

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

PLANNING PANEL

29 APRIL 2009

AGENDA

		PAGE
1.	<u>Schedule of Applications - Main Agenda</u>	
Item 1	4/09/2069/0 Barn Conversion, Orchard Brow Barn, Haile	1
Item 2	4/09/78/0 Outline application for a dwelling in the garden Of Rose Cottage, High Street, Whitehaven	4
Item 3	4/09/2079/0 Erection of 2.7 metres high security fence Former Coal Yard, Solway Road, Kells	7
Item 4	4/09/2095/0 Conversion of Disused Barn to Dwelling Whitriggs Farm, Drigg Road, Seascale	15
Item 5	4/09/2097/0 2 No. Internally Illuminated Free Standing Double Sided Display Units, Pelican Service Station, Loop Road North, Whitehaven	19
Item 6	4/09/2100/0 Replacement Garage – Retrospective (Resubmission) Garage “C” off Lingmell Crescent, Seascale	21
Item 7	4/09/2102/0 Outline application for demolition of former bus Station to develop 63 residential apartments and 71 Residents parking spaces, Bus Station, Bransty Row, Whitehaven	22
Item 8	4/09/2105/0 Erection of Awning on Front of Building 23 Church Street, Whitehaven	23
Item 9	4/09/2117/0 Double Garage and Concrete Shed 64 Gosforth Road, Seascale	25

Item 10	4/09/2119/0	26
	Outline app for demolition of former bus depot, Bransty Row & Former garages, Wellington Row to Create 67 residential apartments & A1 A3 A4 and A5 Use at Bransty Row for 66 residents car parking spaces At Wellington Row – Bus Depot, Bransty Row	
Item 11	4/09/2121/0	28
	Use of Units as a Dental Surgery as Variation to 4/07/2598/0 Units 3 & 4, Pears House, Millennium Way. Quayside, Whitehaven	
Item 12	4/09/2134/0	31
	Construction of a New Rigg Hall & Office Accom Site adjacent to Unit 10, Bridge End Industrial Estate, Egremont	
2.	<u>Schedule of Applications - Delegated Matters</u>	33

MAIN AGENDA

1 4/09/2069/0

BARN CONVERSION

ORCHARD BROW BARN, HAILE, EGREMONT, CUMBERIA.
MISS B HAYWOOD

Parish Haile

- have strong objections. Firstly the character of the property has been completely destroyed with the addition of the extra bedroom at the front. The ramp at the front of the property gave the conversion a really original look that fitted in well. By removing the ramp the whole look of the conversion has changed, and had this been the case in the beginning we would have strongly objected to the application.

Secondly, the Parish Council are not happy about the painted render section. This was originally passed for all sandstone and would have been less visible. Perhaps the section in question could be rendered in colour cement rather than painted.

Planning permission is sought for this revised scheme for the conversion of this detached barn at Orchard Brow, Haile.

The barn is situated to the south of Haile and within the main village area although there is no settlement boundary for Haile identified in the adopted Copeland Local Plan 2001-2016. It has an access to the front onto the Haile to Blackbeck road. The farm use on site ceased some time ago and the barn is now adjoining 3 other residential properties.

A previous application for conversion of the barn to a dwelling was approved in May 2006, subject to the signing of a Section 106 agreement requiring the applicant's current dwelling adjoining the barn, Orchard Brow Cottage, to be occupied as holiday accommodation only to meet the criteria of Policy HSG 17 of the adopted Copeland Local Plan (4/06/2136/0 refers). This agreement was entered into and the development was commenced.

This application seeks to amend the conversion scheme to a degree that it was deemed a new planning application was required. It would still be a four bedroomed dwelling with a living room, sun room, kitchen utility and bathroom, with the majority of the accommodation in the existing structure over 3 floors but with a stone faced two storey extension to the rear elevation. Externally, the existing sandstone elevations were to remain, along with a slate roof and timber windows. Access to the barn was proposed to be from the existing former agricultural yard and access, which raised no highway objections.

This application differs from that previously approved as follows:

MAIN AGENDA

1. To the frontage is proposed a new extension to the building measuring 6.8m x 5.2m to provide space for a bedroom which is now no longer on a third floor in the property. Part of this space would still be used as a mezzanine floor study.
2. To the main building frontage, above the ground floor extension, there is a balcony area proposed measuring 1.3m x 2.5m with surrounding railings.
3. The windows are now proposed to be brown uPVC for the whole conversion whereas they were previously timber framed.
4. Finally, the previously approved rear extension is now proposed to be finished with a smooth painted render, instead of being faced in natural sandstone.

Four letters of objection from residents of Haile have been received to the proposal as well as the Parish Council comments. They are mainly in relation to the above changes, and are as follows:-

- a) The extension and balcony to the east (front) elevation lose the traditional point of the original barn conversion and completely change its appearance.
- b) The building will be a ridiculous mixture of old sandstone and a modern cement finish.
- c) The proposed design does not enhance the original building.
- d) The extension to the western elevation has already been built in blocks and in a manner that makes subsequent cladding in sandstone very difficult if not impossible. This suggests that there was never any intention to comply with the original planning permission specification that it be a sandstone finish.

In terms of planning policy, the proposal would need to comply with Policy HSG 17 of the adopted Copeland Local Plan 2001-2016 regarding conversion to dwellings in rural areas. This policy states that residential use will be permitted so long as:

1. applicants can demonstrate that alternative employment, community or mixed uses are not viable
2. where the subject building is currently or last used for agriculture applicants can also demonstrate that there is no alternative site or premises available in the locality which better accords with the search sequence set out in Policy DEV 4
3. the building is structurally sound and capable of accepting conversion works without significant rebuilding, modifications or extensions

MAIN AGENDA

4. the building in its existing form is of a traditional construction and appearance and the proposed conversion works retain the essential character of the building and its surroundings. In this regard existing features of interest and external facing materials should so far as possible be retained
5. the building is located within or adjacent to a village or existing group of buildings.
6. the building is served by a satisfactory access from the public highway network without the requirement for extensive private roads or tracks and domestic services such as a water supply and electricity must be readily available to the site
7. the conversion works incorporate reasonable standards of accommodation and amenity which should involve compliance with other plan policies
8. the number of dwellings proposed is appropriate to the scale of adjoining development and will not substantially increase the number of dwellings in the countryside.

With the principle of the residential conversion already accepted, points 3 & 4 of the above policy are the most relevant in determining this application. The key decision is whether or not the proposed changes listed above accord with this policy, and I am of the opinion that they do not. The proposed extension to the front would represent a "Significant modification or extension" of the property, due to its size and location. The proposed balcony does not retain the essential character of the building, especially being located on the front elevation. Finally, the proposed changes to introduce uPVC windows and a rendered finish on the rear extension are not of traditional construction and appearance, and do not conform to the policy requirement "external facing materials should so far as possible be retained."

Therefore, the application is recommended for refusal as it is demonstrably contrary to Policy HSG 17 of the adopted Copeland Local Plan 2001-2016.

If Members are minded to refuse the application then approval for appropriate enforcement action is also sought to ensure that the conversion works are carried out in accordance with the previously approved scheme.

Recommendation

Refuse

MAIN AGENDA

This revised proposal is considered to represent an unacceptable conversion of a rural building to residential use, contrary to Policy HSG 17 of the adopted Copeland Local Plan 2001-2016. In particular relation to criteria 3 & 4 of the policy, the additional front extension is considered to be an unacceptable significant modification and extension whilst the proposed balcony does not retain the essential character of the building, especially being located on the front elevation. The proposed introduction of uPVC framed windows and a rendered finish on the rear extension are not of traditional construction and appearance and do not conform to the policy requirement that "external facing materials should so far as possible be retained."

