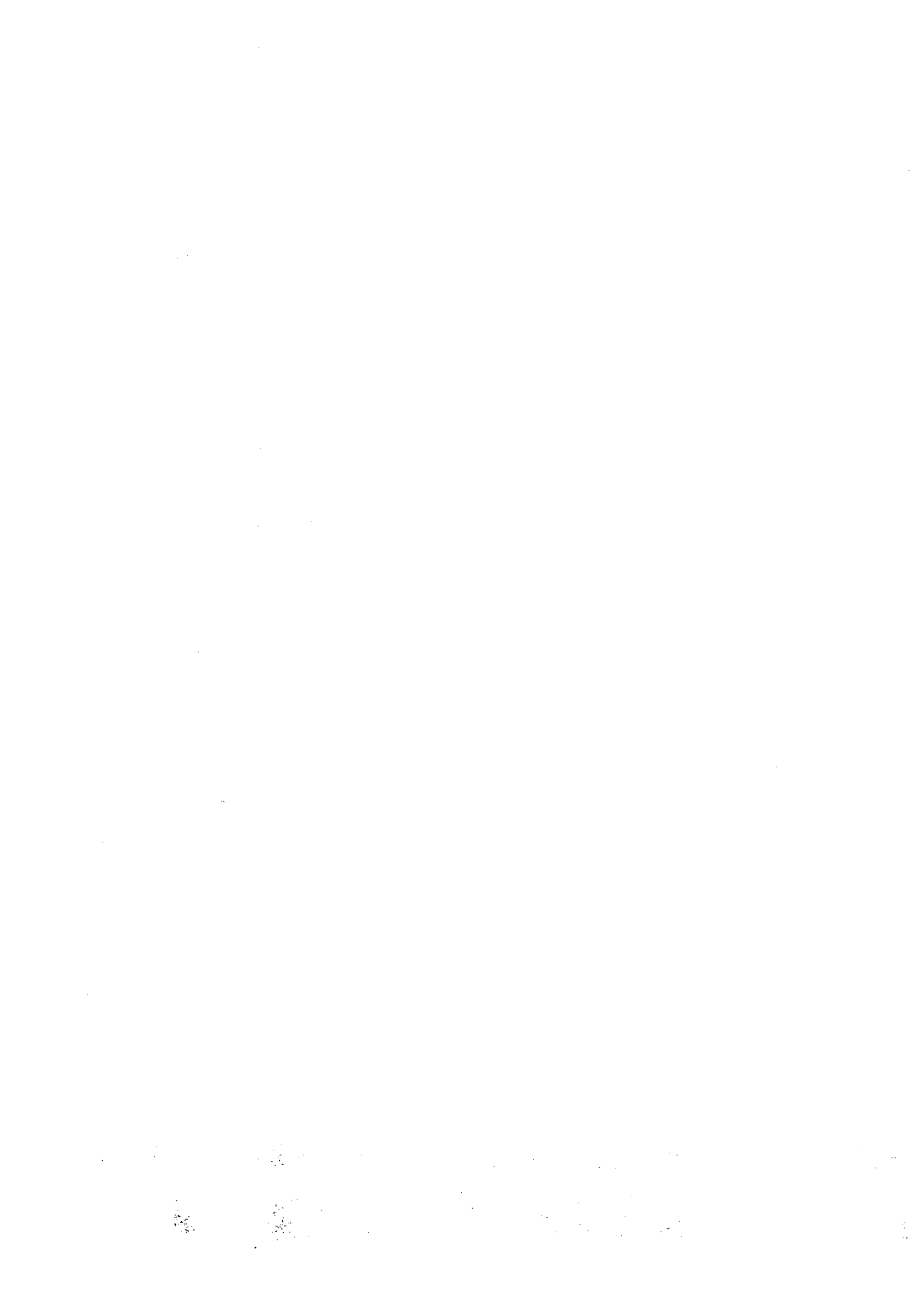


PLANNING PANEL

7 MARCH 2007

AGENDA

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RELEVANT INFORMATION

The planning applications referred to in this agenda together with responses from consultations and all other representations received are available for inspection with the exception of certain matters relating to the personal circumstances of the applicant or objector or otherwise considered confidential in accordance with Local Government (Access to Information) Act 1985.

In considering the applications the following policy documents will, where relevant, be taken into account:-

Town and Country Planning Act 1990

Planning and Compulsory Purchase Act 2004

Cumbria and Lake District Joint Structure Plan

Copeland Local Plan 2001-2016 - adopted June 2006

Lake District National Park Local Plan - Adopted May 1998

Cumbria Car Parking Guidelines

Department for Communities and Local Government (DCLG) Circulars:-

In particular:

| | |
|-------|---|
| 22/80 | Development Control, Policy and Practice |
| 15/88 | Environmental Assessment |
| 15/92 | Publicity for Planning Applications |
| 11/95 | The Use of Conditions in Planning Permissions |
| 01/06 | Guidance on Changes to the Development Control System |

Department for Communities and Local Government (DCLG):-

Planning Policy Guidance Notes and Planning Policy Statements

Development Control Policy Notes

Design Bulletins



STANDARD CONDITIONS

In order to save space standard conditions applied to all outline, full and reserved matters consents have been omitted, although the numbering of the conditions takes them into account. The standard conditions are as follows:-

Outline Consent

1. The layout, scale, appearance, means of access thereto and landscaping shall be as may be approved by the Local Planning Authority.
2. Detailed plans and drawings with respect to the matters reserved for subsequent approval shall be submitted to the Local Planning Authority within three years of the date of this permission and the development hereby permitted shall be commenced not later than the later of the following dates:-
 - (a) the expiration of THREE years from the date of this permission
 - or
 - (b) the expiration of TWO 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.

Reserved Matters Consent

The development shall be carried out in accordance with the plans submitted and in accordance with the conditions attached to the outline planning permission.

Full Consent

The development hereby permitted shall be commenced within THREE years from the date hereof.



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MAIN AGENDA

1 4/06/2684/0

WIND FARM CONSISTING OF FIVE WIND TURBINES AND
ANCILLARY INFRASTRUCTURE INCLUDING ACCESS TRACKS
FAIRFIELD FARM, PICA, DISTINGTON, CUMBERIA.
WIND PROSPECT LTD.

Parish Distington

- The Parish Council object to the proposed development on the following grounds:-

Its visual impact on the local area

The devastating effect on the local wildlife and flora

The increase in noise levels above acceptable levels on an almost totally silent area

This development has been turned down previously and other than the number of turbines nothing seems to have changed

The effects on tourism

The interference with broadcast and airwave signals, (this area is amongst the first areas to be turned on for digital transmission)

These developments start with small numbers of turbines and seem to develop very quickly into very large sites both in number of turbines and their physical size without further planning approval

The effects on local people and the infrastructure during the erection and future maintenance

This is an amended project not a totally new development and therefore all the previous objections that are still valid to this smaller project should still be valid and still apply

BACKGROUND

A previous application (4/05/2738/0) for six wind turbines on this site was submitted by the applicant in September 2005. This application was withdrawn in January 2006 in order to update the supporting ecological data. The composition of the proposed development has been altered from the 2005 application to reflect the changes in the ecological baseline of the site and to minimise any potential impact of the development on the ecological resource. The current application is for five turbines.

THE SITE

The site is located approximately 5km north east of Whitehaven, 6km south east of Workington, 2.5km south east of Distington and 1km south of the village of Pica.

The proposed development would be located on previously reclaimed open cast coal mining land in the ownership of Fairfield Farm. The development site is 2.4 hectares in extent. This is currently used for agricultural purposes, as part of the 128 hectare landholding. The land within the site is grassland which falls gently between 160m - 150m AOD towards the south of the site. There is a 132kv electricity transmission line running through the site from the north east to south west.

THE PROPOSAL

The proposal is for the erection of five wind turbines (each rated at 1.3MW), internal access tracks, hardstandings, a site entrance, a temporary construction compound, small switchgear house, underground cable network, export cable and a wind monitoring lattice mast (anemometer mast). The operational life of the wind farm is expected to be 25 years, after which it would be decommissioned and the land restored to agricultural use. Decommissioning of the wind farm would take no more than three months to complete and no residual significant impact would result from the process.

The turbines would have a maximum tower height of 50m and a blade rotor diameter of 62m, making a total height of 81m. The exact model of the turbines would be determined by the tendering process and, if planning permission is to be granted, the design would need to be subject to a condition. A crane hardstanding of 50m x 25m is proposed adjacent to each turbine position in order to accommodate cranes needed for the turbine installation and maintenance. A 3.2kms x 5m wide internal track is proposed to serve each hardstanding. This includes upgrading the existing track to Fairfield Farm. A permanent 50m high wind anemometry mast is proposed to the north west of the turbines which will be served by an access track. A single storey electrical switchgear building of 12m x 8m x 4.5m is proposed to the north of the turbines and south of Fairfield Farm. A temporary construction compound, approximately 50m x 25m is proposed adjacent to Fairfield Farm for the storage of materials, plant and equipment as well as for providing welfare and office facilities for the construction staff. This will be removed following the construction period and the land will be returned to its former use. The site entrance is located between Wilson Park Farm and Pica village, along the existing Fairfield Farm access track following the River Keekle.

Electricity produced from the turbines would be conducted to the switchgear house via underground distribution cables and exported from the site to a proposed connection point in Distington, or an alternative location determined by the local distribution operator

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after the application for connection has been made. Such an application would be made following the grant of planning permission. All electrical cabling will be buried underground along public road and highway verges to the point of connection. It is proposed that the wind farm will generate enough electricity to provide the equivalent of the current consumption of around 4,900 households.

The proposed access route to the site for construction purposes would be from the M6, A66, A595(T) to Distington, then along the Gilgarran road to Wilson Park on the Pica Road. This route was previously upgraded to accommodate large vehicles serving the Keekle Head opencast site and is currently being used by HGVs carrying inert waste to a landfill site in the vicinity of Fairfield Farm. An assessment of this access route has been undertaken by the applicant to ensure that the local highway network could accommodate the large vehicles and vehicle movements associated with the delivery of turbine components. From Wilson Park the access to the site is via the track leading to Fairfield Farm.

Public footpath No 404017 and Bridleway No 404011 both cross the site. The bridleway runs between the proposed two lines of turbines and the footpath runs from Startoes, via Fairfield Farm to High House Farm.

Once in operation, the turbines will be monitored remotely and no staff will be required on site. Maintenance personnel would make routine visits by car approximately once a month, with intermediate visits as and when required. Major planned maintenance would be carried out approximately twice a year, involving one maintenance van on site for approximately six weeks annually.

The application is supported by a Design and Access Statement, a Planning Statement and an Environmental Statement (and a Non-Technical Summary).

DESIGN AND ACCESS STATEMENT

A Design and Access Statement is submitted, as required under DCLG Circular 01/06. The statement sets out how the layout of the turbines was determined and explains that the primary elements which acted to constrain the lateral spread of the wind farm were identified as:-

- Distance between turbines and residential houses
- Landscape and visibility concerns
- Ornithology

Elements which influenced the micro-siting of individual turbines within the constrained area were identified as:-

- Wake effect of turbines
- Uniformity of wind farm shape

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Electromagnetic signals
Harmony with existing elements and mammalian species

PLANNING STATEMENT

The Planning Statement refers to the energy and environmental policy origins of wind energy development and the Government's policies towards renewable energy development. It sets out the national and local planning policy context and the balance which needs to be struck between the need for wind energy development and the effect of the development on the local environment. It also highlights the local benefits which would arise from the construction and operation of the development.

The Statement covers:-

Climate change
International, European and UK policies
Renewable energy sources
Role of onshore wind energy in the UK's climate change response
Electricity production, emission savings and other benefits
Issues relating to site selection
Planning and guidance - national, regional, structure plan, local plan, supplementary planning guidance
Landscape and visual effects
Countryside access
Issues relating to land use
Nature conservation
Cultural heritage
Noise
Electro-magnetic interference
Socio-economic issues

ENVIRONMENTAL STATEMENT (ES)

The Environmental Statement is a means of drawing together, in a systematic way, an assessment of a development's likely significant environmental effects. The Environmental Statement includes:-

Volume 1 : Non-Technical Summary
Volume 2 : Environmental Statement Text
Volume 3 : Figures
Volume 4 - Appendices
Volume 5 : Confidential Appendix (wintering bird surveys 2005-2006 and assessment update)

The statement covers a whole range of technical issues including:-

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Construction methods, grid connection, wind monitoring, turbine installation, site drainage, decommissioning

Need for the development, climate change, international context, European context, UK context, The Energy White Paper, PPS 22 Renewable Energy Strategy for the North West

Strategic site selection, detailed site selection, public consultation, public attitudes, design evolution

Access route, vehicle volumes and movements, mitigation measures, residual impacts

Landscape and visual amenity, landscape policy context, baseline landscape assessment, visual analysis - zone of theoretical visibility (ZTV), viewpoint analysis, assessment of residual landscape effects, residual visual effects

Shadow flicker effects, cumulative effects

Ecological assessment - conservation designations, breeding bird survey, wintering birds, habitat survey, protected species, assessment of ornithological effects, mitigation of impact, monitoring

Cultural heritage

Noise - from construction, operational noise assessment, predications, noise from decommissioning

Socio-Economic issues - potential impacts, tourism, public attitudes

Electro-magnetic signals and aviation - potential impacts, mitigation, residual impact

POLICY CONSIDERATIONS

National Energy Policies

Starting with the Energy Paper of 1988 there has been a series of government initiatives to encourage renewable energy development, culminating in the Energy White Paper of 2003 and the Energy Review of 2006 which reconfirmed the Government's policy context for planning and consent decisions on renewable generation projects. Wind power is an integral part of the government's strategy to provide 10% of the UK's electricity renewables by 2010 and is supported in principle.

National Planning Policies - Relevant Papers

PPS1 : Delivering Sustainable Development

- PPS7 : Sustainable Development in Rural Areas
- PPG8 : Telecommunications
- PPS9 : Biodiversity and Geological Conservation
- PPS22 : Renewable Energy
- PPG24 : Noise
- PPG13 : Regional Planning Guidance for the North West
- Draft Regional Spatial Strategy for the North West of England
January 2006
- Good Practice Guide on Planning for Tourism (July 2006)

Structure Plan

The new Cumbria and Lake District Joint Structure Plan 2006 - 2016 was adopted by the County Council in April 2006. The main Structure Plan policies which are relevant to this development are:-

Locational Issues:

- ST1 A sustainable Vision for Cumbria
- ST2 Assessing impact on sustainability
- ST3 Principles applying to all new development
- ST4 Major development proposals
- ST7 Development to sustain rural communities

Tourism Issues:

- EM16 Tourism

Environmental Issues

- E34 Areas and features of national and international conservation importance
- E35 Areas and features of nature conservation interests other than those of national and international conservation importance

Landscape and visual issues:

- E37 Landscape character

Utilising Resources

- R44 Renewable energy outside the Lake District National Park and AONBs

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Wind Energy Development in Cumbria - SPG 1997

Cumbria Wind Energy SPG August 2006 (consultation draft)

LOCAL PLAN

The Copeland Local Plan 2001-2016 was adopted by Copeland Borough Council in June 2006.

The main Local Plan policies relevant to this application are:-

- DEV 1 Sustainable development and regeneration
- DEV 5 Development in the countryside
- DEV 6 Sustainability in design
- DEV 7 Planning conditions and obligations
- DEV 8 Major development
- ENV 4 Protection of landscape features and habitats
- ENV 21 Noise pollution
- EGY 1 Renewable energy
- EGY 2 Wind energy

EGY 1 Renewable Energy

Proposals for any form of renewal energy development must satisfy the following criteria:

1. That there would be no significant adverse visual effects
2. That there would be no significant adverse effects on landscape or townscape character and distinctiveness
3. That there would be no adverse impact on biodiversity
4. That proposals would not cause unacceptable harm to features of local national and international importance for nature or heritage conservation
5. That measures are taken to mitigate any noise, smell, dust, fumes or other nuisance likely to affect nearby residents or other adjoining land users
6. That adequate provision can be made for access, parking and any potentially adverse impacts on the highway network
7. That any waste arising as a result of the development would be minimised and dealt with using a suitable means of disposal
8. There would be no adverse unacceptable cumulative effects when considered against any previous extant planning approvals for renewable energy development or other existing/approved utility infrastructure in the vicinity

EGY 2 Wind Energy

Proposals for wind energy developments will be considered against the criteria of Policy EGY 1 with the additional requirement that:

There would be a scheme for the removal of turbines and associated

structures and the restoration of the site to agriculture when the turbines become redundant.

CONSULTATION RESPONSES

The development will impact on a wide area and therefore a number of Site Notices have been displayed around the site. The application has also been advertised in the local press. A wide range of consultations have been sought and the results are reported below;

Cumbria County Council - Strategic Comment

As Strategic Planning Authority the County Council needs to consider whether this application would materially conflict with or prejudice the implementation of any policy contained within the Cumbria and Lake District Joint Structure Plan 2001-2016 (JSP).

The key strategic issues raised by the application are:-

Whether the development creates a significant detrimental effect on the landscape and character, biodiversity and the natural and built heritage (policies E34, E37, R45 and R44 of the JSP).

Whether there is an unacceptable level of cumulative impact due to its proximity to the other operational and consented wind energy developments (policy R44).

Whether the development creates significant adverse effect on local amenity, the local economy, highways, aircraft operations or communications (policy R44)

Whether the energy contribution and other benefits of the proposal outweigh any adverse effects (policies ST4 and R44)

The report by the Planning Officer to the County's Development Control and Regulation Committee assessed the application against the Structure Plan policies and recommended that subject to highway conditions and agreement being secured to protect and enhance the hen harrier habitat in the area, that no objection be raised to the proposal. The Committee, however, voted 11-0 to raise an objection to the proposal. Members felt that this development would have a harmful visual impact locally and also cumulatively due to its proximity to existing wind energy schemes around Workington, Whitehaven and Lowca. They felt that the local area around Pica and Distington had suffered its fair share of landscape disfigurement in the past and should be safeguarded from further disfigurement.

In the event of the Planning Panel wishing to approve the application the County may wish to have further discussions at a joint member meeting.

Copies of Cumbria County Council's letter dated 4 December 2006 and

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the Officer's report to the Development Control and Regulation Committee dated 24 November 2006 are appended.

Highway Authority (Cumbria County Council)

The Highway Authority raised no objection to the development subject to the imposition of a series of conditions.

There are two registered public rights of way crossing this site. These are footpath No. 404017 and Bridleway No. 404011. The routes of these will need to be protected and kept open for use at all times.

Natural England

Natural England has made comments on:

Nature Conservation - Statutory Consultation

The environmental statement recognises the value of the area for hen harriers and identifies a number of threats. Natural England accepts the developer's findings of no likely impact from the scheme as submitted with respect to collision mortality risk. However, there should be a requirement to monitor the actual impacts if the scheme goes ahead. In the unanticipated event of the monitoring revealing mortality occurring there will need to be an undertaking to develop a mitigation plan in discussion with Natural England and the local planning authority and a commitment for the developers to act upon it.

Roosting sites represent the single most sensitive feature. Natural England accepts the developer's opinion of low risk to this feature given the distance between the turbines and the known roosts.

Natural England objects to the loss of feeding habitat without the provision of suitable compensatory sites. The loss of feeding habitat should be mitigated by the provision/identification of 43ha of alternative feeding habitat. A mitigation site should be identified and appropriate management in place before construction can commence and should remain in place throughout the life of the wind farm. Locations should be identified within the raptor sensitivity zone and more than 300m from turbines and inhabited buildings and main roads.

Natural England objects to the disturbance arising from the completed wind farm and during construction work. This potential source of disturbance is not identified or mitigated for in the Environmental Statement. The construction window should be limited to the period between April and September in areas within a 1km line of sight of known roosts.

The developers should commit to a monitoring package prior to

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construction, reporting the findings of the monitoring on a regular basis and mitigating negative impacts identified by the monitoring.

These matters have been the subject of discussions between the developer and Natural England and a number of conditions have been agreed which has led to Natural England withdrawing their objection.

Nature Conservation Issues - Non-Statutory Consultation Issues

As from 1 October 2006 local authorities have a duty to safeguard biodiversity assets in line with Section 40 of the Natural Environment and Rural Communities Act 2006, which states:

"Every public authority must, in exercising its functions have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity".

The Environmental Statement identifies purple-moor grass rush pasture as the dominant vegetation type in the area where the three western turbines will be situated. This represents a BAP habitat. The ES commits to the replacement and compensation of this 0.8ha area by a 2ha area elsewhere. The restoration site should be identified and appropriate management put in place before construction commences.

Lapwing is currently a species of conservation concern and is amber listed. A mitigation site should be identified for the loss of this area and appropriate management put in place before construction can begin.

If the necessary mitigation measures are put in place for the replacement of hen harrier habitat then this will also benefit curlew, skylark, meadow pipit and grasshopper warbler.

Landscape Issues

Natural England is concerned about the effects of the proposal on the landscape, in particular the impact of the proposal on nearby Solway Coast AONB and the Lake District National Park. Concerns have been expressed about the potential changes in the character and quality of landscapes in the areas adjoining the National Park and the AONB, changes in views to and from them from key viewpoints and approaches used by visitors. However, Natural England has not raised an objection on landscape grounds.

Cumbria Wildlife Trust and RSPB

Cumbria Wildlife Trust and RSPB support the stance taken by Natural England and have been party to the discussions to reach an acceptable position.

Lake District National Park Authority

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The Lake District National Park Authority has not responded.

Friends of the Lake District (FLD) (Campaign to Protect Rural England - Cumbria Association)

FLD wish to point out that the figures included in the draft RSS for the North West (Environmental Statement Non Technical Summary pages 4 - 5) are not yet adopted. CPRE have objected to the technology specific targets alluded to by the applicants on page 5. This is mainly on the grounds that no environmental capacity assessment has been undertaken in order to inform these figures. FLD refer back to the inspector's decision in the previous 1995 application and appeal on this site, specifically the concerns raised over the impact on the setting of the National Park.

Cumbria Police

No response received.

United Utilities

The developer should be made aware of the fact that the development is adjacent to overhead electricity cables.

The existing UU Moresby Park radio link which would be affected by the proposed wind farm installation. A survey has deduced that the interference which would be caused by the installation of the wind turbines would affect the existing radio scanning telemetry link. Work was then undertaken to investigate possible solutions.

Two solutions were proposed to overcome the interference which would be caused by the installation of the wind turbines.

Should the wind farm proposal be approved the developer (Wind Prospect) would be expected to pay for the costs associated with the Option 1 solution prior to the turbines being erected so that the United Utilities scanning telemetry radio link from Fairfield Farm to Moresby Park has been diverted to the satisfaction of United Utilities Telemetry Projects Team.

