

At a meeting of the Development Panel held in Council Chamber, Allerdale House, Workington on Tuesday 26 October 2021 at 1.00 pm

Members

Councillor Tony Annison (Chair)
Councillor Nicky Cockburn
Councillor Hilary Harrington
Councillor Elaine Lynch
Councillor Ron Munby MBE
Councillor Alan Tyson

Councillor Janet Farebrother (Vice-Chair)
Councillor Allan Daniels
Councillor Daniel Horsley
Councillor Antony McGuckin
Councillor Andrew Semple

Apologies for absence were received from Councillor Carole Armstrong

Staff Present

B Carlin, S Long, K Magnay and K McCartney and Caroline Fearon

231. Minutes

The minutes of the meetings held on 03 August 2021, 31 August 2021 and 14 September 2021 were agreed as a correct record.

232. Declaration of Interests

None declared

233. Questions

None received

234. OUT/2021/0017 - Newton Arlosh - Dwelling

Representations

A letter of objection was read out on behalf of Christine Hodgson.

Councillor Malcolm Grainger and Councillor Tony Markley spoke in support of the application.

The agent, Paul Boustead spoke in support of the application.

Application

The Senior Planning Officer recommended refusal.

The Senior Planning Officer outlined the application and detailed the main issues within the report as follows:

- Principle of Development

Newton Arlosh is a village within the fourth tier, defined a 'Limited Growth Village' of the settlement hierarchy as detailed in Policy S3 which can accommodate small-scale developments. The site is within the settlement limit of Newton Arlosh as defined by the recently adopted Part 2 Allerdale Local Plan.

- Amenity

The proposal, is adjacent to an existing agricultural building and, although separated by a line of trees/hedgerow, is approximately sited only 5 metres from the agricultural building. Given this distance, it is the opinion of officers that the proposed dwellings would be potentially impacted upon by the use of the agricultural building (which is outside of the applicants control) in terms of noise and odour. Officers therefore consider that this present proposal does not provide an acceptable standard of amenity

Officers highlighted that the submission was an outline application for upto 3 dwellings with all matters reserved. Therefore the submitted layout plan was only indicative.

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

Councillor N Cockburn moved refusal as per the officer's recommendation. Councillor J Farebrother seconded.

A vote was taken; 6 voted in favour of refusal, 5 against.

The motion in favour of refusal was carried.

Decision

Refused

235. FUL/2021/0207 - Land Opposite The Willows, Flimby - Retrospective consent for the retention of existing agricultural building for the housing of livestock and horses

Representations

Town Councillor, Councillor Peter Kendall spoke in support of the application.

The agent, Anthea Jones spoke in support of the application.

Application

The Senior Planning Officer recommended refusal.

The Senior Planning Officer outlined the application and detailed the main issues within the report as follows:

- Principle of Development

Policy DM6 of the Local Plan supports the principle of the erection of stable buildings in the open countryside subject to the siting, scale, design and external materials respecting and enhancing the rural character of the local area.

- Siting, Scale and Design

The scale, siting and materials of this development are considered inappropriate for this rural location. The proposal would introduce an incongruous form and scale of development that would harmfully erode the rural characteristics of the area resulting in significant adverse impact bringing the development in conflict with Policies S4, S33 and DM6 of the Allerdale Local Plan (Part 1), Adopted July 2014.

- Amenity

Officers consider the proposed means to dispose of the manure is acceptable in principle and can be controlled via condition so as not to have a detrimental impact on the amenity of the nearby property.

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

Councillor N Cockburn moved refusal as per the officer's recommendation. Councillor R Munby seconded.

A vote was taken; 11 voted in favour of refusal, 0 against.

The motion in favour of refusal was carried.

Decision

Refused

236. FUL/2020/0122 - Overgate - Access

Representations

The agent, Anthea Jones spoke in support of the application.

Application

The Senior Planning Officer recommended approval.

The Senior Planning Officer outlined the application and detailed the main issues within the report as follows:

- Principle of Development

Officers consider the proposed new access to the A595 will result in a significant improvement to the substandard existing access. Whilst it is noted that the required visibility of over 215m can be achieved to the right (northeast), the visibility to the left (southwest) is only 197m. This only falls 18m below the national requirements. Given the significant improvement from existing officers consider the proposed access to be acceptable.

- Landscape / Ecological Impact

It is considered that the proposed access road will assimilate into the existing landscape of the area. The translocation of the original hedge and the replanting of additional hedgerow will enhance the ecological value of the area.

- Heritage Impacts

The property is a Grade II Listed farmhouse. It is considered that the proposal will not impact on the setting of the listed building.

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

Councillor D Horsley moved approval as per the officer's recommendation. Councillor A Daniels seconded.

A vote was taken; 11 voted in favour of approval, 0 against.

The motion in favour of approval was carried.

Decision

Approved

Conditions

Time Limit:

- 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

Reason: In order to comply with Section 91 of the Town and Country Planning Act 1990.

In Accordance:

- 2. The development hereby permitted shall be carried out solely in accordance with the following plans:
5566 11 Location Plan (received 7 October 2021)**

**5566 10 Rev A Proposed New Access Road (received 7 October 2021)
Additional Supporting Statement – Proposed Access Improvements
(received 4 October 2021)
Hedgerow Survey (received 27 September 2021)
Email 11 October 2021 amending description**

Reason: In order to ensure that the development is carried out in complete accordance with the approved plans and any material and non-material alterations to the scheme are properly considered.