2 4/09/2078/0

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

Parish Whitehaven

At the last meeting Members resolved to carry out a site visit before determining this application. The site visit took place on Wednesday 15 April 2009.

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

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

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

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

The site has an existing gated access off James Pit Road and through a courtyard area serving Jameson House over which the applicant and

MAIN AGENDA

the adjacent property, West Winds, have a right of access.

In terms of consultation responses the Highways Authority raise no objection to the proposal subject to a condition relating to access, parking and turning being reserved for approval at the detailed planning stage. United Utilities also raise no objection providing the site is drained on a separate system, with foul drainage only being connected into the foul sewer.

Three letters of objection have been received from neighbouring property owners. The grounds for objection can be summarised as follows:-

1. The increase in traffic during construction work will seriously restrict access to objectors' properties. Due to medical conditions, one of the objectors has to use their car as the only means of access/egress.
2. The construction would cause major disruption as land belonging to Jameson House would be the only access. Heavy plant and machinery would need to pass within inches of the front of Jameson House and 1 Aviary Villas which could be dangerous.
3. There is already a heavy flow of traffic causing major problems to residents in this area due to there being a junior school with parents etc using any available space to turn and park when picking up/dropping off.
4. The resident/owner of Rose Cottage has access only across this land. This does not include persons to a second proposed dwelling.
5. Loss of privacy as the dwelling will only be 4-5m from the bedroom window of West Winds and will look directly into it.
6. Loss of light.
7. The dwelling will be close to an existing boundary wall. This is old and construction work could potentially damage it. If it was to collapse it could fall onto the adjacent pigeon loft. The objector could be liable for rebuilding costs.
8. The owners of Jameson House intend to lay expensive paving to the front of their house. This could be damaged by the activity of any construction.
9. Access to the adjacent garage may be restricted at inconvenient times.
- 10 Loss of view over the town.

Policies DEV 6 "Sustainability in Design" and HSG 4 "Housing within

MAIN AGENDA

"Settlement Boundaries" are the two main adopted Copeland Local Plan 2001-2016 policies against which this application should be assessed. The former advocates a high standard of design and general amenity in development proposals and the latter permits new house building within settlement boundaries where appropriate.

In addition to the above, Policy HSG 8 "Housing Design Standards" is also considered relevant. In particular, this requires all new housing development to retain a minimum of 21.0m between facing elevations containing windows of habitable rooms and a minimum of 12.0m between facing elevations of dwellings containing windows of habitable rooms and a gable or windowless elevation.

Although this application seeks outline permission the Council must be satisfied that an acceptable form of development can be accommodated on the site.

The indicative layout shows a dwelling being sited 2.0m off the rear boundary wall and at its closest point 5.0m from West Winds.

Whilst this area is characterised by a mixture of house types sited in a random layout, the subject site is rather restricted in terms of size, shape and level. Any new dwelling in this location would be in close proximity to existing residential properties where the potential for adversely affecting the living conditions of the occupants of these properties through overlooking, loss of privacy and an overall dominant/oppressive impact is considered unacceptable.

As such, it is considered that the proposal fails to satisfy the above policy criteria and refusal is therefore recommended.

Recommendation

Refuse

By virtue of its siting in close proximity to neighbouring dwellings the proposed development would result in an overdominant form of development which would adversely affect the living conditions and general amenity of the occupants of these properties, particularly in terms of overlooking and resultant loss of privacy, contrary to Policies DEV 6, HSG 4 and HSG 8 of the adopted Copeland Local Plan 2001-2016.

MAIN AGENDA

3 4/09/2079/0

ERECTION OF 2.7 METRES HIGH SECURITY FENCE
FORMER COAL YARD, SOLWAY ROAD, KELLS, WHITEHAVEN,
CUMBRIA.
CF CEILINGS LTD

Parish Whitehaven

Planning permission is sought for the erection of a 2.7m high galvanised steel palisade fence around the former coal depot site which occupies a prominent coastal position to the south west of Haig Enterprise Park, Kells.

A substantial section of the fence is already in place and is required to provide security and prevent fly tipping.

The site is currently being utilised by a local company for the storage and sorting of waste. A number of skips and waste materials are evident on site. The lawfulness of this use is a matter being considered by Cumbria County Council as the relevant planning authority for waste related developments.

An objection has been received from The Land Restoration Trust, a copy of which is appended to this report. In summary, they are concerned that the substantial, intrusive and inappropriate fencing is clearly detrimental to the high visual qualities of this important stretch of undeveloped coast that links St Bees Head and the Heritage Coast to Whitehaven Harbour. Such development is entirely contrary to national planning guidance as well as the adopted regional and Borough development plans that resist new development in the undeveloped coast.

Five letters of objection have been received from both local residents and visitors to the town. The grounds for objection can be summarised as follows:-

1. The fence will look unsightly over an area of land that is only now being allowed to return to a natural state.
2. The existing fence is at risk of collapsing, possibly onto persons walking along the Cumbria Coastal Way.
3. The enormous aesthetic and historical potential of the town and its surrounding landscape is finally being revealed. It is the objector's understanding that the greater plan for the area was to include protection of the undeveloped coastal fringe which should mean no development.
4. The development, even in its current incomplete state, is clearly an eyesore and scar on a special coastal landscape. If completion is allowed the scar will become more intrusive and damaging.

MAIN AGENDA

5. Should this application be approved it would set a precedent for future industrial development and the whole idea of a vibrant green corridor would be lost.
6. Surely tourism is likely to be a better bet for the economic future of the area rather than industrial development.

The site is situated outside the settlement boundary for Whitehaven as defined by the adopted Copeland Local Plan 2001-2016 and within a designated tourism opportunity site (TSO3) "Whitehaven Coastal Fringe". As such, Policies DEV 5 "Development in the Countryside" and TSM 2 "Tourism Opportunity Sites" are the two main adopted Local Plan policies against which this application should be assessed. The former seeks to protect the quality and character of the wider countryside and, where possible, enhance it and the latter permits new tourism development within designated opportunity sites where appropriate.

The reasoned justification to Policy TSM 2 states that particular attention will be paid to the potential of the Whitehaven Coastal Fringe (TOS3) as a Regional Park. Studies are currently being undertaken and the area is to be included in a regeneration-based Area Action Plan in due course as part of the Council's Local Development Framework. Particular potential exists in area TOS3 linking Whitehaven Harbour with Haig Pit and the St Bees Heritage Coast.

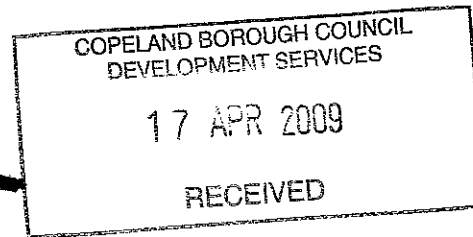
Opportunities within designated locations will be expected to focus on activities and facilities to assist interpretation and quiet enjoyment in undeveloped sections rather than hard development.

In addition to the above, Policy DEV 6 "Sustainability in Design" is also considered relevant to the determination of this application. In particular, criterion 11 states that development proposals should not prejudice the comprehensive development of an area, particularly where any masterplan or action plans have been adopted by the Council.

Whilst the site is referred to within the application as the former coal depot, this use has long since been abandoned. The coastal footpath runs parallel to the site where considerable efforts are already being made to improve the area. For example, Members may recall an application that was approved in November 2007 for an extensive scheme of environmental improvements along the Whitehaven Coastal Fringe (4/07/2580/0F1 refers) which included works along the public footpath that runs parallel to the subject site. These works have commenced, with a number of attractive directional signs on sandstone pillars and name signage such as "Ravenhill Track" now in place.