Ofcom

The following link operators are affected by the development:

Link: Ex Home Office

Link: Cumbria Ambulance Services NHS

Cumbria Fire and Rescue Service

The Cumbria Fire and Rescue Service originally raised an objection to the development on the grounds that the installation of wind turbines would interfere with the Emergency Service Microwave system

which carries the Fire Service VHF Radio Scheme serving communications between fire appliances and Fire Control. Cumbria Fire & Rescue Services uses this radio link as the primary means of communicating with fire crews on fire appliances and fire officers in their cars when they are away from their stations. The radio system is critical to the operational effectiveness of the Fire Service and can be used to alert a fire crew/appliance and officers to a new fire incident should the need arise when away from station.

A new communications link will be in place during 2009 which will render the existing link redundant. Following protracted discussions between the Fire and Rescue Service and the developer, a compromise situation has been agreed, whereby the erection of two of the masts (2 and 4) will be delayed until Cumbria Fire and Rescue Service have moved over to their new network. This matter can be covered by planning conditions.

Cumbria Ambulance Service

Due to the distance from the link to the nearest turbine (342m) the developer is confident that the development will not interfere with their operations. The recommended minimum distance, in A Companion Guide to PPS 22, Planning for Renewable Energy, is 100m clearance either side of a line of sight link from the swept area of turbine blades. Nevertheless, taking a cautious approach, the developer has agreed to undertake further studies prior to commencing any works on site.

Ministry of Defence

The MOD has no concerns provided the turbines do not exceed 81m blade tip height. They would wish to be informed of the following information if planning permission is to be granted:-

- The date construction starts and ends
- The maximum extension height of construction equipment
- The height above ground level of the tallest structure
- If the turbines will be lit
- The latitude and longitude of every turbine

This information is vital and will be plotted on flying charts to make sure that military aircraft avoid this area.

Department of Transport - Marine and Coastguard Agency

No comments or observations as there is no foreseen impact on the radio-communication infrastructure.

Civil Aviation Authority

This proposal has been referred to The Directorate of Airspace Policy of the CAA. The Authority has no site specific observations. More

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 generically, they state that all parties should be aware that:-

There might be a need to install aviation construction lighting to some or all of the associated wind turbines should this wind farm development be progressed

There is a requirement for all structures over 200ft (61m) high to be charted for military aviation purposes. (The total height of these turbines will be 81m). Should this proposal progress, the developers will need to provide details of the development to the Defence Geographic Centre.

National Air Traffic Services (NATS Safeguarding Office)

The proposed development has been examined from a technical safeguarding aspect and does not conflict with NATS safeguarding criteria and, as such, NATS has no objection to the proposal.

UK Fuel & Power Industry (Joint Radio Company, JRC Ltd)

On behalf of the UK Fuel & Power Industry, JRC analyses proposals for wind turbine sites in order to assess their potential to cause interference to 460MHz point to multi-point telemetry and telecontrol radio systems operated by the gas and electricity utility companies in support of their regulatory operational requirements.

Part of the proposed wind farm is located within the co-ordination zone of a telemetry and telecontrol radio link, which operates within the regulated scanning telemetry service in the 460MHz band that is managed by the JRC. The affected link is licensed to United Utilities. As a consequence, the JRC originally objected to the proposed wind farm on behalf of United Utilities and itself. However, a study (referred to above) has been undertaken by the developer and an agreement has been reached with JRC and United Utilities in respect of works to be undertaken by the developer. These works can be covered by planning condition.

Arqiva

The proposal is unlikely to affect their microwave links. Arqiva also operate a UHF Re-Broadcast feed from Caldbeck television transmitted to a relay at Bleachgreen. There is a chance that this feed could be affected resulting in approximately 2000 people to the north of Whitehaven receiving degraded television reception. If viewers were affected by the development, the broadcasters/viewers would look to the developer to rectify any problems caused. As there is a risk of potential problems Arqiva are seeking the imposition of a planning condition or Section 106 Agreement to ensure that the developer meets the cost of investigating and rectifying any problem that may result to this link and to domestic viewers. Subject to this condition being agreed, Arqiva do not wish to object to the planning application.



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British Telecommunications Ltd

BT has not responded to the current application. However, the developer has provided a copy of a letter from BT, dated May 2003, which states that BT studied the earlier proposal with respect to EMC and related problems to BT point-to-point microwave radio links and satellite. The conclusion was that the wind turbine should not cause interference to BT's current and presently planned radio networks.

Home Office

No response received.

Department of Trade and Industry

No response received.

Trinity House

No response received.

BBC Research Department

No response received.

Mercury Communications

No response received.

Racal Vodaphone

No response received.

Cellnet

No response received.

NTL

No response received.

Environmental Health

The Council's Environmental Health Officer has provided advice regarding suitable noise conditions.

Representations

Twenty individual objections have been received from local residents. The issues raised include the following:-

Adverse visual impact
Cumulative impact
Devaluation of property
Noise
Vibration
Shadow flicker from turbines
Safety issues
Adverse impact on tourism
No benefit to local economy
Overly intrusive for the amount of power generated
Coastal site
Approval would set precedent for further turbines in the locality
Impact on wildlife
Adverse impact on TV, radio and mobile phone signals
Cost to the tax payer
Other options for renewable energy
Negative impact on local community during construction phase
Damage to local roads during construction
Health/stress issues
Devaluation of property
Impact on local model aircraft club

The Copeland Disability Forum has submitted an objection stating that the majority of their members strongly oppose the idea of the turbines. They believe that they would create unsightly views and interfere with transmitters in the area.

Copeland Model Club has submitted an objection on the basis that they enjoyed uninterrupted flying at their site and that the wind turbines would pose an obvious restriction and danger to their members. They state that if the wind farm were to be approved it is highly unlikely that the Club could financially survive.

One letter of support has been received.

Cumbria County Council Neighbourhood Forum

The Forum held an open meeting in January which was attended by 70 - 80 people. A vote was taken by a show of hands indicating 55 against the development, 10 in favour and 5 abstaining. The points raised are covered in those issues set out above. It was requested that the Planning Panel should visit the site and view from the same points visited for the previous application in 1997.

PLANNING HISTORY

An application (4/94/0718) for 13 wind turbines on this site was refused in January 1995 for the following reason:-

"The proposed development, by virtue of the number and size of machines, would give rise to unacceptable visual intrusion to the residents of the village of Pica and adjacent communities and to

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other residents of the wider community in Copeland frequenting adjacent highways and as such the proposal is contrary to Policy EGY 1 of the Deposit Version of the Copeland Local Plan".

A further application (4/95/0559/0) for 10 wind turbines together with transformer units and underground cable was refused in March 1996 for the following reason:-

"The proposed development would constitute an unacceptable visual intrusion at variance with Policy EGY 1 of the Copeland Local Plan".

The applicant appealed against this refusal and the appeal was dismissed in January 1997. The Inspector noted that this landscape had less intrinsic quality than most of the National Park itself but that it played an important transitional role between the coastal towns to the west and the Cumbrian mountains. The Inspector stated that the consequences of allowing this appeal could be extremely damaging in the longer term and would undermine Government guidance and local policies designed to conserve open countryside and the National Park setting. The Inspector found that these disadvantages outweighed other environmental benefits or economic benefits to the electricity supply industry. He did not feel that any other issues, including alleged effects on nature conservation and users of the bridleway which crosses the land, would alter his conclusion. Since that time there have been significant changes in national and local policies and the developer has decided to pursue a much smaller development.

In 2005 a much reduced proposal (4/05/2738/0F1) for a wind farm consisting of 6, 1.3MW turbines and access track was submitted, but following consultations it was withdrawn pending further information. This information has now been provided in support of the current application which has been further reduced to 5 turbines.

REPORT

This is a complex application and has been subject to a series of consultations and considerable additional information requests from the applicant.

The main planning issues are:-

- The national situation regarding the production of renewable energy
- Regional and Structure Plan policies
- Local Plan policies
- Extent of site
- Routes to the site for construction
- Access
- Wind speed
- Grid connection
- Proximity to dwellings

Noise
Flicker/shadow
Visual impact and landscape
Cumulative impact
Constructional and operational distribution
Ecology and ornithology
Interference with communications links
Air safeguarding

Many of the above have been addressed in the submission which includes a planning Statement and an Environmental Statement. In addition a great many consultations have taken place, some of which have required additional survey work or other information.

The national situation has changed significantly from the situation when the 1997 application was considered at appeal. National energy policies and planning guidance have been reviewed and is now much more positive towards the development of wind farms. PPS 22 Renewable Energy is the key policy document. It sets out 8 key principles in the approach to planning for renewable energy. Furthermore, the number of turbines has been reduced from 10 to 5 in this application. The Planning Statement which supports the application has provided a review of national, regional and local policies.

The Structure Plan policies cover many of the issues set out above. In addition, Supplementary Planning Guidance has been issued.

The Copeland Local Plan sets criteria against which the application should be judged and also what mitigation measures should be taken. These issues have been covered in the Environmental Statement and through additional information sought from the applicant.

The extent of the site and the justification for the layout of turbines has been considered in the Environmental Statement. The route for construction vehicles is the route which was used by the open cast traffic. This is from the A595(T) to Distington, along Gilgarran road to Wilson Park on the Pica road. This route was previously upgraded to accommodate large vehicles serving the Keekle Head opencast site and is currently being used by HGVs carrying inert waste to a landfill site in the vicinity of Fairfield Farm. From Wilson Park the access to the site is via the track leading to Fairfield Farm.

The Highway Authority has considered the route to the site and the site access and has offered a number of planning conditions.

The Environmental Statement considers separation from dwellings and takes account of noise and the effects of shadow flicker. As a result no turbines are located within 500m of any residence. PPS 22 states that there is unlikely to be significant noise problem for any residential property situated closer than 350 - 400 metres from the nearest turbine.

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The developers have considered potential noise impacts at residential properties and have had regard to guidance provided by Planning Advice Note (PAN) 45 Renewable Energy Technologies and The Assessment and Rating of Noise from Wind Farms (ETSU for DTI, 1996). Compliance with this guidance is usually achieved by locating turbines no nearer than 400 metres from properties. Wind Prospect, however, have designed this wind farm with a minimum of 500 metres from all residential properties. A noise condition has been provided by the Environmental Health Officer.

The site lies within landscape Character Type 9a - Open Moorland (Cumbria Landscape Classification 1995). The Cumbria Wind Energy Supplementary Planning Guidance (1997) identifies the landscape type as having the potential to accommodate a small cluster of 2 - 5 turbines. The guidance has been adopted by the County Council and Copeland Borough Council. More recently, a Landscape Capacity Assessment has been carried out that forms part of the emerging Cumbria Wind Energy Supplementary Planning Document, which identifies the area as having low/moderate sensitivity and a moderate/high capacity to accommodate wind energy development.

The Environmental Statement assesses the visual impact from 6 key viewpoints, using computer modelling. It concludes that the proposal would be prominent locally and be seen on the skyline from most areas, but with a backdrop of the fells when viewed from the south east. It would be widely seen from settlements, roads, footpaths and bridleways within 5km of the site. Views would be possible from the edges of Pica, Moresby Parks and Distington and to a more limited extent, Lowca. However, rising land, woodland planting and the orientation of buildings restricts the number of properties that will experience views. Other significant views will be seen along the footpath and bridleway closest to the site and minor roads within 3km of the site. The Statement claims that the visual effects in some locations within 3 - 5 km of the site are not unacceptable. It is felt that the overall visual effects are not unacceptable.

The Environmental Statement sets out the cumulative impact of other existing wind farms:

| LOCATION | DISTANCE | NO OF TURBINES | HEIGHT OF TURBINES |
|-------------------------|----------|----------------|--------------------|
| Lowca | 3.5km | 7 | 63m |
| Winscales | 7km | 11 | 71m |
| Oldside & Siddick | 9km | 16 | 61m |
| Voridan (Workington) | 9km | 2 | 108m |

The Environmental Statement concludes that the cumulative landscape effects would not be significant due to the distance from other wind farms. Lowca is the closest site and it is unlikely that it would be

seen in close proximity to this scheme due to the intervening ridge to the west of the site. The cumulative visual effects would be reduced due to the distances involved.

The Council sought professional advice from consultants, AXIS, who are well experienced in wind farm developments, to advise on landscape and visual impact. The terms of appointment were:-

A review of the development proposal

Preparation of an overview assessment of the main planning issues associate with the scheme

A review of the adequacy and findings of the applicant's Environmental Statement and in particular the landscape and visual impact assessment

The provision of professional advice to assist the authority in the determination of the planning application

The report concluded that the decision making framework is effectively supportive of renewables development and the emerging sub-regional targets show that Cumbria will need to accommodate vastly more renewable energy schemes than at present. The majority of these schemes will be wind energy projects. The development would not cause any significant adverse effect to the landscape fabric and significant impacts upon the character of the surrounding area would be limited to a distance of approximately 3kms around the site. There are no significant impacts upon the eastern fringes of the Lake District National Park. The scheme would lead to some increases in levels of visual intrusion. These would be primarily noted from areas to the south and east of the site. However, the overall visual impact would be no greater than that experienced by receptors around a number of consented wind farms within the county. The scheme would give rise to some cumulative impacts but these would not be significant in the wider context, nor would they be experienced within the most sensitive landscapes. The greatest adverse effect would be the increased reinforcement to people travelling through the area that this part of Cumbria is a landscape where wind turbines are a key characteristic. The advice referred to the County SPG which indicates that there may be potential for wind energy development within the locality and an emerging SPD which identifies the area as having potential to accommodate wind farm development of at least 6 - 9 turbines. The current proposal has less adverse visual impact than the 1997 scheme. More significantly, the strategic decision making context has shifted greatly since the earlier decision. In summary, the planning context has shown that if wind energy development has to occur in Cumbria, which it does, the application site lies within an area which would be preferable to most other parts of the county.

The local ecology has been the subject of detailed discussions with Natural England, RSPB and Cumbria Wildlife Trust. Initial objections

MAIN AGENDA

relating to the potential impact on hen harriers has been overcome and planning conditions agreed with these bodies.

Wind turbines can cause interference to TV reception. There is a chance that the existing feed could be affected resulting in approximately 2000 people to the north of Whitehaven receiving degraded television reception. As there is a risk of potential problems a planning condition or Section 106 Agreement to ensure that the developer meets the cost of investigating and rectifying any problem that may result to this link and to domestic viewers has been agreed.

Consultation responses have resulted in concerns regarding communications links with Cumbria Fire and Rescue Service, Cumbria Ambulance Service and United Utilities. Considerable discussions have taken place with these bodies and it may be that, if approved, part of the development will need to be deferred until, in particular, the Fire and Rescue link is redirected (it is due to be redirected in 2009).

The consultation responses indicate that there are no air safeguarding issues with this development.

Wind Prospect, the developer, would be prepared to set up a local Trust Fund that would be financed by a proportion of the revenue generated by the proposed development. The objectives of the fund would be to provide a locally controlled community fund for investment in local carbon emission reduction projects, sustainable energy projects, energy efficiency projects and environmental enhancement projects. Wind Prospect would contribute £6,500 to the trust fund annually for the operational life time of the project (25 years).

There are several ways to organise the trust fund and the method implemented is usually dependant on what the local community would like. For other projects developed by Wind Prospect they have organised the trust fund in one of the following ways:-

1. A Parish Council sub-committee has been set up to manage the trust and to determine what projects/applications receive funds
2. A new committee consisting of council members from several parish councils has been elected to take care of the fund
3. They have given the money to a charity to look after.

Wind Prospect would be involved in the initial setting up of the trust fund and then it would be the intention to let the designated organisation/committee take care of it from then after. Wind Prospect would request minutes of meetings and receipts for projects funded etc.

Wind Prospect claim to have an excellent track record for

implementing the trust fund. As such, other planning authorities have not required a Section 106 Agreement for at least half of their planning applications. Wind Prospect has publicly stated their intentions for the trust fund within the newsletter and the Environmental Statement and, as such, it will be implemented should planning permission be granted.

CONCLUSION

The application has been the subject of considerable public interest with 20 individual letters of objection, with one letter of support. In addition, a public meeting resulted in 55 people voting against the proposal, with 10 in support and 5 abstaining.

The County Council, against the recommendation of their officers, has raised a strategic objection and request a meeting at members level should this authority wish to take a contrary decision.

The application has been considered against national, regional and local planning guidance and the supporting Planning Statement and Environmental Statement have been carefully assessed. External advice has been sought as necessary. The Planning Statement and Environmental Statement cover in depth all the planning issues. In addition a number of detailed matters concerning ornithology and communications links have been the subject of detailed discussions between the developer and a number of consultees.

The Council's professional advisor concludes that from a landscape and visual perspective the scheme would cause some significant adverse effects, but these would be primarily local. These impacts would be outweighed by the need to achieve national renewable energy targets, which are reflected in the emerging sub-regional targets. Within a Cumbrian context the Fairfield Farm scheme is the type of proposal which will need to be approved if there is any realistic prospect of the sub-regional targets being achieved.

The application is considered to meet national, regional and local planning policies and, on balance, subject to conditions is considered to be acceptable.

Recommendation

Approve (commence within 3 years)

MAIN AGENDA

-
2. This permission relates to the following plans and documents:-
- Plan 1 received 12 December 2006
 - Plan 2B received 12 December 2006
 - Plan 3A received 29 September 2006
 - Planning Statement received 29 September 2006
 - Design and Access Statement received 12 December 2006
 - Environmental Statement received 29 September 2006
 - Figure 2 received 12 December 2006
 - Figure 38 received 12 December 2006
3. No development shall commence until full details of the design and colour of the turbines have been submitted to and approved in writing by the Local Planning Authority.
4. No development shall commence until details of the materials for the construction of the switchgear house and associated screening have been submitted to and approved in writing by the Local Planning Authority.
5. The temporary construction compound shall be removed from the site within 3 months of the completion of the construction works and the land returned to its former use.
6. All wind turbine blades shall rotate in the same direction.
7. The turbines and all associated development shall be decommissioned and removed from the site and the land restored to agricultural use 25 years from the date of commissioning of the wind farm.
8. All electrical cabling shall be buried underground along public roads and highway verges to the point of connection.
9. In the event of noise levels from wind turbines exceeding 35dba during daytime and/or 39dba during night-time, or 5dba above background levels, whichever is the greater, on a significant number of occasions the developers shall, within three months of notification by the Local Planning Authority, install a suitable and sufficient control system to prevent or modify operation of the turbine or turbines causing the relevant noise level to be exceeded in parameters of: wind speed and/or direction and/or wind speed differential between ground level and turbine hub height; which produce the noise limits to be exceeded.
10. No development shall take place until a scheme for the investigation and alleviation of any electromagnetic interference to TV reception, which may be caused by the operation of the wind turbines hereby permitted, has been submitted to and approved in writing by the Local Planning Authority. The procedure in the approved scheme shall be followed at all times.

11. No development shall commence until further details, including a full specification of the proposed road widening arrangements, have been submitted to and approved by the Local Planning Authority. Any approved work shall be implemented in accordance with the approved details before work commences on site.
12. No development shall commence until full details of a haul route plan and a scheme of temporary works signs has been submitted to and approved in writing by the Local Planning Authority. Any works so approved shall be fully implemented by the applicant prior to works commencing on site and shall be maintained until the construction phase of the development has been completed in all respects.
13. No development shall commence until visibility splays have been improved at the access by cutting back the verge overgrowth prior to the site access being brought into use for 50m either side of the nearside verge.
14. The public highway within 500m of the site access shall be kept clean of all mud and debris from vehicles leaving the site during the construction phase of the development.
15. No development shall commence until a condition survey of the public highway has been carried out between the A595(T) and the site entrance along the proposed haul route with a further survey after the completion of the construction works, the applicant being responsible for making good any identified remedial works. All costs associated with the work to be met by the applicant.
16. No development shall commence until United Utilities Scanning Telemetry link from Fairfield Farm (NGR 3016116 521785) to Moresby Parks (NGR 300175 519223) has been redirected in accordance with a report dated 26 February 2007 to the satisfaction of the Local Planning Authority in consultation with United Utilities. All costs involved with the redirection shall be the responsibility of the applicant.
17. No development shall commence until the applicant has proven to the satisfaction of the Local Planning Authority in consultation with the North West Ambulance Service that the development will not interfere with the North West Ambulance Service's operations through link 1572.

MAIN AGENDA

18. No development shall commence until a mitigation scheme has been submitted to and agreed in writing by the Local Planning Authority in consultation with Cumbria County Council (the Fire and Rescue Authority) and such mitigation scheme shall consist of either the redirection of link 80374, and/or the postponement of the erection of turbines 2 and 4 (indicated on Plan number 3A, received on 29 September 2006) until such time as the Cumbria Fire and Rescue Service has relinquished its use of the said link and switched onto the national airwave network.
19. Turbine 5 shall not be micro sighted any closer to Cumbria Fire and Rescue Link 80374 than its proposed location indicated on Plan number 3A, received on 29 September 2006.
20. If during the construction of the turbine(s) interference with radio link 80374 takes place then the construction activities causing the interference shall cease and the turbine(s) taken down, if necessary, until the Cumbria Fire and Rescue Service radio link is no longer required or until an alternative mitigation measure agreed by the Local Planning Authority in consultation with Cumbria County Council (the Fire and Rescue Authority) has been put into place to eliminate the interference.
21. If when the turbine(s) are energised interference with radio link 80374 takes place then the turbine(s) causing the interference shall be shut down and not re-energised until the Cumbria Fire and Rescue Service radio link is no longer required or until an alternative mitigation measure agreed by the Local Planning Authority in consultation with Cumbria County Council (the Fire and Rescue Authority) has been put into place to eliminate the interference.
22. No development shall commence until an appropriate area(s) has been safeguarded for feeding and roosting hen harriers, the location and area of which shall be submitted to and agreed in writing by the Local Planning Authority (in consultation with Natural England). The number of hectares to be safeguarded will be dependant on the quality of the habitat to be set aside and the management practices to be adopted. The objective is no net loss of harrier feeding or roosting resource. Management practices for roosting habitat may also be appropriate for feeding habitat but not necessarily vice versa. The set aside area(s) including 13.5 ha of roosting habitat will not exceed 43ha and is likely to be in the range of 25 (high level net gain) to 35ha (medium level net gain).
23. No development shall commence until a detailed construction Method Statement has been submitted and agreed in writing by the Local Planning Authority, in consultation with Natural England.

24. No development shall commence until a comprehensive hen harrier monitoring programme has been submitted to and agreed in writing by the Local Planning Authority in consultation with Natural England.

Reasons for conditions:-

In compliance with Section 51 of the Planning and Compulsory Purchase Act 2004

For the avoidance of doubt

In the interest of the visual amenity of the area

To protect the amenities of the nearby residents

In the interests of highway safety

To eliminate any possibility of interference to United Utilities Scanning Telemetry link from the wind farm

To eliminate any possibility of interference to North West Ambulance Link 1572 from the wind farm

To eliminate any possibility of interference to Cumbria Fire and Rescue Link 80374 from the wind farm

To protect and enhance the habitat of hen harriers

To minimise disturbance and/or any significant effects to hen harriers during construction of the wind turbines

In order to monitor the effects of the development on the hen harrier population

Reason for Decision:-

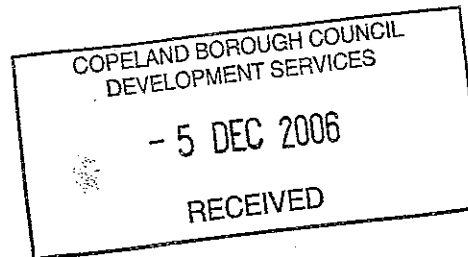
In general terms the development is deemed to be compliant with the relevant policy objectives of national, regional, the Joint Structure Plan and Copeland Local Plan 2001-2016.

