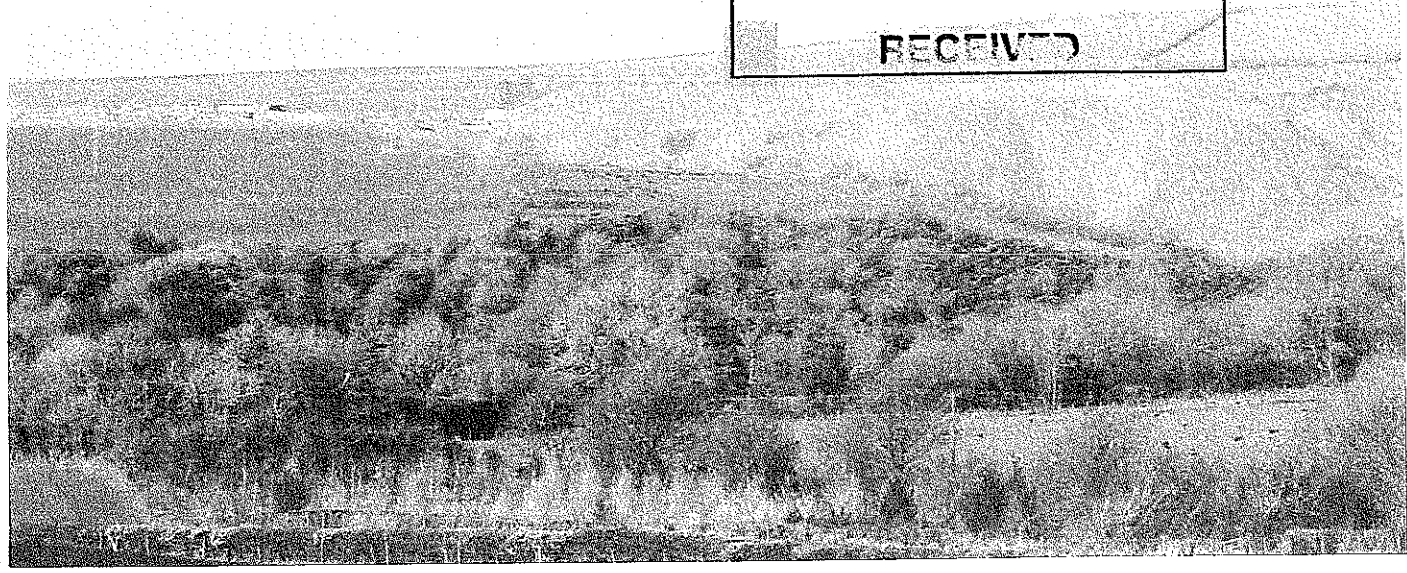
9. The development hereby approved shall not be brought into operational use unless and until a scheme of highway improvements between the site and the A595 has been implemented in accordance with details to be submitted to and approved in writing by the Local Planning Authority.
10. Details of any external lighting to be installed shall be submitted to and approved in writing by the Local Planning Authority before being brought into use.
11. No development approved by this planning permission shall be commenced until:-
 - (a) A desktop study has been carried out (following current guidance, i.e. BS 10175, contained Lane Report 11 "Model Procedures for the Management of Contaminated Land") which shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information; and using this information, a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors has been produced.
 - (b) A site investigation has been designed for the site using the information obtained from the desktop study and any diagrammatical representations (Conceptual Model). This should be submitted to and approved in writing by the Local Planning Authority prior to that investigation being carried out on the site. The investigation must be comprehensive enough to enable:-
 - i. A risk assessment to be undertaken relating to groundwater and surface waters associated on and off the site that may be affected
 - ii. Refinement of the Conceptual Model
 - iii. The development of a Method Statement detailing the remedial requirements.
 - (c) The site investigation has been undertaken in accordance with details approved by the Local Planning Authority and a risk assessment has been undertaken.

Photomontage showing effect of grey sheeting

4/09/2198/0

AMENDED PLAN

COPELAND BOROUGH COUNCIL
14 JUL 2009
RECEIVED

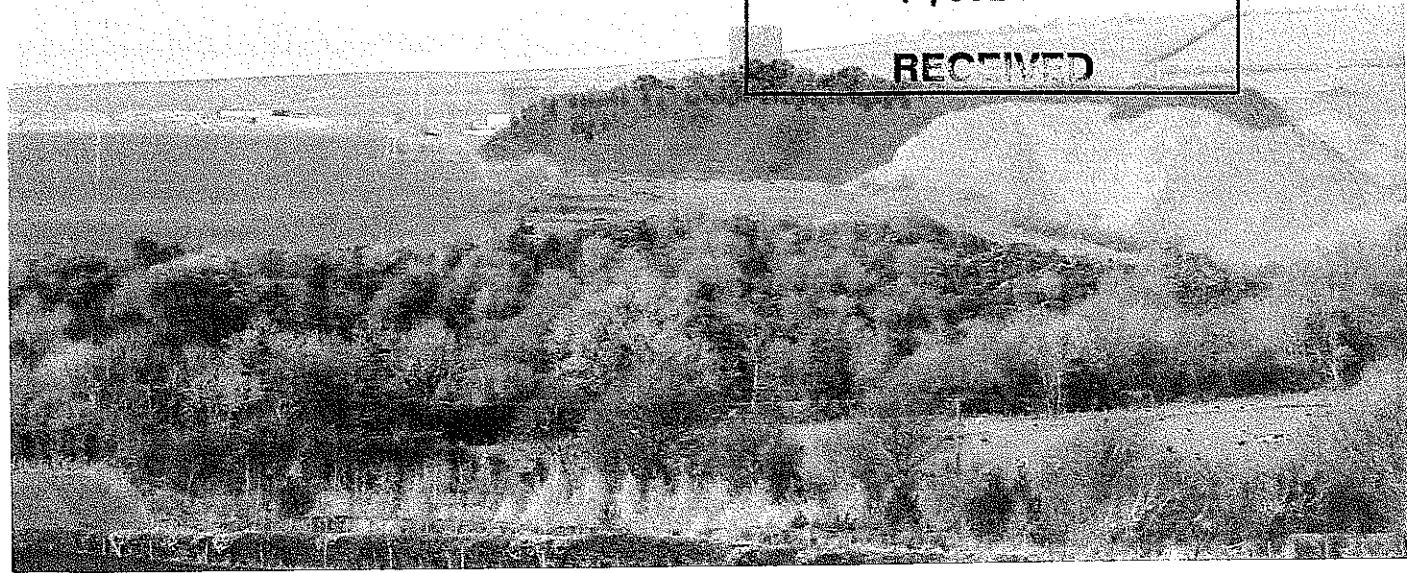


Photomontage showing effect of grey sheeting, showing medium term effect of planting to bank.

4/09/2198/0

AMENDED PLAN

COPELAND BOROUGH COUNCIL
14 JUL 2009
RECEIVED



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- (d) A Method Statement detailing the remediation requirements, including measures to minimise the impact on ground and surface waters, using the information obtained from the Site Investigation has been submitted to and approved in writing by the Local Planning Authority prior to that remediation being carried out on the site.

The reasons for the above conditions are:-

To reduce the impact of the development in the interests of visual amenity

To conform with the requirement of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004

To ensure the provision of a satisfactory surface water drainage scheme

To minimise potential disturbance to nearby residents, particularly as a result of noise

To ensure satisfactory car parking and servicing provision

To enhance the appearance of the development in the interests of visual amenity

To ensure the agreed upgraded access arrangements and road improvements to serve the site are in place before the development is brought into use

To control light pollution in the interests of the visual amenities of the area

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

Reason for decision:-

The proposed development represents an important step in the development of West Cumbria as a centre of excellence for decommissioning skills and technology. Notwithstanding the necessary height of the tower, the development is deemed to satisfy the requirements of Policies DEV 6, EMP 1 and EMP 2 of the adopted Copeland Local Plan 2001-2016

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2 4/09/2229/0

SECOND RESERVED MATTERS APPLICATION FOR HALES
FACILITY EXTENSION
SELLAFIELD, SEASCALE, CUMBRIA.
SELLAFIELD LTD.

Parish St Bridgets Beckermest

- No comments received.

Outline planning permission to extend the Highly Active Liquor Evaporation and Storage (HALES) Facility at Sellafield to enable additional evaporator train to be installed was granted in June 2006 (4/06/2219/001 refers). The outline application was accompanied by an Environmental Statement which addressed environmental impacts including wastes; discharges and emissions; water; traffic; noise; visual impact and ecological impacts.

A subsequent application for approval of reserved matters was approved in September 2007 (4/07/2529/0R1 refers).

The applicants now wish to slightly increase the footprint of the approved building together with other minor amendments which have the effect of increasing the floorspace of the building from 4665 sq m to 5164 sq m due to:-

1. two additional floors
2. the need to include a full width staircase throughout the height

This second application for approval of reserved matters has been submitted to take account of these revisions to the previously approved scheme.

The overall height of the building remains the same viz. 38m to top of parapet and 41m to top of roof stack.

