

At a meeting of the Development Panel held in Council Chamber, Allerdale House on Tuesday 29 November 2022 at 10.00 am

## **Members**

Councillor Tony Annison (Chair)  
Councillor Carole Armstrong  
Councillor Malcolm Grainger  
Councillor Daniel Horsley

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

Apologies for absence were received from Councillor Nicky Cockburn and Councillor Antony McGuckin

## **Staff Present**

I Fairlamb, N Howard, S Long, K Magnay, J Morgan and A Williamson

## **Also Present**

Shamus Giles, Cumbria County Council

## **257. Minutes**

The minutes of the meeting held on the 06 September 2022 and 01 November 2022 were signed as a correct record.

## **258. Declaration of Interests**

Councillor M Grainger declared an interest in FUL/2022/0222, and advised the panel it would not affect his decision.

Councillor A Smith declared an interest in LBC/2022/0043, and advised the panel it would not affect his decision.

## **259. Questions**

None received.

## **260. OUT/2021/0026 - Flimby Lodge, Flimby - Outline for 59 dwellings**

### **Representations**

Gill Montgomery spoke in objection to the application.

The Agent, Steve Grimster spoke in support of the application.

### **Application**

The Senior Planning Officer, Steve Long recommended to approve the application subject to the recommended conditions and a S106 encompassing the following obligation criteria.

- (i) 10% local affordable housing provision within the reserved matters application (low cost affordable units).
- (ii) Provision of commuted sum contribution based on the councils Developer contributions SPD( 59 x1.34x £120=£9,487) towards upgrade of the off- site Flimby play park (within 400m)
- (iii) Securing replanting and delivery areas of woodland P1 and P2 and management /maintenance scheme for the amenity greenspace (885sqm) and woodland management scheme for overall site.

The Senior Planning Officer drew members attention to the flood mitigation strategy and discussions held with the LLFA.

The Senior Planning Officer also drew members attention to the late list in particular reasons (i) and (ii) on the S106 – be pro-rata to the scale of the development under any future reserved matters application i.e the totals provided to the maximum proposed 59 units and it may be potentially less than this figure, the Senior Planning Officer confirmed the calculation will be based on the number of units and this figure will be revised.

The Senior Planning Officer also confirmed the illustrative plan was included in error and therefore can be omitted from the approved details.

The Senior Planning Officer also advised members the following conditions would be safeguarded: - 5, 6, 12, 13 and 14

The Senior Planning Officer also advised members they could propose an additional condition.

Prior to any construction works the visibility splays and access arrangement providing clear visibility as outlined on the amended plan SCP/200034/SK02 Rev B proposed access arrangements dated 4/03/22 shall be provided at the junction of the access road with the A596 county highway.  
Reason. In the interests of highway safety.

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

- Principle of Development

The outline application includes all matters reserved except access. Despite the site not being allocated this major development falls within the recently revised adopted settlement limits for Flimby under Policy SA2 of ALPP2. The site is therefore seen as a windfall site. The scale of the development is considered proportionate to Flimby's role under Policy S3 as a local centre and would bring back to beneficial use a redundant partial brownfield overgrown site to the wider benefit of the community.

The principle of the development is therefore acceptable subject to compliance with any identified physical constraints to the site.

- Highways

The site is to be served by a solitary access junction on its frontage onto the A596 highway. Although it has been recognised that this is an important strategic corridor and there are existing highway constraints within the existing highway infrastructure e.g. existing junctions, the applicant has demonstrated a new access which is acceptable to the highway authority. On the basis of this evidence the principle of a new junction serving the site is acceptable in compliance with Policy S22 of ALPP1

- Drainage

Flimby has a past record of flood events and therefore the onus was with the developer to demonstrate a scheme which did not exacerbate these problems. However the main focus of these events concentrate around the Pennygill watercourse, whereas the proposed site is alternatively served by Furnace Gill,

The application has been the subject of discussions with the LLFA and is supported by a detailed FRA/surface water drainage scheme. The submitted details are acceptable to the LLFA.

The details therefore comply with Policy S29 of ALPP1.

- Tree Preservation order/Landscaping

The primary on-site physical constraint is the woodland trees around the perimeter of the site which have been protected under a TPO.