NOTES:

1. There will be an agreement to provide a Community Fund for local renewable energy projects
2. There is a requirement for all structures over 200 ft (61m) high to be charted for military aviation purposes. (The total height of these turbines will be 81m). Should this proposal progress, the developers will need to provide details of the development to the Defence Geographic Centre.

Your ref: 05/0758
Our ref: JW/3/05/0758

4 December 2006



COUNTY COUNCIL

Economy, Culture
and Environment

County Offices, Kendal
Cumbria LA9 4RQ
Fax: (01539) 773439
Telephone: (01539) 773414

Mr T Pomfret
Senior Planning Officer
Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
Cumbria CA28 7SJ

Dear Mr Pomfret

**TOWN AND COUNTRY PLANNING ACT 1990, SCHEDULE 1, PARAGRAPH 7
CONSULTATION ON PLANNING APPLICATION**

The County Council's Development Control and Regulation Committee considered the following application at its meeting on 24 November 2006.

Reference No: 4/06/2684
Description: Construction of 5 wind turbines and ancillary infrastructure, including access tracks.
Location: Fairfield Farm, Pica, Distington.
Applicants: Wind Prospect Ltd.

The Committee resolved that an **objection** be raised.

A copy of my report to that meeting is enclosed. Following a debate the Committee voted by 11 - 0 to raise an objection to the proposal. Members felt that this proposal would have a harmful visual impact locally and also cumulatively due to its proximity to existing wind energy schemes around Workington, Whitehaven and Lowca. They felt that the local area around Pica and Distington had suffered its fair share of landscape disfigurement in the past and should be safeguarded from further disfigurement.

If Copeland Borough Council decides to approve this application conditions should be attached with regard to highways issues. The details of this are set out in the attached letter from the Highways Officer. I would also like to draw your attention to the original recommendation in my committee report with regard to the potential effects on the hen harrier habitat found on, and adjacent, to the proposed site. This sought for no objection to be raised as long as agreement was secured to protect and enhance hen harrier habitat in the area.

I would be grateful if you would advise your members of the County Council's response.

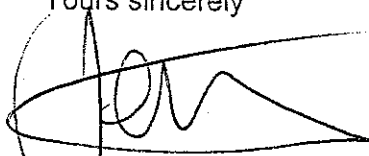
Should you or your Development Control/Planning Committee propose that the scheme be approved the Council may wish to have further discussions at a joint member meeting. I should also be grateful if you would send me a copy of the Decision Notice for my records.



Corporate Director - Economy, Culture and Environment - Ralph Howard

If this application is subsequently the subject of an appeal I should be grateful if you would advise me of this.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Jenny Wain', written over a horizontal line.

Jenny Wain
Principal Planning Officer – Landscape and Countryside
e.mail: jenny.wain@cumbriacc.gov.uk

MEMORANDUM



COUNTY COUNCIL

Cumbria Highways

Allerdale & Copeland
Richmond House, Catherine Street,
Whitehaven, Cumbria, CA28 7QY
Telephone 01946 852525
Fax 01946 852503

30 October 2006
Your ref: 4/06/2684
Our ref: 0137/2092/JM/em
Direct Line: 01946 852513
E Mail: james.moultrie@cumbriacc.gov.uk

TO: Jenny Wain, Principal Officer, Landscape & Countryside, County Offices, Kendal

FROM: James Moultrie, Highways Control Officer, Whitehaven

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1 NOV 2006
ENVIRO
UNIT

CONSULTATIONS WITH PLANNING AUTHORITIES ROAD NO U4014 PROPOSED WIND FARM, FAIRFIELD FARM, PICA, WHITEHAVEN

With reference to the above consultation received on 10/10/2006 I would recommend that the following conditions are included in your response.

1. Prior to works commencing on site the applicant shall submit further details, including a full specification of the proposed road widening arrangements to the Local Planning Authority for approval.
Any approved works shall be implemented in accordance with the approved details before work commencing on site.

It should be noted by the applicant that they will need to enter into a Section 278 Agreement of the Highways Act 1980 with the Highway Authority for the carrying out of the proposed works within the highway and they should contact Mr Karl Melville of Capita Symonds on tel no – (01946) 852505 to discuss the requirements further, the applicant should note that all costs associated with these works shall be met by them.

2. Prior to the works commencing on site the applicant shall submit for approval a haul route plan and a scheme of temporary works signs. Any works so approved shall be implemented by the applicant prior to works commencing on site and shall be maintained until the construction phase of the development has been completed in all respects.

It should be noted by the applicant that they should contact Mr Karl Melville of Capita Symonds on tel no – (01946) 852505 to discuss the requirements further, the applicant should note that all costs shall be met by them.

3. Visibility splays need to be improved at the access by cutting back the verge overgrowth prior to the site access being brought into use for 50m either side of the nearside verge.
4. The public highway, within 500m of the site access shall be kept clean of all mud and debris from vehicles leaving the site during the construction phase of the development.
5. Prior to the works commencing on site a condition survey of the public highway shall be carried out between the A595(T) and the site entrance along the proposed haul route with a further survey after the completion of the construction works, the applicant being responsible for making good any identified remedial works, all costs associated with the work to be met by the applicant.

As this development will affect the Trunk Road Network then the comments of the Highways Agency should also be sought.

There are two registered public rights of way crossing this site, these are footpath No – 404017 and Bridleway No – 404011, the routes of these will need to be protected and kept open for use at all times, should the applicant wish to discuss any safety concerns or temporary diversions then they should contact Mr Andy Sims, Rights of Way Officer, on tel no – (01228) 673082.

Please contact me should you wish to discuss the comments further.

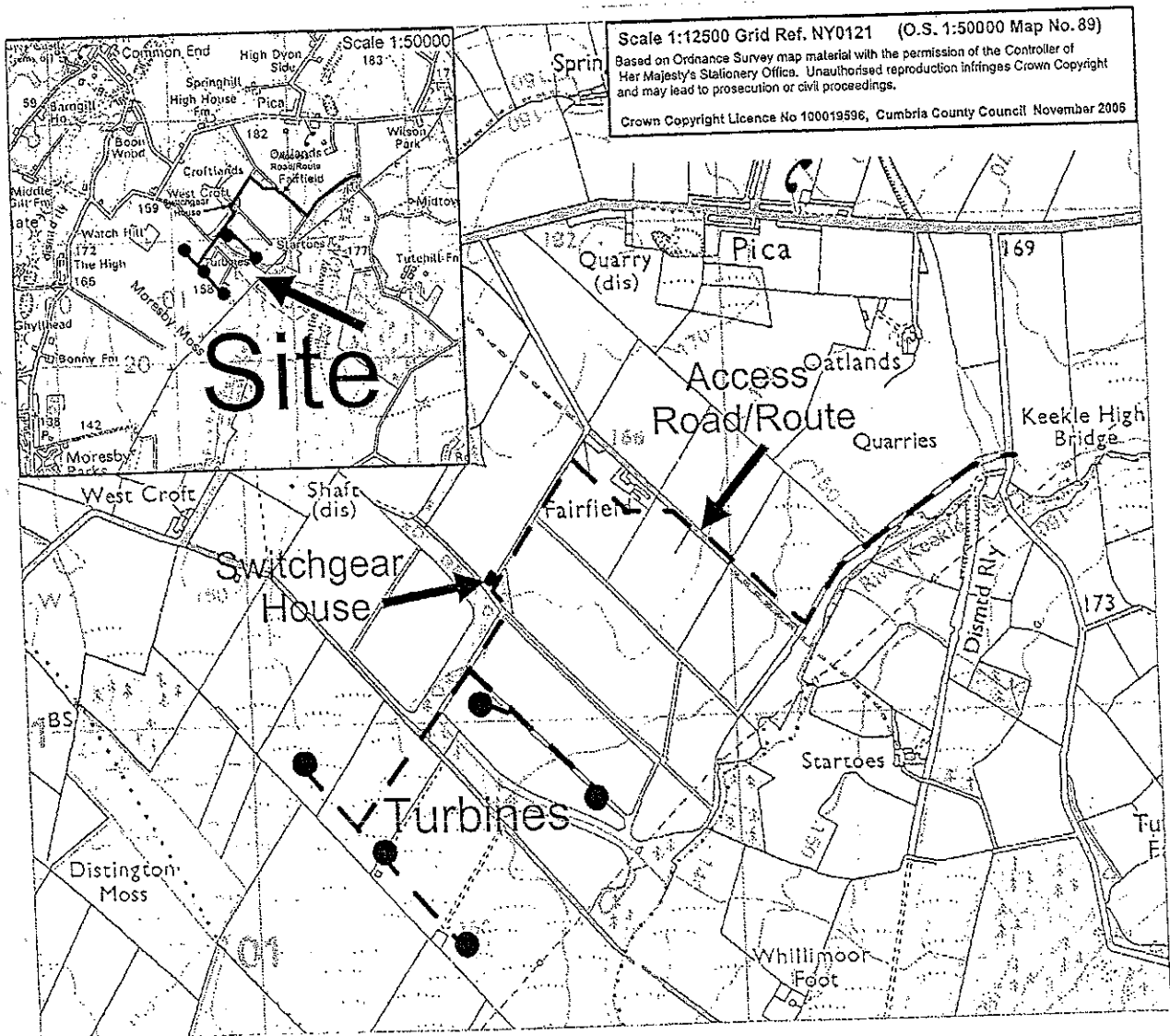


James Moultrie
Highways Control Officer

DEVELOPMENT CONTROL AND REGULATION COMMITTEE
24 November 2006
A Report by the Head of Environment

District Copeland
Application No 4/06/2684
Applicant Wind Prospect Developments Ltd

PROPOSAL Construction of five wind turbines, access tracks, single storey switchgear building, anemometer and ancillary works for the purpose of generating electricity; Fairfield Farm, Pica, Workington





RECOMMENDATION

- 1.1 To not object to the proposal as it is considered that the landscape character and visual impacts arising from this scheme are local in nature and are not considered unacceptable, subject to conditions being attached to reflect highway concerns and agreement secured to protect and enhance hen harrier habitat in the area.

2 THE PROPOSAL

- 2.1 The development site is located 1km to the south of Pica on restored opencast site.
- 2.2 The scheme involves the construction of 5 wind turbines, 81m high from ground to blade tip when in an upright position, each with capacity of 1.3 MW. This would provide a total maximum 'installed capacity' of up to 6.5MW. The total output could meet the electricity needs of around 4,025 households (there are currently 5300 households in Distington/Pica/Moresby Parks/Lowca/Parton area). It is proposed to paint the turbines in a semi matt grey in colour.
- 2.3 Access to the site is proposed along the existing Fairfield Farm access road located on a minor road running between Pica and Wilson Park (south east of Pica). 5m wide access tracks would connect with each turbine from the farm, using where possible existing agricultural tracks.
- 2.4 The proposal also includes a single storey ancillary building, sited to the south west of the Fairfield Farm buildings, a 50m anemometer mast and crane hardstandings beside each turbine.
- 2.5 The scheme proposes to generate electricity for approximately 25 years, followed by a 3 month decommissioning period. It would connect to a 33kV line at Distington or another location determined by the local distribution operator via underground cables.
- 2.6 The applicant submitted an application for 10 wind turbines in 1994. This application was refused by Copeland Borough Council and subsequently rejected on appeal in 1997. The Inspector concluded it would harm the appearance of the area (a copy of the appeal statement is appended to this report). Since that time there have been changes in national and local policies and the applicant considers it appropriate to pursue a smaller scheme in a similar location now.
- 2.7 An application for a new proposal in this area was originally submitted, last year, to Copeland Borough Council for 6 turbines. This was withdrawn and 1 turbine subsequently removed from the scheme following surveys on wintering bird populations in the area.
- 2.8 The site lies in Landscape Character Area 9a – Open Moorland and adjacent to the Distington Moss County Wildlife Site.

3 REPRESENTATIONS

- 3.1 Copeland Borough Council received five letters of objection from local residents by the end of the consultation period. Two representations on interference to radio transmissions had also been received from statutory consultees.

4 STRATEGIC ISSUES

- 4.1 As Strategic Planning Authority the County Council needs to consider whether this application would materially conflict with or prejudice the implementation of any policy contained within the Cumbria and Lake District Joint Structure Plan 2001 – 2016 (JSP).
- 4.2 The key issues raised by this application are:
- Whether the development creates a significant detrimental effect on the landscape character, biodiversity and the natural and built heritage [policies E34, E37, R45 and R44 of the JSP].
 - Whether there is an unacceptable level of cumulative impact due to its proximity to other operational and consented wind energy developments [policy R44].
 - Whether the development creates significant adverse effect on local amenity, the local economy, highways, aircraft operations or telecommunications [policy R44].
 - Whether the energy contribution and other benefits of the proposal outweigh any adverse effects [policies ST4 and R44]
- 4.3 Additional guidance on the provision of wind energy developments in Cumbria is contained within 'Wind Energy Development in Cumbria – Statement of Supplementary Planning Guidance 1997'.
- 4.4 The County Council's Cabinet and Copeland Borough Council have approved the consultation draft Cumbria Wind Energy Supplementary Planning Document. This is currently subject to public consultation. This includes a detailed Landscape Capacity Assessment which identifies the potential capacity of the area to support wind energy development.
- 4.5 The Environmental Statement (ES) submitted with the application covers a wide range of potential impacts including those that may impact on the main policy issues outlined above. This has been considered in detail to help assess the impact of the proposal.

Landscape, Visual and Cumulative Impacts

Landscape Character

- 4.6 The site lies within Landscape Character Type 9a – Open Moorland (Cumbria Landscape Classification 1995). The moorland plateau is situated within a series of low ridges, above the coastal lowlands around Whitehaven and Workington. It is characterised by large, open rushy moorland and fields of improved pasture bounded by wire fences and some low hedges. Within the open plateau and along the sides of the low ridges areas of woodland copses, shelterbelts and larger coniferous plantations can be found. The area is intersected by streams and small watercourses. There are several small to medium villages (and industrial parks) around the edges of the plateau, with isolated farmsteads and electricity pylons crossing the plateau. A Landscape of County Importance extends along the ridge from Dean Moor to Weddicar Rigg at the eastern side of the plateau towards the Lake District National Park. The site does not fall within the Landscape of County Importance.
- 4.7 The site reflects several of the landscape characteristics. It is generally open in

character comprising medium to large size semi improved and improved agricultural fields bounded and intersected by small woodland shelterbelts, hedges and fences and open rushy moorland.

- 4.8 A Landscape and Visual Impact Assessment forms part of the Environmental Statement. This identifies that the local topography and the open moorland character, with few trees and wooded areas, provide open and expansive views across the landscape from many areas. This is particularly the case from land to the south of the proposed site. The ridgelines to the south east, north and north east of the site provide a degree of containment to the local moorland plateau character. I agree with these findings.
- 4.9 The applicant refers to Technical Paper 6 Renewable Energy Generation in Cumbria and the identification of the area as being potentially appropriate for a wind energy development. This was produced to inform the development of policies in the Joint Structure Plan. The landscape capacity assessment, referred to in paragraph 4.11, is a more up to date and more detailed landscape study of the county. It provides a greater level of detail on landscape than that included in the Technical Paper research. Therefore, it is appropriate for Technical Paper 6 to be read in conjunction with the findings of the landscape capacity assessment.
- 4.10 The Cumbria Wind Energy Supplementary Planning Guidance (1997) identifies the landscape type as having the potential to accommodate a small cluster of 2-5 turbines. This guidance was adopted by the county council and Copeland Borough Council following the Inspector's decision in 1997.
- 4.11 More recently a Landscape Capacity Assessment has been carried out that forms part of the emerging Cumbria Wind Energy Supplementary Planning Document. This identifies the area as having low/moderate sensitivity and a moderate/high capacity to accommodate wind energy development. It recognises that in the Copeland area the more managed areas associated with the moorland offer the potential to relate wind energy development to the regular field patterns associated with the area. It suggests the landscape has the potential to support up to 6-9 turbines. The proposal accords with this. It also identifies that in exceptional circumstances on a broad moorland plateau around 16 – 25 turbines could be acceptable. Although the moorland around Fairfield Farm is open and medium in scale it includes enclosed fields, woodlands, plantations and settlements also. As a result of these local characteristics I do not consider it to form broad moorland with the capacity to accommodate up to 25 turbines.
- 4.12 The applicant considers the landscape to have a medium quality. The applicant acknowledges that a small area of the landscape character sub type along the ridgeline to the east of the site falls within a Landscape of County Importance. However the proposal does not fall within the Landscape of County Importance. The applicant concludes that the proposal would produce a significant effect on the local landscape character within 3km of the site, but that the proposal would not cause a significant effect on the broader landscape character type or adjacent landscape character types. I agree landscape character effects would be local in nature.
- 4.13 The scheme would introduce 5 turbines into the landscape and would be seen in conjunction with a line of pylons that form a linear feature in the area. In my opinion, it would form a new man made element that would be prominent in the local landscape. I consider that the scale and location of the proposal is

acceptable in this open moorland landscape and do not consider that it would cause significant harm to the overall landscape character in this, or surrounding, areas.

Visual Effects

- 4.14 The applicant has assessed the visual effects of the proposal from 6 key viewpoints and from a process of computer modelling. The applicant concludes that the proposal would be prominent locally and be seen on the skyline from most areas, but with a backdrop of the fells when viewed from the south east. It would be widely seen, from settlements, roads, footpaths and bridleways within 5km of the site. Views would be possible from the edges of Pica, Moresby Park, Distington and, to a more limited extent, Lowca. However rising land, woodland planting and the orientation of buildings restricts the number of properties that will experience views. Other significant views will be seen along the footpath and bridleway closest to the site, and minor roads within 3km of the site. The applicant considers that although there are significant visual effects in some locations within 3 – 5km of the site, these are not unacceptable. I generally agree with this.
- 4.15 Intermittent views would also be possible from the Cumbria Coastal Way long distance walking route. More distant views would be possible from Arlecdon, Frizington, Whitehaven, Cleator Moor, High Harrington, Cleator and Bigrigg, and other recreational and transport routes. Due to the distances involved, the visual effects are not considered significant. I generally agree with this.
- 4.16 The applicant identifies that the proposal would be visible from the Lake District National Park. However, the visual impacts are not considered to be significant due to the expansive views across the landscape and the distance from the park's boundary (7km at its nearest point). I generally agreed with this.
- 4.17 In my opinion, although the scheme will be visible from a range of areas within 3-5km of the site, the overall effects will be reduced due to changes in the landforms, the location of buildings and trees and hedge/shrub planting in the area. I don't consider the broader visual effects to be unacceptable.

Cumulative Landscape and Visual Effects

- 4.18 The applicant considered both the cumulative landscape or visual effects of the proposal in relation to operational wind energy schemes at:

| | Distance | No. of turbines | Height of turbines |
|-----------------------|----------|-----------------|--------------------|
| Lowca | 3.5km | 7 | |
| Winscales | 7km | 11 | 63m |
| Oldside and Siddick | 9km | 16 | 71m |
| Voridian (Workington) | 9km | 2 | 61m |
| | | | 108m |

Cumulative landscape effects

- 4.19 The applicant concludes that cumulative landscape effects would not be significant due to the distance from other wind energy developments. Lowca is the closest wind development to the proposal. However, it is unlikely that Lowca would be seen in close proximity to this scheme due to the intervening ridge to

the west of the site. The proposal would be seen in conjunction with several of the existing schemes from a range of viewpoints. However, they would be seen as separate elements within the broad coastal plain and moorland landscape types. I agree that the cumulative effects would not cause unacceptable harm to the landscape character and do not feel a wind energy landscape would result. However, any future schemes that may come forward in this area would need to be considered carefully with regard to cumulative effects.

Cumulative visual effects

4.20 The applicant concludes that cumulative visual effects will mainly be experienced from the coastal plain to the north and west of the site and be confined to areas within 5km of the site. Several wind energy schemes could be seen from the settlements of Pica, Distington and Lowca, a number of individual dwellings and from roads and footpaths etc within 3km of the site and along the eastern ridgeline from Dean Moor to Weddicar Rigg. I agree with these conclusions. It should be noted that the viewer would need to turn their head in order to view this proposal along with existing schemes. Cumulative effects are reduced due to the varying distances between the schemes and the expanses of landscape that would be seen between them. The proposal would also be seen in conjunction with the above schemes from a range of locations within 5 – 20km from the site. However the cumulative effects would be further reduced due to the distances involved. I agree with these findings also.

4.21 I consider that any significant cumulative effects, as identified above, are localised in nature. The proposal should not result in unacceptable views and a wind energy landscape would not be produced in the area. Again, any future schemes that may come forward in this area would need to be considered carefully with regard to cumulative effects.

1997 Appeal Statement

4.22 An application for 10 turbines was refused in 1996. This decision was considered at an appeal in 1997. The decision letter from the Inspector is appended to this report. This identified the key issue to be whether or not the proposal would harm the appearance of the area. The Inspector dismissed the appeal and concluded that the proposal would harm the appearance of the area and that permitting the modest scheme would set a clear precedent for small scale installations in the moorland landscape.

4.23 Since this decision was made there have been changes in planning policy and guidance at the national, regional and local level. Policies now seek to favourably consider renewable energy schemes that do not cause significant adverse effects on the landscape character either individually or cumulatively. Planning guidance in Cumbria has been developed since the decision to assist in determining the effects of wind proposals on landscape character. County wide planning guidance from 1997 identified the landscape as having potential to accommodate small scale schemes. The land was also identified as being appropriate in principle for wind energy development in a technical study to support policy making for the Joint Structure Plan (2001 – 2016). In 2005 a detailed landscape capacity assessment was carried out across Cumbria. This identified the landscape as having capacity to accommodate up to nine wind turbines without unacceptable harm to the landscape character.

4.24 The above studies and assessments have been carried out to reflect the changes in planning policy that have come about since 2004. I have assessed

the proposal in light of these and consider it to generally accord with policy in the Joint Structure Plan on renewable energy and landscape character. I consider the appeal statement to be out of date in light of current policies and guidance. I do not consider that the proposal would set a precedent for further wind energy development. If other proposals were to come forward in the future they would need to be considered on their own merits, against current guidance and issues of cumulative effects would need to be addressed in detail.