The external cladding material will be mushroom coloured plastisol coated aluminium vertical and horizontal cladding above a 6.1m high blockwork dado wall.

The proposed development lies towards the centre of the Sellafield site and, although large in scale, will assimilate well within this industrialised setting, being of similar height, construction and appearance to the existing HALES facility. The existing controlled area fence will be extended around the new building.

In response to statutory consultation procedures no objections have been raised by the Health and Safety Executive whilst Cumbria County Council has no comments to make.

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This application deals solely with the evaporator building and not the associated electricity substation and cooling tower which formed part of the outline planning permission. These will be the subject of a separate reserved matters application once the necessary design details are known.

In summary, the principle of this development and a detailed appraisal of its likely environmental impacts has already been established by the grant of outline planning permission in 2006. The reserved matters for which approval is now sought, comprising layout, scale, appearance and access are all considered acceptable. In this instance associated landscaping works are not considered necessary, the building being flanked by a new tarmac footway.

Recommendation

Approve Reserved Matters

3 4/09/2240/0

CHANGE OF USE FROM RETAIL (CLASS A1) TO CLASS A2
FINANCIAL SERVICES
12, KING STREET, WHITEHAVEN, CUMBRIA.
TANIAS PROPERTIES LTD.

Parish Whitehaven

This application relates to a small vacant retail unit that fronts onto King Street. Planning permission is sought for the change of use of the ground floor from retail to financial purposes. There are no external alterations planned as part of this proposal

Planning permission was allowed for the use of this ground floor unit as an amusement arcade on appeal in 1986. The amusement arcade subsequently moved to 44 King Street in 2001. At that time planning permission was only granted on the basis that the applicants entered into a Section 106 Agreement which required 12 King Street to be converted back into a retail unit. This was deemed necessary to ensure that there was no net loss of retail units on King Street.

In response to the consultation procedures, the Highway Control Officer has confirmed that he has no objections to this proposal as it will be unlikely to have a material affect on existing highway conditions.

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Government advice on town centres is set out in PPS 6. The Government's main objective is to promote vital and viable town centres. To achieve this it advocates a flexible approach where diversification and a range of services should be encouraged to consolidate and strengthen the centres. It advises Local Planning Authorities to manage change in town centres over the period of the Local Plan. It also advocates the designation of primary frontages which should contain a high proportion of retail uses. Policies should make it clear which uses will be permitted in such locations.

Policy W5 of the North West of England Regional Spatial Strategy reflects Government policy and promotes retail uses as an essential part of enhancing the vitality and viability of town centres.

Policy TCN 9 of the adopted Copeland Local Plan 2001-2016 sets out a strategy for the town centre of Whitehaven. One of the main elements of this policy is to maintain a strong shopping function by protecting the main shopping streets from competing uses. Although there are other uses at ground floor level on King Street it has retained its retail focus.

Policy TCN 11 designates King Street as a Primary Frontage and seeks to resist the introduction of further non retail uses at ground floor level along this street.

The applicant's agent has submitted a letter with the application in which he sets out a justification for the proposal. He claims that there has been little interest in occupying the unit as a permanent retail unit over the last three years. The property has been sold twice during this period. His client is a new operator to the town and would fill a vacant unit and create employment for up to 6 people. He concludes by stressing that the Local Plan policy is outdated and the Government's latest advice encourages diversification of town centres.

Different part of the town centre function differently and they all contribute to its overall vitality. King Street is the most intensive area of shopping use within the town centre. Retailing is the predominant use which is reflected in its designation as a Primary Frontage. The Council has consistently opposed any new non retail uses at ground floor level so that the lively shopping character of these important frontages is retained. The concentration of continuous shopping frontages is a major attraction for shoppers and should be maintained.

There are a number of other vacant units within the town centre that could accommodate a non retail use away from this primary frontage that are subject to heavy pedestrian flows.

Recommendation

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Refuse

The loss of a retail unit on this Primary Frontage would be contrary to Policy TCN 11 of the adopted Copeland Local Plan 2001-2016 which seeks to protect the designated primary frontages from non retail uses in order to retain the lively shopping character of this part of Whitehaven Town Centre.

4 4/09/2256/0

OUTLINE APPLICATION FOR THE ERECTION OF 37
DWELLINGS
REISSWOLF LTD, STATION YARD, MOOR ROW, CUMBRIA.
OCF HOLDINGS LTD.

Parish Egremont

- No objections in principle but concerns that there is evidence of daily speeding through the village above the 30 mph limit and feel a site visit would be beneficial to clarify these concerns.

Outline planning permission is sought for a residential development of 37 houses on a linear site comprising 1.46 hectares which is situated on the northern edge of the village of Moor Row.

This brownfield site was the station yard for the Whitehaven to Rowrah railway line and, in more recent times, has been used as a depot, offices and storage compound for the applicant's fencing business. It is now vacant, with the business having relocated to Whitehaven Commercial Park.

Vehicular access would be via the C4003 Moor Row to Galemire Road which involves resiting the existing access to the north on greenfield land in order to achieve adequate visibility.

The application is accompanied by a Stage 2 Road Safety Audit which has identified the need for relocating the access.

In addition to the road safety audit the application is accompanied by a number of supporting documents including a Design and Access Statement, a Land Contamination Report, archaeological assessment, coal mining search report and a marketing report.

An indicative drawing demonstrates how 37 dwellings in the form of 19 detached dwellings (3 and 4 bedroomed) and 18 x 3 bedroomed link houses could be accommodated on the site. The layout is dictated by the long, narrow linear shape of the site with regimented form of

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properties on one side fronting onto an access road leading to a cul de sac bordered by houses.

It should be noted that a previous outline application for residential development on the site was withdrawn in July last year to enable further negotiations to take place and that this application comprises a resubmission.

Further information in respect of contaminated land, flood risk, archaeology, traffic and a marketing report has now been provided.

There are a number of issues this current application raises that warrant careful consideration.

1. Firstly there is the policy context. Although the adopted Copeland Local Plan 2001-2016 recognises the majority of the site as being within the settlement boundary it is, nevertheless, designated as employment land. Policy EMP 7 of the Local Plan only accepts alternative uses of such land if it can be demonstrated that the wider community benefits of its reuse outweigh the loss of employment land.
2. A significant part of the site, to accommodate the resited access, is outwith the settlement boundary as designated in the Local Plan.
3. The form of the housing development proposed is out of character and unrelated to the existing built form of the village.

In view of the issues this application raises, and in response to the Parish Council's request, Members are recommended to visit the site to fully appraise the proposal prior to making a decision.

Recommendation

Site Visit

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5 4/09/2261/0

REINSTATEMENT OF THE DYE HOUSE (RETROSPECTIVE)
THE DYE HOUSE, HALLTHWAITES, MILLOM, CUMBRIA.
MR P METCALF

Parish Millom Without

- comments attached.

At the last meeting Members resolved to carry out a site visit in respect of this retrospective planning application to assess the restoration works carried out particularly in the light of local concerns expressed via the Parish Council. The site visit took place on Wednesday 8 July 2009.

The Dye House is situated on the east side of the hamlet of Hallthwaites, adjacent to Black Beck, and dates back to the late 18th/early 19th century.

Although not listed, the building is of significant local interest, being recognised as one of the few remaining features of the area's industrial heritage as a hamlet producing woollen cloth.

Prior to the recent restoration works the building had stood in a ruinous condition as evidenced by the appended photographs. Again as evidenced by the attached photographs and as seen by Members in attendance at the site visit the works have been undertaken to a very high standard, faithfully repairing/reconstructing the random stone walls; natural slate roof and timber windows and doors.

The scheme is supported by the County Council's Archaeologist and Natural England, the works having been closely supervised by a specialist conservation architect.

In terms of planning history, an application to convert the building to residential use was refused in 1988 and a subsequent appeal against this decision was dismissed in 1989.

This history may be fundamental to the Parish Council's concerns that the building should not be used as a dwelling house. It is relevant to note in this respect that the building does not benefit from the provision of services such as a mains water supply nor electricity. Nor does the property benefit from a road frontage, being accessed from the west via agricultural land.

This application seeks approval only for the repair and restoration works carried out and does not propose any future use which would have to be the subject of a separate planning application. The applicants were not aware that planning permission was required for the works undertaken and generally it is the case that repairs to a building do not require the benefit of planning permission. In this

Tony Pomfret

From: CathHestham@aol.com
Sent: 02 July 2009 14:42
To: Tony Pomfret
Cc: jim.e.robinson@naturalengland.org.uk; john.giles@onetel.net
Subject: Dye House - Your Ref: CH/DP/NW

Dear Mr Pomfret

Reinstatement of The Dye House (Retrospective), The Dye House, Hallthwaites, Millom, 4/09/2261/0F1

Thank you for your letter of 15th June 2009.

The Parish Council fully supports properly regulated and approved conservation work. Most emphatically, however, the Council does not support a reinstatement of the Dye House which would, at a later date, become transformed into a dwelling house. It is felt that if permission is granted this must be clearly stated, namely, that the work carried out is an historical reconstruction and will be preserved for that purpose. It is particularly important to emphasise this because of the way in which work has been carried out over a considerable length of time without planning permission or any application for this.

