

At a meeting of the Development Panel held in Theatre - The Wave Centre, Maryport on Tuesday 30 April 2019 at 1.00 pm

Members

Councillor Peter Bales (Chair)
Councillor Tony Annison
Councillor Nicky Cockburn
Councillor Malcolm Grainger
Councillor Ron Munby MBE
Councillor Bill Pegram

Councillor Billy Miskelly (Vice-Chair)
Councillor Carole Armstrong
Councillor Janet Farebrother
Councillor Alan Hedworth
Councillor Jim Osborn
Councillor David Wilson

Apologies for absence were received from Councillor Mark Jenkinson

Staff Present

C Fearon, A Gilbert, L Jardine, K Kerrigan, K McCartney, A Seekings, S Sewell and S Sharp

458. Minutes

The minutes of the meeting held on 5th March 2019 were signed as a correct record.

459. Declaration of Interests

None Declared

460. Questions

None Received

461. 2/2018/0537- Land at The Fitz, Low Road, Cockermouth- Outline application for residential development of 27 dwellings including access junction, layout and appearance for plots 2-6 inclusive and landscaping for buffer zone only.

Representations

Gillian Telford spoke against the application

The Agent Michael Sandelands of HGF Gough and Co spoke in support of the application.

Application

The report recommended that the decision to grant permission subject to conditions be delegated to the Planning and Building Control Manager upon the completion of a section 106 agreement that secures:

- Completion of land level changes permitted by permission 2/2017/0312

- Provision and future management and maintenance of landscaping belt directly East of plots 2-6
- 10 Affordable housing units on site
- £4,431.60 to upgrade existing facilities for children and young people at the Laureates

The Planning and Building Control Manager introduced the item advising that the Panel had been on a site visit, assessing the site from various viewpoints.

The Planning and Building Control Manager then summarised the main issues as detailed in the report. These included:-

The Tilted Balance

The adverse impacts of permitting the development would not significantly and demonstrably outweigh the benefits.

Principle of Development

The scale of the development is considered commensurate to the size and role of Cockermouth as a Key Service Centre. The site is sustainably located within acceptable walking distance of the town, connected by lit, segregated footways and a bus service.

Highway Safety

Access is not reserved for subsequent approval. The proposed highway arrangements are considered acceptable. The Highways Authority raises no objections.

Landscape and Visual Effects

The landscape and visual impact is not significantly adverse and can be mitigated through an appropriate landscaping scheme by condition and S106 agreement.

Heritage Assets

In the context of the duty contained within S66(1) and the special regards to be paid to the desirability of preserving the setting of the listed buildings, officers consider, in this instance, that the overall level of harm to the heritage asset would amount to less than substantial. The benefits of the scheme outlined in the report outweigh the limited harm incurred to the setting of the The Fitz. The setting of Papcastle's conservation area, in terms of its character and appearance, will be preserved.

Affordable Housing

The proposed development would provide 10 affordable housing units on the site. This equates to 40% and fulfils the Local Plan Policy requirements.

The Planning and Building Control manager then explained that, whilst matters pertaining to appearance, landscaping, layout and scale are reserved matters for the majority of the site, the application is seeking approval of layout, scale and appearance for plots 2-6 inclusively only.

Members noted the representations received in respect of the application, the main grounds of which were set out in the report.

Questions were asked of the speakers and of the officers and debate followed in relation to road safety, play facilities, heritage and the demand for such housing.

There was specific discussion about previously permitted and part implemented development (land levels) and the setting of the Fitz and the landscape on and around Low Road.

Councillor Cockburn then moved to refuse the application. The meeting was adjourned to enable officers to clarify the reasons and the citation of relevant policies, officers purely providing administrative support in this capacity.

Following the adjournment, Councillor Cockburn clarified the motion to refuse permission for the following reasons:-

“The proposal by reason of the introduction of additional housing nearer to the heritage asset, namely the Fitz, will adversely impact on the setting of that asset contrary to Policy S27 of the Allerdale Local Plan (Part 1) 2014 and the National Planning Policy Framework 2019. This harm is not outweighed by the public benefits of the proposal.”