Post-commencement/Pre use commencing conditions:

- 3. The development shall not commence until visibility splays providing clear visibility as shown on drawing number 5556 11 have been provided. Notwithstanding the provisions of the Town and County Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, or object of any kind shall be erected or placed and no trees, bushes or other plants shall be planted or be permitted to grow within the visibility splay which obstruct the visibility splays.**

Reason: In the interest of highway safety to ensure an acceptable standards of highway access during the construction and operational use of the site, in compliance with the National Planning Policy Framework and Policy S2 of the Allerdale Local Plan (Part 1), Adopted July 2014.

- 4. The whole of the access area bounded by the carriageway edge, entrance gates and the splays (as shown on the drawing 5566 11) shall be constructed and drained to the specification of the Local Planning Authority in consultation with the Highway Authority.**

Reason: In the interests of road safety.

- 5. The hedge along the access track and the replacement hedge to be reinstated behind the visibility splays as required under condition 3 as shown on drawing number 5566 10 Rev A and in line with the recommendations in the Hedgerow Survey shall be planted within the first planting season following completion of the development . Should any plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased they shall be replaced in the next planting season unless otherwise agreed in writing by the Local Planning Authority.**

Reason: I In order to enhance the appearance of the development and minimise the impact of the development in the locality.

Other:

6. **Within 1 month of the new access been brought into use the existing access as indicated on drawing number 5566 10 Rev A shall be permanently closed and the approved boulder details installed in situ. Thereafter the boulders shall be not removed nor the access brought back into use without the approval of the Local Planning Authority.**

Reason: To minimise highway danger for operational traffic and for the avoidance of doubt and safeguard the setting of the application sites listed building in compliance with policy S22 and S27 of the Allerdale local plan (Part 1).

237. HOU/2021/0202 - Park End Road - Windows

Representations

Kevin Hughes spoke in support of the application.

Ward Councillor Michael Heaslip spoke in support of the application

A letter was read out on behalf of Ward Councillor Paul Scott in support of the application.

The applicant, Nick Whitehead spoke in support of the application.

Application

The Senior Planning Officer recommended refusal.

The Senior Planning Officer outlined the application and detailed the main issues within the report as follows:

- Heritage

The proposal relates to an Article 4 property within the Portland Square Conservation Area. The scheme seeks to substitute existing traditional timber sliding sash of some of the front and side elevation windows with modern UPVC alternatives.

Both the applicant's property and the majority of the street's large Victorian semi-detached /terrace properties in the immediate locality of the site largely retain their existing traditional details (including their fenestration).

Officers consider the proposal would result in the detrimental loss of the existing details, and by virtue of the design and materials of the proposed replacement windows will neither preserve nor enhance the character and appearance of the designated conservation area resulting in detrimental harm to the prominent façade facing Park End Road.

There will be consequent harm to the significance of this designated heritage asset which is not outweighed by any public benefits.

The proposal is therefore considered unacceptable in contrary to the criteria of Policy S27 of the Allerdale local plan (Part 1)

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

Councillor R Munby declared an interest in this item, the Deputy Monitoring Officer clarified that Councillor Munby could not participate in the debate or vote on the item.

Councillor A McGuckin moved to approve the application as he considered the materials that are going to be used to be appropriate and not visually distinguishable.

Councillor A Daniels seconded.

A vote was taken; 6 voted in favour of refusal, 3 against and 1 abstention.

The motion in favour of approval was carried.

Decision

Approved

238. FUL/2021/0197 - Maryport Town Hall - Replacement of existing doorway at North elevation with in fill panel, construction of new doorway in original position to form new main access

Representations

Town Councillor, Peter Kendall spoke in objection of the application.

Application

The Senior Planning Officer recommended approval.

The Senior Planning Officer outlined the application and detailed the main issues within the report as follows:

- Heritage

The alterations do not harm the non designated heritage asset, the conservation area or the setting of listed buildings. The proposals enable the ongoing viable use of the building.

- Residential Amenity

No impact.

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

Councillor A Daniels moved approval as per the officer's recommendation. Councillor R Munby seconded.

A vote was taken; 11 voted in favour of approval, 0 against.

The motion in favour of approval was carried.

Decision

Approved

Conditions

CONDITIONS

Time limit

- 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

Reason: In order to comply with Section 91 of the Town and Country Planning Act 1990.

In accordance

- 2. The development hereby permitted shall be carried out solely in accordance with the following plans:**

[9046 Location Plan](#)

9046 Existing Site Plan

[9046-BA-ZZ-ZZ-DR-A- \(02\)002 Existing West Elevation](#)

[9046-BA-ZZ-ZZ-DR-A-\(05\)004 Proposed West Elevation](#)

9046-BA-ZZ-ZZ-DR-A-(05) 001- Proposed North Elevation

[9046-BA-ZZ-00-DR-A-\(01\)000 Existing Ground Floor Plan](#)

[9046-BA-ZZ-01-DR-A- \(01\)001 Existing First Floor Plan](#)

[9046-BA-ZZ-00-DR-A-\(04\) 000 Proposed Ground Floor Plan](#)

[9046-BA-ZZ-01-DR-A- \(04\) 001 Proposed First Floor Plan](#)

Reason: In order to ensure that the development is carried out in complete accordance with the approved plans and any material and non-material alterations to the scheme are properly considered.

Pro-active Statement / Notes to Applicant

- 1) Application Approved Without Amendment

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against, primarily, the development plan policies, any duties applicable and also all material considerations, including emerging Local Plan policy, the National Planning Policy Framework and any stakeholder

representations that may have been received. It has subsequently determined to grant planning permission.

The meeting closed at 4.40 pm