Cultural Heritage and Nature Conservation

- 4.25 The proposal lies within an area of restored opencast site and does not have any archaeological potential.
- 4.26 The site is adjacent to a known over wintering habitat for Hen Harriers, which are a protected species under Schedule 1 of the Wildlife and Countryside Act 1981. Both the site and the wider moorland plateau fall within the 'Wintering Hen Harrier Zone' in West Cumbria. Natural England is currently assessing this zone and developing policy on habitat management and enhancement, and protection of roosting and feeding habitat.
- 4.27 The applicant carried out a detailed study of wintering birds in the area as part of the Environmental Assessment. The scheme has been modified through the removal of one turbine which was originally sited close to the hen harrier wintering roost site. However, the development could affect the hen harriers through collision, loss of habitat and by displacing them elsewhere due to general disturbance. The effects of the proposal on the broader feeding grounds are unclear, but it should be noted that the fields in which the turbines would be located provide suitable feeding habitat. The presence of the turbines could discourage the birds from feeding or flying in this area.
- 4.28 If Copeland Borough Council agrees to approve the application any negative impacts, loss of feeding grounds, the protection of the roosting habitat and the provision and protection of compensatory feeding habitat must be secured. This may have to be secured through a legal mechanism.

Highways

- 4.29 Cumbria Highways requires conditions to be attached to any consent to ensure work to the highway verge and access road is carried out to the satisfaction of the planning and highway authority and to ensure any damage to the approach roads is repaired at the cost of the applicant.

Other Issues

- 4.30 Issues relating to interference to radio transmissions have been raised which need to be addressed prior to a decision being made by Copeland Borough Council.
- 4.31 The applicant held an open day with the local community to seek their views when drawing up the proposals. The applicant would set up a local trust fund of approximately £6,500 per annum based on a 6.5MW scheme.
- 4.32 The applicant considers the proposal would provide the opportunity for local contractors to bid for the construction, operation and maintenance of the proposal.

- 4.33 The applicant considers the issue of tourism citing there is no evidence to suggest that wind energy schemes are detrimental to tourism.

Energy contribution

- 4.34 There is an imperative in national policy to use renewable energy sources to help offset green house gas emissions and the increasing reliance on imported energy supplies. The Government set itself a domestic target for reducing CO₂ emissions in the Energy White Paper 'Our energy future - creating a low carbon economy' 2002. It aims to reduce emissions to 20% below 1990 levels by 2010 and to obtain 10% of the UK's electricity supply from renewable sources by 2010. This has recently been extended to 15% by 2015, with an aspiration by 2020 to double the renewable share of electricity to 20%. This continues to be promoted by the recent Energy Review and the need to move to a low carbon economy has been reinforced by the recent findings of the Government's Stern Report on the economics of climate change.
- 4.35 National and regional planning policies support the development of renewable energy projects. PPS22 – Renewable Energy contains strong national guidance on the need for local authorities to support renewable energy proposals that do not cause significant harm to the local environment. The emerging Regional Spatial Strategy contains a target for onshore wind development in Cumbria of an additional 15 – 21 onshore wind schemes (generating 247 MW) by 2015. However, these targets are subject to an Examination in Public at the moment and may change.
- 4.36 There are currently 12 operational schemes in Cumbria with consent for a further 3 schemes. Together these will have an installed capacity of around 71MW, producing enough electricity to meet the needs of over 40,000 households.
- 4.37 The importance of supporting renewable energy proposals is reflected in Policy R44 of the JSP. A study undertaken to assist in the development of Structure Plan policy identified the potential for further grid connected on shore wind energy development in Cumbria in the region of 261 – 416 MW. As set out above, this study identified this area as being appropriate for wind energy development.
- 4.38 This proposal would contribute 6.5 MW towards the target, sufficient electricity to meet the demands of over 4,000 households. The applicant has calculated that it would reduce carbon dioxide, sulphur dioxide and nitrous oxide emissions.

5 CONCLUSION

- 5.1 National and regional planning policy is promoting targets for renewable energy and looking for local authorities to support proposals for renewable energy developments which do not have unacceptable impacts.
- 5.2 Policy R44 of the Joint Structure Plan relates to renewable energy schemes outside national landscape designations and supports favourable consideration if there are no significant adverse effects on the landscape and a range of other issues. Although the Landscape and Visual Assessment identifies that some significant local adverse landscape character and visual effects will result from this proposal these are localised in character. I consider that the benefits of renewable energy production outweigh the local effects of the scheme, in accordance with Policy ST4.

- 5.3 I consider that the proposal is in accordance with the findings of the landscape capacity assessment contained within the emerging Cumbria Wind Energy Supplementary Planning Guidance and will not cause unacceptable harm to the landscape character or wider visual amenity. I consider the proposal to be broadly compatible with the landscape character and Policy E37. Policy E34 seeks to ensure the protection of internationally and nationally important areas and feature, such as the hen harrier and its habitat. If this development is agreed by Copeland Borough Council measures must be put in place to accord with this policy.
- 5.4 I consider that the localised effects of the scheme are not unacceptable and that, subject to conditions being attached on highway grounds and agreement being secured to protect and enhance hen harrier habitat in the area, that no objection be raised to the proposal.

Shaun Gorman
Head of Environment

Contact

Jenny Wain, Kendal, tel. 01539 773427

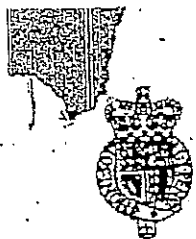
Background Papers

Planning Application File Reference No. 4/06/2684

Planning Inspectorate Appeal Statement APP/Z0923/A/96/270976

Electoral Division Identification

Cam Ross, Distington and Moresby



The Planning Inspectorate

An Executive Agency in the Department of the Environment and the Welsh Office

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Mrs M E Hardy
Taylor & Hardy
9 Finkle Street
Carlisle
Cumbria
CA3 8UU

Your Ref:
C95/061 & C96/058
Our Ref:
T/APP/Z0923/A/96/270976/P7

Date: 24 JAN 1997

Dear Madam

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6
APPEAL BY R & M FOTHERINGHAM & INTERNATIONAL WIND DEVELOPMENT
UK. APPLICATION NO: 4/95/0559/0

1. As you know, I have been appointed by the Secretary of State for the Environment to determine this appeal against the decision of Copeland Borough Council to refuse planning permission for the erection of 10 wind turbines together with transformer units and underground cable, for the purposes of generating electricity for the National Grid, on land at Fairfield Farm, Pica, Distington, Cumbria. I have considered the written representations made by you and by the Council and also those made by Distington and Lamplugh Parish Councils and interested persons. I inspected the site on 14 January 1997.
2. From my visit and from what I have read, I consider the main issue is whether this wind farm would harm the appearance of the area.
3. The site is between 140m and 165m above sea level, lying within a transitional plateau of undulating countryside of moorland character between the developed coastal plain to the west and the Lake District mountains in the east. This farmland is divided into regular-shaped fields, reclaimed following opencast coal mining and at the time of my visit, several had sheep grazing on them. The land falls gently from the north towards the River Keekle, beyond which scrubland rises to Tutehill Wood and a ridge running from Dean Moor to Weddicar Ridge. A 132kV overhead transmission line on tall pylons runs alongside the Keekle and beyond the appeal site to the south there are panoramic views for several miles across undulating countryside towards the coast. Extensive views over Workington and the coastal plain lying north of here are obtained from the main road through Pica and from the Watch Hill/Moresby areas to the west, both of which are sited on another ridge forming the north-west edge of this plateau.
4. Regional Planning Guidance for the North-West (RPG13) recognises the scope for further contributions from this source stating that the supply of energy, its conservation and its efficient use are essential to the Region's economy and quality of life. Planning Policy Guidance note 22 (PPG22) "Renewable Energy" provides Government advice on wind farms but PPG7 endeavours to protect the countryside generally and National Parks especially.



5. Structure Plan policy 36 and the emerging Copeland Local Plan deal with the situation on the ground. Policy EGY1 of the latter discourages large scale installations - of more than 10 turbines - in the Borough unless national interests outweigh environmental impacts. Smaller installations normally will be permitted provided, amongst other things, that landscape character is safeguarded and significant cumulative harm would not arise from too many in a locality. This is not by definition "large scale" and given the stage the Local Plan has reached and revisions to EGY1 which have been agreed, it reinforces the Structure Plan approach and should carry considerable weight.
6. The attractiveness of wind turbines per se is an entirely subjective judgement. In this case, the tower/hub height of the turbines would be 40.5m and the triple blade diameter would be 42m, giving an overall height of 61.5m with a grey matt finish. That compares with your estimated 44-45m height of the pylons along the Keekle. However, while the Planning Officer in supporting this scheme suggested to members that an objective view of the wider impact of this particular proposal was "central to the determination of the application", sophisticated landscape impact assessments can determine what can and cannot be seen from various places but the interpretation of any visual impact in terms of harm is based entirely on subjective judgement. The fact that in this case committee members disagreed almost unanimously with the Planning Officer, best illustrates that point.
7. Your clients' very helpful Visual Impact Assessment of December 1995 shows the impact of this wind farm from three nearby vantage points selected by the Council, together with its reduced overall "zone of visual influence" compared with the earlier 13 turbine scheme. However, the introduction to that document states that the present layout is the optimal layout in terms of minimising visual impact and that does not imply that harm would not arise. PPG22 makes it clear that the merits of wind farms should be judged on a site-specific basis, having regard to sympathy with existing landscape features and contours.
8. The first criterion of Local Plan policy EGY1 requires the equipment - in this case that principally means the turbines - to have no adverse impact on local landscape character. The lower case text suggests that areas designated as County Landscapes would not normally be suitable even for small-scale wind farms such as this and while that designation does not apply on this plateau between the coastal plain and National Park, the western limit of such an area follows the ridge to the east. EGY1 says the most appropriate sites are likely to be coastal, that is, well below this level. Two adjoining wind farms on the coast north of Workington are clearly visible from the ridge north of the appeal site and given their foreground urban setting, that seems to me to be an appropriate location. However, inter-visibility and the cumulative impact of such installations are important factors in considering landscape impact and the County Council's letter to the Planning Inspectorate dated 30 September 1996 highlights their controversial nature.
9. While I accept your computer-generated evidence that these turbines would - with minor exceptions - be screened completely from public roads in an 8-9km radius within the National Park, the analysis shows they would be seen at distances of 4-6km from the north/north-west notably in the vicinity of Winscales and from the southern fringes of Workington; and there would be glimpses looking north from the Cleator Moor direction. Approaching Pica from the east they would be extremely intrusive and prominent on the skyline seen from the brow before the village, as they would be in views from Tutehill and a forest footpath to the south of there which lie on the edge of a designated County Landscape. They would intrude in middle distance views of the imposing backdrop of the National Park mountains from the minor road at Watch Hill/Morseby to the west and despite the mainly local use of these roads, each one forms an important part of a network which also provides access to the National Park and residents and visitors using them are no less entitled to be protected from harmful development than passers-by on main roads.

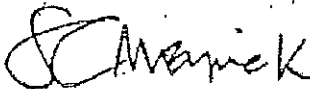
10. While I doubt that inter-visibility between the two coastal installations and Fairfield Farm would occur, views of all three installations would be available from several vantage points in this locality and in my judgement, despite my personal opinion about their aesthetic appeal and the 'clean' benefits of this form of energy, a coastal landscape dominated by fairly closely-spaced wind farms would not preserve, let alone enhance, the character and appearance of this diverse countryside.

11. Therefore, while it is arguable that the impact of this particular wind farm on the National Park landscape would be limited, it would have a marked local impact despite the fact that full views of it from surrounding dwellings would be few and far between. In this local context I do not accept your conclusion that this landscape "has an uninteresting appearance" or "is heavily man modified with many vertical elements, e.g. power pylons, chimneys and industrial development". Certainly it is reclaimed land but it is not unattractive and the chimneys and industrial development are many miles away. Permitting even this modest scheme would set a clear precedent for small-scale installations in a swathe of elevated, windswept moorland which has survived the ravages of opencast mining and extends for many miles at the foothills of the precious National Park. This landscape has less intrinsic quality than most of the National Park itself but it plays an important transitional role between the coastal towns to the west and the Cumbrian mountains. Given the harm which would occur locally, the consequences of allowing this appeal could be extremely damaging in the longer term and would undermine Government guidance and local policies designed to conserve open countryside and the National Park setting. I find these disadvantages outweigh other environmental benefits or economic benefits to the electricity supply industry.

12. I have considered all the other matters raised, including alleged effects on nature conservation and on users of the dead-end bridleway which crosses the site but I am satisfied those interests would not be harmed if this scheme went ahead and nothing else has been said which alters my conclusions on the main issue.

13. For the above reasons, and in exercise of the powers transferred to me, I hereby dismiss your clients' appeal.

Yours faithfully



S C MEYRICK DipTP FRTP FRSA
Inspector

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3. There is a CAA requirement for all structures over 200ft (61m) high to be charted for military aviation purposes. (The total height of these turbines will be 81m). Should this proposal progress, the developers will need to provide details of the development to the Defence Geographic Centre.
 4. Defence Estates wish to be informed of the following if planning permission is granted:-

the date the construction starts and ends
the maximum height of construction equipment
if the turbines will be lit, and
the latitude and longitude of every turbine.

This information is vital and will be plotted on flying charts to make sure that military aircraft avoid this area.
 5. It should be noted by the applicants that they will need to enter into an Agreement under Section 278 of the Highways Act 1980 with the Highway Authority for the carrying out of the proposed works within the highway and they should contact Mr Karl Melville of Capita Symonds, tel. (01946) 852505 to discuss the requirements further, the applicant should note that all costs associated with these works shall be met by them.
 6. There are two registered public rights of way crossing this site. These are footpath No. 404017 and Bridleway No. 404011. The routes of these will need to be protected and kept open for uses at all times. Should the applicant wish to discuss any safety concerns or temporary diversions then they should contact Mr Andy Sims, Rights of Way Officer, tel. (01228) 673082.

2 4/06/2848/0

CONVERSION OF CANINE TREATMENT CENTRE TO HOLIDAY
COTTAGE
HIGH WALTON FARM, CORONATION TERRACE, EGREMONT,
CUMBRIA.
CHRIS FRY

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Parish

St Bees

- No objections.

At the last meeting Members resolved to defer a decision on this application in order to carry out a site visit to appraise the material planning considerations having heard representations against the proposal from neighbouring residents. The site visit took place on Wednesday, 21 February 2007.

Permission is sought to convert one of the barns adjoining this former farmhouse, which is now a private dwelling, to a one bed holiday cottage. The site is situated within an isolated courtyard group of former farm buildings, two of which have been converted to residences.

Part of the barn had previously been used to house a canine swimming pool and associated business. Personal consent was granted to the previous owners for this purpose in 2001 (4/01/0697/0). The property has now changed hands and the barn is vacant.

The barn is traditional in form being of single storey construction with sandstone walls under a pitched roof which is now tiled. The conversion scheme proposes a holiday unit comprising a living room, dining/kitchen, bathroom and bedroom. Due to the fact it occupies a sloping site a ramped access will be provided to the front and rear entrances. The scheme utilises the existing openings and proposes the addition of 5 new openings on the front elevation and the addition of rooflights. It is the intention to retain the character of the barn by keeping the exposed sandstone walls, inserting timber sliding sash windows, timber doors and reinstating a slate roof.

Vehicular access would be via the existing access and parking area constructed for the canine business which is to the north, away from the main courtyard. The Highway Authority raise no objections as they consider that it is unlikely to have a material affect on existing highway conditions.

Five letters of objection have been received from residents in the vicinity, including the two immediate neighbours. They express concerns on the following grounds:-

1. Deliveries of foodstuffs/equipment to the applicant's home for business use has already damaged the shared access.
2. Will lead to the conversion of the other outbuildings for the same purpose.
3. There are already holiday cottages approved down the road and question whether there is the need for any more.
4. Will significantly reduce the value of the neighbouring

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properties.

5. Affect on peace and tranquility on the small community in this area as well as loss of privacy.
6. There are no visitor facilities in the area.
7. Increased traffic on this small busy adjacent minor road.
8. The applicant already owns numerous properties which are let on a permanent basis. This cottage could become a permanent residence.
9. Concern that it will increase the overflow/leaks of effluent from the existing septic tank into one of the neighbours fields adjacent. Consider the septic tank cannot sustain further development.
10. Movement of neighbours horses in the early hours of the morning adjacent to the site would result in complaints from the holiday makers.
11. Storage and use of farm machinery in the neighbouring yard and field would render the proposed accommodation unsuitable for children, elderly or disabled people.
12. Another holiday residence would be of no benefit to this small community.

To address the issues raised I would comment that:-

1. The concern regarding the use of the main access is not a matter to consider in respect of this application. In this particular case it is proposed to use a separate existing vehicular access to the cottage.
2. Planning permission would be required to convert any of the other redundant buildings in the vicinity and accordingly they would be assessed against the relevant local plan policies as to whether their development would be feasible.
3. The issues of need and property values are not relevant planning matters and should be disregarded.
4. Whilst there may be some impact from the development in terms of holidaymakers using the cottage and likewise the activities of neighbours, in view of the scale of the development proposed this is unlikely to be so significant to justify restricting the use or a refusal.
5. Whilst there may be no visitor facilities in the immediate locality this is not a relevant consideration, but perhaps a matter of choice for the users.

6. It is not considered that the development would lead to a significant increase in traffic and the Highway Authority raise no objections.
7. To use the property as a permanent residence would require planning permission.
8. Details regarding drainage would be addressed at the building regulation stage.

Taking the above into account it is considered that, on balance, the proposed conversion of the barn to a one bed holiday unit is acceptable both within the terms of policy HSG 17 of the adopted Copeland Local Plan, which permits such conversions in rural areas providing the relevant criteria are met, and the general tourism policies which encourage the provision of such holiday accommodation in the Borough.

Recommendation

Approve (commence within 3 years)

2. The cottage shall be used as holiday accommodation only.
3. The roof covering shall be natural slate.
4. Windows, including rooflights, shall be of timber construction and dark stained.
5. The existing sandstone walls to the barn shall be retained and repointed as necessary.

Reasons for conditions:-

In compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.

To restrict the occupation of the cottage to holiday use only and for no other purposes whatsoever.

To safeguard the traditional appearance of the barn in the interests of visual amenity.

Reason for decision:-

An acceptable scheme to convert this traditional barn to holiday accommodation in accordance with Policy HSG 17 and general tourism policies of the adopted Copeland Local Plan 2001-2016.

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3 4/06/2871/0

TWO STOREY REAR EXTENSION
38, FESTIVAL ROAD, MILLOM, CUMBRIA.
MR & MRS GABBERT

Parish Millom

- No objections.

Planning permission is sought for a two storey rear extension at 38 Festival Road, Millom.

The property is a two storey semi-detached dwelling. The proposed extension would measure 4.3 metres in length x 4.3 metres in width.

The proposal originally included windows to both side elevations of the extension but an amended plan has now been submitted removing these. The windows in the extension as now proposed are ground floor patio doors, a large first floor window to the rear and two velux windows in the roof. The finishes would be rendered walls and a tiled roof, both to match the existing property.

As the property is located on the edge of Millom there are no overlooking issues to the rear as the boundary is shared with open land. However, to accommodate the extension an existing first floor bedroom window is proposed to be moved onto the gable of the dwelling. A letter of objection has been received from the resident of the adjacent dwelling regarding this issue and they also have other concerns which are listed below:-

1. The blocking of light to their property.
2. The blocking of a view to the countryside.
3. The devaluing of their property.
4. An encroachment of their privacy due to the window.

In response to these concerns I would firstly comment that given the open rear aspect of these properties, any loss of light would be minimal. The loss of a view and property values are not material planning considerations and therefore cannot be taken into account. Whilst it is accepted that there will be some impact on the adjacent property from the bedroom window, this is mitigated by the fact that the two houses are angled away from each other, being approximately 7.5 metres apart. Moreover, the relevant window in the objector's property does not serve a habitable room, being a landing window.

07 Mar 07
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Therefore the proposal is viewed as compliant with Policy HSG 20 of the adopted Copeland Local Plan 2001-2016.

Recommendation

Approve (commence within 3 years)

2. Permission shall relate solely to the amended plans received by the Local Planning Authority on 16 January 2007.

Reasons for conditions:-

In compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.

For the avoidance of doubt.

Reason for decision:-

An acceptable domestic extension in accordance with Policy HSG 20 of the adopted Copeland Local Plan 2001-2016.

4 4/07/2001/0

ERECTION OF NEW TWO STOREY 64 BED READY BUILT
RESIDENTIAL UNIT, NEW SINGLE STOREY STAFF CHANGE
AND STORES FACILITY, NEW EXTERNAL 'ALL WEATHER'
5-ASIDE FOOTBALL PITCH AND MODIFICATION AND
EXTENSION OF ASSOCIATED STAFF/VISITOR CAR PARKING
AND INTERNAL SERVICE ACCESS ROADS
H M PRISON, NORTH LANE, HAVERIGG, MILLOM,
CUMBRIA.
SECRETARY OF STATE

Parish Millom Without

- No objections.

Planning permission is sought for the erection of a two storey 64 bed residential unit within the site boundary, and a single storey staff changing and store facility at HM Prison Haverigg. The proposal also includes the provision of a new 'all weather' 5 a side football pitch and new car parking area.

The proposed residential unit would be located to the west of the Prison site, on an area of vacant ground currently covered by a concrete hard standing and adjacent to an existing residential block.

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The building would have brick clad elevations and a profiled metal sheet roof in merlin grey and is effectively cross-shaped in terms of layout. The proposed football pitch would be located next to the new residential unit.

Surrounding the residential unit would be a new secure perimeter fence to match the existing fences on the main site. There would also be a new perimeter road, access path and grassed areas around the unit. The building would be approximately 90 metres away from the actual site boundary for the prison.

The second part of the proposal relates to land outside of the main prison boundary, but still land under their ownership. On the site of the current staff and visitor parking is proposed a new staff changing facility and store. The building will be split into two separate parts, with approximately two thirds being used for storage and the remaining part as the changing facilities.

The single storey building will be finished in rustic red brick with bandings of darker brown brick. The roof is also proposed to be a profiled metal sheet roof in merlin grey with the roller shutters, doors and rainwater pipes to match the roof colour.

Due to the siting of this building on the existing staff car park, it is proposed to relocate the staff parking onto the current visitors' parking area as this will be adjacent to the staff changing facility as well as extending this area slightly to provide a total of 150 staff car parking spaces.

This in turn leads to the relocation of the visitors car park which is proposed to be relocated on to vacant agricultural land between the main prison boundary and the residential properties at Combe View. This would then provide the prison with 64 visitor parking spaces, 14 more than existing, and a relocated bus stop and shelter. The car park would be approximately 50 metres away from the houses at Combe View and would occupy land to the rear of number 4 & 5. It is proposed to screen the car park with a hedgerow rather than fencing.

Following the receipt of an amended plan to address issues regarding access to the car park and turning space, Cumbria Highways have no objections to the proposal, subject to conditions.