In light of the above it is considered that the proposal is at variance with the above policies insofar as it represents an

Head of Development Control
Environment and Planning
Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
CA28 7SJ



Dear Mr Pomfret

**Planning Application 4/09/2079/0
Erection of a 2.7 metre high security fence at the former coal yard,
Solway Road, Kells, Whitehaven**

I am writing on behalf of the Coastal Fringe Task Group to register our objection to the above planning application. The Task Group is one of several which report to the Whitehaven Regeneration Steering Group and includes representatives of Copeland Borough Council, the Homes and Communities Agency, West Lakes Renaissance, the Haig Mining Museum, Natural England, RSPB, the National Trust and the Land Restoration Trust.

The Planning Application

As this planning application is being submitted retrospectively it is possible to clearly see the very significant negative impact this development has on the coastal landscape, which has otherwise seen significant environmental improvements over the past few years. Through its impact on the landscape quality of the area this intrusive development significantly reduces the value of this coast both as a recreational resource for the local community and as an economic resource for the wider, tourism led regeneration effort in Whitehaven.

The application site is situated quite close to the cliff edge at a point where the cliff top is relatively narrow and the main coastal path is squeezed between the cliff edge and the areas that are designated as being within the settlement boundary for Whitehaven. Accordingly the site is prominently located, especially as seen from the coastal path. The impact of an unduly high fence on the perimeter of the application site, with an ugly industrial appearance, is extremely incongruous and detrimental to the amenities of all the users of this part of the undeveloped coast.

The Attributes and Potential of the Undeveloped Whitehaven Coast

In early 2006, the Coastal Fringe Task group commissioned the National Trust to produce a Development Plan for the Whitehaven Coast in order to guide proposals for the development of the Haig Colliery and former Marchon sites. The National Trust was commissioned to carry out this work because of its experience of managing important and sensitive coastal sites¹ and due to its capacity to involve and engage local people in this work. A Community Engagement Officer was recruited specifically to support this project. One of the key elements of the Development Plan was a Statement of Significance for the Whitehaven Coast which identified its outstanding qualities.

The Statement of Significance highlighted the following points:

1. The most immediate and striking impression of the coastline between Whitehaven and St Bees is of a **magnificent and largely unspoilt coastal landscape**. The open views up and down the coast and across the Solway to Scotland, the Isle of Man and, occasionally, Northern Ireland are an inspiration in all weathers. The area is the only significant piece of cliff coastline between Burough Head in Galloway and the Great Orme in North Wales.
2. The Whitehaven coast has on its doorstep a **local community** with living memories of a very different past.... and the potential to benefit in the future through recreation and opportunities for learning.
3. The coast will be a major asset to support the wider **regeneration** effort in Whitehaven with sensitive landscaping and interpretation.

During 2008 the Haig Colliery site received a capital investment of £1.8m investment from the Homes and Communities Agency (formerly English Partnerships). This site which is now managed by the National Trust, on behalf of the Land Restoration Trust completely surrounds the proposed development. The outstanding landscape and amenity value of this area and its potential to boost the tourism offer of Whitehaven is supported by the media interest this site has recently generated with programmes about the site being broadcast on the Radio 4 programmes 'You and Yours' and 'Open County' and the BBC1 'Countryfile' programme. The quality of this landscape has the potential to bring significant economic benefit.

The Haig Colliery Mining Museum is currently in a detailed design phase of a potential £4.5 million restoration project. The phase two project will turn what is currently a semi derelict building with a small visitor offer into a dynamic and unique visitor attraction complementing the existing initiatives on the Whitehaven Coast and the regeneration of Whitehaven. It is important to the delivery of this project that the surrounding area is sympathetic to the heritage and natural beauty of the cliff tops and coastal path.

¹ The National Trust owns and manages over 700 miles of the coastline of England, Wales and Northern Ireland – nearly a tenth of the overall coastline.

We would also highlight that the development is immediately adjacent to Saltom Pit, which has recently been subject to a major investment of public funds to conserve the historic pit buildings and sea wall (a Scheduled Ancient Monument) and to restore public access to the site. 50% of the funding for this £200,000 project was secured from the European Regional Development Fund via West Lakes Renaissance. The following is taken from the appraisal form for this project:

'The Saltom Pit remains and their setting provide an iconic image of all that is important about the Whitehaven Coast. Protecting the buildings from collapse will therefore protect this important asset. More specifically the project will bring about the following benefits:

- a) The footpath closure to Saltom Bay can be lifted allowing people to visit this quiet and secluded bay again. The current closure signs send conflicting signals alongside the investments being made elsewhere on the Haig site through English Partnerships National Coalfield Programme.*
- b) Protecting the buildings from collapse and ensuring that they are accessible to the public will significantly enhance the tourism potential of the Whitehaven Coast in general but also of the Haig Mining Museum in particular.*
- c) The provision of signage and interpretation will also enhance visitors understand and enjoyment of the coast and so will add to the tourism potential of the area.'*

We would point out that allowing the retention of the proposed development would run completely counter to the stated aims of this recent investment.

Funding has also been secured for enhancement works to the rear of Basket Road and work is scheduled to start before the end of April 2009. These works will further improve the local environment and form an integral part of the delivery of the vision for the Whitehaven Coast.

The public right of way which runs immediately to the east of the coal depot is part of the Cumbria Coastal Way and may eventually be part of the North West Coastal Trail. It is also proposed that the Hadrian's Wall Cycle Route be diverted along this route should public access be allowed across the site of the former Marchon chemical site.

We are also concerned about the visibility of the fence from the area further south towards St Bees Head and the degree to which it will detract from the scenic quality of these views. This area is designated as Heritage Coast – the only such area designated in the North West of England.

The area is of considerable value to local residents as an area for informal recreation. The public right of way which runs due east from Solway Road and the road which runs down the south side of the Haig Enterprise Park are both popular routes by which local residents from Kells access the coast. Both these routes meet the coastal path at a point immediately adjacent to the former coal yard and we believe that the proposed development will significantly detract from the quality of people's experience of this part of the coast.

Specific Development Plan Considerations

PPG20: Coastal Planning – recognises the importance of the coast as a national resource (para 1.1). The purpose of the undeveloped coast is to conserve it both for its landscape value and for its nature conservation interest (para 2.1). Coastal areas are particularly vulnerable to visual intrusion because of the high visibility of development, including on the skyline and affecting views along stretches of undeveloped coast (para 2.3). Generally the undeveloped coast should not be expected to accommodate new development, especially that which does not require a coastal location (paras 2.09 – 2.10). The approach to improving the environment in coastal locations is set out in paras 2.22 to 2.25 and is entirely supportive of the work of the Whitehaven Coastal Fringe Task Group, for example in terms of enhancing the coast, regenerating run down and damaged areas, the removal of eyesores and supporting the role of tourism.

NW Regional Spatial Strategy to 2021 – seeks to promote environmental quality (Policy DP7) including understanding and respecting the character and distinctiveness of landscapes and promoting good quality design.

Policy RDF3 applies to the NW Coast and seeks to:

- Safeguard the undeveloped coast, directing new development requiring a coastal location to the developed coast.
- Promote the conservation and enhancement of cultural, historic and natural environmental assets, including landscapes.

Policy W7 (Principles for Tourism Development) requires that the environmental sensitivity of the coast is respected, particularly of the undeveloped coast.

Policy EM1 (including in particular EM1 [A]) seeks to protect and enhance the environmental assets of the NW, including its distinctive landscapes.

Copeland Local Plan to 2016 – the following policies are relevant to the current retrospective planning application:

DEV7: Sustainability in Design – requires development to show a high standard of design and choice of materials, contributing to a strong sense of place. Development should also avoid damaging important landscapes and open spaces.