The application is supported by a detailed tree survey. Through this document the tree categories have been established which have enabled the identification of a developable area on the submitted parameters plan which retains the bulk of the higher quality category trees at the site.

Whilst the application is outline in format the applicant has provided an illustrative plan to demonstrate how this specific number of dwellings can be achieved at the site (reducing its initial number from 67 to 59)

This would still potentially likely involve the loss of some category C trees which extend into the site. As it is solely illustrative officers recommend conditions to ensure the reconsideration of trees within the developable areas as part of any future reserved matter application.

Officers consider the areas of TPO left outside the developable area retain the characteristics of its woodland designation which contribute to its original protected designation which is further enhanced by planting.

Whilst the loss of some protected trees is expected these will relate to poorer specimens and have to be balanced against the wider and economic benefits of this redundant site

Overall subject to the conditional safeguards the scheme offers a pragmatic option to facilitate the development of the site but retain its key landscape qualities and characteristics.

The proposal therefor complies with the landscape objectives of Policy S33 and DM17 of ALPP1

- Ecology

The application is supported by an ecologist's survey. Albeit the site has naturally regenerated with deep undergrowth no evidence was identified of protected species and Natural England have confirmed the site does not warrant an HRA assessment

Members questioned Planning Officers and the County Council

Councillor M Grainger proposed to approve the application as per officer's recommendations and subject to the conditions and the additional condition.

Councillor T Annison seconded.

Councillor A Daniels proposed an amendment to the motion to add a further condition for a phase 2 ecological survey to be undertaken.

Councillor M Grainger accepted the amendment and Councillor T Annison seconded the amendment.

A vote was taken: 3 voted in favour of approval, 4 against, 0 abstentions

The motion was lost.

Councillor D Horsley proposed to refuse the application under S29 of the policy.

Councillor J Farebrother seconded.

The Senior Planning Manager suggested to members that a presentation from LLFA on the programme of capital works proposed for drainage in the settlement be endorsed.

After speaking with officers, Councillor D Horsley withdrew the motion to refuse the application. Councillor J Farebrother accepted the withdrawal.

Councillor J Farebrother proposed to approve the original motion for the outline application subject to the conditions with the additional condition for an Ecology Survey. Also condition 14 to be the subject of reconsideration by Panel for discharge approval and local neighbour consultation on the details of the discharge application.

## **Decision**

Approved subject to S106

## Conditions

### Time Limit:

- 1. Before any development commences details of the layout, scale and appearance, access and landscaping (hereinafter called 'reserved matters') shall be submitted to and approved by the Local Planning Authority.**

Reason: The application has been submitted as an outline application, in accordance with the provisions of the details of the Town and Country Planning (Development Management Procedure) Order 2015.
- 2. The submission of all reserved matters applications shall be made no later than the expiration of 3 years beginning with the date of this permission and the development shall begin no later than whichever is the later of the following dates:**

  - (a) The expiration of 3 years from the date of the grant of this permission, or**
  - (b) The expiration of 2 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.**

Reason: In order to comply with Sections 91 and 92 of the Town and Country Planning Act 1990.
- 3. The details submitted under the reserved matters application shall include a programme showing the phasing of the development to be submitted to and approved by the Local Planning Authority and the development shall not proceed other than in accordance with the approved programme.**

Reason: To serve in the public and visual interests a satisfactory correlated order of the construction of the development in accordance with the National Planning Policy Framework and Policies S5 and DM14 of the Allerdale Local Plan (Part 1), Adopted July 2014.
- 4. The layout plans submitted under the reserved matters under condition 1 shall be solely within the "Residential development area" outlined on the approved 02 Parameters Plan Rev I, but shall exclude any buildings within the retained category A and B trees and their respective root protection areas as outlined on the approved 03 tree retention plan Rev I.**

Reason: To minimise the impact of the development on the protected trees at the site in compliance with Policy S33 and DM17 of the Allerdale local plan (Part 1)
- 5. No trees on the site shall be felled on the site until a detailed landscape plan as part of the reserved matters under condition 1 of this consent (specifying all trees to be retained and the respective positions and height of protective fencing -including those under condition 4) and those to be felled has been submitted to and approved by the local planning authority. Any approved felling works shall only be undertaken following the commencement of works following the approval of all reserved matters.**

Reason; To minimise the impact of the development on the protected trees at the site in compliance with Policy S33 and DM17 of the Allerdale local plan (Part 1)

6. **The reserved matters applications for layout and appearance shall demonstrate that 20% of the overall scheme will be designed and constructed to meet the requirements set out in optional Building Requirement M4(2) (or any equivalent standard should these regulations be subsequently reviewed).**

Reason: In order to comply with Policy SA5 of the Allerdale Local Plan Part 2.