Three letters of objection have been received, two from local residents and one from a Ward Councillor, copies of which are appended to this report. The two main concerns are that North Lane, which leads to the prison, is in a poor state, and that the new visitors' car park will only have hedgerows and bollards to separate it from the field. The residents of Combe View feel that this would leave the rear of their properties vulnerable. In response to these concerns I would comment firstly that, as previously stated, Cumbria Highways have no objections to the proposal. However, as repair works to the road have previously been undertaken by the Prison the applicants

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have been approached to confirm their commitment in continuing to ensure that North Lane is maintained in a good state of repair. In response, a Statement of Intent dated 26 February 2007 states that: "HMP Haverigg will undertake the ongoing maintenance of that part of North Lane which is not part of the Public Highway, or in the ownership of any party other than Crown Estates." "It will be maintained to provide a level road surface, which is free from obstructions. The Establishment will ensure the upkeep of appropriate signage and road markings to ensure the clear delineation of vehicle and pedestrian routes." In respect of the car park boundary, it should be noted that this is approximately 33 metres away from the site security boundary. It is considered that this situation would leave the dwellings no more exposed than existing conditions and a suitable planting scheme surrounding the car park would provide the residents with screening to reduce the visual impact of the car park and prison as a whole.

Policy EMP 4 of the adopted Copeland Local Plan 2001-2016 states that 'Proposals for the extension of an existing employment use and which meet the requirements of other plan policies will be approved.' Also the residential unit will be located within the site boundary and on land previously developed as part of the former use as an RAF facility. In terms of employment, it is estimated that this extension will potentially create employment for 40 additional staff which would be of economic benefit to both Haverigg and Millom.

Recommendation

Approve (commence within 3 years)

2. Permission in respect of the staff changing and store unit shall relate solely to the amended drawing Nos 2544-100, 2544-101 and 2544-009 Rev B received by the Local Planning Authority on 14 February 2007.
3. Permission in respect of the siting for the 64 RBR Unit shall relate solely to the amended drawing No 2544-008 Rev A received by the Local Planning Authority on 31 January 2007.
4. The residential block and staff changing/storage block shall not be brought into operational use unless and until the access and car parking areas have been provided in accordance with the approved plans and the improvement works to North Lane as confirmed in the applicants' Statement of Intent dated 26 February 2007 have been carried out in accordance with a detailed schedule of works which shall first be submitted to and approved in writing by the Local Planning Authority.

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5. No development approved by this permission shall be commenced until a desk study has been undertaken and agreed in writing by the Local Planning Authority to investigate and produce an assessment of the risk of the potential for on-site contamination. If the desk study identifies potential contamination a detailed site investigation should be carried out to establish the degree and nature of the contamination and its potential to pollute the environment or cause harm to human health. If remediation measures are necessary they shall be implemented in accordance with the assessment and to the satisfaction of the Local Planning Authority.
6. Full details of the proposed planting works shall be submitted to and approved in writing by the Local Planning Authority prior to development commencing. The planting shall be carried out strictly in accordance with the approved details and shall be so maintained thereafter.

The reasons for the above conditions are:-

In compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.

For the avoidance of doubt.

In the interests of highway safety.

To ensure a safe form of development that poses no unacceptable risk of pollution.

In the interests of visual amenity.

Reason for decision:-

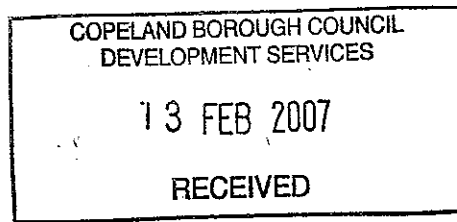
An acceptable scheme of expansion at HMP Haverigg in the light of the applicants' Statement of Intent in relation to North Lane which facilitates the extension of an existing employment use in accordance with Policy EMP 4 of the adopted Copeland Local Plan 2001-2016.

4/07/2007

(5)

Gillgarth Caton Street Haverigg Millom Cumbria LA18 4HE
Tel/01229772531

Mr. Simon Blacker
Planning Officer
Copeland Borough Council
Catherine Street
Whitehaven
CA28 7SJ



09/02/2007

Dear Mr. Blacker,

Re; Planning Application Haverigg Prison, North Lane, Haverigg, Millom.

I am objecting to this planning application on behalf of Haverigg residents. Our objection is that unless North Lane is made up to adoptable standard the development will be unsustainable.

As ward Councillor I have been working with the Prison for the past four years, to try and resolve the problems with North Lane. This road is the only access for pedestrians and vehicles.

I have had numerous complaints regarding the state of this road including some from children at our local primary school. The worry is that in it's present state it is unsafe for all users. The Prison being by far the main user. The road has a well worn surface with large holes in the tarmac. There is no footpath on either side and no street lighting from the Millom Town boundary to the Bankhead estate. There is not a wide enough splay where it meets Main Street. The road is dangerous through the day but even more so in the evenings.

North Lane was first surfaced by the Air Ministry in October 1940. Until then it was just a track for farm vehicles. I have been told that since the prison service took over the road has been completely resurfaced twice and holes repaired when needed. At one stage a white line was drawn down one side to mark a pedestrian walkway, but this has since worn away. The Prison has also provided a turning space for buses on their visitors car park.

From the documentation I have read and the information I have received I believe North Lane is government owned and should continue to be maintained and upgraded to adoptable standard by the Prison Service. Their response to date is they can not afford to do this.

I see from the application that at this point in time 137 employee vehicles use the site. What it doesn't say is how many times a day they go up and down North Lane (and through Haverigg Village). I counted cars on the two car parks one day mid-afternoon and there were 188!

On page 3 of the application it states the existing pedestrian access will not be affected. I take this to mean that even with the increased amount of traffic there is no intention to provide a footpath or lighting. There has already been two near fatalities on this road and I am really disappointed by the Prisons obvious lack of responsibility regarding this.

If they want this development to be sustainable North Lane needs upgrading to adoptable standard. It has to be safe for people to use. I believe they have greatly underestimated how many vehicle journeys are made on that road in any given time period and how the road surface affects health and safety. It doesn't get gritted. I remember not too long ago when the Village was cut off due to a heavy snow fall. Prison staff that lived near enough had to be taken up North Lane on a tractor with trailer. Others just couldn't make it. These are hazardous condition that will affect the sustainability of this additional development. The fact that they have included vehicle user information in the planning application does give credence to this objection. It is of crucial importance.

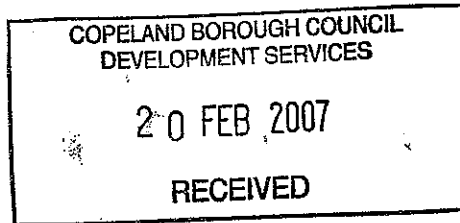
It would be very easy just to look at the economic benefits of this application which I have no problem with, but there wider issues that will affect the smooth running of the Prison, staff, local residents and visitors. It is my job as Ward Councillor to make you aware of these issues and there relevance to the well being of my community. It is therefore my intention to speak at the planning panel meeting and to answer any questions. Please include this letter in the Agenda.

Yours sincerely


Cllr Margaret Barnes

Cc Millom Without Parish Council.

1 Combe View
North Lane
Haverigg
MILLOM
Cumbria
LA18 4NB



01229770057

19th February 2007

Your ref: SB/4/07/2001/0

FAO: SIMON BLACKER PLANNING OFFICER.

Copeland Borough Council
The Copeland Centre
Catherine Street
WHITEHAVEN
Cumbria
CA28 7SJ

Dear Simon Blacker

RE: PLANNING APPLICATION 4/07/2001/OF1 ERECTION OF NEW TWO STOREY 64 BED READY BUILT RESIDENTIAL UNIT, NEW SINGLE STOREY STAFF CHANGE & STORE FACILITY, NEW EXTERNAL ALL WEATHER 5-ASIDE FOOTBALL PITCH & MODIFICATION AND EXTENTION OF ASSOCIATED STAFF/VISITOR CAR PARKING AND INTERNAL SERVICE ACCESS ROAD, H.M PRISON HAVERIGG, NORTH LANE, HAVERIGG, MILLOM, CUMBRIA.

Thank you for your letter dated 15th February 2007 with a copy of the agent's letter and plans.

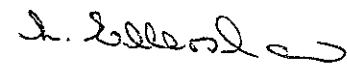
In response to the above the residents of Combe View are very concerned that the change in these new plans have now eliminated the high security fence for the car park to one of bollards and a hedge row, this now leaves the field open to visitors to walk freely in the field as the hedge will need 5 – 10 years to grow strong enough to stop people walking through. This will make the rear of the houses on Combe View vulnerable.

We the residents of Combe View would rather see the high security fence erected as stated in the first lot of plans.

We also feel that another hedge fence planted and erected close to the back of Combe View would help make our houses more secure.

Yours sincerely

R. Ellershaw



R & L Ellershaw
(For and on behalf of)
(Combe View Residents)

59

COPELAND BOROUGH COUNCIL
DEVELOPMENT SERVICES
20 FEB 2007
RECEIVED



Norman J Thompson, Esq.

Thompson Ground, North Lane, Haverigg, Millom, Cumbria, LA18 4LX
Tel: 01229 773836 e-mail: janor.thompson@virgin.net

17 February 2007

Simon Blacker, Esq.,
Planning Officer,
Copeland Borough Council,
Catherine Street,
Whitehaven,
Cumbria,
CA28 7SJ

Dear Sir,

Re: Proposed New Development at HM Prison, Haverigg, Millom, Cumbria

I write in relation to the proposed new development at Haverigg Prison. I do not object in principal to this development but I would ask that the Planning Committee take into consideration the following observations before they give approval.

Para 4 Access

In their application the Prison Department state that existing access for pedestrians would not be affected but vehicular access would be affected.

Para 21 Traffic Flow

The Prison Department have stated that employees vehicles would increase by 16, HGVs by 1 and other vehicles by 16 an increase of some 33 vehicles a day. This in my opinion is a conservative estimate.

I must now go into the history of HM Prison, Haverigg as this has a direct bearing on my submission to you.

The prison was opened in 1967 with a proposed roll of 200 prisoners. This was soon increased to 400 and the roll is currently over 550. The new development will bring the number of prisoners to about 600.

When the establishment was opened a prisoner was allowed one visit every 28 days, this has been increased over the years and prisoners can now have visits every two weeks and possibly more. In the early years prisoner's visitors were in many cases transported to the prison by private hire coaches run by the local county Probation Service from Durham, Manchester, Leeds and Liverpool. When this service was terminated visitors to prisoners made their own transport arrangements in most cases

they travelled to Haverigg by car. Not only was there an increase in family visitors to prisoners but also there was an increase in official visitors to the prison.

There are over 300 people employed at Haverigg Prison, most travel to work by car. About 6 years ago the prison opened a commercial shop and this in turn led to an increase in traffic on North Lane.

North Lane is an unadopted road but the Prison Service has re-surfaced it from the prison to Haverigg village at least twice since 1967. Late last year they re-surfaced the lane from the boundary of the council road at Haverigg for some 100 yards or so and at the same time they repaired the potholes. They have over the years repaired the pot holes on a regular basis but for the last few years they have not carried out repairs other than the major part re-surfacing in late 2006.

The state of repair of the road is now in my opinion dangerous and urgent remedial repairs are needed.

The increase of vehicular traffic over the years has made this road very dangerous for pedestrians. There have been two near fatalities when pedestrians have been injured by vehicles. If you require further information in relation to the incidents the local police will be able to furnish you with this from their records.

In the late 1970s the Prison Department were going to build a footpath the full length of North Lane and install street lighting. All the materials for the work was ordered and delivered to the prison. Unfortunately the Prison Department were in dispute with one of the local farmers and as a consequence he withdrew his goodwill and refused to cooperate with the Prison Department so the planned footpath was not proceeded with.

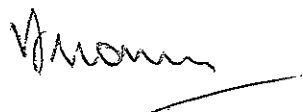
North Lane has always been dangerous but is now an even more dangerous place for pedestrians and I would suggest that the Council arrange for officials or councillors to visit the road and see the volume of traffic using the road, the poor condition of its surface, the lack of lighting and the provision of a footpath.

Could not part of the planning approval incorporate the re-surfacing of the road and provision of street lighting and a footpath?

I ask that my letter be placed on the Planning Committee Agenda when this planning application is discussed.

Thank you.

Yours faithfully,

A handwritten signature in black ink, appearing to be 'V. M. M.', with a horizontal line underneath it.

MAIN AGENDA

5 4/07/2010/0

ALTERATIONS TO EXISTING BARN TO FORM RESIDENTIAL
DWELLING
ROTHERSYKE COTTAGE BARN, THORNHILL, EGREMONT,
CUMBRIA.
MR J S ROBINSON

Parish Lowside Quarter

- No objections.

Planning permission is sought to convert a vacant barn at Rothersyke to a three bedroomed dwelling. A barn immediately adjacent has already been converted to residential use and the remaining section has recently received permission for conversion (4/88/0897 and 4/05/2231/0F1 refer). There is also a separate dwelling, formerly the main farmhouse (now known as Merry Hill House), linked to these buildings.

Members have now had the benefit of a site visit which took place on 21 February 2007 to fully appraise all the relevant issues this application presents.

Consent to convert this particular barn was originally granted in 2005 (4/05/2231/0F1 refers). This application only differs from that approval in respect of the barn. It is proposed to increase the height of the barn at the eaves by a further 0.56m at the highest point as measured from the south elevation. This is over and above the 0.4/0.5m increase approved via the original conversion. This represents an overall increase in height of some 1.06m and will enable reasonable internal head heights to be achieved and the internal floor level to be built up by 500mm so that it becomes level with the existing ground to the north. The topography of the site is such that there is a fall north to south of some 500mm.

In terms of the conversion scheme two dormer windows are also proposed on the rear elevation which, along with the addition of four new openings and four skylights on the front elevation, mirror the original approved scheme. It is intended to retain the front sandstone facade and to wet dash render the sides and rear. Reinstatement of a slated roof, timber windows and doors can be conditioned if consent is granted.

Vehicular access is via the existing farm access to the west corner of the site to which the Highways Authority raise no objections subject to the same conditions being imposed for the previous scheme.

Letters of objection have been received from the immediate neighbour to the east who resides in Merry Hill House, copies of which are appended to this report. I would offer the following comments in

MAIN AGENDA

respect of the relevant objections raised:-

1. Increase in height. It is acknowledged that an increase will have a visual affect from the neighbours garden and increase shadowing there. However, this in itself is considered to have a marginal affect on amenity given the distance the gable end of the barn is from the neighbours side garden boundary (some 6.0m as measured from the O.S. map extract)
2. All elevations to be sandstone as per original approval. The original consent approved a sandstone front elevation only with a wet dash render rear elevation and gable ends. This application proposes the same and is considered reasonable given that the building has undergone alterations at the rear to accommodate large door openings. Wet dash is an appropriate finish in a rural setting.
3. Use of tiles for the roof. Agree this is not an acceptable finish on a barn conversion. This can be adequately controlled by condition.
4. Confusion as to height increase of barn. It can be confirmed that the proposed height increase overall as calculated from the submitted plans taken from the southern elevation is some 1.06m, representing a further increase of 0.56m over the increase of 0.5m that was approved in the original scheme. The reason why this further increase is required is explained in the third paragraph of the report.
5. Adverse effect on road drainage from the septic tank. Details regarding the adequacy of ground conditions to cope with this is a detailed matter governed by separate legislation of building regulations and the Environment Agency.

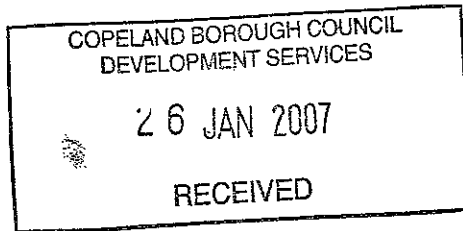
The key issue for consideration in this case is whether the further increase in height of the barn now proposed is acceptable in planning terms. It is noted that this element of the conversion scheme does not sit comfortably within the terms of Policy HSG 17 of the adopted Copeland Local Plan 2001-2016. Normally, no increase in height is permissible. However, what is material in this instance is the fact that a recent and still valid approval has already given consent for an increase in height and consideration now has to be given as to whether the further increase proposed of some 0.56m is likely to be so significant that it causes demonstrable harm to amenity. On balance it is my view that this increase over and above the increase approved is not so significant to justify refusing the application. It is considered that the proposal would not have a significantly different visual impact on the locality and neighbouring property from that of the approved conversion scheme.

Recommendation

MAIN AGENDA

Approve (commence within 3 years)

2. The roof of the barn and porch shall be finished in natural slate, a representative sample of which shall be submitted to and approved in writing by the Local Planning Authority.
3. The sandstone facade on the north elevation shall be retained and repointed as necessary.
4. All windows, including dormers and skylights (which shall be of the conservation type) and doors shall be of timber construction and dark stained.
5. Notwithstanding the provisions of the Town and Country (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) no external alterations, including replacement windows, doors, skylights and roof covering, or painting or rendering shall be carried out to the converted barn, nor shall any building, enclosure, including extensions and porches, domestic fuel container, pool or hardstanding be constructed within the curtilage of the converted barn without the prior written consent of the Local Planning Authority.
6. A suitably surfaced access drive, parking and turning area to accommodate a minimum of two cars shall be provided within the curtilage of the site, details of which shall be submitted to and approved in writing by the Local Planning Authority before development commences. This shall be provided before the dwelling is occupied and remain operational thereafter.
7. Access gates, if provided, shall be erected to open inwards only away from the highway.
8. Details of all measures to be taken by the applicant to prevent surface water discharging onto or off the highway shall be submitted to the Local Planning Authority for approval prior to development being commenced. Any approved works shall be implemented prior to the development being completed and shall be maintained operational thereafter.
9. The whole of the access area bounded by the carriageway edge, entrance gate, and the splays shall be constructed and drained to the specification of the Local Planning Authority in consultation with the Highway Authority.
10. No development shall commence within the site until a programme of archaeological work has been implemented in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.



Merry Hill House
Rothersyke
Egremont
Cumbria
CA22 2US

Mr. J A Pomfret
Development Services Manager
Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
Cumbria
CA28 7SJ

Your ref 4/2007/2010

25 January 2007

Dear Mr. Pomfret

Re: Planning Application for Rothersyke Cottage Barn to form Residential Dwelling

Thank you for your letter of 22 January 2007, reference as above, noting my comments on the planning application for the development of Rothersyke Cottage Barn.

I am writing to inform you that I wish to address the Planning Panel with respect to the objections I have to the proposals in the above planning application. The points I wish to raise are as follows:

1. In supporting his planning application the applicant makes reference to the limited space available to make provision for his son. I would point out the applicant has only recently purchased this property and was fully aware of the size and arrangement of the currently approved development. I would argue that poor selection of a suitable property to meet his needs is no justification to erect a large additional building, 12m long and 4m high, on my boundary to the detriment of my property and the amenity I and my family currently enjoy.
2. I am against the proposed increase in the height of the cottage as this will increase the visual intrusion of the building from my garden. Additionally, the increase in height will cast long shadows over my garden. These factors reduce the amenity and enjoyment of my garden.
3. I strongly object to the erection of the proposed flat and garage. This building is 12m long and at least 4m high and is proposed to be sited against my boundary running three quarters the length of my garden. Such a large structure adjacent to my boundary would impose a claustrophobic feeling and destroy the open aspect I currently enjoy. Further the building would be extremely visually intrusive from both my house and garden and cast long shadows over my garden. This building therefore would significantly reduce the amenity and enjoyment of my house and garden.

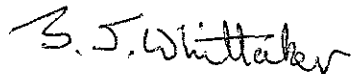
Further, the windows in the east elevation of the flat look directly into my garden,

reducing the privacy for me and my family when relaxing in the garden.

4. The location of the proposed flat and double garage forward of the cottage means that I would have buildings running most of the length of my garden. The impact of such a large structure against my boundary adversely affects the future saleability of my house and consequently adversely affects its value.
5. The size and location of the proposed flat and double garage is forward of the building line of the cottage and is not consistent with the rural nature of the area. This is contrary to the ENV 6 status for this area. I note that the original planning approval (4/05/2231/0) was sympathetic to the rural nature of the area by maintaining the development behind the building line of the cottage barn so retaining the natural appearance of the development as viewed from the road.
6. The size of the proposed flat is less than one third of the proposed new building. The other two thirds is to provide two garages for the benefit of the owners. The original planning approval (4/05/2231/0) was for a single garage in line with the cottage. The location and footprint of this garage as originally approved could easily be used to accommodate the proposed flat without the need for the proposed new structure. The impact of the location of the single garage on the nearby farmhouse (owned by his brother-in-law) was presumably considered as part of the original planning approval. I would note that the rooms in the farmhouse with windows in the gable end also have windows in other elevations and so are not solely dependent on the gable end windows for light.
7. The original approved plans (4/05/2231/0) show all outward facing elevations to be sandstone in keeping with the rural nature and landscape of the area. These new proposals show these now to be a wet dash render. I consider this to be contrary to ENV 6 and would request that all outward facing elevations in any approved plans are in sandstone consistent with the original approved plans.
8. Roofing materials are indicated on page 2 of the Planning Application to be tiles. This is not consistent with item 5 of the original planning approval (4/05/2231/0) which requires all dwellings and garages to be roofed in local slate, the material to be approved in writing by the Local Planning Authority. To be consistent with the other developments at Rothersyke Farm these proposals should also include slate roofs to all buildings.
9. I moved to Merry Hill House to obtain an open aspect and space in a rural environment to get away from being closed in by buildings and to expand my enjoyment of gardening. This proposed development would significantly degrade the quality of life I and my family currently enjoy by again closing us in with large buildings. This is a significant loss of amenity for me and my family and is detrimental to the saleability and value of my property.

I would note that the above points do not address all the points I raised in my letter of 16 January 2007, particularly those with respect to incomplete or inaccurate information presented on the plans. I would expect such points to have been addressed prior to submission of the planning application for consideration by the Planning Panel. For that reason I have already requested in my earlier letter copies of the corrected drawings prior to submission of the planning application for consideration by the Planning Panel so that I can confirm they are in receipt of accurate information.

Yours sincerely

A handwritten signature in black ink that reads "S. J. Whittaker". The signature is written in a cursive style with a large initial 'S'.

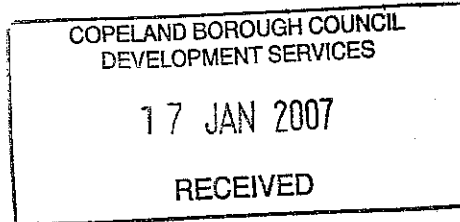
S J Whittaker

(Mrs)

Merry Hill House
Rothersyke
Egremont
Cumbria
CA22 2US

Mr. T Pomfret
Development Services Manager
Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
Cumbria
CA28 7SJ

Your ref 4/07/2010/0*001*1



16 January 2007

Dear Mr. Pomfret

Re: Planning Application for Rothersyke Cottage Barn to form Residential Dwelling

In response to your letter of 10 January 2007, reference as above, regarding the planning application for the development of Rothersyke Cottage Barn. I have the following objections and comments on the proposals:

1. I object to the proposed increase in the height of the barn as this will increase the visual intrusion of the building from my garden, reducing my enjoyment of my garden and the views from it. Additionally the increase in height will cast long shadows over my garden, impacting on what I can grow and again reducing the amenity and enjoyment of my garden. Further, it is unclear from the reasons for the design statement what the proposed increase in height of the barn is. Two figures are quoted, one of 1000mm increase in height at the eaves, with a second value of 500mm for raising the ground floor. Is the overall height increase 1000mm or 1500mm? This needs to be made clear.