It is noted that the Whitehaven Coastal Fringe is identified as an important area for encouraging tourism (TOS3), but that any such development is required not to compromise the qualities and character of the undeveloped coast (Policy TSM2).

Policy ENV8: Views from and to the Heritage Coast - states that careful regard needs to be had for such views in the consideration of development proposals in the vicinity of the designated Heritage Coast.

Policy ENV14: Development in the Coastal Zone – states that development will not be permitted where it would have an adverse effect on natural landscape character or be prejudicial to people's enjoyment and understanding thereof; or it has an adverse impact upon areas of historic, conservation or wildlife importance.

Policy ENV15: Undeveloped Coast – states that development will only be permitted in such locations where it requires a coastal location and there are no suitable sites available within the developed coast, and the development conserves or enhances the quality and character of the coastal zone.

Conclusion

The substantial, intrusive and inappropriate palisade fencing that has been erected around the application site without planning permission is clearly detrimental to the high visual qualities of this important stretch of undeveloped coast that links St Bees Head and the Heritage Coast to Whitehaven Harbour. Such development is entirely contrary to national planning guidance as well the adopted Regional and Borough Development Plans that resist new development in the undeveloped coast and require all new development to pay special attention to its impacts upon the wider landscape and open spaces.

Furthermore the adverse impact of the fencing blights a key part of the Borough where there is commitment from many organisations, including the Council, to significantly improving its environmental qualities so that it's full value to local residents and to the Borough's tourist economy can be realised.

It is therefore requested that planning permission is refused as the development is contrary to the Development Plan, and that early enforcement action is now pursued to secure the removal of the unauthorised development.

Yours sincerely

A handwritten signature in black ink, appearing to read 'D Beuzeval'. The signature is written in a cursive style with a large initial 'D'.

David Beuzeval
Development Director
Land Restoration Trust

On behalf of the
Coastal Fringe Task Group
Whitehaven Regeneration Programme

MAIN AGENDA

incongruous form of hard development within the coastal fringe that prejudices the comprehensive development of a designed tourism opportunity site (TOS3).

If Members are minded to support the recommendation to refuse planning permission, authorisation is also sought to serve an Enforcement Notice to secure removal of the unauthorised fencing.

Recommendation

Refuse

By virtue of its siting and design the partially erected 2.7m high galvanised steel fencing represents an incongruous form of hard development within the coastal fringe and outwith the defined development boundaries for the town that prejudices the comprehensive development of a designated tourism opportunity site "Whitehaven Coastal Fringe" (TOS3) contrary to Policies DEV 5, DEV 6 and TSM 2 of the adopted Copeland Local Plan 2001-2016.

4 4/09/2095/0

CONVERSION OF DISUSED BARN TO DWELLING
WHITRIGGS FARM, DRIGG ROAD, SEASCALE, CUMBRIA.
MR TAYLOR

Parish Seascale

- No objections to the application as a whole, as although it is currently outside of the village development boundary, it is within a group of farm buildings and would be an improvement that the Parish Council would encourage.

Planning permission is sought for the conversion of the majority of a large, detached barn at Whitriggs Farm, Seascale to residential use.

The large barn is situated within the group of farm buildings at Whitriggs which is approximately 150m from the Seascale settlement at its nearest point. The access to the farm unit is a surfaced track from the B5344 Seascale to Drigg road. There are currently 2 residences at Whitriggs Farm comprising of the farm house and an additional residence. The buildings are set around the former farm yard with this barn being 10.5m from the farm house. A previous application for conversion of the barn to a dwelling was withdrawn by the applicants on officer advice in May 2006 (4/06/2159/0 refers).

This application would see the barn converted into a four bedroomed

MAIN AGENDA

dwelling with accommodation over two floors, all within the existing structure. To the ground floor would be four bedrooms, one with an en-suite bathroom, and a main bathroom. On the first floor would be a large living room, family room, breakfast kitchen, study and garden room with access from the garden room and living room onto a decked area to the rear elevation. Externally, the building has differing land levels to the front and rear, with no windows or door to the ground floor at the rear. The existing openings have been used where possible and no changes will be made to the existing sandstone elevations or slate roof. The windows and doors will be in painted timber.

Access to the barn is from the existing surfaced access track which serves the farm unit. However, the road junction with the B5344 road is to be repositioned and improved to meet the requirements of the Highways Authority following the undertaking of a speed survey. The proposal also includes a garage and parking/turning area for the dwelling.

No objections have been received to the proposal.

In terms of planning policy, the proposal would need to comply with Policy HSG 17 of the adopted Copeland Local Plan 2001-2016 regarding conversion to dwellings in rural areas. This policy states that residential use will be permitted so long as:

1. applicants can demonstrate that alternative employment, community or mixed uses are not viable
2. where the subject building is currently or last used for agriculture applicants can also demonstrate that there is no alternative site or premises available in the locality which better accords with the search sequence set out in Policy DEV 4
3. the building is structurally sound and capable of accepting conversion works without significant rebuilding, modifications or extensions
4. the building in its existing form is of a traditional construction and appearance and the proposed conversion works retain the essential character of the building and its surroundings. In this regard existing features of interest and external facing materials should so far as possible be retained
5. the building is located within or adjacent to a village or existing group of building
6. the building is served by a satisfactory access from the public highway network without the requirement for extensive private roads or tracks and domestic services such as a water supply and electricity must be readily available to the site

MAIN AGENDA

-
7. the conversion works incorporate reasonable standards of accommodation and amenity which should involve compliance with other plan policies
 8. the number of dwellings proposed is appropriate to the scale of adjoining development and will not substantially increase the number of dwellings in the countryside.

In accordance with this policy, the applicant has marketed the building for commercial purposes, but with little interest. A structural survey has been submitted which confirms the integrity of the building in its current form and the conversion would retain the character and appearance of this traditional rural building. The proposal includes an improved access at the road junction and the Highway Authority have raised no objections, subject to conditions. Finally, the building is appropriately located within a group and near to the Seascale settlement boundary.

The previous application was withdrawn as it was not considered to conform with the above policy, particularly in relation to points 1 and 6. However, it is my opinion that this revised proposal overcomes the previous concerns and it is therefore recommended for approval in accordance with Policy HSG 17 of the adopted Copeland Local Plan 2001-2016.

Recommendation

Approve (commence within 3 years)

1. The development hereby permitted shall be commenced within THREE years from the date hereof.
2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification) no external alterations (including replacement windows, doors and roof covering) or extensions shall be carried out to the dwelling, nor shall any building, enclosure, domestic fuel container, pool or hard standing be constructed within the curtilage of the converted barn without the prior written consent of the Local Planning Authority.

MAIN AGENDA

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 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.
4. Details of proposed crossings of the highway verge and/or footway shall be submitted to the Local Planning Authority for approval. The development shall not be commenced until the details have been approved in writing and the crossings have been constructed.
5. The access drive shall be surfaced in bituminous or cement bound materials, or otherwise bound, and shall be constructed and completed before the dwelling is occupied. This surfacing shall extend for a distance of at least 15m inside the site, as measured from the carriageway edge of the adjacent highway.
6. Before the dwelling is occupied the existing access to the highway shall be permanently closed and the highway crossing and boundary shall be reinstated in accordance with the details which have been submitted to and approved in writing by the Local Planning Authority.

The reasons for the above conditions are:-

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

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

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

In the interests of highway safety.

Note: The applicant should note that there should be no interference with public footpath no 426001 which passes this site.

Reason for decision:-

The proposal represents an acceptable conversion of a rural building to residential use in accordance with Policy HSG 17 of the adopted Copeland Local Plan 2001-2016.