The motion was seconded by Councillor Annison.

A vote was taken on the motion to refuse, 8 voted in favour, 4 against with 0 abstentions.

The motion was carried.

Resolution

To refuse permission for the following reasons:-

The proposal by reason of the introduction of additional housing nearer to the heritage asset, namely the Fitz, will adversely impact on the setting of that asset contrary to Policy S27 of the Allerdale Local Plan (Part 1) 2014 and the National Planning Policy Framework 2019. This harm is not outweighed by the public benefits of the proposal.

462. FUL/2019/0014- Firth View, Dearham, Maryport- Siting of a static caravan as living accommodation

Representations

Councillor Peter Kendall on behalf of Maryport Town Council spoke against the application.

The Applicant, Joanne Fletcher spoke in support of the application

Application

The report recommended refusal.

The Planning and Building Control Manager introduced the item confirming that members viewed the site from the A594.

The Planning and Building Control Manager went on to explain that the access to the site is unacceptable in terms of highway safety and that there were other concerns as detailed in the report. He explained that this application needed to be assessed on its own merits separate to the next application on the agenda but that the members' resolution on this application may affect the officer's recommendation for the kennels (FUL/2019/0047).

Members noted the representations received in respect of the application, the main grounds of which were set out in the report.

Principle of Development

The application site is located in the open countryside outside the defined settlement limit. The static caravan represents an inappropriate and unsustainable form of development in the open countryside, with no essential need demonstrated.

Sustainability, Access and Parking

The proposal would result in the intensification of a substandard access by way of insufficient visibility and the proposal is therefore considered unacceptable in terms of highway safety.

The proposal would constitute an unsustainable form of development due to the distance to local services and amenities along an unlit footpath to the opposite side of the A594, with no crossing facilities.

Landscape and Visual Impact

Development of housing at this location is considered to be sporadic development in this open and rural locality that would adversely impact on the character and appearance of the area. The proposal does not relate to the built environment, resulting in an incongruous development that would have an adverse effect on the landscape character and visual amenities of the locality.

The static caravan and the associated container structures and perimeter fencing all combine to provide a poor standard of design for a permanent dwelling.

Tilted Balance

The adverse impacts of permitting the development in this poorly accessible, unsustainable countryside location with an unacceptable access would significantly outweigh the benefit of providing just one dwelling.

Members noted the representations received in respect of the application, the main grounds of which were set out in the report.

Questions were asked of the speakers and debate followed in relation to highways, and access to the site.

Councillor Armstrong moved to refuse the application as per officer's recommendation.

The motion was seconded by Councillor Miskelly.

A vote was taken on the motion, 8 voted in favour, 4 against and 0 abstentions.

The vote was carried

Resolved

Refused as per officer's recommendation

463. FUL/2019/0047- Firth View, Dearham, Maryport- Erection of boarding kennels for new business

Representations

Councillor Peter Kendall on behalf of Maryport Town Council spoke against the application.

The Applicant, Joanne Fletcher spoke in support of the application

Application

The report recommended refusal.

The Planning and Building Control Manager introduced the item confirming that members viewed the site from the A594. Boarding kennels should have accommodation but members had resolved to refuse the preceding application on the agenda (FUL/2019/0014).

The Planning and Building Control Manager also advised that the highway access and kennel fencing were not appropriate. The development is also not

considered acceptable due to its location within the open countryside and in terms of its sitting and appearance.

Members noted the representations received in respect of the application, the main grounds of which were set out in the report.

Questions were asked of the speakers and officers and debate followed in relation to highways, the proposed number of kennels and parking.

Councillor Annison moved to refuse the application as per officer's recommendation.

The motion was seconded by Councillor Cockburn.

A vote was taken on the motion, 8 voted in favour, 4 against and 0 abstentions.

Resolution

Refused as per officer's recommendation.

The meeting closed at 2.50 pm