**In Accordance:**

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

**Amended plan 01 site boundary 14/11/22**

**Amended parameter plan Rev I 14/11/22**

**Amended 03 tree retention Rev I 14/11/22**

**Amended 04 Technical illustrative masterplan Rev I 14/11/22**

**8726/01 Topographical survey**

**PH/C4721/10511 phase 1 geo environmental report**

**ALM/200034/TS/00 Transport statement**

**Amended Dwg SCP/200034/ATR01 Rev D Swept path analysis 4/03/22**

**Amended SCP/200034/SK02 Rev B proposed access arrangement 4/03/22**

**Odour assessment 102551**

**Phase 1 Ecology survey**

**64/R1 Flood risk assessment**

**Furnace Gill Hydraulic assessment**

**Noise assessment 16/09/22**

**E mail dated 28<sup>th</sup> September 2022 amending title to 59 units**

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.

**Pre-commencement conditions:**

8. **The works shall be implemented solely in accordance with the Mitigation recommendations for bats outlined in Section 4 of the extended survey and appraisal dated March 2021.**

Reason: To safeguard the habitat of bats in compliance with the National Planning Policy Framework and Policy S35 of the Allerdale Local Plan (Part 1), Adopted July 2014.

9. **No development approved by this permission shall commence until all necessary site investigation works within the site boundary have been carried out to establish the degree and nature of the contamination and its potential to pollute the environment or cause harm to human health. The scope of works for the site investigations should be agreed with the Local Planning Authority prior to the commencement.**

Reason: To minimise any risk during or post construction works arising from any possible contamination from the development to the local environment in compliance with the National Planning Policy Framework and Policy S30 of the Allerdale Local Plan (Part 1), Adopted July 2014.

10. **Should land affected by contamination be identified under the desktop study condition (10) following site investigations which poses unacceptable risks to human health, controlled waters or the wider environment, no development shall take place until a detailed remediation scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme must include an appraisal of remediation options, identification of the preferred option(s), the proposed remediation objectives and remediation criteria, and a description and programme of the works to be undertaken including the verification plan.**

Reason: To minimise any risk during or post construction works arising from any possible contamination from the development to the local environment in compliance with the National Planning Policy Framework and Policy S30 of the Allerdale Local Plan (Part 1), Adopted July 2014.

11. **No development shall take place until a Construction and Demolition Method Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall include the following:**
- (a) Traffic Management Plan to include all traffic associated with the development, including site and staff traffic, off-site parking, turning and compound areas (outside the root protection area specified under Amended 03 tree retention Rev I 14/11/22);**
  - (b) Procedure to monitor and mitigate noise and vibration from the construction and demolition and to monitor any properties at risk of damage from vibration, as well as taking into account noise from vehicles, deliveries. All measurements should make reference to BS7445.**
  - (c) Mitigation measures to reduce adverse impacts on residential properties from construction compounds including visual impact, noise, and light pollution.**
  - (d) A written procedure for dealing with complaints regarding the construction or demolition;**
  - (e) Measures to control the emissions of dust and dirt during construction and demolition (including any wheel washing facilities);**
  - (f) Programme of work for Demolition and Construction phase;**
  - (g) Hours of working and deliveries;**
  - (h) Details of lighting to be used on site;**
  - (i) Highway signage/ Haulage routes.**

**The approved statement shall be adhered to throughout the duration of the development.**

Reason: In the interests of safeguarding the amenity of the occupiers of neighbouring properties and the amenity value of the TPO trees during the construction works of the development hereby approved, in compliance with the National Planning Policy Framework and Policy S32, S33 and S22

of the Allerdale Local Plan (Part 1), Adopted July 2014 and in the interests of highway safety.