MAIN AGENDA

5 4/09/2097/0

2 NO. INTERNALLY ILLUMINATED FREE STANDING DOUBLE
SIDED DISPLAY UNITS
PELICAN SERVICE STATION, LOOP ROAD NORTH,
WHITEHAVEN, CUMBRIA.
PELICAN SERVICE STATION

Parish Whitehaven

Advertisement consent is sought to display two internally illuminated, double sided free standing display units at the Pelican Garage on the outskirts of Whitehaven Town Centre.

The garage has road frontages onto the A595 (Loop Road North) and New Road. It is proposed to site the display units on opposite sides of a partially landscaped area adjacent to the garage forecourt. As such, one sign will face the A595 and the other will face New Road.

Both display units will be 1.9m high by 1.3m wide and mounted on a 0.6m high stand, taking the overall height of the units to 2.5m. They will be sited 3.0m from each of their respective carriageway edges.

The units will be available for general advertising purposes and not specifically related to the adjacent or any other local business.

No objections have been received from the Highways Authority or the Highways Agency, subject to conditions being attached to any subsequent grant of advertisement consent.

The Crime Prevention Design Advisor for Cumbria Police has expressed concerns that the signs may be an obstruction to drivers line of sight when exiting the junction, especially those wishing to turn right from New Road onto Loop Road North. In the not too distant past there was a sign at this location that caused major problems.

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

1. they would not be obtrusive or dominant features in the street scene;
2. they would not create clutter on a building or within the street scene;
3. they would not harm public safety;

MAIN AGENDA

4. where attached to a building, they would respect its scale, proportions and architectural features;
5. where attached to a Listed Building, or within the grounds of a Listed Building, they would preserve the special architectural or historic character and appearance of the building;
6. where displayed in Conservation Areas, they would preserve or enhance the character and appearance of the area and comply with Policy ENV 32.

In addition to Policy ENV 40, Planning Policy Guidance Note (PPG) 19 "Outdoor Advertisement Control" is also considered relevant to the determination of this application. Paragraphs 9 and 11 state that the display of outdoor advertisements can only be controlled in the interests of "amenity" and "public safety". In assessing an advertisement's impact on amenity, Local Planning Authorities should have regard to its effect on visual amenity in the immediate neighbourhood where it is to be displayed. They should therefore consider what impact the advertisement, including its cumulative effect, will have on its surroundings. It should be noted that notwithstanding the adjacent Pelican Garage premises, the signs would be in a predominantly residential area at the northern approach into the historic town centre of Whitehaven.

In my opinion, given that the garage already benefits from several signs, including two large free-standing totem display units, it is considered that this additional signage, the contents of which are not directly related to the business, is not reasonably required and appears incongruous in its setting detrimental to the interests of amenity.

As such, it is considered that the proposal fails to satisfy the above policy criteria and refusal is therefore recommended.

Recommendation

Refuse Advertisement Consent

By virtue of its scale, siting and design the proposed free standing display units represent obtrusive and dominant features within a predominantly residential area and adjacent to the main northerly approach road into the historic town centre of Whitehaven and constitute unnecessary additional commercialism at variance with Policy ENV 40 of the adopted Copeland Local Plan 2001-2016 and Planning Policy Guidance Note 19 "Outdoor Advertisement Control".

MAIN AGENDA

6 4/09/2100/0

REPLACEMENT GARAGE - RETROSPECTIVE (RESUBMISSION)
GARAGE 'C' OFF, LINGMELL CRESCENT, SEASCALE,
CUMBRIA.
MISS C WESTON

Parish Seascale

- The Parish Council understands that there are now two objectors to the application. They understand that in addition to the access problems which have already been highlighted, there is a planning issue with the revised application as there is now no adequate drainage being provided. The amended plan removes the drainage system that was in place so that the water will simply run-off, making the whole site wet. The Parish Council strongly recommend a site visit.

Retrospective planning permission is sought for the erection of a replacement garage at Lingmell Crescent, Seascale.

The proposed garage is located on a garage site to the rear of Lingmell Crescent with the applicant's dwelling on Hallsenna Road adjoining the site to the rear. The site has 12 garages set in two rows either side of a central access.

This application retrospectively seeks permission for a garage measuring 8.5m x 3.5m with a height of 2.0m to the eaves and 2.5m to the ridge. It is located 350mm off the rear boundary and currently overhangs the adjoining garage.

The application is being reported to the Panel due to the Parish Council's concerns and the proximity and access issues relating to the proposal for another garage on this site, which is also on this agenda with a recommendation for a site visit (4/09/2117/0 refers).

In accordance with the request made by the Parish Council, it is recommended that Members undertake a site visit before reaching a decision on this application.

Recommendation

Site Visit

MAIN AGENDA

7 4/09/2102/0

OUTLINE APPLICATION FOR DEMOLITION OF FORMER BUS
STATION TO DEVELOP 63 RESIDENTIAL APARTMENTS & 71
RESIDENTS PARKING SPACES
BUS STATION, BRANSTY ROW, WHITEHAVEN, CUMBRIA.
WHITEHAVEN MARINA

Parish Whitehaven

This is an outline application for the redevelopment of the former bus station on Bransty Row to provide 63 residential apartments with associated car parking for 71 vehicles. All matters of detail (layout, scale, appearance and landscaping) are to be reserved for subsequent approval with the exception of access into and out of the site. A previous outline application (4/07/2743/0) for a mixed development of retail and residential development was withdrawn in 2008 following concerns relating to the design, scale and massing of the buildings proposed.

Although the application is only in outline it is accompanied by a number of plans and documents including:-

- detailed elevation plans showing the height, massing and design of the building
- a Design and Access Statement
- A Transport Statement

THE PROPOSAL

The site occupies a prominent position on the northern entrance into the town and is currently occupied by the former bus station which has been vacant for several years. The submitted scheme has been designed to provide car parking at ground level which is to be served by the two existing access points into the former bus station off Bransty Row. The frontage of the building has been set back from the road edge to improve visibility to these two entrances. The residential units are to be located above the car park and will be divided into three separate blocks containing a mix of one and two bedroomed units. The height of the overall building rises up from three storeys at the northern end of the site to four storeys as the land drops down the slope along Bransty Row.

The proposal raises issues regarding access, design details and the height and massing of the buildings on this important site, as well as the relationship of the development to the residential properties to the rear which occupy an elevation position and front onto Wellington Row.

Local neighbours have been consulted on the proposal and several have

MAIN AGENDA

already lodged their opposition to the scheme on the grounds of scale, design and impact on their amenity.

The application is presently subject to statutory consultation procedures and comments are awaited from Cumbria County Council, English Heritage and others. The proposals are also being appraised by the Council's recently appointed Conservation and Urban Design Consultants, the North of England Civic Trust.

It is recommended that Members visit this site prior to the application being determined as there are a number of design issues relating to this proposal and implications for future development within the vicinity.

Recommendation

Site Visit

8 4/09/2105/0

ERECTION OF AWNING ON FRONT OF BUILDING
23, CHURCH STREET, WHITEHAVEN, CUMBRIA.
SAMARITANS

Parish Whitehaven

Planning permission is sought for the erection of an awning on the front elevation of this ground floor shop on Church Street occupied by the Samaritans. The three storey mid terraced property occupies a prominent location within the town centre conservation area and sits immediately opposite St Nicholas' gardens.

The applicants state that the awning is intended to be used on sunny days to assist customers viewing/window shopping and to eliminate glare from sunlight in the shop area.

The proposed awning measures 4.2m in length and will project 1.75m from the existing front elevation and will be between 2.1m and 3.0m above the footway. It will consist of green and white striped fabric supported by a white plastic frame and casement. The casement itself will be sited above the shop window and below the shop fascia.

The existing property has an attractive traditional timber shopfront with features such as a stall riser, pilasters, mullions and cornice.

