

At a meeting of the Development Panel held in Council Chamber, Allerdale House on Tuesday 15 February 2022 at 10.00 am

Members

Councillor Tony Annison (Chair)
Councillor Carole Armstrong
Councillor Allan Daniels
Councillor Elaine Lynch
Councillor Paul Scott
Councillor Alan Tyson

Councillor Janet Farebrother (Vice-Chair)
Councillor Nicky Cockburn
Councillor Daniel Horsley
Councillor Antony McGuckin
Councillor Andrew Semple

Staff Present

G Law, S Long, K Magnay, K McCartney and J Morgan

384. Minutes

The minutes of the meeting on 18 January 2022 were signed as a correct record.

385. Declaration of Interests

Councillor N Cockburn declared an interest in item 5 - FUL/2021/0070; Councillor N Cockburn has attended lots of meetings and consultations regarding Derwent Forest and part of Derwent Forest is in her ward, however this will not affect her ability in the decision-making.

Councillor D Horsley declared an interest in item 5 – FUL/2021/0070; part of Derwent Forest is in his ward, however, this will not affect his ability in the decision-making.

386. Questions

None received.

387. FUL/2021/0070 - Land at Derwent Forest - Detailed consent for 71 dwellings

Representations

Caroline Murray spoke in objection to the application.

The Agent, P Shannon spoke in support of the application.

Application

The Senior Planning Officer, Steve Long recommended approval subject to additional layout plans, additional condition re Species protection plan, re-consultation under Environmental impact assessment regulations, Habitat

regulation assessment and clarification on any multiple use of the C2C from Sustrans/CCC (Highways)

The Senior Planning Officer reported reference to the late list document, receipt of amended plans and large number of additional late representations. Details summarised and reported to members including a large volume relating to the possible use of the C2C extension route for equestrian users.

Education sum for Maryport £71,250.

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

- Principle of development

The scheme as amended is acceptable in accordance with the objectives of Policy S18 of ALLP1. The proposal will deliver beneficial local connectivity and restoration measures, proportionate to the scale of the development proposed.

- Layout and Scale

As amended, the major development proposed seeks to reflect the house style concepts of the original development and be sympathetic with its open countryside setting.

- Highways

The layout and access details as amended meet the requirements of the County highway authority. In order to improve connectivity, the scheme incorporates the extension of the existing C2C route which lies to the west of the site, across the site to the Broughton Moor/ Gt Broughton highway as well as the estate itself.

- Education

The securing of the enhanced education infrastructure/ transport services has been assessed with the County Education department.

The scheme was amended to deliver all primary/ junior education contributions to the academy at Gt Broughton (£250,000) as unlike Broughton Moor there is already the bulk of an existing pedestrian footway link to this settlement, which would be completed as part of the development.

In terms of secondary school education contributions, the County agreed to amend their recommendation to deliver the secondary education element to Maryport rather than Cockermouth School as it is nearer and has spare capacity, however would be subject to the provision of a (£TBC) contribution for transport.

- Contamination

The bespoke Policy S18 of ALPP1 relating to this specific Derwent Forest site seeks a form of enabling development (e.g. residential) to facilitate the clean-up of the site. Policy S30 also endorses the remediation of existing contaminated land/buildings. There has been detailed examination of the historical legacy of the site and its operations, to establish the extent of this constraint. The proposal includes the removal and restoration of the southern section of the former munition site, with the relocation of the existing perimeter fence alongside the revised route of the C2C.

- Affordable Housing

The proposed scheme as amended will deliver 20% local affordable home ownership housing quota (14 dwellings) required under the provisions of Policy SA3 of ALLP2 to be secured under the S106.

- Drainage

The foul and surface water drainage details are acceptable in compliance with policy S29 of ALPP1

- Ecology

Policy S35 refers to ecology/ biodiversity. The application is supported by detailed ecological surveys. Subject to mitigation being secured these details are safeguarded.

Following member discussions, Councillor N Cockburn proposed to defer the application to seek additional evidence on traffic management, construction, environmental management plan and habitat regulation assessment.

Councillor D Horsley seconded the motion.