Mr. J. Robinson of Natural England advised me that he had "worked with the owners of the Dye House to agree a schedule of works informed by archeological evidence to return it to its former Dye House condition". It is essential that this schedule be produced before planning permission is granted so that it can be ascertained whether or not the work carried out, and to be carried out, corresponds to the schedule. For this purpose I have written to Mr. Robinson several times asking for copies of the agreed schedule. Most recently I wrote to Mr. Robinson on 18th June pointing out that the agreed schedule was an important part of the information which should be available for an informed response to the present application. I asked him to let me have a copy of the schedule as soon as possible in view of the time constraints. I still have not received the schedule.

It is possible that the schedule envisages more work than is presently being applied for or it may be that it proposes different work. In any case the Council feels very strongly that it would be inappropriate to grant planning permission until your authority and the Parish Council have had an opportunity to consider the proposals set out in the schedule. I have accordingly written to Mr. Robinson again today and have sent him a copy of this letter.

Two other considerations remain to be addressed. First, if there is to be an access way to the Dye House what are the proposals? It is thought that Dye House originally had probably three access routes to the highway. Has the position been investigated as part of the historical assessment upon which this application is based? Secondly, it would be appreciated if a detailed investigation could be made as to whether trees have already been cut down in contravention of the Tree Preservation Order Hallthwaites, The Green, Millom. You will recall that an application is currently being made to cut down three trees. The large tree adjacent to the Dye House has very recently been cut down. The proximity of trees to the Dye House is of relevance because the application is based on an authentic reconstruction of an historic building and its rural setting should be taken into account as part of the overall context. It would be interesting to see if this aspect of the situation has been considered in the agreed schedule.

Until the agreed schedule of works is available and the above matters have fully considered in the light of this, the Parish Council opposes the application. I would appreciate acknowledgement of this letter.

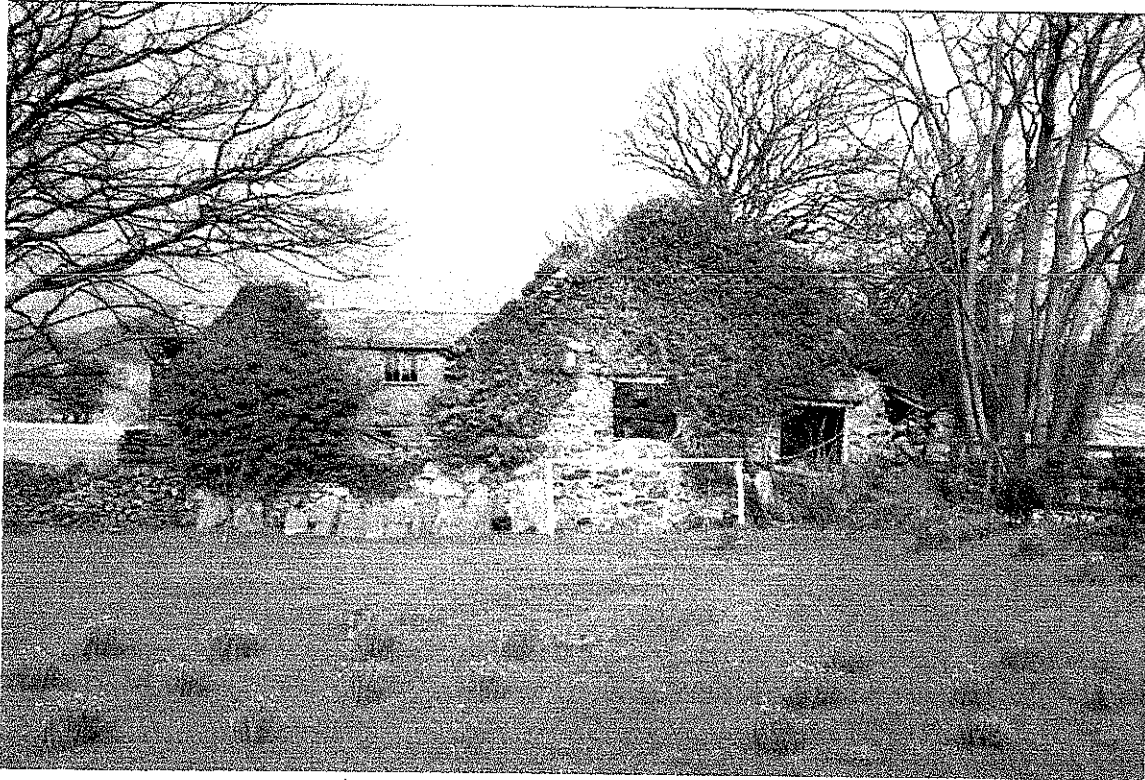
Yours sincerely

Mrs Cath Jopson
Clerk to Millom Without Parish Council
Hestham Hall Farm
Millom
Cumbria, LA18 5LJ