The Highways Authority express concerns given that the minimum

MAIN AGENDA

required clearance above the footway surface of 2.6m has not been met. They request either an amended scheme be submitted or that the application be refused given that it would be prejudicial to public safety.

Policies DEV 6 "Sustainability in Design" and ENV 26 "Development in and affecting Conservation Areas" are the two main adopted Copeland Local Plan 2001-2016 policies against which this application should be assessed.

Criterion 1 of Policy DEV 6 requires development to show a high standard of design and choice of materials where building scale, density and proportion, landscaping and overall layout contribute to creating or maintaining a strong sense of place and achieves an efficient use of land.

Policy ENV 26 states:

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

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

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

Paragraph 4.19 states that planning decisions in respect of development proposed to be carried out in a conservation area must give a high priority to the objective of preserving or enhancing the character or appearance of the area. If any proposed development would conflict with that objective, there will be a strong presumption against the grant of planning permission. Additionally, with specific reference to shopfronts, PPG 15 states that retractable apron blinds are often characteristic features of historic shopfronts and that modern plastic canopies are not acceptable.

In my opinion the proposal fails to satisfy the above policy criteria in that it represents an obtrusive and dominant feature within the street scene, would create clutter on the host building, and does not

MAIN AGENDA

preserve or enhance the character and appearance of the town centre conservation area within which it sits. As such, refusal is recommended.

It is considered that the glare and light within the shop can easily be eradicated with the installation of internal blinds, which are traditional to historical shopfronts.

Recommendation

Refuse

By virtue of its scale, style, design and materials the proposed awning would be entirely out of character with the host building in that it does not respect the architectural features of the building; would create clutter on the host building; is an obtrusive and dominant feature within the street scene and, as such, does not preserve or enhance the character and appearance of the town centre conservation area. As such, the proposed awning is at variance with Policies DEV 6 and ENV 26 of the adopted Copeland Local Plan 2001-2016 and Planning Policy Guidance Note 15 "Planning and the Historic Environment".

9 4/09/2117/0

DOUBLE GARAGE AND CONCRETE SHED
64, GOSFORTH ROAD, SEASCALE, CUMBRIA.
MRS S MINNIKIN

Parish Seascale

- This application for a garage to the rear of a property on Gosforth Road is for a double garage which is a replacement for an existing single garage and is accessed via the same area as the garage in the previous application (4/09/2100/0 refers). The Parish Council has concerns that the access to this development will be compromised by the above application. The Parish Council strongly recommend a site visit to consider both planning applications.

Planning permission is sought for the erection of a double garage and a concrete shed at 64 Gosforth Road, Seascale.

The proposed garage would be located within the rear garden of the property and while the dwelling frontage is to Gosforth Road, the rear is accessed through a garage site located off Lingmell Crescent. The dwelling has a rear garden area measuring 20m x 13m which accommodates

MAIN AGENDA

a garage and parking area adjoining the garage site.

This proposal would see the removal of the existing garage to be replaced by a double garage measuring 5.95m x 6.3m with a height of 2.13m to the eaves and 2.81 m to the ridge. It would be located 1.0m off the side boundary and 1.8m off the rear boundary at its nearest point. Set back 8.0m from the rear boundary, a garden shed is also proposed, measuring 3.05m x 6.15m with a flat roof but with a fall of 250mm to the rear elevation from a height of 2.25m.

Both would be of multi-coloured spar dash finish to the walls and fibre cement roof panels.

The application is being reported to the Panel due to the Parish Council's concerns regarding the proximity and access issues relating to the garage to the rear of Lingmell Crescent, which is also on this agenda with a recommendation for a site visit (4/09/2100/0 refers).

In accordance with the request made by the Parish Council, it is recommended that Members undertake a site visit before reaching a decision on this application.

Recommendation

Site Visit

10 4/09/2119/0

OUTLINE APPLICATION FOR DEMOLITION OF FORMER BUS DEPOT BRANSTY ROW AND FORMER GARAGES WELLINGTON ROW TO CREATE 67 RESIDENTIAL APARTMENTS & A1 A3 A4 & A5 USE AT BRANSTY ROW PLUS 66 RESIDENTS CAR PARKING SPACES AT WELLINGTON ROW
BUS DEPOT, BRANSTY ROW, WELLINGTON ROW,
WHITEHAVEN, CUMBRIA.
WHITEHAVEN MARINA

MAIN AGENDA

Parish

Whitehaven

This is an outline application for the redevelopment of the former bus depot to provide 7 commercial units at ground floor level with 67 residential apartments above. The apartments are to be served by 66 car parking spaces which are to be created on the land to the rear of the old bus station off Wellington Row. All matters of detail (layout, scale, appearance and landscaping) are to be reserved for subsequent approval with the exception of the access to serve the car parking area.

A previous outline application (4/05/2673/0) for a mixed development of retail and residential development was withdrawn in 2005 following concerns relating to the design, scale and massing of the buildings proposed. A planning application for the redevelopment of the site to provide office accommodation was previously approved in 2003 (4/03/0476). This scheme relied upon additional off site parking on the land at Wellington Row.

Although the application is only in outline it is accompanied by a number of plans and documents including:-

- detailed elevation plans showing the height, massing and design of the building
- a Design and Access Statement

THE PROPOSAL

The site occupies a prominent position at the end of Millennium Promenade on the northern entrance into the town. Its eastern side fronts directly onto Bransty Row.

The proposed building is to be of an "L shape" form and will extend up to a height of 6 storeys. The ground floor is to be occupied by A1, A3, A4 and A5 uses which will create active frontages on each side of the building. The residential units are to be located on the upper floors and will be a mix of 1 and 2 bed units. A roof garden is to be provided at first floor level facing onto Bransty Row to provide an amenity space for residents.

A collection of former garage buildings on Wellington Row are to be demolished to allow the creation of a car parking area comprising a total of 66 spaces. This land is split onto two levels and each level is to be served by a separate access.

The proposals raise issues regarding access, design and the height and massing of the building on this important site.

Local residents have been consulted on the application and several have already lodged their opposition to the scheme on the grounds of its scale, design and the lack of a need for additional retail units

MAIN AGENDA

within the town.

The application is presently subject to statutory consultation procedures and comments are awaited from Cumbria County Council, English Heritage and others. The proposals are also being appraised by the Council's recently appointed Conservation and Design Consultants, the North of England Civic Trust.

It is recommended that Members visit this site prior to the application being determined as there are a number of design issues relating to this proposal and implications for future development within the vicinity.

Recommendation

Site Visit

11 4/09/2121/0

USE OF UNITS AS A DENTAL SURGERY AS VARIATION TO
4/07/2598/OF1
UNIT 3 & 4, PEARS HOUSE, MILLENNIUM WAY,
QUAYSIDE, WHITEHAVEN, CUMBRIA.
OASIS DENTAL CARE LTD

Parish Whitehaven

This proposal seeks full permission to use units 3 and 4 situated on the ground floor of this new retail/apartment block on the harbourside within Whitehaven town centre conservation area as a dental surgery.

The development is currently under construction, planning permission having been granted in January last year for redevelopment with mixed ground floor uses of A1 retail and A3 restaurant/cafe units and 42 residential apartments on 5 floors above (4/07/2598/OF1 refers). This application involves using two of the central units facing the waterfront out of a total of 8 provided which have been specifically allocated for retail.

The two units combined will provide a total floor area of 180 square metres which, in terms of facilities, will allow the creation of 4 surgeries, a staff room, patient lounge, WC and a decontamination room all on one level which will be fully accessible. Access to it would be via the main entrance to unit 3 from the water front elevation. No specific parking is to be provided. However, this is a town centre use and would be served by public parking generally which is

MAIN AGENDA

available in the town centre and is not perceived to be an issue, though it is noted that the units do have a proportion of the staff parking available in the basement of the building. The Highway Authority raise no objections to the proposal as it is unlikely to have a material affect on existing highway conditions.