12. **The carriageway, footways, footpaths, cycleways etc. shall be designed, constructed, drained and lit to a standard suitable for adoption and in this respect further details, including longitudinal/cross sections, shall be submitted to the Local Planning Authority for approval before work commences on site. No work shall be commenced until a full specification has been approved. These details shall be in accordance with the standards laid down in the current Cumbria Design Guide. Any works so approved shall be constructed before the development is complete.**

Reason: To ensure a minimum standard of construction in the interests of highway safety.

13. **Before any development takes place, a plan shall be submitted for the prior approval of the local planning authority reserving adequate land for the parking, unloading and turning of vehicles engaged in construction operations associated with the development and location of material stores and offices, and that land, including vehicular access thereto, shall be used for or be kept available for these purposes at all times until completion of the construction works.**

Reason: The carrying out of this development without the provision of these facilities during the construction work is likely to lead to inconvenience and danger to road users

14. **Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly. The drainage scheme submitted for approval shall also be in accordance with the principles set out in the Flood Risk Assessment & Drainage Statement dated October 2021. The development shall be completed, maintained and managed in accordance with the approved details.**

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG.

15. **Prior to the commencement of works a detailed noise mitigation scheme in accordance with the criteria outlined in para 7.2.3 of the Noise assessment 16/09/22 to ensure a satisfactory standard of residential amenity for the occupiers of any dwellinghouses approved at the site under the reserved matters of condition 1 shall**

**be submitted to any approved by the local planning authority. The approved details for each respective dwellinghouse shall be fully implemented in accordance with the approved details prior to its occupation and retained at all times thereafter.**

Reason: To ensure satisfactory standard of residential amenity in accordance with policy S32 of the Allerdale local plan (Part1).

16. **Prior to an construction works the visibility splays and access arrangement providing clear visibility as outlined on the amended plan SCP/200034/SK02 Rev B proposed access arrangements dated 4/03/22 shall be provided at the junction of the access road with the A595 county highway.**

Reason: In the interests of highway safety

17. **Prior to the commencement of works (including the removal of any existing vegetation) under condition 1 of this consent, a further ecological habitat survey review of the site (including external inspection by a qualified consultant) shall be submitted to and approved by the local planning authority. Any approved mitigation measures shall be fully implemented in accordance with the approved scheme.**

Reason: The council seeks to review the impact of the works on the habitat of any potential species at the site during construction works in compliance with the national planning policy framework and policy S35 of the Allerdale Local Plan (Part 1)

**Post-commencement/Pre use commencing conditions:**

18. **No dwellings shall be occupied until the estate road including footways and cycleways to serve such dwellings has been constructed in all respects to base course level and street lighting where it is to form part of the estate road has been provided and brought into full operational use.**

Reason: In the interests of highway safety

19. **Should a remediation scheme be required under condition (11), the approved strategy shall be implemented and a verification report submitted to and approved in writing by the Local Planning Authority, prior to the development (or relevant phase of development) being brought into use.**

Reason: To minimise any risk during or post construction works arising from any possible contamination from the development to the local environment in compliance with the National Planning Policy Framework and Policy S30 of the Allerdale Local Plan (Part 1), Adopted July 2014.

20. **In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported immediately to the Local Planning Authority. Development on the part of the site affected must be halted and a risk assessment carried out and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to**

**and approved in writing by the Local Planning Authority. These shall be implemented prior to the development (or relevant phase of development) being brought into use. All works shall be undertaken in accordance with current UK guidance, particularly CLR11.**

Reason: To minimise any risk arising from any possible contamination from the development to the local environment in compliance with the National Planning Policy Framework and Policy S30 of the Allerdale Local Plan (Part 1), Adopted July 2014.

21. **Prior to the first occupation of each dwelling, details for that dwelling shall be submitted to and approved in writing by the local planning authority of either:-**

- a) **Evidence that the applicant will provide onsite access to broadband infrastructure providers during the construction process to allow the providers to install the necessary broadband infrastructure; or**
- b) **Evidence, following contact with broadband infrastructure providers, that it is not practicably or viably possible to install broadband infrastructure to achieve superfast (as defined by Government standards) fibre broadband connectivity.**

Reason: To seek to secure sustainable superfast (as defined by Government standards) fibre broadband connectivity in accordance with policy SA33 of the Allerdale Local Plan Part 2 (2018).