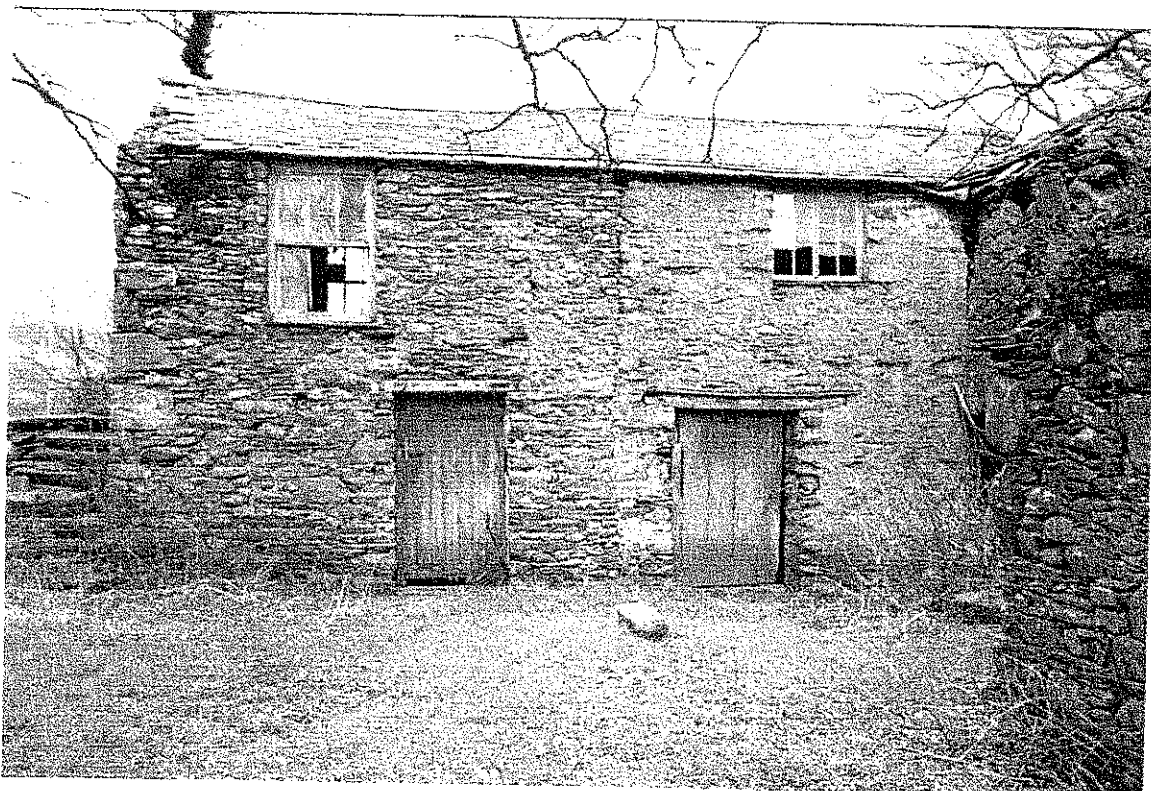
COPELAND BOROUGH COUNCIL

- 9 JUN 2009

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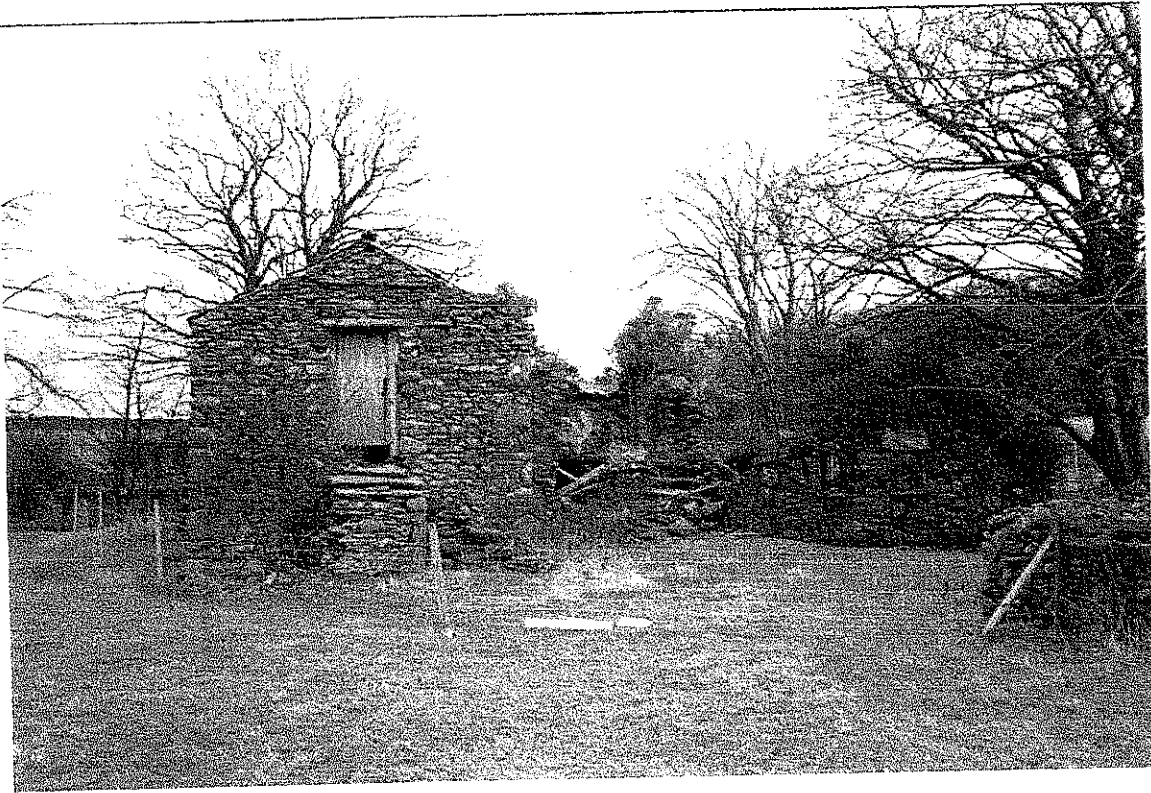
P 3 - south elevation (DATED MARCH 1989).



P 4 SOUTH ELEVATION (DATED MARCH 1989).

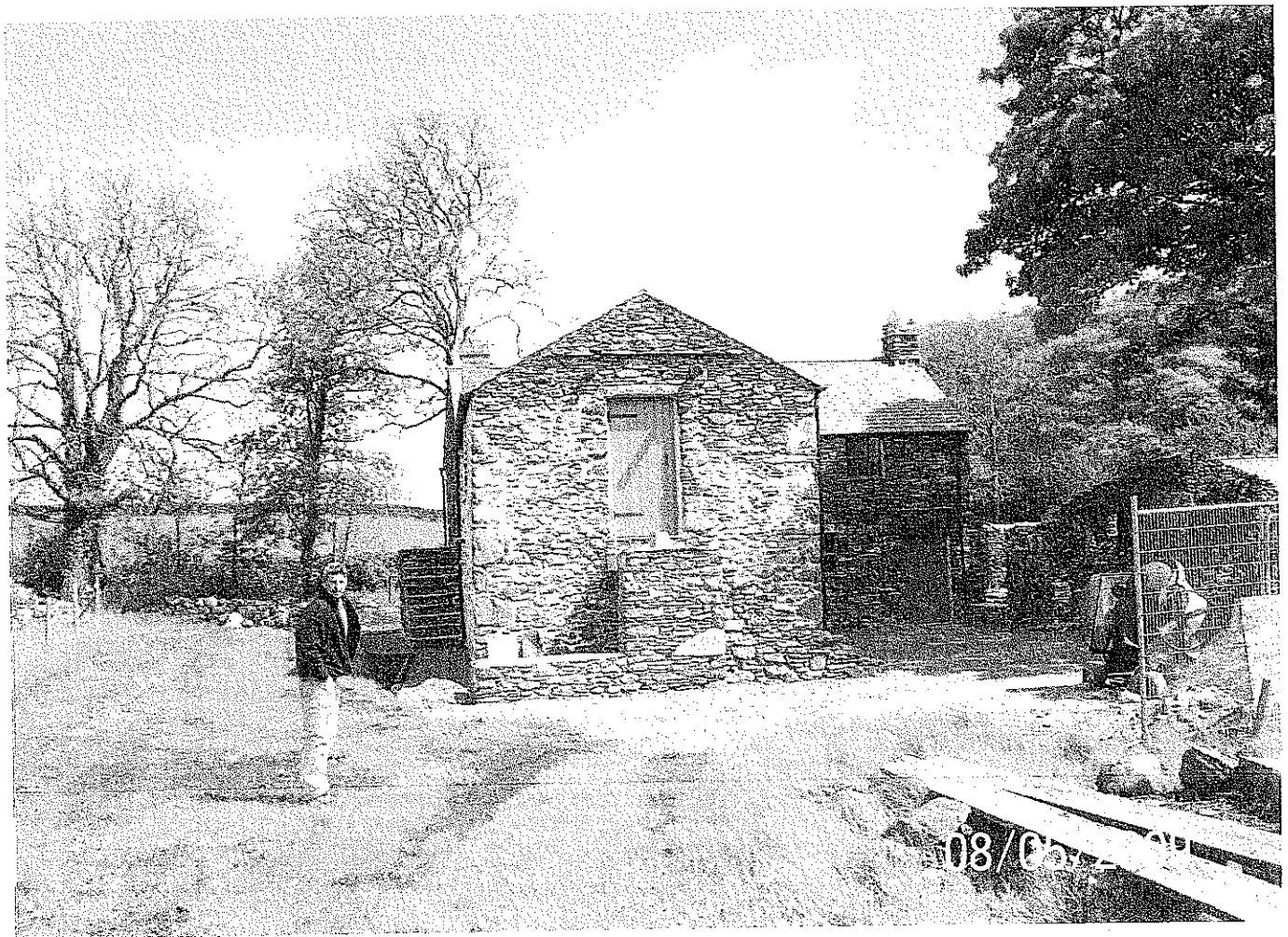
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P5 - west elevation (DATED MARCH 1989)





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instance, however, the view was taken that the amount of reconstruction necessary was so great as to constitute development requiring the submission of a planning application.

In conclusion, whilst the retrospective nature of the application is regrettable, the repair/restoration works have been undertaken to a very high standard befitting the industrial archaeological significance of this historic building in relation to the local woollen industry.

Recommendation

Approve (commence within 3 years)

Reason for decision:-

The repair/restoration works have been carried out to a very high standard befitting the industrial archaeological significance of this historic building in relation to the local woollen industry, compliant with Policy ENV 37 of the adopted Copeland Local Plan 2001-2016.

6 4/09/2267/0

CHANGE OF USE OF BARN TO ALLOW THE STORAGE OF
SCAFFOLDING (RETROSPECTIVE)
DOVE COTE BARN, HIGH WALTON, ST BEES, CUMBRIA.
MR J BUTTERWORTH

Parish St Bees

- Object on the grounds that change of use from traditional agricultural use to industrial use is inappropriate in a tiny rural hamlet. There would be significantly more noise and disruption caused to those living near the property and the access is on a tight bend on a very narrow road. This makes it unsuitable for regular use by large vehicles.

Permission is sought to regularise the use of a large, modern agricultural building for the storage or scaffolding equipment. The building forms part of a now redundant isolated farm building group near St Bees. There are three residential properties within this group; the applicant's which neighbours the subject building; a barn conversion which is situated the other side of the applicant's house and the former farmhouse.

The application is retrospective insofar as a local scaffolding firm

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has recently been using the building for the storage of scaffolding poles, planks and equipment. The use is at a relatively modest scale with a maximum of two visits a day to collect or deliver equipment during normal business hours. Vehicular access is via an existing agricultural access off the adjacent C4009 road to St Bees.

A letter of objection has been received from the residents of the barn conversion neighbouring the applicant's house. They express concern on the following grounds:-

1. They were led to believe the arrangement would only be temporary and are aware that the grant of planning permission would make it a permanent facility.
2. The barn is not used just for storage. Sometimes there are several vehicles being loaded/unloaded everyday, including weekends. The vehicles are also parked there when not in use.
3. They purchased their property for its peaceful rural environment but this is now regularly interrupted on a daily basis by the clatter of equipment at varying times of the day. They are currently trying to sell their home and have lost at least one prospective purchaser due to the noise.
4. Entrance to the site is on a narrow bend on a minor road and is not suitable for a business where large vehicles regularly access/egress.
5. Business would be better placed at one of the local industrial estates.

In response to the concerns raised by the objectors and the Parish Council I would comment that:-

1. In the light of local concerns the applicants have now agreed to seek approval for a temporary period of 12 months at this stage.
2. Whilst there may be some effect from the activity in respect of noise, given that the objectors are located some 42 metres away and behind the applicant's dwelling and neighbouring barn which acts as a buffer, and the farm house well in excess of that, this is not considered so significant as to have an adverse impact on their amenity. If noise does become a problem there is separate environmental protection legislation available to deal with it.
3. As regards vehicular access, this is recognised as a relevant and material consideration and is assessed more fully in the following paragraph.