A key issue the application raises is the impact of the non-retail use on the surrounding area and particularly the viability of the town centre. The site is in a prominent location facing the harbour and marina and a main design recommendation in the Broadway Malyan Report of 2006, which prepared a regeneration framework for the town centre and was embodied in the previous permission for the units, identified that ground floor uses here should provide an active, lively frontage along the waterfront in an effort to boost harbour and town centre regeneration. Hence there is a recognised need to retain predominantly retail uses on the ground floor in this location. This is further endorsed in town centre Policies TCN 1, TCN 6 and TCN 10 of the adopted Copeland Local Plan 2001-2016. These are designed to protect and promote the viability and vitality of the town centre, ensure that where a shop front is provided, non retail uses incorporate a suitable window display and are not detrimental to the main shopping function of the town.

It is important that an application for non-retail uses such as this is fully justified and in this respect the application is accompanied by a report investigating the availability and suitability of alternative sites of a similar size within and adjacent to the town centre. Some 12 sites were considered and the report concluded that the application site was the most suitable out of those currently available and certainly the most accessible, whilst also providing the required modern facilities all on one level. This is considered acceptable especially when the community need to provide a further dental practice in Whitehaven is also taken into account. The applicants have been awarded the contract to deliver NHS dental services in the town which will serve over 11,000 residents and the 4344 patients in the area currently on the waiting list.

The approved design of the building incorporates shop fronts to all the ground floor units but details of a suitable window display have yet to be provided though it is considered that it would be appropriate for these to be reserved by condition.

Taking the above into account the impact of the proposal is considered to be non-detrimental to the main shopping function of the town centre in compliance with relevant local plan policies and providing a suitable shop front display is retained, a vibrant frontage along the harbour front in this location can be maintained.

Recommendation

Approve (commence within 3 years)

MAIN AGENDA

2. This permission shall relate to the following plans and documents as received on the respective dates:-

Site location plan 1:120 RA1 received 23 March 2009
Existing floorplan 1:100 1074-10-1-01 received 23 March 2009
Proposed floorplan 1:100 1074-10-1-02 received 23 March 2009
Report by Rapleys Town Planning Consultancy, "Alternative Sites Available" EDT/1074/10/2 dated 18 March 2009, received 23 March 2009
Planning Statement, letter dated 18 March 2009 from Edward Tildeley MCTP MRTPI, Rapleys received 23 March 2009

Development shall be carried out in accordance with the approved details.

3. The use shall not become operational until the shop front displays have been installed, prior details of which shall have been submitted to and approved in writing by the Local Planning Authority.
4. Notwithstanding the submitted plans, detailed drawings showing the new shop fronts shall be submitted to and approved in writing by the Local Planning Authority before such development is commenced. These shall be installed before the use becomes operational.

The reasons for the above conditions are:-

To conform with the requirements on Section 19 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004

To ensure the provision of a suitable retail frontage

To control the design of the shop fronts in the interests of the amenity of the Whitehaven Conservation Area

Reason for decision:-

The proposal for two retail units to be used as a dental surgery represents an acceptable change of use as a variation to planning permission 4/07/2598/OF1 which will not adversely affect the viability and vitality of Whitehaven Town Centre.

MAIN AGENDA

12 4/09/2134/0

CONSTRUCTION OF A NEW RIG HALL & OFFICE
ACCOMMODATION
SITE ADJACENT TO UNIT 10,
BRIDGE END INDUSTRIAL ESTATE, EGREMONT, CUMBRIA.
JAMES FISHER NUCLEAR LTD

Parish Lowside Quarter

Full planning permission is sought to construct a new Rig Hall and attached office block on a vacant 0.3 hectare plot within the existing Bridge End industrial estate at the southern end of Egremont. Also proposed is an accompanying car park comprising 37 bays and service yard for HGV's. Vehicular access to the site would be via the C4001 which serves the industrial estate as a whole then via an existing feeder road off it.

The level site comprises open rough grassland with a group of semi mature trees in the centre. To the west it is bounded by a linear group of trees leading to the River Ehen which it is proposed to retain. To the south is an existing feeder road, beyond which is woodland and a small group of dwellings. To the east it fronts the access road into the estate with existing industrial units opposite, whilst to the north is situated the applicants own large existing building.

This is notably a large building in scale and height with the bulk of it comprising the rig element measuring 26 metres in width by 36 metres in length by 21 metres in height to the ridge. An attached two storey office block 10 metres in width by 30 metres in length will be located to the southern side. In terms of position on the site the rig building will be situated some 12 metres back from the kerb edge of the adjacent access road alongside part of the existing building with a separation distance between of 6 metres. To the rear is the large tarmacked car park and service yard. Access/egress will be available to both the front and rear of the building for large vehicles and into it via large service delivery doors.

External materials to be used include goose wing grey composite panels to the roof and walls with a red/brown facing brick plinth. The large roller shutter doors to the front and rear will be coated in blue to match the adjacent unit. Windows and doors will comprise goose wing grey powder coated aluminium.

The purpose of such a tall building is to provide a facility for the construction and testing of large scale rigs for which a market has been identified in association with the nuclear industry and specifically the decommissioning works at Sellafield. To date there is no other facility available in the West Cumbria area.

Recent planning history to the site is relevant. There is an extant

MAIN AGENDA

permission for a similar rig hall and office building on the site, in the same position and on the same footprint as the current proposal. The most notable differences are in the scale, design and external finishes, the approval having a concave roof form finished in blue edging along with grey and blue colour coated steel walls as opposed to a more traditional pitched roof design finished in just one colour all over, that of goose wing grey (4/07/2123/0F1 refers). In terms of scale the existing permission granted a 22 metre high building over half of its length, the other half being 14.5 metres high, whereas this current proposal seeks a uniform ridge height of 21 metres (viz 1 metre lower than the existing approval) over its entire length.

As with the previous approval the key issue to be considered will be visual impact from such a tall building, particularly in relation to nearby residential properties and generally on the skyline along with the potential for operational noise and disturbance to impact on residential amenity. To date no representations have been received though it is early in the process with the consultation period yet to expire. Other statutory consultation responses are awaited.

In view of the fact this is a major application and the scale, design and resultant impact on views/residential amenity need to be carefully assessed it is recommended that Members visit the site to fully appraise the planning issues prior to determination.