Would not the original planning approval (4/05/2231/0) for development of the barn have considered the adequacy of those proposals to comply with the required room heights? If so, why is such a large increase in height required now?

2. I strongly object to the erection of the proposed flat and garage. This building is 12m long and is proposed to be sited against my boundary running three quarters the length of my garden. The height of the building is not stated but I would estimate this would be at least 4m. Such a large structure adjacent to my boundary would impose a claustrophobic feeling and destroy the open aspect I currently enjoy. Further the building would be extremely visually intrusive and cast long shadows over my garden. This would have a significant impact on what I could grow in my garden and intrude on the views in and around my garden. The building would also be visually intrusive on the views from my house. This building therefore would significantly reduce the amenity and enjoyment of my house and garden.

Further, the windows in the east elevation of the flat look directly into my garden,

reducing the privacy for me and my family when relaxing in the garden.

The impact of such a large structure against my boundary adversely affects the future saleability of my house and consequently adversely affects its value.

Additionally, the size and location of this building is forward of the building line of the barn and is not consistent with the rural nature of the area. This is contrary to the ENV 6 status for this area. I note that the original planning approval (4/05/2231/0) was sympathetic to the rural nature of the area by maintaining the development behind the building line of the cottage barn so retaining the natural appearance of the development as viewed from the road.

3. Although the desire on the part of the applicants to provide private accommodation for their son is laudable, it should not be to the detriment of adjoining properties as would be the case in this instance. I suggest that the applicants could, with some reconsideration of the room arrangements, provide adequate private accommodation within the cottage. Thus they could achieve their objective with no requirement to move the garage from its currently approved location alongside the Barn

I further note that the size of the proposed flat is less than one third of the proposed new building. The other two thirds is to provide two garages for the benefit of the owners. The original planning approval (4/05/2231/0) was for a single garage in line with the cottage. The location and footprint of this garage as originally approved could easily be used to accommodate the proposed flat without the need for the proposed new structure. The impact of the location of the single garage on the nearby farmhouse was presumably considered as part of the original planning approval. Thus there should be no need to relocate the garage simply because of its effect on light to the farmhouse. I would also note that the rooms in the farmhouse with windows in the gable end also have windows in other elevations and so are not solely dependent on the gable end windows for light.

4. The original approved plans showed all outward facing elevations to be sandstone in keeping with the rural nature and landscape of the area. These new proposals show these now to be a wet dash render. I consider this to be contrary to ENV 6 and would request that all outward facing elevations are in sandstone consistent with the original approved plans.
5. Roofing materials are indicated on page 2 of the Planning Application to be tiles. This is not consistent with item 5 of the original planning approval (4/05/2231/0) which requires all dwellings and garages to be roofed in local slate, the material to be approved in writing by the Local Planning Authority. To be consistent with the other developments at Rothersyke Farm these proposals should also include slate roofs to all buildings.
6. The location of the septic tank drainage soakaway may have an adverse effect on drainage from the road, which is already liable to flooding during heavy rain. Any

further water burden in the ground alongside the road may only exacerbate the situation.

7. The plans submitted are incorrect. Merry Hill House is not explicitly identified as an adjoining residential dwelling and my garden is shown as field 3745, see annotated drawing roth/locplan/001 attached. The distance of the proposed flat and garages from my boundary is not stated, although the drawing indicates it is virtually on my boundary. This distance needs to be stated. The Site plan, showing the arrangement of the buildings, and drawing roth/plan/004 Rev A should explicitly indicate the boundary with Merry Hill House, see annotated drawings, roth/plan/004 and Site Plan attached. Roth/plan/001Rev A shows an existing 'crendon' farm building to be demolished. This building has already been demolished and needs to be removed from this 'as existing' plan.
8. I moved to Merry Hill House to obtain an open aspect and space in a rural environment to get away from being closed in by buildings and to expand my enjoyment of gardening. This proposed development significantly degrades the quality of life I and my family currently enjoy by again closing us in with large buildings. This is a significant loss of amenity for me and my family.

Given that the information presented on the plans provided is either incomplete or inaccurate please will you provide me with corrected drawings prior to submission of the planning application for consideration by the Planning Panel so that I can confirm they are in receipt of accurate information.

Please confirm there will a site visit prior to consideration of this proposal by the Planning Panel.

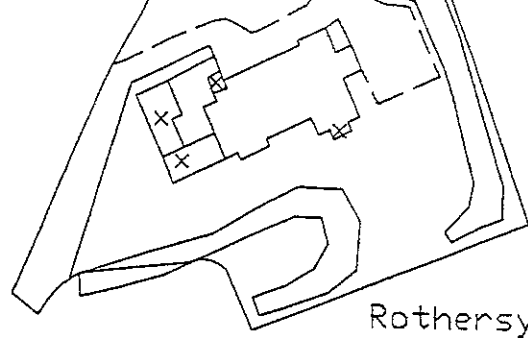
Please provide a written response to this letter.

Yours sincerely



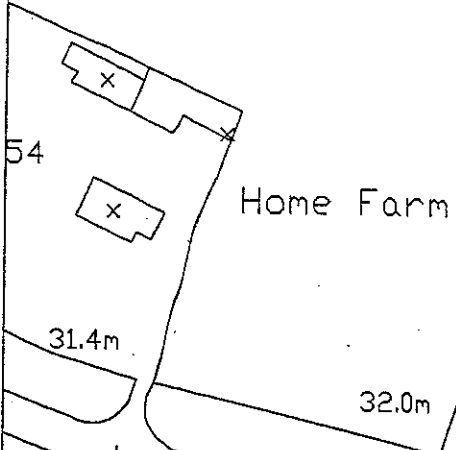
S J Whittaker

4/07/2010/0F1



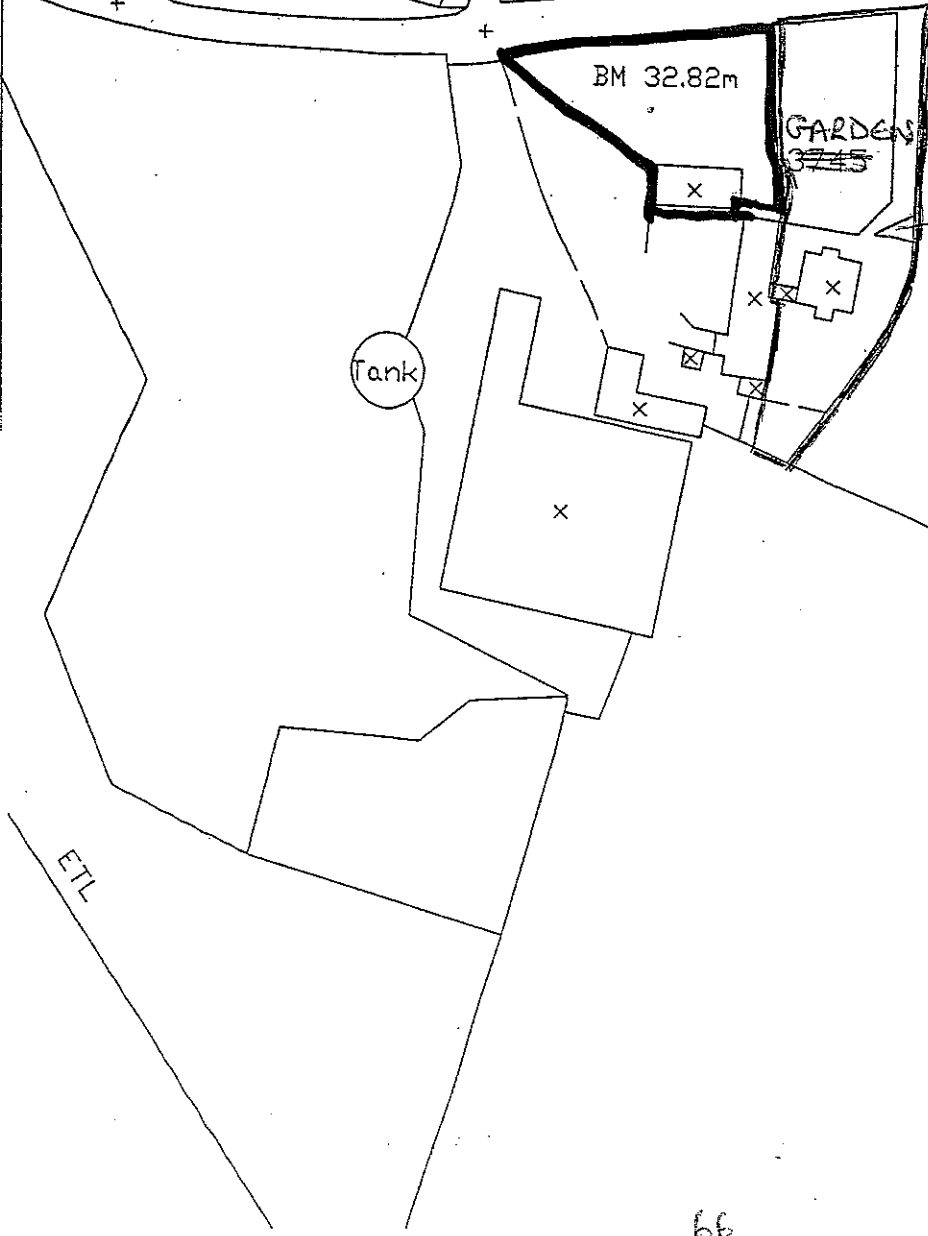
Rothersyke House

COPELAND BOROUGH COUNCIL
- 3 JAN 2007
RECEIVED



Home Farm

4651



BM 32.82m

GARDEN

MERRY HILL HOUSE

Rothersyke

Tank

ETL

BARN CONVERSION AT ROTHERSYKE FARM, THORNHILL, EGREMONT, CUMBRIA

CARE OF AGENT

LOCATION PLAN

| | | |
|----------|----------|--------|
| DRAWN BY | DATE | SCALE |
| MH | DEC 2006 | 1:1250 |

| | | |
|---------|-----|------------------|
| DWG NO. | REV | REF |
| 001 | A | roth/locplan/001 |

Merry Hill

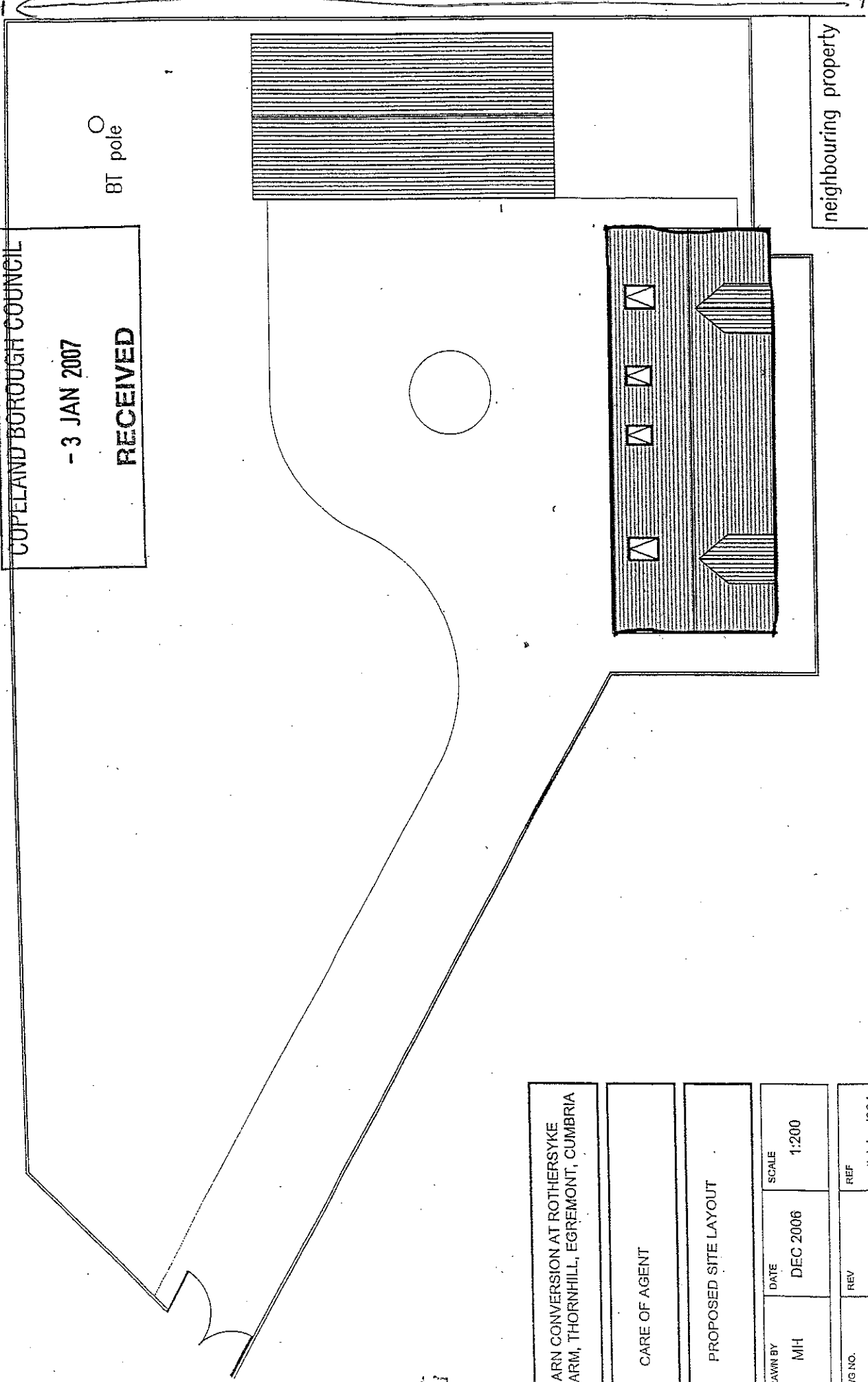
4107/2010/0F1

COPELAND BOROUGH COUNCIL
- 3 JAN 2007
RECEIVED

BT pole

MERRY HILL HOUSE

neighbouring property



15

| | | | |
|--|-----|-------|---------------|
| BARN CONVERSION AT ROTHERSYKE FARM, THORNHILL, EGREMENT, CUMBRIA | | SCALE | 1:200 |
| CARE OF AGENT | | DATE | DEC 2006 |
| PROPOSED SITE LAYOUT | | REV | A |
| DRAWN BY | MH | REV | 001 |
| DWG NO. | 001 | REF | rothyplan/004 |

MAIN AGENDA

Reasons for the above conditions:-

In compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.

To safeguard the traditional appearance of the barn in the interests of amenity.

To retain the traditional appearance of the front of the barn in the interests of amenity.

To retain control over the external appearance of the barn in the interests of amenity.

In the interests of highway safety.

To afford reasonable opportunity for a record to be made of buildings of architectural and historic interest prior to their alteration.

Reason for decision:-

An acceptable scheme to convert this redundant barn to residential use in accordance with Policy HSG 17 of the adopted Copeland Local Plan 2001-2016.

6 4/07/2011/0

FORMATION OF STORAGE COMPOUND WITH SECURITY FENCE
LAND ADJACENT TO,
BIRKETTS FENCING & GARDEN CENTRE, CHAPEL ROW,
ROWRAH, FRIZINGTON, CUMBRIA.
BIRKETTS FENCING & GARDEN CENTRE

Parish Arlecdon and Frizington

- No objections.

In August 2006 planning permission was granted for the formation of a 91 space car park in a field opposite Birketts Fencing to serve both visitors and staff (4/02/2470/0F1 refers). This consent has not been implemented.

This application seeks consent for the formation of a storage compound to the east of this existing fencing and garden centre at Rowrah. The new compound would have a separate access used for

MAIN AGENDA

deliveries and would provide car parking spaces for up to ten members of staff. In turn this would create a 27 space car parking area within the existing site for visitors.

2.4m high galvanised steel palisade fencing is to be erected around the new storage compound, with mixed bush planting incorporated to the northern and eastern boundaries to provide screening.

Written confirmation from the applicant's agent has been provided confirming that should this proposal be approved the previous consent for a car park on the site opposite (4/06/2470/0F1) will not be implemented. This is also confirmed by a letter from the applicant's solicitor received by the Local Planning Authority on 22 February 2007.

No objections have been received in response to neighbour notification and statutory consultation procedures. However, the Highways Authority have requested further information. An amended plan has now been received and forwarded to the Highways Authority along with a completed transport form.

Policy EMP 4 of the adopted Copeland Local Plan 2001-2016 is the relevant policy against which this application should be considered. It states that:-

"Proposals for the extension of an existing employment use and which meet the requirements of other plan policies will be approved".

In my opinion the proposed expansion of this existing business is compliant with Policy EMP 4 and it is recommended that authority be delegated to the Development Services Manager to grant approval subject to no adverse comments being received for the Highways Authority.

Recommendation

-

That delegated authority be given to the Development Services Manager to grant planning permission subject to no adverse comments being received from the Highways Authority and subject to the following conditions:-

2. Permission shall relate solely to the amended plan (drawing no. 2007.185.01) received by the Local Planning Authority on 21 February 2007.

MAIN AGENDA

3. Full details of the proposed planting shall be submitted to and approved in writing by the Local Planning Authority prior to development commencing. The planting shall be carried out strictly in accordance with the approved details and shall be so maintained thereafter.

Reasons for decisions:-

In compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.

For the avoidance of doubt.

To safeguard the amenities of the locality.

Reason for decision:-

An acceptable form of development in association with this existing employment use in accordance with Policy EMP 4 of the adopted Copeland Local Plan 2001-2016.

7 4/07/2017/0

FLAT AND GARAGE
ROTHERSYKE COTTAGE BARN, THORNHILL, EGREMONT,
CUMBRIA.
MR J S ROBINSON

Parish Lowside Quarter

-No objections.

Full planning permission is sought to erect a large detached garage block with an integral one bedroomed flat at Rothertsyke. One of the adjacent barns has already been converted into a dwelling with approval obtained for a further dwelling in the remaining section (4/88/0897 and 4/05/2231/0F2 refer). There is also a separate dwelling, formerly the farmhouse, (Merry Hill House) which is linked to these buildings.

Members agreed to visit the site at the last meeting in order to fully appraise all the material planning issues the application raises. This took place on 21 February 2007.

This proposal is associated with an application to convert the remaining detached barn at the front of this group to a three

MAIN AGENDA

bedroomed dwelling (item 4/07/2010/0F1 on this agenda refers).

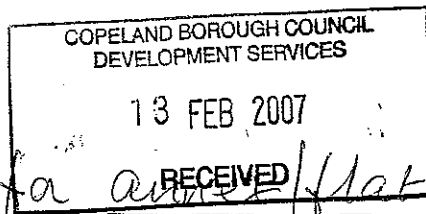
The single storey building would measure just under 12m in length, 6.25m in width and some 3.4m in height to the apex of the pitched roof. Proposed external finishes include wet dash rendered walls under a pitched tiled roof. It would be sited alongside the eastern boundary with the neighbouring property, Merry Hill House.

The garaging element is required to house three cars, two of which the applicants already have and a third they are expecting for their daughter. A special needs case has been put forward by the applicants for the flat. It is intended for their 23 year old son who has a disability, as explained in the appended letter, which is also supported by a doctor's letter.

Objections have been received from an immediate neighbour whose concerns are set out in the appended letter. I would offer the following comments on the relevant issues raised:-

1. The fact the barn is not of a suitable size to accommodate the applicant's family needs is no justification for the erection of a large building. This is noted but is a matter of choice for the applicant.
2. Visual intrusion impact. The location of such a large building immediately adjacent to the objector's boundary and the siting of overlooking windows from the flat would have a considerable affect/impact on the amenity currently afforded to his property.
3. Affect on house values and saleability are not relevant planning considerations.
4. Size and external finishes proposed are contrary to Policy ENV 6 of the adopted Copeland Local Plan 2001-2016. The site is within an area of special landscape importance and as such is protected from inappropriate development.
5. Consider the single detached garage originally approved as part of the initial conversion scheme for the barn could house the flat or that it could be contained within the barn. This is not part of the current proposal.
6. Could not ascertain from the submitted drawings how far the flat/garage is proposed from his boundary. The drawings are to scale and indicate that there is a separation distance of some 0.5m from the rear of the building to his boundary.

The site is outside any settlement boundary as identified in the adopted Copeland Local Plan 2001-2016. From a planning point of view, therefore, the key issue in this instance is whether there is a sufficient need case demonstrated for a new dwelling in what is essentially an isolated countryside location.



Westwind
Thornhill
Gerrant
Ainslie
Crossed.

Re: application for annex/flat
for renovation next to barn.

We have applied for Planning Permission for an Annex/flat for the purpose of our disabled son being able to continue living with us. He is 23 yrs old and was born with a disability called Cerebral Palsy.

This is a disability that in some cases an individual can be confined to a wheelchair.

This disability stems from the brain, as in childbirth my son was starved of oxygen for a period of time which has killed off some red blood cells to the right side of his brain which works the left side of his body, which now means he has paralysis down the left side, and restricts his motor functions. Because of this he suffers from bad eyesight, a speech impediment, has minimal use in his left hand, walks with a limp, and since a toddler, he has had to wear foot, leg, hip, and hand splints.

to strengthen his joints. He has undergone two major operations to correct his foot as it turns in, and basically he has limited strength and movement on his left side, which restricts him from doing anything needing manual strength.

We have applied for the annex for him as we feel because of his disability he needs help as much as possible and unfortunately the room we are converting is small, yet feel he needs his independence without moving away from us as he finds everyday living quite a task.

There would be no cooking facilities in the annex because of his weakness in his joints we feel this would not be appropriate for him to struggle with cooking hot food in case of accidents. We do have another child of ours living with us as well.

The main reason we are applying for an annex is that progressively his disability will get worse, at the moment he can get up and down stairs but this will not always be the case. We need to make life a little easier for him.

3.

There is no room even on the ground floor of the Barn to make a room for him as we have a kitchen, Hallway, and living room.

We need our Son to be close to us to ensure he has Safety, yet he needs his independence and benefits from our help.

He doesn't wish to leave home because of this and Peace of Mind is of the utmost importance to us as parents of a disabled Son. He can be quite forgetful Sometimes as he finds it hard to Concentrate hence the reason for no Cooking facilities.

As you are aware we have already sent you out a Doctors letter explaining his disability and he has assured us there should not be a problem because of this.

Yours Faithfully

S.S. Fadd

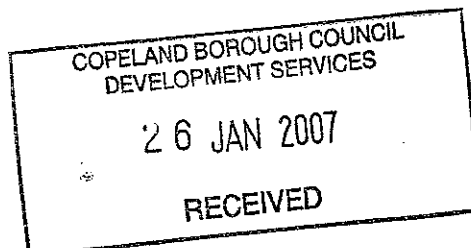
e.f. Fadd.