Access is a key issue in respect of this application. The Highways Authority in their consultation response have raised concerns regarding visibility and the inadequacy of the information submitted

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and have requested further information in the form of a speed survey and a plan showing that required visibility splays can be achieved. The applicant's agent, however, has declined to provide this and points out that this is a relatively low level use generating no more traffic than the previous agricultural use. He confirms that if permission is granted, a highway safety mirror will be erected opposite the access along with appropriate signage. He is also agreeable to a temporary consent of 12 months. This is a view with which I concur, particularly as the access is existing and has already been in use for the purpose, albeit unauthorised, for the last few months. A 12 months temporary consent would enable the situation to be monitored and/or afford the applicants ample time to seek more appropriate premises from which to operate their business.

Recommendation

Approve

1. The use hereby permitted shall be for a limited period of twelve months from the date of this decision. At the end of this period the use shall cease and all materials and equipment brought onto the land in connection with the use shall be permanently removed.
2. There shall be no operational use of the premises outside the hours of 8am to 6pm on any day.

The reasons for the above conditions are:-

The use hereby approved is not considered suitable as a permanent alternative use for this redundant agricultural building due to its proximity to residential properties and the propensity to cause undue disturbance to the residents of these properties.

To minimise potential disturbance to nearby residents as a result of noise nuisance.

Reason for decision:-

The continued use of this redundant agricultural building for the storage of scaffolding equipment in this rural location and adjacent to residential properties is considered suitable for a restricted period of 12 months in order to allow the applicant sufficient time to relocate the business to more appropriate premises.

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7 4/09/2269/0

NEW RAMP ACCESS ACROSS BEACH, CUTTING OF A SECTION
OF SPIT & ERECTION OF BRIDGE OVER RIVER TO PROVIDE
MARINE ACCESS
NEAR SELLAFIELD, SEASCALE, CUMBRIA.
SELLAFIELD LIMITED

Parish St Bridgets Beckermest

- No comments received.

These marine access development works are required to enable the delivery of large components to the Sellafield site, specifically in relation to the construction of the HALES Evaporator D Facility for which approval of reserved matters is sought via a separate item on this agenda (4/09/2229/0R1 refers). The large prefabricated sections of this building are too large to be transported by road or rail. It is therefore proposed to transport these sections to the Sellafield beach area by barge.

DESCRIPTION OF PROPOSED WORKS

The proposed development will provide a steady incline between the beach and railway level crossing by the construction of a ramp across a section of the Sellafield beach, the cutting of a section from the Ehen Spit, and the erection of a bridge across the River Ehen. The construction, operation and remediation duration is estimated as three years. On completion, it is planned to fully remediate the site - the potential exception is if the Ehen Spit has revegetated to a suitable level during the development period. Advice from the Environment Agency will be sought prior to remediation to agree the appropriate level of remediation based on actual conditions.

Sellafield Beach Protection

Construction - in order to provide a suitable incline the beach will require areas to both be excavated (cut) and material added (fill). Materials excavated from the beach (estimated to be 350 cubic metres) will be stored separately on the Spit. As to the area of "fill" it is expected that in the order of 800 cubic metres of the excavated Spit material would be used. Additional material would need to be imported to provide a suitable running surface for the transporters - it is estimated that this could include sub-base material (around 200 cubic metres) and rock for protecting the sides of the ramp (around 425 cubic metres).

Dimensions - the additional feature on the beach is expected to be in the region of an additional 1 metre at its highest point and with an estimated maximum excavation of 1.5 metres and would stretch approximately 80 metres (at a width of approximately 10m) from the interface with the Ehen Spit. All this work is above Mean Low Water

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(MLW) level.

Ehen Spit Cutting

Construction - in order to provide a suitable incline the Ehen Spit will require areas to be excavated. Depending on the exact nature of the material found it is estimated that this will involve the removal of somewhere in the region of 2,000 to 5,000 cubic metres of spoil and the placement of sub-base material to provide a running surface. Provided it fulfils the necessary criteria this excavated spoil will be used either (a) for the construction of the ramp (see above), (b) be used for the construction of the bridge abutments (see below) or (c) stored separately on the Spit. At this stage it is not yet known whether the spoil will be subsequently reinstated; it may be considered that, as the cutting will attract vegetation, the preferred environmental option would be to retain the cutting and not reinstate. However, no material will be moved from the Spit area.

Dimensions - there is approximately 55m of Ehen Spit to be prepared between the interface with the beach and the abutments required for the bridge. The road surface will be in the region of 10m wide. The banks of excavation will be in the region of 1:2.5 (as per current Spit slopes) - this may require an area of up to 40m wide to be landscaped to maintain this slope.

River Ehen Bridge

Construction - single span bridge with piled foundations. It will be constructed of steel work with pre-cast concrete slabs placed on the steel structure. The bridge abutments will utilise the excavated material from the Spit to provide a level surface for the transport of the modules. Security fencing (nominally 2m high galvanised secure gate) will be required to secure the bridge from public access.

Dimensions - nominally 34m in length, 8m wide with a 2m deep unpainted steel beam deck. The bridge will be located close to the existing pipebridge and footbridge, and will sit above the footbridge but lower than the pipebridge. There will be an abutment either side (up to 40m at the widest point) - the seaward abutment is approximately 15m long and the rail side abutment approximately 25m long.

In view of the nature of the proposed works and their potential environmental impacts on this coastal location a site visit by Members is recommended before the application is determined.

Recommendation

Site Visit

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8 4/09/2282/0

CHANGE OF USE FROM CLASS A1 TO CLASSES A3 & A5
(CAFE & HOT PIE TAKEAWAY)
47, HIGH STREET, CLEATOR MOOR, CUMBRIA.
MRS B KEENAN

Parish Cleator Moor

- No objections.

Planning permission is sought for the change of use of this property to classes A3 & A5 at 47 High Street, Cleator Moor.

The building is situated centrally within Cleator Moor town centre, located just off the Market Square within the Cleator Moor Conservation Area. It is currently vacant, being last used as a bridal wear retail unit. It is attached on either side to other properties, consisting of a sports shop to the east and offices to the west.

The application seeks permission for the change of use from A1 (retail) to classes A3 and A5, as defined by the Town and Country Planning Use Classes Order 1987 (as amended). This would enable the property to be used as either a restaurant/cafe (A3) or as a hot food takeaway (A5). However, in the planning application the applicant has confirmed that the main use will be a hot pie takeaway/sandwich bar with a small cafe area designated for consumption of food on the premises.

While the exact opening hours are currently not specified, it is the applicant's intention to open early in the morning at approximately 6.00 am to provide food for early starting workers and to remain open until late afternoon (approximately 5.00 pm).

No external changes to the property or signage have been submitted for approval at this point.

No letters of objection have been received regarding the proposal.

In terms of planning policy both Policy TCN 7 of the adopted Copeland Local Plan 2001-2016 is relevant to the determination of this application.

Policy TCN 7 states that:-

"Proposals for food and drink uses in shopping areas will be permitted subject to the requirements of TCN 4 and other plan

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policies with particular attention to:-

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

In my opinion the proposal satisfactorily meets the above criteria. High Street has a mix of retail and commercial uses with a number of similar uses in the vicinity.

The proposal therefore is considered to be in accordance with Policy TCN 7 of the adopted Copeland Local Plan 2001-2016 and, as such, is favourably recommended.

Recommendation

Approve (commence within 3 years)

2. The use hereby permitted shall not be open to customers outside the hours of 6.00 am until 11.30 pm on any day.
3. The use hereby permitted shall not commence until full details of the scheme for the extraction of cooking fumes and cooking odours has been submitted to and agreed in writing by the Local Planning Authority. The system shall be installed in accordance with the approved details before the use commences and shall be so maintained thereafter.

The reasons for the above conditions are:-

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

To minimise the risk of nuisance to neighbouring properties

Reason for decision:-

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

COPELAND BOROUGH COUNCIL

9 4/09/2277/0

PUBLIC REALM IMPROVEMENTS INCLUDING NEW STREET FURNITURE, SIGNAGE LANDSCAPING AND LIGHTING, IMPROVEMENTS AND RESURFACING OF THE FOOTPATHS, THE CREATION OF A NEW PUBLIC RIGHT OF WAY AND THE CREATION OF A VANTAGE POINT ON THE HEADLAND MOUNT PLEASANT, WEST STRAND, WHITEHAVEN, CUMBRIA.
MS J BETTERIDGE

Parish Whitehaven

This application seeks planning permission for a range of public realm improvements to the green space and gardens located on the headland adjacent to The Beacon on Mount Pleasant. The scheme forms part of the Whitehaven Regeneration Programme which seeks to regenerate the town centre and harbourside.

The proposed works involve the general improvement of the area, the addition of signage, improved public access routes and the introduction of enhanced landscaping and lighting. These works seek to improve the quality of the public realm in this area to reflect the high standards set along the harbour frontage.

Consultation with a number of bodies and local residents is currently in progress.

Given the scale and prominence of the site and the nature of the works proposed it is recommended that Members undertake a site visit prior to the application being determined. The application will be reported back to the Planning Panel in August and will then have to be referred to Full Council in September 2009 as the Council is the applicant.