#### **Councillor J Grisdale joined the meeting**

261. **FUL/2022/0222 - Hanger 43, Silloth Airfield - Proposed industrial storage landuse**

#### **Representations**

Colin Chatt spoke in objection to the application.

The Agent, Adam Perry spoke in support of the application.

#### **Application**

The Senior Planning Officer, Steve Long recommended to approve the application subject to the recommended conditions.

The Senior Planning Officer highlighted to members condition 5 should read prior to construction rather than prior to development being commenced.

The variation to the other proposed conditions on the late list were outlined to members.

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

- Principle of Development

The proposal relates to an expansion of the neighbouring concrete product storage facility on the neighbouring land. Therefore albeit the airfield is not an allocated employment site, the principle of the development is acceptable under the provisions of DM4 of ALPP1

- Highways

The proposal would utilise the existing airfield access entrance onto the B5302 Wigton-Silloth highway which serves the applicants existing yard. The merits of the access are therefore acceptable.

- Residential Amenity

The proposed expanded site is closer in proximity to the nearby residential properties on Solway Lido caravan park and Barracks bridge. However the proposal seeks to utilise existing and proposed concrete boundary panel fencing around the perimeter which will be further screened by supplementary landscaping. The Environmental health officers raised no objections subject to conditions. Officers consider that subject to satisfactory mitigation measures the proposal would not result in any significant loss of amenity to nearby properties, especially with the backdrop of other industrial landuses on the airfield. It is therefore considered the proposal complies with policy S32 of ALPP1

- Drainage

The proposal will result in the creation of a large hard surfaced area for the storage landuse. It is recommended that the means to control surface water discharge of the site be reserved by condition

Members acknowledged the agents offer to enlarge the proposed landscaping treatment along the rear of the properties on Barracks Bridge. Officers advised this could be secured through the receipt of a further amendment to the recommended approved site plan to reflect these details.

Following members discussions, Councillor T Annison proposed to approve the application as per officer's recommendations and include pre-commencement condition the receipt of the additional amended plan.

Councillor A Daniels seconded.

A vote was taken: The vote in favour was unanimous.

## **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:**  
**Figure 1 Site location plan**  
**Figure 2 Site plan (amendment enlarging landscaping awaited)**  
**Construction method statement dated November 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.

### Pre-commencement conditions:

- 3. The construction works hereby approved shall solely be undertaken in accordance with the approved construction method statement dated November 2022**  
Reason: In the interests of safeguarding the amenity of the occupiers of neighbouring properties during the construction works of the development hereby approved, in compliance with the National Planning Policy Framework and Policy S32 of the Allerdale Local Plan (Part 1), Adopted July 2014 and in the interests of highway safety.
- 4. No lighting shall be provided during the operational use of the storage area hereby approved, without the written consent of the local planning authority.**  
Reason: To safeguard the amenity of nearby residential properties from the operational use, in compliance with the National Planning Policy Framework and Policy S32 of the Allerdale Local Plan (Part 1), Adopted July 2014.
- 5. Full details of the surface water drainage system (incorporating SUDs features as far as practicable) and a maintenance schedule (identifying the responsible parties) shall be submitted to the Local Planning Authority for approval prior to the construction of the surface layer of the hardstanding. Any approved works shall be implemented prior to the development being completed and shall be maintained thereafter in accordance with the schedule.**  
Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. To ensure the surface water system continues to function as designed and that flood risk is not increased within the site or elsewhere.