HM

Merry Hill House
Rothersyke
Egremont
Cumbria
CA22 2US

Mr. J A Pomfret
Development Services Manager
Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
Cumbria
CA28 7SJ

Your ref 4/2007/2017



25 January 2007

Dear Mr. Pomfret

Re: Planning Application for Flat and Garage at Rothersyke Cottage Barn

Thank you for your letter of 22 January 2007, reference as above, noting my comments on the planning application for the development of a flat and two garages at Rothersyke Cottage Barn.

I am writing to inform you that I wish to address the Planning Panel with respect to the objections I have to the proposals in the above planning application. The points I wish to raise are as follows:

1. In supporting his planning application the applicant makes reference to the limited space available to make provision for his son. I would point out the applicant has only recently purchased this property and was fully aware of the size and arrangement of the currently approved development. I would argue that poor selection of a suitable property to meet his needs is no justification to erect a large additional building, 12m long and 4m high, on my boundary to the detriment of my property and the amenity I and my family currently enjoy.
2. I strongly object to the erection of the proposed flat and garage. This building is 12m long and at least 4m high and is proposed to be sited against my boundary running three quarters the length of my garden. Such a large structure adjacent to my boundary would impose a claustrophobic feeling and destroy the open aspect I currently enjoy. Further the building would be extremely visually intrusive from both my house and garden and cast long shadows over my garden. This building therefore would significantly reduce the amenity and enjoyment of my house and garden.

Further, the windows in the east elevation of the flat look directly into my garden, reducing the privacy for me and my family when relaxing in the garden.

3. The location of the proposed flat and double garage forward of the cottage means that I would have buildings running most of the length of my garden. The impact of such a large structure against my boundary adversely affects the future saleability of my

house and consequently adversely affects its value.

4. The size and location of the proposed flat and double garage is forward of the building line of the cottage and is not consistent with the rural nature of the area. This is contrary to the ENV 6 status for this area. I note that the original planning approval (4/05/2231/0) was sympathetic to the rural nature of the area by maintaining the development behind the building line of the cottage barn so retaining the natural appearance of the development as viewed from the road.
5. The size of the proposed flat is less than one third of the proposed new building. The other two thirds is to provide two garages for the benefit of the owners. The original planning approval (4/05/2231/0) was for a single garage in line with the cottage. The location and footprint of this garage as originally approved could easily be used to accommodate the proposed flat without the need for the proposed new structure. The impact of the location of the single garage on the nearby farmhouse (owned by his brother-in-law) was presumably considered as part of the original planning approval. I would note that the rooms in the farmhouse with windows in the gable end also have windows in other elevations and so are not solely dependent on the gable end windows for light.
6. The original approved plans (4/05/2231/0) show all outward facing elevations to be sandstone in keeping with the rural nature and landscape of the area. These new proposals show these now to be a wet dash render. I consider this to be contrary to ENV 6 and would request that all outward facing elevations in any approved plans are in sandstone consistent with the original approved plans.
7. Roofing materials are indicated on page 2 of the Planning Application to be tiles. This is not consistent with item 5 of the original planning approval (4/05/2231/0) which requires all dwellings and garages to be roofed in local slate, the material to be approved in writing by the Local Planning Authority. To be consistent with the other developments at Rothersyke Farm these proposals should also include slate roofs to all buildings.
8. I moved to Merry Hill House to obtain an open aspect and space in a rural environment to get away from being closed in by buildings and to expand my enjoyment of gardening. This proposed development would significantly degrade the quality of life I and my family currently enjoy by again closing us in with large buildings. This is a significant loss of amenity for me and my family and is detrimental to the saleability and value of my property.

I would note that the above points do not address all the points I raised in my letter of 16 January 2007, particularly those with respect to incomplete or inaccurate information presented on the plans. I would expect such points to have been addressed prior to submission of the planning application for consideration by the Planning Panel. For that reason I have already requested in my earlier letter copies of the corrected drawings prior to

submission of the planning application for consideration by the Planning Panel so that I can confirm they are in receipt of accurate information.

Yours sincerely

A handwritten signature in black ink that reads "S. J. Whittaker". The signature is written in a cursive style with a large initial 'S'.

S J Whittaker

2973

Merry Hill House
Rothersyke
Egremont
Cumbria
CA22 2US

Mr. T Pomfret
Development Services Manager
Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
Cumbria
CA28 7SJ

COPELAND BOROUGH COUNCIL
DEVELOPMENT SERVICES
17 JAN 2007
RECEIVED

Your ref 4/07/2017/0*001*1

16 January 2007

Dear Mr. Pomfret

Re: Planning Application for Flat and Garage at Rothersyke Cottage Barn

In response to your letter of 11 January 2007, reference as above, regarding the planning application for the development of a flat and garage at Rothersyke Cottage Barn. I have the following objections and comments on the proposals:

1. I strongly object to the erection of the proposed flat and garage. This building is 12m long and is proposed to be sited against my boundary running three quarters the length of my garden. The height of the building is not stated but I would estimate this would be at least 4m. Such a large structure adjacent to my boundary would impose a claustrophobic feeling and destroy the open aspect I currently enjoy. Further the building would be extremely visually intrusive and cast long shadows over my garden. This would have a significant impact on what I could grow in my garden and intrude on the views in and around my garden. The building would also be visually intrusive on the views from my house. This building therefore would significantly reduce the amenity and enjoyment of my house and garden.

Further, the windows in the east elevation of the flat look directly into my garden, reducing the privacy for me and my family when relaxing in the garden.

The impact of such a large structure against my boundary adversely affects the future saleability of my house and consequently adversely affects its value.

Additionally, the size and location of this building is forward of the building line of the barn and is not consistent with the rural nature of the area. This is contrary to the ENV 6 status for this area. I note that the original planning approval (4/05/2231/0) was sympathetic to the rural nature of the area by maintaining the development behind the building line of the cottage barn so retaining the natural appearance of the development as viewed from the road.

45
TR

2. Although the desire on the part of the applicants to provide private accommodation for their son is laudable, it should not be to the detriment of adjoining properties as would be the case in this instance. I suggest that the applicants could, with some reconsideration of the room arrangements, provide adequate private accommodation within the cottage. Thus they could achieve their objective with no requirement to move the garage from its currently approved location alongside the Barn

I further note that the size of the proposed flat is less than one third of the proposed new building. The other two thirds is to provide two garages for the benefit of the owners. The original planning approval (4/05/2231/0) was for a single garage in line with the cottage. The location and footprint of this garage as originally approved could easily be used to accommodate the proposed flat without the need for the proposed new structure. The impact of the location of the single garage on the nearby farmhouse was presumably considered as part of the original planning approval. Thus there should be no need to relocate the garage simply because of its effect on light to the farmhouse. I would also note that the rooms in the farmhouse with windows in the gable end also have windows in other elevations and so are not solely dependent on the gable end windows for light.

3. The original approved plans showed all outward facing elevations to be sandstone in keeping with the rural nature and landscape of the area. These new proposals show these now to be a wet dash render. I consider this to be contrary to ENV 6 and would request that all outward facing elevations are in sandstone consistent with the original approved plans.
4. Roofing materials are indicated on page 2 of the Planning Application to be tiles. This is not consistent with item 5 of the original planning approval (4/05/2231/0) which requires all dwellings and garages to be roofed in local slate, the material to be approved in writing by the Local Planning Authority. To be consistent with the other developments at Rothersyke Farm these proposals should also include slate roofs to all buildings.
5. The location of the septic tank drainage soakaway may have an adverse effect on drainage from the road, which is already liable to flooding during heavy rain. Any further water burden in the ground alongside the road may only exacerbate the situation.
6. The plans submitted are incorrect. Merry Hill House is not explicitly identified as an adjoining residential dwelling and my garden is shown as field 3745, see annotated drawing roth/locplan/001 attached. The distance of the proposed flat and garages from my boundary is not stated, although the drawing indicates it is virtually on my boundary. This distance needs to be stated. The Site plan, showing the arrangement of the buildings, and drawing roth/plan/004 Rev A should explicitly indicate the boundary with Merry Hill House, see annotated drawings, roth/plan/004 and Site Plan attached. Drawing roth/plan/003 Rev A needs to include the height for the proposed

garage and flat.

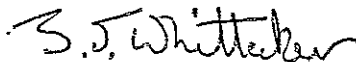
7. I moved to Merry Hill House to obtain an open aspect and space in a rural environment to get away from being closed in by buildings and to expand my enjoyment of gardening. This proposed development significantly degrades the quality of life I and my family currently enjoy by again closing us in with large buildings. This is a significant loss of amenity for me and my family.

Given that the information presented on the plans provided is either incomplete or inaccurate please will you provide me with corrected drawings prior to submission of the planning application for consideration by the Planning Panel so that I can confirm they are in receipt of accurate information.

Please confirm there will a site visit prior to consideration of this proposal by the Planning Panel.

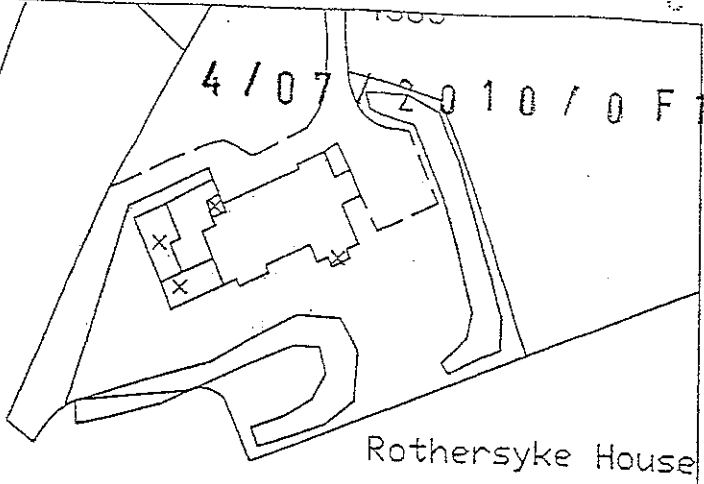
Please provide a written response to this letter.

Yours sincerely

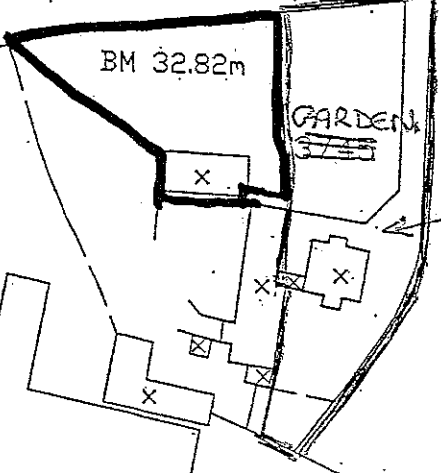
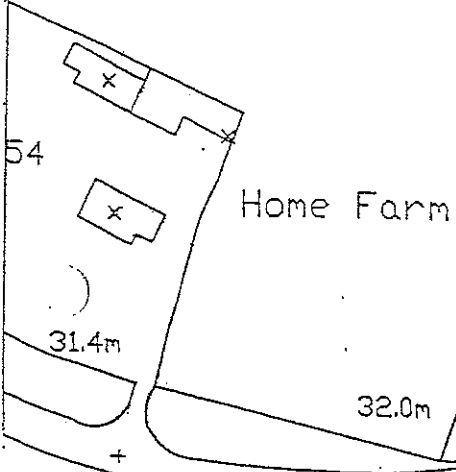


S J Whittaker

4/07/2010/0F



COPELAND BOROUGH COUNCIL
 - 3 JAN 2007
 RECEIVED



BARN CONVERSION AT ROTHERSYKE FARM, THORNHILL, EGREMONT, CUMBRIA

CARE OF AGENT

LOCATION PLAN

| DRAWN BY | DATE | SCALE |
|----------|----------|--------|
| MH | DEC 2006 | 1:1250 |

| DWG NO. | REV | REF |
|---------|-----|------------------|
| 001 | A | roth/locplan/001 |

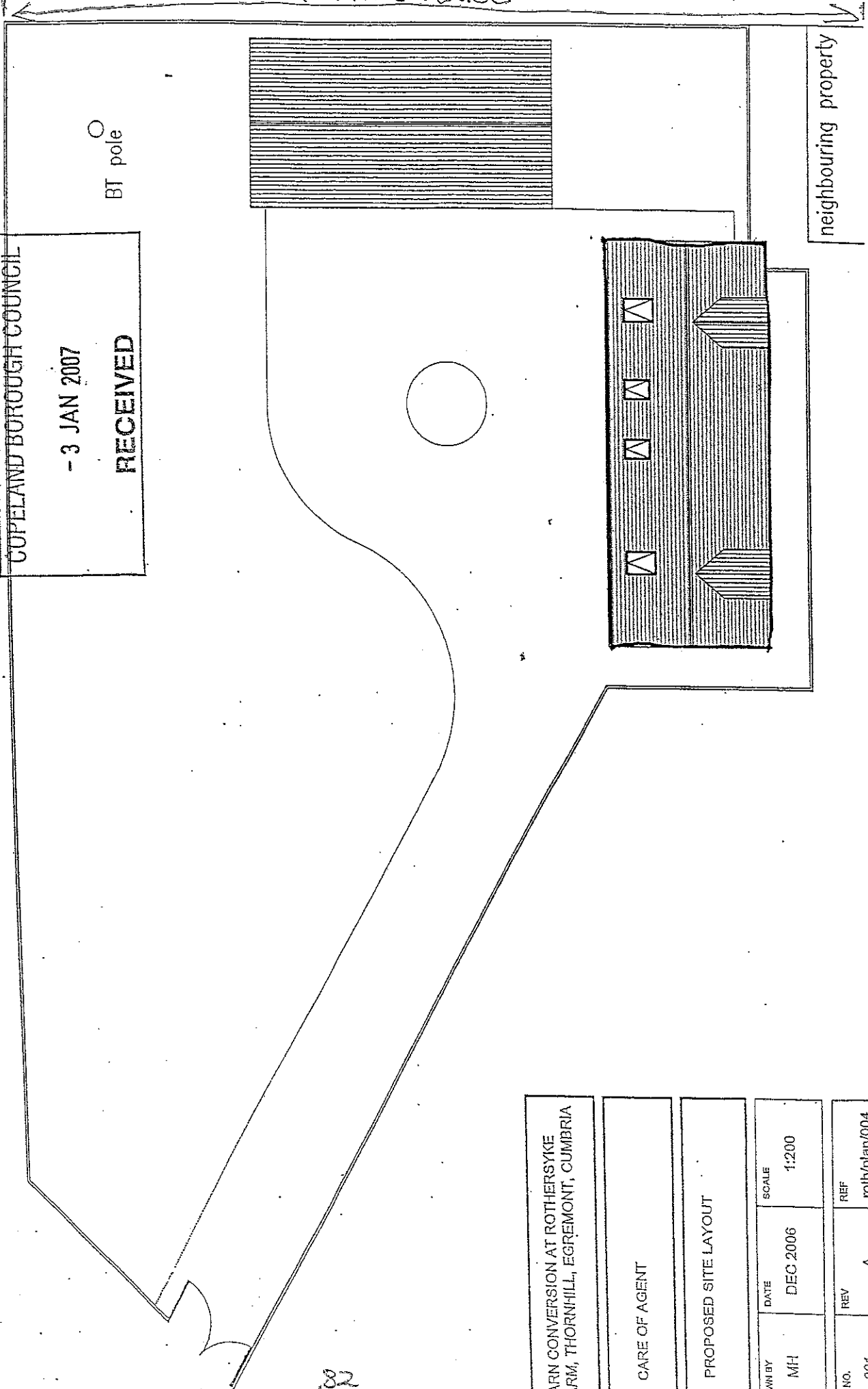
107/2010/0FV

COPELAND BOROUGH COUNCIL
- 3 JAN 2007
RECEIVED

BT pole

MERAY HILL HOUSE

neighbouring property



100
52

| | | | |
|---|------------------|----------------------|--|
| ARN CONVERSION AT ROTHERSYKE ARM, THORNHILL, EGREMONT, CUMBRIA | | | |
| CARE OF AGENT | | | |
| PROPOSED SITE LAYOUT | | | |
| AWN BY MH | DATE DEC 2006 | SCALE 1:200 | |
| G NO. 001 | REV A | REF roth/plan/004 | |

MAIN AGENDA

In my opinion, the case put forward does not outweigh the strong planning policy presumption against further new dwellings being built in the countryside.

Recommendation

Refuse

In the absence of a demonstrable site specific need for a residential flat in this location, the proposal constitutes non-essential development in the countryside which would adversely affect the amenity interests of neighbouring residents contrary to Policy HSG 5 of the adopted Copeland Local Plan 2001-2016.

8 4/07/2020/0

ADDITIONAL DWELLING UNIT IN STABLE CONVERSION
DUDDON BRIDGE FARM, DUDDON BRIDGE, MILLOM,
CUMBRIA.
G & J DEVELOPMENTS LTD.

Parish Millom Without

- See attached comments.

Planning permission is sought for an additional dwelling unit by way of a stable conversion at Duddon Bridge Farm, Duddon Bridge, Millom.

In August 2003 planning permission was granted to convert this stable building and nearby redundant barn into five dwellings (4/03/0620/0 refers). The site adjoins a narrow section of the detrunked A595 through Duddon Bridge. In order to make this application acceptable the planning permission required the stopping up of three sub-standard accesses onto the A595. A new access and track to the south of the site was included in the scheme.

The access and track have now been constructed. As referred to in the letter from the Parish Council, two streetlights have been sited at the entrance without the benefit of planning permission and this matter will be pursued with the landowner.

Planning permission was then granted in April 2005 for an additional unit in the barn to be converted (4/05/2076.0 refers).

This application seeks to amend this scheme again by providing an additional unit in the stable block which would then contain four

MAIN AGENDA

dwellings. This change would see garage and carport space relocated out of the main stable block into new garage units located adjacent to the conversion, all within the existing site boundary. The proposed garages would be finished in wet dash with a slate roof.

In response to the other issues raised by the Parish Council, the water will still be from mains supply and the conditions imposed on previous consents have addressed the access and road safety issues. These conditions can again be included with any consent given for this application.

The proposal is considered to comply with Policy HSG 17 of the adopted Copeland Local Plan 2001-2016. Mindful of the previous consent, this additional unit is not considered to cause a significant increase in the number of dwellings in the countryside.

Recommendation

Approve (commence within 3 years)

2. The new access to the south of the site shall be the sole means of access to the site for construction traffic.
3. The three existing accesses from the farm onto the A595 trunk road shall be permanently stopped-up to the satisfaction of the Local Planning Authority before any dwelling is occupied.
4. All roof covering shall be natural slate.
5. Notwithstanding the submitted plans, before development commences full details of a comprehensive landscaping scheme, including full details of any trees on site to be felled or lopped (including those within the visibility splay) and suitable replacement planting, shall be submitted to and approved in writing by the Local Planning Authority. This landscaping scheme shall be implemented in the first planting season after development is commenced.
6. If within a period of 5 years from the date of the planting of any tree/shrub that tree/shrub is removed, uprooted, destroyed or dies, another tree/shrub shall be planted at the same place unless the Local Planning Authority gives its consent to any variation.
7. Development shall not be commenced until a scheme for the disposal of foul sewage has been submitted to and approved in writing by the Local Planning Authority. Any such scheme shall include the location and specification for the proposed treatment works.

MILLOM WITHOUT PARISH COUNCIL

Clerk: Mrs C Jopson
Email: CathHestham@aol.com
Tel/Fax: 01229/772525

Hestham Hall Farm
Millom, Cumbria
LA18 5LJ

Mr S Blacker
Planning Officer
The Copeland Centre
Catherine Street
Whitehaven, Cumbria
CA28 7SJ

20 February 2007

Dear Mr Blacker

**4/07/2020/0F1 – ADDITIONAL DWELLING UNIT IN STABLE CONVERSION
DUDDON BRIDGE FARM – G & J DEVELOPMENTS LTD, 50-54 BERRY
LANE, LONGRIDGE, PRESTON, PR3 3JP**

On behalf of the Parish Council I write to inform you that objections have been raised in relation to the above planning application.

The Parish Council objected to the original application for five dwelling houses on the grounds set out in my letter sent in 2006. A copy is enclosed. The Council considered that development on such a scale, in countryside of great natural beauty and adjacent to the National Park, was inappropriate.

I have written to you on two occasions pointing out that the sodium lighting presently used at this location is unsuitable giving the development the characteristics of an urban estate.

When the original application was made I believe it was intended that mains water should be provided. If this has not been done and only a private water supply is available, investigation should be made as to its adequacy and its effect on other water users.

One of the Council's main concerns has been the serious traffic problems caused by the nature of the road on each side of the proposed development. On the one side there is a narrow bridge with traffic lights and on the other side dangerous bends at the foot of a long and fast descent. There have been several accidents in this region, the most recent, I am informed, being on the 19th of this month.

The Council take the view that no extension of the present permitted development should be allowed until the road problem, due to increasing traffic and quarry vehicles has been resolved.

The Council opposes the present application. If, however, it is granted it is requested that conditions be imposed taking into account the matters raised above.

Yours sincerely

Mrs Cath Jopson
Clerk to Millom Without Parish Council

MAIN AGENDA

- 8. Notwithstanding Part 1 and Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 no building, extension, structure, fence, wall or gate or other means of enclosure shall be erected within the curtilage of the site without the prior written consent of the Local Planning Authority.

Reasons for conditions:-

In compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.

In the interests of highway safety.

To safeguard the amenities of the locality.

To protect natural features and improve the appearance of the development.

To safeguard a satisfactory drainage scheme.

To protect existing natural features and improve the appearance of the development.

Reason for decision:-

An acceptable conversion of a rural building to residential use in accordance with Policy HSG 17 of the adopted Copeland Local Plan 2001-2016.

9 4/07/2026/0

EIGHT GARAGES
MILL YARD, DISTINGTON, CUMBRIA.
MR J HARTLEY

Parish Distington

- No comments received.

Planning permission is sought for the erection of eight garages on this site fronting the A595 Trunk Road at Distington.

The site is currently occupied by five garages, four of which have recently been replaced and form part of this application. The site is accessed off the A595 and along a private lane serving existing properties at Mill Yard.

MAIN AGENDA

The garages measuring 2.7m in width by 6.0m in length are constructed out of green corrugated steel and are to be utilised by the local community of Distington.

A single letter of objection has been received from a neighbouring property owner. The grounds for objection can be summarised as follows:-

1. The original 5 garages were mostly rented to residents of Mill Yard, but now none of them are which is creating a lot of extra traffic in a place where access is limited and space is very restricted.
2. There is no room for another four vehicles to be coming and going.
3. Some of the garages seem to be used by local businesses for storage and there are transit vans loading and unloading at all times.
4. This is designated green belt land which is not supposed to be built on.
5. Commercial use is not appropriate.

In response to the objections raised regarding the potential commercial use, written confirmation has been received from the applicant stating that the garages are for the housing of domestic cars by the local community.

In my opinion the proposal is considered to comply with Policy DEV 7 of the adopted Copeland Local Plan 2001-2016 and, subject to a condition restricting use for the garaging of private vehicles only, is favourably recommended accordingly.