Recommendation

Site Visit

Schedule of Applications - DELEGATED MATTERS

4/09/2231/0	Millom Without	REMOVAL OF 2 NO. HOLLY TREES AND REMOVAL OF 1 TREE (SPECIES UNDETERMINED) PROTECTED BY A TREE MILLWOOD HOUSE, HALLTHWAITES, MILLOM, CUMBRIA. MR P METCALF
4/09/2206/0	Distington	EXTENSION AND ALTERATION OF MEDICAL CENTRE DOCTORS SURGERY, HINNINGS ROAD, DISTINGTON, CUMBRIA. DOCTORS MEDICAL PRACTICE
4/09/2238/0	Whitehaven	CONVERSION OF EXISTING LEISURE CLUB TO 8 NO. RESIDENTIAL UNITS (RESUBMISSION) 17, HOWGILL STREET, WHITEHAVEN, CUMBRIA. D & L MOSSOP
4/09/2184/0	Egremont	DOUBLE GARAGE 2, MEADOW VIEW, CASTLE CROFT, EGREMONT, CUMBRIA MR D BIRKETT
4/09/2189/0	Cleator Moor	TWO STOREY EXTENSION TO END OF TERRACE TO PROVIDE SINGLE GARAGE AND BEDROOM, BALCONY TO SIDE BEDR 11, SEA VIEW PLACE, CLEATOR MOOR, CUMBRIA. MR W BARRETT
4/09/2191/0	Whitehaven	TWO STOREY KITCHEN/UTILITY/BEDROOM BATHROOM EXTENSION TO THE SIDE 27, ENNERDALE TERRACE, KELLS, WHITEHAVEN, CUMBRIA. MR G BRAGG
4/09/2192/0	Arlecdon and Frizington	SINGLE BRICK OUTBUILDING FOR GENERAL STORAGE AND A LOG STORE RALTRI, BARWISE ROW, ARLECDON, FRIZINGTON, CUMBRIA. MR D SPEDDING
4/09/2195/0	St Bees	TWO STOREY EXTENSION TO SIDE OF HOUSE 55, SEACROFT DRIVE, ST BEES, CUMBRIA. MR D LAVERY
4/09/2201/0	St Johns Beckermeth	FIRST FLOOR REAR EXTENSION TO BEDROOM AND TO FORM EN-SUITE OVER EXISTING GROUND FLOOR EXTENSION AND 5, GRANGE CLOSE, THORNHILL, EGREMONT, CUMBRIA. MR A McLAUGHLIN
4/09/2202/0	Whitehaven	ERECTION OF TWO STOREY EXTENSION TO PROVIDE GARAGE, UTILITY, KITCHEN, BEDROOM, BATHROOM AND 15, CROSS LANE, WHITEHAVEN, CUMBRIA. MR M HOPE
4/09/2205/0	Whitehaven	WHEELIE BIN SHELTER & SMOKING SHELTER (RETROSPECTIVE)

Schedule of Applications - DELEGATED MATTERS

		THE STUMP, 50, HIGH ROAD, KELLS, WHITEHAVEN, CUMBRIA. MR J DORAN
4/09/2208/0	Seascale	EXTENSION TO REAR GREEN WILLOW, GOSFORTH ROAD, SEASCALE, CUMBRIA. MR R YETTS
4/09/2209/0	Egremont	SINGLE STOREY REAR EXTENSION AND GARAGE 49, PENZANCE STREET, MOOR ROW, CUMBRIA. MR A WILLIAMSON
4/09/2211/0	Cleator Moor	DEMOLISH CONSERVATORY TO REAR AND BUILD NEW SINGLE STOREY SUN LOUNGE ELMUIR, WHITEHAVEN ROAD, CLEATOR MOOR, CUMBRIA. MR & MRS I PENNINGTON
4/09/2212/0	St Johns Beckermeth	NEW SUNROOM TO THE SOUTH GABLE OF THE EXISTING DETACHED DWELLING GHYLLBANK HOUSE, BEGGERGHYLL, EGREMONT, CUMBRIA MISSES E & D MORRIS
4/09/2214/0	St Bees	SINGLE STOREY LIVING ROOM EXTENSION 1, HIGH HOUSE ROAD, ST BEES, CUMBRIA. MRS D McMULLEN
4/09/2216/0	Cleator Moor	TWO STOREY SIDE EXTENSION TO PROVIDE A LARGER LIVING ROOM AND WC ON THE GROUND FLOOR AND AN 24, THREAPLANDS, CLEATOR MOOR, CUMBRIA. MR D WALKER
4/09/2203/0	St Bees	CHANGE OF USE FROM RESIDENTIAL DWELLING HOUSE T RESIDENTIAL INSTITUTION 8, LONSDALE TERRACE, ST BEES, CUMBRIA. ST BEES SCHOOL
4/09/2207/0	St Bees	LISTED BUILDING CONSENT TO INSTALL TV SATELLITE ANTENNA 81, MAIN STREET, ST BEES, CUMBRIA. BLEASDALE & CO
4/09/2210/0	Millom	PRIMARY OUTDOOR CANOPY STRUCTURE (WITH ROLLER SHUTTER SIDES) TO REAR OF SCHOOL BUILDING ST JAMES CATHOLIC PRIMARY SCHOOL, LONSDALE ROAD MILLOM, CUMBRIA. BOARD OF GOVERNORS
4/09/2215/0	Millom Without	ERECT CATTLE LOOSE HOUSING BUILDING AND MIDDENSTEAD HIGH BOGHOUSE FARM, THWAITES, MILLOM, CUMBRIA. MR D JOHNSON

Schedule of Applications - DELEGATED MATTERS

4/09/2219/0	St Bees	ERECTION OF SMOKING SHELTER OUTSIDE GALEMIRE COURT, CROW PARK WAY, WESTLAKES SCIENCE & TECHNOLOGY PARK, MOOR ROW, CUMBRIA. WESTLAKES PROPERTIES LTD
4/09/2223/0	St Bees	SINGLE STOREY EXTENSION 1, VICTORIA TERRACE, BEACH ROAD, ST BEES, CUMBRIA. MR J MILLER
4/09/2227/0	St Johns Beckermest	DETACHED GARAGE NORTHWAITE, WODOW BANK, LOW MILL, EGREMONT, CUMBRIA. MR M HIGGINS
4/09/2247/0	Millom Without	TWO STOREY EXTENSION TO GABLE END ELEVATION 4, TARN HEAD, TARN HEAD LANE, HAVERIGG, MILLOM, CUMBRIA. MS RITA GRIFFITHS
4/09/2248/0	Egremont	FELL 1 WHEATLEY ELM INFECTED BY DUTCH ELM DISEASE AND CROWN LIFT 1 WEEPING ASH WITHIN EGREMONT EGREMONT CASTLE, EGREMONT, CUMBRIA. MR T MAGEAN
4/09/2249/0	Millom	SINGLE STOREY REAR EXTENSION FOR SUN LOUNGE 24, FAIRFIELD ROAD, MILLOM, CUMBRIA. MR B BURNETT
4/09/2180/0	Whitehaven	CONSTRUCTION OF A NEW CLASSROOM BLOCK COMPRISIN 3 NO. CLASSROOMS WITH AUXILIARY OFFICE AND ST BENEDICTS RC HIGH SCHOOL, RED LONNING, WHITEHAVEN, CUMBRIA. MR J McCOY
4/09/2187/0	Lowca	REMOVE EXISTING CATTLE BUILDING AND ERECT NEW CATTLE BUILDING WITH UNDERFLOOR SLURRY TANK LOWCA COTTAGE FARM, LOWCA, WHITEHAVEN, CUMBRIA. MR M CARRUTHERS
4/09/2190/0	Whitehaven	LISTED BUILDING CONSENT FOR SIGNAGE ON FRONT OF BUILDING WULSTON HALL, 139, QUEEN STREET, WHITEHAVEN, CUMBRIA. MR T COAN
4/09/2193/0	Arlecdon and Frizington	RESERVED MATTERS APPLICATION TO ERECT A DWELLIN ACCESS AND CAR PARKING LAND ADJACENT TO LINLEY HOUSE, 7,

SKELSCEUGH ROAD, WINDER, FRIZINGTON, CUMBRIA.
MRS L SAVAGE

4/09/2197/0 St Bridgets Beckermat

INSTALL SIRENS ON 16M HIGH COLUMNS IN 8 LOCATIO
AROUND SITE
BRITISH NUCLEAR FUELS, SELLAFIELD, SEASCALE,
CUMBRIA.
SELLAFIELD LTD

DEVELOPMENT CONTROL PERFORMANCE MONITORING

Lead Officer: Tony Pomfret – Development Control Manager

To inform Members of Development Control Performance in 2009/10 against Best Value Performance Indicators

Recommendation: That the report be noted.