A vote was taken; the vote for deferral was unanimous.

The motion in favour of deferral was carried.

Decision

Deferred

12pm - Break for Lunch

388. HOU/2021/0235 - 11 Chapel Terrace, Greysouthen - Two storey extension to mid terrace cottage - Resubmission

Application

The Senior Planning Officer, Steve Long recommended refusal.

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

- Residential Amenity

The proposal, by virtue of its proximity to the boundary, scale and massing to the habitable room windows on rear and side elevation of the adjoining property Swallow Croft (No. 9), would have a significant harmful effect on the living conditions of the occupiers of this neighbouring dwelling i.e unneighbourly development resulting in loss of outlook and oppressiveness.

- Highways

The proposal will not impact upon the operation car parking requirement for the property.

Councillor N Cockburn proposed to refuse the application as per the Officers recommendations.

Councillor J Farebrother seconded the motion.

A vote was taken; 7 voted in favour of refusal and 4 against.

The motion in favour of refusal was carried.

Decision

Refused

389. FUL/2021/0309 - Maritime Museum, 1 Senhouse Street, Maryport - Change of use from a museum to a composite use involving an art gallery, exhibition space and an "artist in residence" flat and associated internal and external alterations

Application

The Senior Planning Officer, Steve Long recommended Approval and advised members the proposed residential flat land use is considered consistent.

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

- Principle of Development

The proposed composite use is considered consistent and complimentary to the area for a town centre location.

- Design and Heritage Assets

The proposal alterations to the building have been appropriately designed to retain the character of the building, whilst providing a viable use for the building.

The proposed works will not have a detrimental impact on the character and setting of the conservation area or Listed Buildings.

Councillor A Annison proposed to approve the application as per the Officers recommendations.

Councillor D Horsely seconded the motion.

A vote was taken; the vote in favour of approval was unanimous.

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.**
- 2.**
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:
Dwg 2146-03 Location Plan
Dwg 2146-05 Site Plan As Proposed
Dwg 2146-06 Floor Plans and Elevations as Proposed received 17 January 2022**

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.

- 390. ADV/2021/0012 - Public Toilet Block at West Green, Main Road, Allonby - 1 x LED sign and 1 x Solar Panel showing bathing water quality**

Application

The Senior Planning Officer, Steve Long recommended Approval.

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

- Principle of Development

Although internally illuminated LED signage would not normally be acceptable within a Conservation Area/ AONB, it is considered that given the signage concerns public safety there is a clear and convincing public benefit to the proposal that will outweigh any harm caused to the asset(s) & the public benefits of a proposal outweighs and justifies any harm.

Councillor A Daniels proposed to approve the application as per the Officers recommendations.

Councillor A McGuckin seconded the motion.

A vote was taken; the vote in favour of approval was unanimous.

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:**

Technical Specification - Signage

Location Plan

Solar Bracket Assembly

Block Plan

Proposed Drawings and Measurements

Solar panel - additional information received 11/01/21

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.

Other:

3. **No advertisement shall be sited or displayed so as to: (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military); (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.**

Reason: In order to comply with the provisions of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007 and in the interests of public safety.

4. **Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.**

Reason: In order to comply with the provisions of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007 and in the interests of public safety

5. **Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.**

Reason: In order to comply with the provisions of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007 and in the interests of public safety.

6. **Where an advertisement is required under these regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.**

Reason: In order to comply with the provisions of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007 and in the interests of public safety and visual amenity.

391. WTPO/2021/0027 - Sycamore House, Sandale - Removal of Sycamore Tree (TPO)

Application

The Planning Officer, Kerry McCartney recommended refusal.

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

- Amenity Value

The loss of the tree will result in immediate significant detriment to visual amenity.

- Justification

Insufficient evidence has been provided with the application to justify the removal of the tree.

Councillor P Scott proposed to refuse the application as per the Officers recommendations with a need to monitor the tree and the works approved last year should be carried out to reduce the weight of the canopy of the tree.

Councillor E Lynch seconded the motion.

A vote was taken; the vote for refusal was unanimous

The motion in favour of refusal was carried.

Decision

Refused

The meeting closed at 1.50 pm