**Post-commencement/Pre use commencing conditions:**

- 6. All planting comprised within the approved landscaping scheme within the approved Figure 2 site plan shall be carried out in the first planting season following completion of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with other similar size and species, unless otherwise agreed in writing by the Local Planning Authority.**  
Reason: In order to enhance the appearance of the development and minimise the impact of the development in the locality.
- 7. The approved means of enclosure outlined on the approved Figure 2 site plan, shall be constructed prior to the approved landuse being brought into use. All means of enclosure so constructed shall be retained and no part thereof shall be removed without the prior consent of the Local Planning Authority.**  
Reason: To ensure a satisfactory standard of development which is compatible with the character of the surrounding area and safeguard the amenity of neighbouring properties in compliance with Policy S32 of the Allerdale local plan (Part 1).
- 8. No materials stored on the site hereby approved shall exceed 3m in height**  
Reason: To safeguard the visual amenity of the site in accordance with policy S32 of the Allerdale Local Plan (Part 1)
- 9. The use hereby permitted shall solely be restricted to the hours of operation between 7am to 6pm on Mondays to Saturdays and not at all on Sundays or Bank holidays. (No reversing alarms shall be activated between the hours of 7am and 8am on the approved hours)**  
Reason: In the interests of preserving the amenity of neighbouring residents, in compliance with the National Planning Policy Framework and Policy S32 of the Allerdale Local Plan (Part 1), Adopted July 2014.
- 10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or in any Statutory Instrument revoking or re-enacting that Order with or without modification) no development falling within Classes B8 or B1 of Part C of Schedule 2 of the said Order, or any other alternative storage use than finished concrete products shall be carried out without the prior written permission of the Local Planning Authority upon an application submitted to it.**  
Reason: The Local Planning Authority wishes to retain control over any proposed alterations/extensions in the interests of the appearance of the site and safeguard the amenities of adjacent properties in compliance with Policy S32 of the Allerdale local Plan (Part 1).

**262. LBC/2022/0043 - All Saints Church, Kirkgate, Cockermouth, CA13 9PJ - Removal of damaged Victorian pavers to central section of The Went and replacement with granite setts**

**Representations**

The Agent, Stuart Woodall spoke in support of the application.

**Application**

The Specialist Planning Officer, Naomi Howard recommended to refuse the application based on the following;

The complete loss of the Victorian diamond pavers would adversely impact the historic fabric, character and setting of the grade II\* listed All Saints Church. It is considered that the proposal will have a negative impact on the heritage asset contrary to Policy S27 of the Allerdale Local Plan (Part 1).

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

- Heritage

The complete loss of the Victorian diamond pavers would adversely impact the historic fabric, character and setting of the grade II\* listed All Saints Church. It is considered that the proposal will have a negative impact on the heritage asset contrary to Policy S27 of the Allerdale Local Plan (Part 1). We, therefore, recommend that the application is refused.

Following members discussions, Councillor M Grainger proposed to refuse the application as per officer recommendations.

Councillor J Grisdale seconded.

A vote was taken: 7 voted in favour of refusal, 0 objections and 1 abstention

**Decision**

Refused

**263. OUT/2022/0026 - Land adjacent to Barnes Croft, Yearngill, Aspatria - Outline application for proposed dormer (1.5 storey) dwelling and garage workshop including access and layout**

**Representations**

The Applicant, Mr Sharpe spoke in support of the application.

The Agent, Richard Lindsay spoke in support of the application.

## **Application**

The Planning Manager, Alison Williamson recommended to refuse the application on the following grounds;

1. The proposed development site is within the small group of buildings known as Yearngill. The development would only serve to further compact this small nucleated group of buildings with an adverse impact on settlement character. The application is contrary to Policies S1 S2 S3 and S5 of the Allerdale Local Plan (Part 1) Adopted 2014 and the revised NPPF 2021.
2. The proposed development is considered non-essential development in the open countryside with no proven need for a rural worker or to satisfy any other exception criteria within Policy S3. The application is contrary to Policies S3 of the Allerdale Local Plan (Part 1) Adopted 2014 and the revised NPPF 2021.
3. Insufficient information has been provided regarding the operations of the workshop and therefore the potential impacts on neighbouring amenity in relation to noise, dust and odour contrary to Policy S32 of the Allerdale Local Plan (Part 1) or the highway in relation to vehicle movements.

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

- Principle of Development

Yearngill is a very small hamlet, it does not have a settlement boundary and is not identified as a settlement for growth. The proposed dwelling does not meet the criteria set out within Policy S3. The approach taken by Policy S3 is to direct new housing to established and defined settlements at a proportionate scale in order to achieve a sustainable form of development and to provide protection to the open countryside. As such, the principle of housing at this location would be contrary to policy S3 of the ALP Part 1 and policy SA2 of the ALP Part 2.

Following members discussions, Councillor A Daniels proposed to refuse the application as per officers recommendations.

Councillor M Grainger seconded.

A vote was taken: 5 voted in favour of refusal, 2 objections and 1 abstention.

## **Decision**

Refused

**The meeting closed at 2.19 pm**