Resource Implications: Nil

1.0 SUPPORTING INFORMATION

1.1 **Speed of Determination of Planning Applications** – the following results were achieved:-

	1st Quarter (April-June)
PI 157 (a)	
Major planning applications dealt with < 13 weeks	100% (6 out of 6)*
Target is 60%	
Top quartile is 81.64%	
PI 157 (b)	
Minor planning applications dealt with < 8 weeks	95.45% (42 out of 44)
Target is 65%	
Top quartile is 84.04%	
PI 157 (c)	
Other planning applications dealt with < 8 weeks	100% (92 out of 92)
Target is 80%	
Top quartile is 92.12%	

* comprises 1 “largescale” major and 5 “smallscale” majors

- 1.1.1 It can be seen that 100% performance has been achieved in respect of “major” and “other” planning applications with over 95% in respect of “minor” applications, placing Copeland high up in the top quartile of all local planning authorities.
- 1.1.2 The total number of decisions this quarter (142) compares favourably with the third and fourth quarters for 2008/09 (115 and 81 respectively) but is, not surprisingly given the current financial climate, below the figure for the comparable quarter last year (178).

1.2 Percentage of Planning Appeals Allowed

The two appeal decisions received this quarter related to proposed residential development at Haile and Sandwith. Both appeals were dismissed, giving a perfect BVPI return of 0%.

- 1.3 In summary, the current top quartile status for the determination of all categories of planning applications is in line with Service Plan objectives. Members and Officers alike are to be commended in achieving these outcomes. Speed of determination, however, must not be at the expense of quality and, hopefully, the recent Quality Review day clearly demonstrated that this is not the case.

Contact Officer: Tony Pomfret – Development Control Manager

Background Papers: Supporting documentation is available for inspection in the Development Control office

WHITEHAVEN TOWN CENTRE AND HIGH STREET CONSERVATION AREAS – PROPOSAL TO MERGE AND EXTEND THE AREAS

Lead Officer: Tony Pomfret – Development Control Manager

Recommendation: That a consultation exercise comprising a public exhibition and public meeting be organised in the autumn to publicise and explain the proposed changes to the Whitehaven Town Centre and High Street Conservation Areas and to consider comments received.

Resource Implications: The consultation will be undertaken by the North of England Civic Trust, under their existing contractual arrangements. Additional costs of room hire, advertising etc., will be covered by the existing Development Control budget.

1. BACKGROUND INFORMATION

1.1 Specialist conservation consultants, Paul Butler Associates, working with OMI Architects and Landscapes Projects, were appointed to undertake a series of studies, which were partly funded by West Lakes Renaissance and partly by the Council. The studies included:

- A Conservation Area Character Appraisal, Public Realm Appraisal and Management Plan for Whitehaven Town Centre and High Street Conservation Areas.
- Design Guidance for Whitehaven town centre together with specific design guides for a number of town centre opportunity sites.

1.2 An interim presentation for Members on the findings of these reports was given by the consultants in November 2008. The final reports have now been completed and copies have been made available in the Members' Room. The reports comprise a suite of related planning/conservation documents. These reports were reported to the Executive on 30 June and recommendations were agreed. A number of issues of particular interest to the Planning Panel are highlighted in this report.

1.3 The Review was undertaken for the following reasons:

- a) Local Planning Authorities are required by legislation, from time to time, to review the boundaries and policies for their conservation areas;
- b) There is a need for design guidance to assist developers/architects in preparing schemes for the redevelopment of key town centre opportunity sites identified in the Local Plan, many of which are currently being discussed;

- c) The design guidance and policy advice will be fed into the emerging Local Development Framework exercise;
- d) A Conservation Area Appraisal is a prerequisite for applying for a Townscape Heritage Initiative project through the Heritage Lottery Fund.

2.1 The Conservation Area Appraisal and Public Realm Appraisal include a historical assessment of the town, a detailed survey of the area and an analysis of its character. It classifies the area into seven character areas, illustrated in Plan 1:

- o South Harbour
- o North Harbour
- o Old Town
- o Georgian Grid-Iron
- o Flatt
- o Brackenthwaite
- o High Street

2.2 These individual character areas collectively shape Whitehaven's unique historical and architectural interest and highlight elements of the townscape which detract from these important features and/or are threatening to harm the town's character.

2.3 Detailed study and assessment has revealed that Whitehaven town centre's unique architectural and historical character is, however, being undermined by a number of issues and threats. The report summarises the Issues and Threats as:

- o Negative buildings which erode character and quality;
- o Threat of unsympathetic new development;
- o Gradual erosion of special character due to loss of traditional materials and the introduction of inappropriate modern features;
- o Lack of building maintenance and structural issues;
- o Underuse and vacancy of historic buildings;
- o Gap sites harming character and appearance;
- o Threat of the maritime location;
- o Inadequate gateways into the town centre;
- o Lack of visual and physical linkages between the town centre and the harbour;
- o Underuse and inadequate maintenance of public space;
- o Loss of historic surface materials.

2.4 The Conservation Area Management Plan, Development Guidance and Public Realm Appraisal which support this Character Appraisal focus on addressing these elements and recommend a series of proposals to protect and enhance Whitehaven's special character in the future.

2.5 The purpose of the Development Guidance is to outline how the buildings, streets and places within Whitehaven can be conserved, improved and developed to enhance the special qualities of the Whitehaven Town Centre and High Street Conservation Areas.

2.6 An understanding as to how the town was formed is needed in order to gain an appreciation of its special qualities and direct building owners, developers and architects as to how these may be reinforced and improved. The guidance will be made available (on a CD) to developers and architects and they will be expected to ensure that their proposals for development take account of this design guidance and that this is reflected in their Design and Access Statements.

2.7 The Development Guide gives detailed advice on each of the following topics:

- Urban grain
- Density and mix of uses
- Height and massing
- Building type
- Façade and interface
- Details and materials

2.9 In addition to the general design advice provided in the Development Guide, specific detailed guidance has been provided for the following town centre opportunity sites:

1. Former Bus Depot, Bransty Row
2. Former Bus Station, Bransty Row
3. YMCA Building, Irish Street
4. Mark House, Former Public Baths Building, Strand Street
5. Quay Street East and West, Car Park Sites
6. Site on Corner of Strand Street/Marlborough Street
7. Bardywell Lane
8. Albion Street North
9. Albion Street South

2.10 The character and public realm appraisals and development guidance will be used in pre-application discussions with developers and architects and will be expected to be reflected in their Design and Access Statements.

3. SUGGESTED CONSERVATION AREA BOUNDARY CHANGES

3.1 The appropriateness of the existing boundaries of Whitehaven Town Centre Conservation Area and High Street Conservation Area was reviewed as part of this Character Appraisal and four changes have been recommended as follows:

3.2 Castle Park/Crowpark Wood

The eastern boundary of Whitehaven Town Centre Conservation Area is currently defined by a line of yew trees within Castle Park and by Whitehaven Castle. As such, the majority of the predominantly wooded Castle Park and Crowpark Wood, which together historically formed the castle's extensive grounds, are excluded from the town centre's conservation area. Due to their elevation and density of trees, Castle Park and Crowpark Wood help to give the town an attractive green backdrop and are considered fundamental to the special character of the town centre's conservation area.

3.3 Wellington Row/Hilton Terrace/Solway View

The northern boundary of High Street Conservation Area is currently defined by the rear of buildings on the northern side of High Street. This extension would see the incorporation of Wellington Row, in addition to Hilton Terrace and Solway View, which were constructed during the early nineteenth century following the release of new building land by Sir William Lowther of Swillington. These terraces were some of the few developments to take place within the town at that time and are considered to be of some architectural and historical merit.

3.4 Brackenthwaite/Bransty

This area is located between the boundaries of Whitehaven Town Centre Conservation Area and High Street Conservation Area and is today dominated by 1960s/1970s residential blocks, a recreation ground that is historically affiliated with St James' Infant School and the town's former bus station and depot on Bransty Row. However, this area is intrinsically linked to the rapid and deliberately planned settlement, which developed during the seventeenth and eighteenth centuries, as it historically formed the western limit of the Lowther family's grid-iron pattern of streets. As such, although individual buildings within this area are of little or no historic or architectural interest, the area is still very much part of Whitehaven's townscape. The inclusion of this area will not dilute the conservation area's special character – rather it will give additional statutory protection to the historic street pattern and the adjacent historic buildings as any future redevelopment of the area will be subject to stringent design guidelines.

3.5 Merger of Existing Conservation Areas

In addition to the three proposed extensions, it was recommended that the Town Centre and High Street conservation areas be merged to form a single conservation area. This single conservation area would incorporate the entire town centre and includes the extent of the town prior to the involvement of the Lowther family, the Georgian grid-iron streets, the harbour and the two hillsides which flank the town.

The existing boundaries of the Town Centre and High Street Conservation Areas are shown in Plan 2 and the proposed changes are illustrated in Plan 3.

4. Proposed Consultation

- 4.1 Planning Policy Guidance 15 states that there is no statutory requirement to consult prior to extension of the designation, but it is considered to be highly desirable that there should be consultation with local residents, businesses and other local interests (e.g. amenity bodies). The greater the public support that can be unlisted to redesignation before it takes place, the more likely it is that policies for the area will be implemented voluntarily and without the need for additional statutory controls. Local Planning Authorities should advise English Heritage and the appropriate regional Government Office when conservation areas are rededicated.

