

At a meeting of the Development Panel held in Council Chamber, Allerdale House on Tuesday 17 January 2023 at 11.00 am

## **Members**

Councillor Tony Annison (Chair)  
Councillor Carole Armstrong  
Councillor Malcolm Grainger  
Councillor Hilary Harrington  
Councillor Antony McGuckin

Councillor Janet Farebrother (Vice-Chair)  
Councillor Allan Daniels  
Councillor Jimmy Grisdale  
Councillor Daniel Horsley  
Councillor Alan Smith

Apologies for absence were received from Councillor Nicky Cockburn

## **Staff Present**

I Fairlamb, N Howard, R Lightfoot, K Magnay, J Morgan and A Williams

### **330. Minutes**

The minutes of the meeting held on the 20 December 2022 and 01 November 2022 were signed as a correct record.

### **331. Declaration of Interests**

Councillor A Smith declared an interest in item 5, HOU/2022/0174, he advised the panel he had been present at the Cockermouth Town Council meeting, however it would not affect his decision.

### **332. Questions**

None received.

### **333. HOU/2022/0174 - Park End, Rubbybanks Road, Cockermouth - Construction of a retaining wall in pre-cast concrete blocks to provide resilience against flooding**

#### **Representations**

A letter of objection was read out on behalf of Natasha Alderson-Pollock.

A letter was read out on behalf of the Ward Councillor, Councillor Andy Semple.

#### **Application**

The Planning Manager, Alison Williamson outlined the application and detailed the main issues within the report as follows:

- Principle of Development

The principle of flood resilience measures is supported, but any such proposal needs to be compatible in its design with its surroundings and

complaint with any respective designated regulations which are applicable to its location.

- Highways

The proposal is located on private land but is sited in proximity to the route of public footpath. 223033. The County's public rights of way officer, albeit initially objecting, is now satisfied the proposal would not partially obstruct this public right of way and therefore no longer opposes the proposal.

- Design/Heritage

The applicant has sought to amend the external exterior finish of the existing blocks through the application of external timber cladding to the exterior and infilling the rear void with soil. As amended the design is considered acceptable including its setting within the Conservation Area

- Flood Risk

The Environment Agency have confirmed no objections

The Planning Manager then drew member's attention to the late list.

Members questioned Planning Officers around access.

The Planning Manager reminded members of the fall back position of a wall or fence up to 1m in height on the same line could be constructed under permitted development.

Following members discussions, Councillor A Smith proposed to refuse the application on the following grounds the site is un-neighbourly and goes against the design principles of policy S4 of the Allerdale Local Plan (Part 1)

Councillor J Grisdale seconded.

A vote was taken: 8 voted in favour of refusal, 0 against, 2 abstentions

### **Decision**

Refused

### **334. FUL/2022/0033 - Rowanbank Caravan Park, Beckfoot - Stationing of two Caravans**

#### **Representations**

Richard Lightbowne and Peter White spoke in objection to the application.

A letter of objection was read out on behalf of Robert Pattinson.

A letter of support was read out on behalf of Mr J Steel, The Agent.

## Application

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

- Principle of Development

The proposed static caravans would be provided as an extension to an existing site, this is permissible under Policy S17 of the Allerdale Local Plan Part One. The proposals are therefore considered to be acceptable in principle.

- Sustainability

The site is an existing tourist site and can be accessed by the adjacent Hadrian's Cycleway. It is considered that the addition of 2 caravan units would not have a demonstrable impact on sustainability.

- Landscape Impact

The siting of two additional caravans adjacent to the existing site and maintaining a recessed visual when viewed from the adjacent public highway is considered to be acceptable.

- Impact on Amenity

The application seeks consent for 2 additional units on a larger existing caravan site. Concerns were raised over 4 units, which were much closer to existing residential properties and the plans were amended as a result. It is considered that the proposal would not cause any demonstrable harm through loss of amenity by the siting of the additional 2 units.

Members questioned Planning Officers with regards to response from natural England in relation to the natterjack toads.

Following members discussions, Councillor A McGuckin proposed to defer the application until further information had been received from natural England.

Councillor H Harrington seconded.

The Planning Officer advised members if they approved the application delegated decision would be given to the Senior Planning Manager once the response from natural England had been received.

The Senior Planning Manager advised members if the response from natural England was not satisfactory the application would not receive approval.

Councillor C Armstrong proposed an amendment to the motion to include a site visit.

Councillor A McGuckin and Councillor H Harrington accepted the amendment.

Motion – to defer the application until further information received from natural England and to have a site visit.

A vote was taken: The vote in favour of deferral was unanimous

## **Decision**

Deferred

- 335. FUL/2022/0257 - Shawhill, Kirkbride, Wigton - Replacement grain store required by business to comply with current farm assurance requirements and to update grain handling facilities.**

## **Application**

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

- Principle

Officers consider that the proposed development will improve the efficiency of the farm operations and support the continued economic viability of the rural enterprise. The proposal is therefore in accordance with Policy S14 of the Allerdale Local Plan (Part 1) and the principle of development is acceptable.

- Landscape and Visual Impact

Officers therefore consider that the development proposal will not be damaging to the character and appearance of the countryside or form a prominent element of the landscape. As such, the development is considered acceptable under the provisions of Policy DM6.

- Residential Amenity

The nearest dwelling that is not associated with the farm is over 400 metres away. As such, the proposed development is not considered to be harmful in terms of residential amenity.

- Ecology

The application site is located within the Marsh Fritillary and Goose and Swan protected species area. The applicant has submitted an Ecological Assessment which concludes that due to the location, scale of the proposed works and lack of suitable habitat, the proposed development will not have any impact on either geese, swans or marsh fritillary butterflies. Officers, therefore, consider that the development is acceptable under the provisions of Policy S35 of the Allerdale Local Plan (Part 1).

Councillor A Daniels proposed to approve the application as per officer's recommendations and subject to the conditions.

Councillor M Grainger seconded.

A vote was taken: The vote in favour of approval was unanimous

### **Decision**

Approved

### **Conditions**

- 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.
  
- 2. Unless specified by separate condition, the development hereby permitted shall be carried out solely in accordance with the following plans:**  
**Amended Location Plan (Received 05/12/22)**  
**Block Plan**  
**East and North Elevations**  
**Floorplan, West and South Elevations**  
**Ecology Report**  
Reason: In order to comply with Section 91 of the Town and Country Planning Act 1990.
  
- 3. No construction works shall be undertaken between November to March (inclusive).**  
Reason: To safeguard the habitat of birds during construction works in compliance with the National Planning Policy Framework, Policy S35 of the Allerdale Local Plan (Part 1), Adopted July 2014.

**The meeting closed at 1.08 pm**