Recommendation

Site Visit

Schedule of Applications - DELEGATED MATTERS

4/09/2046/0	Whitehaven	AMENDMENT TO PLANNING PERMISSION 4/08/2251 FOR SUBSTITUTION OF THE BLOCK OF 2 APARTMENTS WITH LAND ADJOINING, GARLIESTON COURT, CORKICKLE, WHITEHAVEN, CUMBRIA. REED GRAHAM DEVELOPMENTS LTD
4/09/2048/0	St Bees	INSTALLATION OF DECKING IN REAR GARDEN 38, THE CROFTS, ST BEES, CUMBRIA. MR P BUXTON
4/09/2054/0	Whitehaven	DOUBLE STOREY SIDE EXTENSION AND SINGLE STOREY EXTENSION TO REAR 20, JUNIPER GROVE, THE HIGHLANDS, WHITEHAVEN, CUMBRIA. MRS S BARTLETT
4/09/2056/0	Egremont	FIRST FLOOR EXENSION OVER EXISTING EXTENSION & SINGLE STOREY EXTENSION TO REAR OF DWELLING 8, CROFTLANDS, BIGRIGG, EGREMONT, CUMBRIA. MR G MOORE
4/09/2059/0	Cleator Moor	ERECTION OF KITCHEN EXTENSION NEWLANDS, ENNERDALE ROAD, CLEATOR MOOR, CUMBRIA MR S CRAIG
4/09/2060/0	Whitehaven	TWO STOREY EXTENSION TO SIDE 8, YORK ROAD, KELLS, WHITEHAVEN, CUMBRIA. MR C SMITH
4/09/2072/0	Whitehaven	TWO STOREY EXTENSION TO SIDE AND CREATION OF FIRST FLOOR BALCONY TO REAR CROSBY, 5, EGREMONT ROAD, HENSINGHAM, WHITEHAVE CUMBRIA. MR D GILMOUR
4/09/2077/0	Whitehaven	DEMOLISH EXISTING GARAGE & OUT-BUILDING, ERECT NEW PORCH/GARAGE/UTILITY/WC/KITCHEN EXTENSION 11, WORDSWORTH ROAD, WHITEHAVEN, CUMBRIA. MR K MAHONE
4/09/2083/0	Distington	REAR EXTENSION & DISABLED ACCESS RAMP 21A, COMMON END, DISTINGTON, WORKINGTON, CUMBRI MR C HEWER
4/09/2084/0	Lowca	SINGLE STOREY BEDROOM & GARAGE EXTENSION + SUN ROOM EXTENSION FERN LEA, STAMFORD HILL, LOWCA, WHITEHAVEN, CUMBRIA. MR & MRS MCGRADY
4/09/2085/0	Cleator Moor	TWO STOREY EXTENSION TO SIDE

Schedule of Applications - DELEGATED MATTERS

		44, BORDER AVENUE, BOWTHORN, CLEATOR MOOR, CUMBRIA. MR M CHESTER
4/09/2044/0	Whitehaven	CHANGE OF USE FROM A1 RETAIL SHOP TO A3 SHOP AND CAFE 11, MARKET PLACE, WHITEHAVEN, CUMBRIA. MR M PARSLAW
4/09/2050/0	Lamplugh	INSTALLATION OF NEW SEPTIC TANK HIGH PARK, LAMPLUGH, CUMBRIA. MR R MCATEAR
4/09/2063/0	Egremont	CHANGE OF USE OF LAND TO DOMESTIC TO PROVIDE ACCESS & RE-SITING OF EXISTING BOUNDARY WALL PARCEL OF LAND ADJOINING CHURCH, HALL AT ST MARYS & ST MICHAEL, EGREMONT, CUMBRIA MR R MERRETT
4/09/2067/0	Egremont	HAY STORE (ATTACHED TO EXISTING WOODEN STABLES) FIELD O.S. 6042, BLACK LING STABLES, KELLHEAD, EGREMONT, CUMBRIA. MR & MRS A & L BURNS-WATSON
4/09/2068/0	St Bees	FELL 2 CONIFERS & 1 ELM AND LOP AND CROWN REDUC 1 BAY WITHIN CONSERVATION AREA THE BEECHES, HIGH HOUSE ROAD, ST BEES, CUMBRIA. MR D WILLIAMS
4/09/2075/0	Whitehaven	ERECTION OF AGRICULTURAL BUILDING WHITE PARK FARM, LOOP ROAD SOUTH, WHITEHAVEN, CUMBRIA. MR S CANDLIN
4/09/2080/0	Weddicar	FELLING OF 2 ALDERS AND 1 SYCAMORE, REMOVAL OF DOMINANT STEM OF 1 ASH AND PRUNING OF 2 WILLOWS GILGAL, SUMMERGROVE, HENSINGHAM, WHITEHAVEN, CUMBRIA. MR I FEE
4/09/2086/0	Whitehaven	FELL THREE MOUNTAIN ASH TREES WITHIN A CONSERVATION AREA C.B.C. CAR PARK, SCHOOL HOUSE LANE, WHITEHAVEN, CUMBRIA. COPELAND BOROUGH COUNCIL
4/09/2091/0	Arlecdon and Frizington	EXTENSION TO EXISTING AGRICULTURAL BUILDING BLEAK HOUSE, FRIZINGTON, CUMBRIA. MRS S ROPER

Schedule of Applications - DELEGATED MATTERS

4/09/2092/0	Arlecdon and Frizington	PRUNE & HEIGHT REDUCE ONE SYCAMORE TREE & REMOVE ONE ASH TREE PROTECTED BY A TREE PRESERVATION ORDER 12, RHEDA CLOSE, FRIZINGTON, CUMBRIA. MR L CAMPBELL
4/09/2098/0	Whitehaven	CHANGE OF USE FROM FISHING TACKLE SHOP INTO A3 USE FOR ADJACENT A5 USE UNIT 4, TANGIER BUILDINGS, TANGIER STREET, WHITEHAVEN, CUMBRIA. MR H SALIM
4/09/2099/0	Arlecdon and Frizington	CHANGE OF USE OF GROUND FLOOR INTO HABITABLE ACCOMMODATION TO ACCOMPANY FIRST FLOOR FLAT 120, MAIN STREET, FRIZINGTON, CUMBRIA. MR H CALVERT
4/09/2103/0	Lamplugh	ERECTION OF GENERAL PURPOSE AGRICULTURAL BUILDING (PHASE 1) GREENSYKE FARM, LAMPLUGH, WORKINGTON, CUMBRIA. P & M PALMER
4/09/2104/0	Lamplugh	ERECTION OF GENERAL PURPOSE AGRICULTURAL BUILDING (PHASE 2) GREENSYKE FARM, LAMPLUGH, WORKINGTON, CUMBRIA. P & M PALMER
4/09/2107/0	Arlecdon and Frizington	FELL ONE LARCH TREE WITHIN TREE PRESERVATION ORDER REAR OF 49, RHEDA PARK, FRIZINGTON, CUMBRIA. MR T PARRY
4/09/2041/0	Millom	ERECT TWO SINGLE STOREY EXTENSIONS FOR BATHROOM AND CONSERVATORY. DEMOLISH EXISTING GARAGE & ERECT 8, HILLCREST, PANNATT HILL, MILLOM, CUMBRIA. MR G FREEMAN
4/09/2043/0	Drigg & Carleton	TWO STOREY EXTENSION TO REAR LANGSTRATH, DRIGG, HOLMROOK, CUMBRIA. MR J ALLAIN
4/09/2047/0	Millom Without	CONSTRUCTION OF 170M OF 5.3M HIGH SECURITY FENCING AND CONSTRUCTION OF 2 SECURE COVERED HM PRISON, NORTH LANE, HAVERIGG, MILLOM, CUMBRIA NATIONAL OFFENDER MNGT SERVICE
4/09/2052/0	Lowside Quarter	GENERAL PURPOSE AGRICULTURAL BUILDING PART O.S. FIELD NO 4009, OPPOSITE LAMBERLEA GARDEN CENTRE, NETHERTOWN, CUMBRIA. MR G FAIRBAIRN
4/09/2057/0	Egremont	CHANGE OF USE OF SITE TO BE USED FOR D1 DENTAL PURPOSES

Schedule of Applications - DELEGATED MATTERS

		9 & 10, MARKET PLACE, EGREMONT, CUMBRIA. OASIS HEALTHCARE LTD
4/09/2039/0	Seascale	RENEWAL OF TEMPORARY PLANNING PERMISSION: SINGLE STORY PREFABRICATED BUILDING TO SERVE AS POST SELLAFIELD, SEASCALE, CUMBRIA. SELLAFIELD LTD
4/09/2074/0	St Bridgets Beckermeth	REPLACE TWO SINGLE STOREY PREFABRICATED OFFICE BUILDINGS WITH A TWO STOREY PREFABRICATED SELLAFIELD, SEASCALE, CUMBRIA. MR W POULSON