- 4.2 Section 71 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that it is a duty of local planning authorities, from time to time, to formulate and publish proposals for the preservation and enhancement of any parts of their area which are conservation areas. The Act also states that proposals shall be submitted for consideration to a public meeting in the area to which they relate and that the authority shall have regard to any views concerning the proposals expressed by persons attending the meeting.
- 4.3 It is proposed that an exhibition be arranged where interested residents and businesses can attend and ask questions and this will be followed by a public meeting where the background to the studies can be explained together with the proposals to change the conservation area boundaries.

Others contacted: **Clinton Boyce, Legal Services Manager**

Contact Officer: **Tony Pomfret, Development Services Manager**

Background Papers: A suite of documents produced by Paul Butler Associates has been deposited in the Members' Room for reference.

DEVELOPMENT CONTROL PERFORMANCE MONITORING

Lead Officer: Tony Pomfret – Development Control Manager

To inform Members of Development Control Performance in 2009/10 against Best Value Performance Indicators

Recommendation: That the report be noted.

Resource Implications: Nil

1.0 SUPPORTING INFORMATION

1.1 Speed of Determination of Planning Applications – the following results were achieved:-

	1st Quarter (April-June)
PI 157 (a)	
Major planning applications dealt with < 13 weeks	100% (6 out of 6)*
Target is 60%	
Top quartile is 81.64%	
PI 157 (b)	
Minor planning applications dealt with < 8 weeks	95.45% (42 out of 44)
Target is 65%	
Top quartile is 84.04%	
PI 157 (c)	
Other planning applications dealt with < 8 weeks	100% (92 out of 92)
Target is 80%	
Top quartile is 92.12%	

* comprises 1 “largescale” major and 5 “smallscale” majors

WHITEHAVEN TOWN CENTRE AND HIGH STREET CONSERVATION AREAS – PROPOSAL TO MERGE AND EXTEND THE AREAS

Lead Officer: Tony Pomfret – Development Control Manager

Recommendation: That a consultation exercise comprising a public exhibition and public meeting be organised in the autumn to publicise and explain the proposed changes to the Whitehaven Town Centre and High Street Conservation Areas and to consider comments received.

Resource Implications: The consultation will be undertaken by the North of England Civic Trust, under their existing contractual arrangements. Additional costs of room hire, advertising etc., will be covered by the existing Development Control budget.

1. BACKGROUND INFORMATION

1.1 Specialist conservation consultants, Paul Butler Associates, working with OMI Architects and Landscapes Projects, were appointed to undertake a series of studies, which were partly funded by West Lakes Renaissance and partly by the Council. The studies included:

- A Conservation Area Character Appraisal, Public Realm Appraisal and Management Plan for Whitehaven Town Centre and High Street Conservation Areas.
- Design Guidance for Whitehaven town centre together with specific design guides for a number of town centre opportunity sites.

1.2 An interim presentation for Members on the findings of these reports was given by the consultants in November 2008. The final reports have now been completed and copies have been made available in the Members' Room. The reports comprise a suite of related planning/conservation documents. These reports were reported to the Executive on 30 June and recommendations were agreed. A number of issues of particular interest to the Planning Panel are highlighted in this report.

1.3 The Review was undertaken for the following reasons:

- a) Local Planning Authorities are required by legislation, from time to time, to review the boundaries and policies for their conservation areas;
- b) There is a need for design guidance to assist developers/architects in preparing schemes for the redevelopment of key town centre opportunity sites identified in the Local Plan, many of which are currently being discussed;

2.6 An understanding as to how the town was formed is needed in order to gain an appreciation of its special qualities and direct building owners, developers and architects as to how these may be reinforced and improved. The guidance will be made available (on a CD) to developers and architects and they will be expected to ensure that their proposals for development take account of this design guidance and that this is reflected in their Design and Access Statements.

2.7 The Development Guide gives detailed advice on each of the following topics:

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8. Albion Street North
9. Albion Street South

2.10 The character and public realm appraisals and development guidance will be used in pre-application discussions with developers and architects and will be expected to be reflected in their Design and Access Statements.

3. SUGGESTED CONSERVATION AREA BOUNDARY CHANGES

3.1 The appropriateness of the existing boundaries of Whitehaven Town Centre Conservation Area and High Street Conservation Area was reviewed as part of this Character Appraisal and four changes have been recommended as follows:

3.2 Castle Park/Crowpark Wood

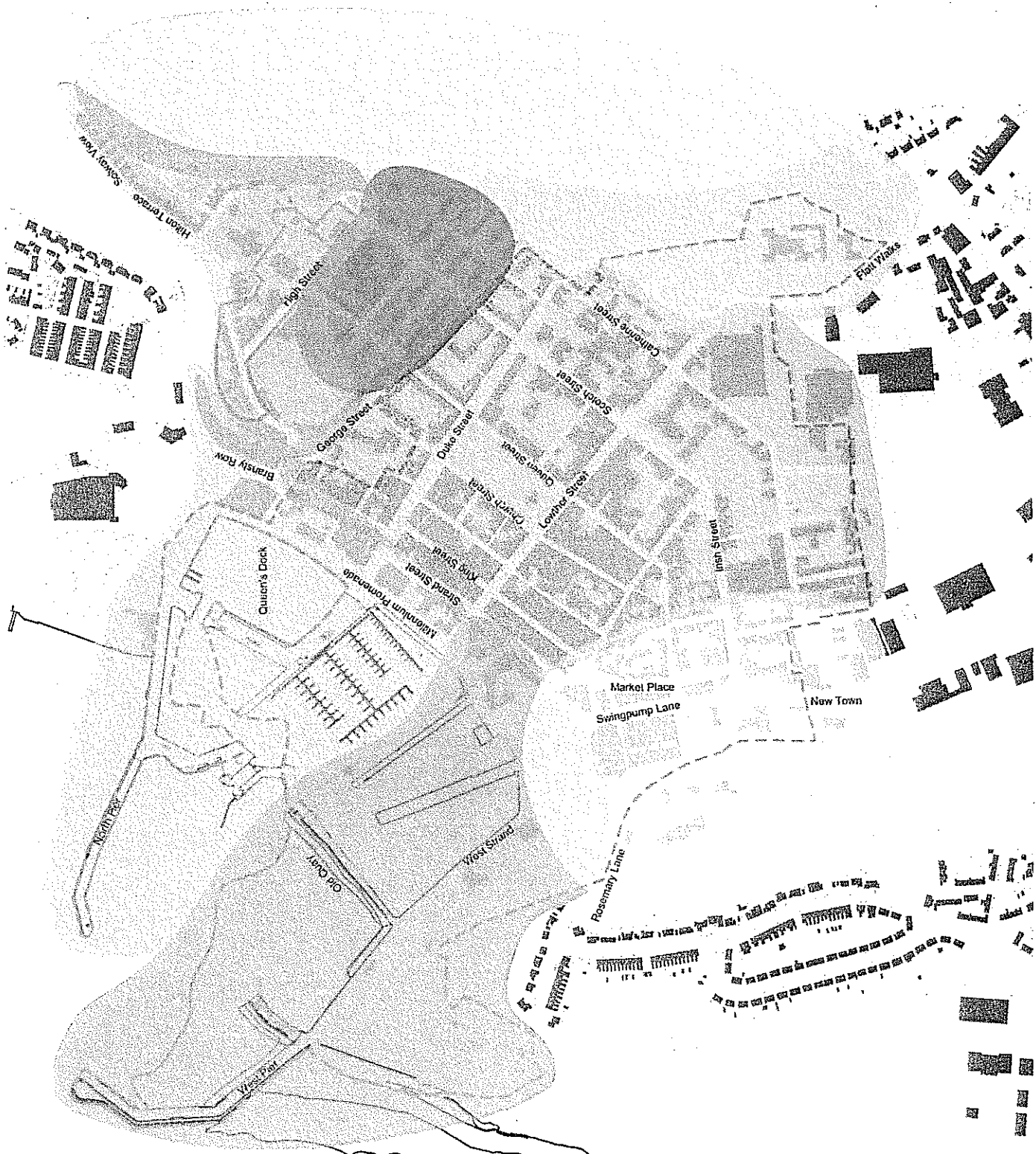
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- 4.2 Section 71 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that it is a duty of local planning authorities, from time to time, to formulate and publish proposals for the preservation and enhancement of any parts of their area which are conservation areas. The Act also states that proposals shall be submitted for consideration to a public meeting in the area to which they relate and that the authority shall have regard to any views concerning the proposals expressed by persons attending the meeting.
- 4.3 It is proposed that an exhibition be arranged where interested residents and businesses can attend and ask questions and this will be followed by a public meeting where the background to the studies can be explained together with the proposals to change the conservation area boundaries.

Others contacted: **Clinton Boyce, Legal Services Manager**

Contact Officer: **Tony Pomfret, Development Services Manager**

Background Papers: A suite of documents produced by Paul Butler Associates has been deposited in the Members' Room for reference.



Character areas within Whitehaven's town centre

**PLAN 3 – PROPOSED CONSERVATION AREA
BOUNDARY**