Recommendation

Approve (commence within 3 years)

2. The garages hereby permitted shall be used for the garaging of private vehicles only and for no commercial use whatsoever.

Reasons for conditions:-

In compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.

To ensure that non conforming uses are not introduced into the area.

MAIN AGENDA

Reason for decision:-

An acceptable form of development on this existing garage site in accordance with Policy DEV 7 of the adopted Copeland Local Plan 2001-2016.

10 4/07/2037/0

SINGLE STOREY EXENSIONS TO DWELLING
86, VALLEY PARK, WHITEHAVEN, CUMBRIA.
MR & MRS J McLAUGHLIN

Parish Whitehaven

Planning permission is sought to erect two single storey extensions to the front and rear of this detached bungalow situated within the residential estate of Valley Park, Whitehaven.

Measuring 4.3m x 4.1m the rear extension will be sited between 0.6m and 0.2m from the adjoining boundary to the west. The front extensions measuring 3.7m in width will project 1.48m beyond the existing house frontage.

Internally, the extensions would create additional living room accommodation to the front and an enlarged bedroom with en-suite bathroom at the rear.

Proposed external finishes comprise buff block work, dry dash render and concrete roof tiles, all of which match the existing property.

No objections have been received in response to statutory consultation procedures.

A single letter of objection has been received from the adjoining property owner to the west. The grounds for objection can be summarised as follows:-

1. The rear extension will be extremely close to the objector's boundary wall.
2. The extension will block light into the objector's bedroom and bathroom which has a small window not affording much natural light at present.
3. Concerned regarding drainage to the rear of the objector's property as building work in the past resulted in the garden

MAIN AGENDA

flooding.

4. The front extension will be problematic to what is already a congested road area. The objector already has difficulty reversing due to cars parked on the roadway.

Policy HSG 20 of the adopted Copeland Local Plan 2001-2016 supports proposals for the extension and alteration of existing properties. This is subject to criteria to ensure they would not lead to a significant reduction in daylighting available to either the parent property or adjacent dwellings.

In my opinion the proposed domestic extensions represent an acceptable form of development in compliance with Policy HSG 20. Any impact of the development on the neighbouring property would not be so significant as to warrant refusal of planning permission.

Recommendation

Approve (commence within 3 years)

Reason for conditions:-

In compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.

Reason for decision

Acceptable extensions to this existing residential property in accordance with Policy HSG 20 of the adopted Copeland Local Plan 2001-2016.

11 4/07/2040/0

CHANGE OF USE FROM ESTATE AGENTS OFFICE TO TAXI
OFFICE
73, MAIN STREET, EGREMONT, CUMBRIA.
MR W IRELAND

MAIN AGENDA

Parish

Egremont

- No comments received.

Planning permission is sought for the change of use from an estate agents office to a taxi office at 73 Main Street, Egremont.

The building is located to the northern end of Main Street, adjacent to the entrance to Wyndham School. The south side of the property joins into the line of business uses along Main Street and there are residential properties above the office.

No proposed elevational drawings have been submitted at this point, so should the application be granted a condition would be included to retain control over any external changes as the property is within the Egremont Conservation Area. Currently the property is vacant.

Two letters of objection have been received, one from a nearby shop owner and the other from local residents on Main Street and Wyndham Way, which is to the rear of the application site. Their main concerns can be summarised as:-

1. Parking and traffic congestion on Main Street is difficult without additional taxis.
2. The proposal will devalue properties.
3. The taxi office will potentially cause disruption to local residents.

In response to these concerns it is considered that there is sufficient parking provision on Main Street. Cumbria Highways have raised no objections to the proposal. The value of properties is not a material planning consideration and the building is already a commercial property located within the Town Centre of Egremont.

Policy TCN 5 of the adopted Copeland Local Plan 2001-2016 states that proposals for retail and service development within Cleator Moor, Egremont and Millom will be permitted. The Policy recognises that there is a need to encourage business uses within these areas to safeguard their future as viable centres. As such, the proposal is viewed as compliant with Policy TCN 5 and is therefore recommended for approval.

Recommendation

Approve (commence within 3 years)

2. Detailed plans of any proposed external alterations to the premises shall be submitted to and approved in writing by the Local Planning Authority before such development is commenced.

MAIN AGENDA

Reasons for conditions:-

In compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.

To retain control over the appearance of the building in the interests of amenity.

Reason for decision:-

An acceptable re-use of a commercial unit within the Town Centre of Egremont in accordance with Policy TCN 5 of the adopted Copeland Local Plan 2001-2016.

12 4/07/2043/0

REPAIR/RENOVATION TO EXISTING BUILDING TO PROVIDE
BATHROOMS, KITCHEN AND LIVING AREA
STRANDS HOUSE, THE GREEN, MILLOM, CUMBRIA.
MR J A STREET

Parish Millom Without

- No comments received.

Planning permission is sought for the repair/renovation of an existing building to provide bathrooms, kitchen and living area at Strands House, The Green, Millom.

The existing outbuilding consists of a small cottage and a former cobblers shop which appear to have been in a state of disrepair for some period of time. The proposal is to renovate/extend these so they would provide two additional bedrooms, a living room, kitchen and two bathrooms.

While currently detached from Stands House this proposal would see the properties joined, but only through the ground floor. Due to the difference in floor height of the existing building it would not be possible to join through the first floors. There would be the inclusion of a first floor to the former shop which is currently single storey and the addition of habitable room windows to the front elevation of this.

Two letters of objection have been received from residents of properties facing the proposed conversion. They raise concerns regarding potential overlooking and loss of privacy. A flood risk

MAIN AGENDA

assessment is also awaited from the applicant as the property is bordered by Black Beck to the rear.

In order to fully assess the material planning considerations raised by this proposal a site visit is recommended before a decision on the application is reached.

Recommendation

Site Visit

13 4/07/2049/0

BALCONY EXTENSION TO REAR DORMER (RETROSPECTIVE)
16, ARLECDON ROAD, ARLECDON, FRIZINGTON, CUMBRIA.
T DEMPSEY

Parish Arlecdon and Frizington

- The Parish Council objects on the grounds that this structure is too large for the size of the terraced house. The development will be intrusive on the privacy of fellow neighbours living along the row of terraced houses. The next door neighbour at 15 Arlecdon Road has suffered structural damage caused during construction work being done at No. 16 Arlecdon Road. The Parish Council is now concerned for the structural safety of the rest of the terrace and that construction work has already started without planning permission. The Parish Council request a site visit so that the planning committee can judge the suitability of such a structure on this type of property.

Planning permission is sought in retrospect for the erection of a balcony to the rear dormer extension of this mid terraced property on Arlecdon Road. The dormer extension itself has been constructed under Permitted Development Rights.

The balcony, measuring 1.4m by 3.4m wide, has a 1.1m high powder coated steel handrail with opaque glazing panels. Access is gained from the dormer extension via patio-style doors.

To the rear of this terrace are private gardens serving each property and beyond this is open countryside.

Three letters have been received from neighbouring property owners. Whilst one confirms they have no objections to the proposal the other two object on the following grounds:-

MAIN AGENDA

1. The application for the development was not made before the construction work was carried out. The objectors assume this may be a ploy to sway the Council to look at the application more favourably as a considerable amount of money has been spent.
2. The development is not in keeping with the terraced houses and the local area.
3. The size of the balcony stands the full width of the house.
4. The development greatly affects the objectors' privacy by its use as an elevated viewing platform.
5. It has taken all privacy away from residents living along this row.

A letter has also been received from a Ward Councillor who requests that the Planning Panel carry out a site visit before determining the application. A copy of this letter is appended to this report.

Policy HSG 20 of the adopted Copeland Local Plan 2001-2016 supports domestic extensions, subject to criteria. In particular, criterion 1 requires that the scale, design and choice of materials involved respect the character of the parent property. Furthermore, criterion 3 requires that extensions should not create potential noise nuisance, security or privacy or overlooking problems for residents of either the parent property or adjacent dwellings.

In my opinion the balcony as constructed in this elevated and prominent position fails to satisfy both criteria and, as such, is at variance with Policy HSG 20.

Given the retrospective nature of the application, if Members are minded to support the recommendation to refuse planning permission authorisation to proceed with enforcement action is also sought to secure removal of the unauthorised structure.

Recommendation

Refuse

By virtue of its scale, siting and materials the balcony as constructed is incongruous in its setting and entirely out of keeping with the character and appearance of the traditional terrace of houses of which the subject property forms part. The development is, therefore, at variance with Policy HSG 20 of the adopted Copeland Local Plan 2001-2016.

Copeland Borough Council
The Copeland Centre,
Catherine Street, Whitehaven,
Cumbria CA28 7SJ
Switchboard: (0845) 054 8600
Central Fax: (01946) 59 83 11
Website: www.copeland.gov.uk



7 Murton Park
Arlecdon
Frizington
CA26 3UT

Ref: 4/2007/2049

J A Pomfret
Development Services Manager
Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
CA28 7SJ

15 February 2007

Dear Sir

Balcony Extension to Rear Dormer (Retrospective) – 16 Arlecdon Road, Arlecdon

I write with regard to the above planning application in my capacity as Ward Councillor following representations made to myself by concerned local residents.

Initially I was approached some months ago once it became obvious that development of some sort was being undertaken on the rear roof of the subject property. When it became evident that development was somewhat more than just a 'Velux' type window and may indeed be some sort of dormer window, or more substantial construction, enquiries were made by both myself and concerned local residents.

The prime consideration was whether the development required permission and ultimately a letter was issued from the Planning Department confirming that the development was indeed within the scope of permitted development and therefore planning permission was not required.

I consider that it is essential to demonstrate beyond doubt exactly what stage the development had reached when that determination was given. By implication of this retrospective application the balcony element was not present at that time.

In view of the previous concern generated by the development, I wish to formally request that the Planning Panel conduct a site visit in order to fully assess all the planning issues which are relevant to this application. Taking account of the representations which have been made to myself, and also recognising my own knowledge of the locality I would suggest these planning issues include the following points:-

Direct Dial:

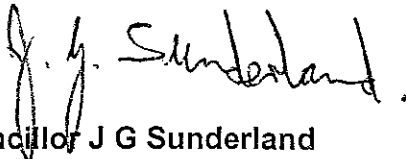
95



1. The size and scale of the development
2. The character and appearance of the development, both in itself and in relation to existing properties
3. Whether the style and design of the development is appropriate in this location
4. The extent and degree of any overlooking of neighbouring land or property which results in loss of privacy,

I would be grateful if the content of this letter would be placed before Members of the Planning Panel.

Yours sincerely

A handwritten signature in black ink, appearing to read "J. G. Sunderland". The signature is written in a cursive style with a large initial "J" and "S".

Councillor J G Sunderland
Ward Councillor – Arlecdon Ward

MAIN AGENDA

14 4/07/2052/0

LISTED BUILDING CONSENT FOR ALTERATIONS
ASSOCIATED WITH CHANGE OF USE FROM BANK TO
RESTAURANT
66, LOWTHER STREET, WHITEHAVEN, CUMBRIA.
MR R MOGHADAM & MS D LITWIN

Parish Whitehaven

Concurrent with the following item on this agenda for the change of use of the former Clydesdale Bank on Lowther Street to a restaurant (4/07/2054/0F1 refers), this application seeks Listed Building Consent for the associated alterations.

Internal alterations comprise the removal of partition walls and modern furniture and carpeting utilised by the former bank. Original features such as the substantial staircase, timber block flooring and an impressive safe door will be cleaned and made good.

External alterations include the creation of a new disabled ramp in matching stone in addition to restaurant signage which is being considered as part of a separate Advertisement Consent application (4/07/2055/0A1 refers).

Policy ENV 30 of the adopted Copeland Local Plan 2001-2016 states that Listed Building Consent will not be granted for alterations or extensions which do not respect the architectural or historic character of the building.

In my opinion the proposed change of use and associated alterations both respect and enhance the architecture and historic character of this Grade II Listed Building in accordance with Policy ENV 30.

Recommendation

Approve Listed Building Consent

Reason for condition:-

In compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.

Reason for decision:-

Acceptable alterations to this Grade II Listed Building in accordance with Policy ENV 30 of the adopted Copeland Local Plan 2001-2016.

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15 4/07/2054/0

CHANGE OF USE FROM BANK TO RESTAURANT
66, LOWTHER STREET, WHITEHAVEN, CUMBRIA.
MR R MOGHADAM & MS D LITWIN

Parish Whitehaven

In December 2006 an application to change this Grade II Listed Building from a bank to a restaurant was withdrawn following insufficient information (4/06/2787/0F1 refers).

This detailed application once again seeks consent to change the use of the former Clydesdale Bank on Lowther Street to a restaurant.

Internally, the main dining area and bar facilities will be found at ground floor level in addition to an accessible toilet. Kitchen, washroom and toilet facilities will be provided for at first floor level. Alterations will consist mainly of the removal of partition walls and modern commercial furniture and carpeting utilised by the former bank. Original features such as the substantial staircase, timber block flooring and an impressive safe door will be cleaned and made good.

Externally, a new disabled access ramp in matching stone will be constructed in addition to restaurant signage which is being considered as part of a separate Advertisement Consent application (4/07/2055/0A1 refers).

A customer car parking area is provided for within the yard to the rear of the property.

In response to statutory consultation procedures the Council's Environmental Health department have requested a condition be attached to any subsequent approval requiring a scheme for extraction of cooking fumes and ventilation of the premises to be submitted for approval.

Policy TCN 2 of the adopted Copeland Local Plan 2001-2016 permits the use of food and drink outlets within Whitehaven Town Centre subject to other policies in the Plan and provided that non-retail proposals are not detrimental to the main shopping function of the town centre.

In my opinion the proposal represents an acceptable alternative use for this impressive Listed Building that has been vacant for over twelve months.

Recommendation

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Approve (commence within 3 years)

- 2. The use hereby permitted shall not commence until a scheme for the extraction of fumes and cooking odours has been submitted to and approved in writing by the Local Planning Authority. The system shall be installed in accordance with the approved details before the use commences and shall subsequently be operated and maintained at all times in accordance with the manufacturer's instructions.

Reasons for conditions:-

In compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.

To minimise the risk of nuisance to neighbouring properties.

Reason for decision:-

An acceptable Town Centre use for this vacant Grade II Listed Building in accordance with Policies TCN 2 and ENV 30 of the adopted Copeland Local Plan 2001-2016.

16 4/07/2065/0

CONSERVATION AREA CONSENT TO DEMOLISH COMMERCIAL PREMISES
31, MAIN STREET, EGREMONT, CUMBRIA.
FISTIC LTD.

Parish Egremont

- No comments received.

Conservation Area consent for the demolition of this existing building in conjunction with the site redevelopment was refused in August 2006 (4/06/2466/0C1 refers). The reason for refusal was as follows:-

"Demolition of the building would be premature as the concurrent proposal for site redevelopment is considered unacceptable in terms of its design and choice of materials and therefore at variance with Policy ENV 25 of the adopted Copeland Local Plan 2001-2016 and advice provided in Planning Policy Guidance Note 15 "Planning and the Historic Environment".

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Concurrent with the following item on this agenda for the redevelopment of an end terraced property at 31 Main Street, Egremont (4/07/2066/0F1 refers) this application seeks Conservation Area Consent to demolish the existing building.

Following extensive fire damage this vacant building, previously occupied by an insurance company, is in a poor state of repair.

Policy ENV 25 of the adopted Copeland Local Plan 2001-2016 states that the demolition of buildings which make a positive contribution to a Conservation Area will not be permitted unless the Council is satisfied that no viable use can be found following adequate efforts. In all cases where demolition is permitted this will be subject to the carrying out of a redevelopment scheme which enhances the Conservation Area consecutive to the demolition.

Furthermore, national planning policy guidance contained in PPG 15 "Planning and the Historic Environment" states that where a building makes little or no such contribution the local planning authority will need to have full information about what is proposed for the site after demolition. Consent for demolition should not be given unless there are acceptable and detailed plans for any redevelopment.

In my opinion the existing building is not considered to make a positive contribution to the Conservation Area and the revised redevelopment scheme put forward is considered acceptable in that it would enhance the Conservation Area setting in accordance with Policy ENV 25 and PPG 15.

Recommendation

Approve Conservation Area Consent (within 3yrs)

Reason for condition:-

In compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.

Reason for decision:-

Acceptable demolition works in association with the site redevelopment in accordance with Policy ENV 25 of the adopted Copeland Local Plan 2001-2016 and advice provided in Planning Policy Guidance Note 15 "Planning and the Historic Environment".

MAIN AGENDA

17 4/07/2066/0

DEMOLITION OF EXISTING, ERECTION OF NEW TWO
STOREY OFFICE WITH FLAT ABOVE AND REAR STORAGE
BUILDING
31, MAIN STREET, EGREMONT, CUMBRIA.
FISTIC LTD.

Parish Egremont

- No comments received.

An application for the demolition of this existing building and reconstruction of a two storey property on this site was refused in August 2006 (4/06/2451/0F1 refers). The reason for refusal was as follows:-

"By virtue of its design and choice of external materials the proposed development does not respect the character and appearance of its wider Conservation Area setting and, as such, is at variance with Policy ENV 26 of the adopted Copeland Local Plan 2001-2016 and advice provided in Planning Policy Guidance Noted 15 "Planning and the Historic Environment".

Following extensive fire damage this revised scheme once again seeks consent for the demolition and reconstruction of this end terrace Main Street property situated within the Egremont Conservation Area. The existing building is incongruous in its setting in terms of its appearance, the wall finish being dry dash render and the doors and windows being of UPVC construction under a tiled roof.

The new two storey property would be built over the existing footprint and extend a further 0.1m to the rear and 0.75m in height to be in line with the adjoining roof line.

The single storey detached outbuilding situated to the rear of the property is also to be extended by 0.6m in length and between 0.5m and 1.6m in width so that it adjoins the boundary. An existing right of way to the rear of the property will be maintained.

Internally, the main building would provide an office at ground floor level with living accommodation above. The single storey outbuilding would be used as a boiler house and storage area.

This revised scheme seeks to overcome the previous grounds for refusal through the use of traditional materials and finishes including timber sliding sash windows, timber panelled doors with glazed panels in the front, smooth rendered walls, cast iron rainwater goods and a slate roof. The scheme also incorporates a Georgian style shop front with simple pilasters. A perspex canopy covering the rear access lane has also been removed in this revised scheme.

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No objections have been received in response to statutory consultation and neighbour notification procedures.

Policies TCN 5 and ENV 26 of the adopted Copeland Local Plan 2001-2016 and advice contained in Planning Policy Guidance Note 15 "Planning and the Historic Environment" are considered material to the determination of this application.

Policy TCN 5 states that:-

"Proposals for retail and service development within Cleator Moor, Egremont and Millom will be permitted subject to the requirements of Policies DEV 5, TCN 10 and other plan policies".

Policy ENV 26 states that:-

"Development within Conservation Areas or that which impact upon the setting of a Conservation Area will only be permitted where it preserves or enhances the character or appearance of the Area and, if appropriate, views in and out of the Area. In particular it should:-

1. respect the character of existing architecture and any historical associations by having due regard to positioning and groupings of buildings, form, scale, detailing and use of traditional materials
2. respect existing hard and soft landscape features including open space, trees, walls and surfacing
3. respect traditional street patterns, plot boundaries and frontage width
4. improve the quality of the townscape"

Paragraph 4.7 of PPG 15 states that many Conservation Areas include gap sites, or buildings that make no positive contribution to, or indeed detract from, the character or appearance of the area; their replacement should be a stimulus to imaginative, high quality design and seen as an opportunity to enhance the area.

In my opinion this revised scheme materially addresses the previous grounds for refusal and represents an acceptable redevelopment scheme that will enhance the Egremont Conservation Area and, as such, is favourably recommended.

Recommendation

Approve (commence within 3 years)

MAIN AGENDA

2. Detailed (working) drawings showing the proposed windows and doors shall be submitted to and approved in writing by the Local Planning Authority prior to development commencing. The windows and doors shall be manufactured and installed strictly in accordance with the approved drawings and shall be so maintained thereafter.
3. New ground floor windows and doors abutting the highway shall be of a type which cannot open outwards into the highway.

Reasons for conditions:-

In compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.

To retain control over the appearance of the building in the interests of amenity.

To minimise possible danger to other highway users.

Reason for decision:-

The proposal represents an acceptable redevelopment scheme within Egremont Conservation Area in accordance with Policies TCN 5 and ENV 26 of the adopted Copeland Local Plan 2001-2016 and advice provided in Planning Policy Guidance Note 15 "Planning and the Historic Environment".

Please note:

Prior to the demolition and rebuilding works commencing on site the applicant should contact Mr Karl Melville on (01946) 852505 to agree safe working practices to protect public safety on the highway, also to obtain a licence for the projecting sign over the footway.

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18 4/07/9002/0

FORMATION OF A NEW RAIL SIDING AND TRANSIENT
STORE FOR THE TRANSFER AND TEMPORARY STORAGE OF
LLW
LOW LEVEL WASTE REPOSITORY, DRIGG, HOLMROOK,
CUMBRIA.
MR G LOVE

Parish Drigg & Carleton

SITE LOCATION AND DESCRIPTION

The 2.35ha application site occupies a central position within the LLWR, close to the existing railway sidings and the grouting facility. The proposed development area is bounded by the existing railhead to the east, the east-west stream to the south, Street 4 to the west and Street 5 to the north.

Within the proposed development area are two earthen mounds associated with historic site operations (Royal Ordnance Factory); an area of mixed plantation and an area of rough scrub alongside the east-west stream.

The proposed rail siding and transient store will have three components:

- Rail Spur

The new track will be laid on a raised bank approximately 14m AOD (this is approximately the same height as the existing railhead). The bank will be between 10m and 20m wide, curved to branch from the existing siding and running southwards for a distance of about 120m. A part of the east-west stream east of Street 4 will also have to be canalised to enable sufficient bearing to be provided for the construction of the embankment to support the rail spur.

- Raised Platform/Railhead

Measuring approximately 88m by 12m, this will be located about 70m along the proposed rail spur from the point where it splits from the existing spur and will facilitate the transfer of LLW containers between trains and site road vehicles. The reinforced concrete platform apron will be formed level with the railway track and will be supported by a retaining wall along its outer edge, with a raised plinth designed to accommodate unloaded containers. The platform will be provided with on and off ramps at its northern and southern ends to facilitate vehicular access.

- Transient Store

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This will be formed in the area enclosed by the proposed rail spur and the existing site roads (Street 4 and that serving the existing railhead). This area is approximately 2.3m below both the existing railhead and the proposed rail siding. The containers stored within it will therefore be much less visible than those presently stored at the existing railhead. The area will be surfaced with bitmac and heavy-duty block paviers. A weighbridge will also be required within this area and will primarily be used as part of the waste acceptance checks. The transient store area will be served by new blacktop-surfaced access roads that will form a loop around the site and connect to the proposed rail siding. The road running northwest to southeast which presently gives access to the existing railhead, will be blocked and access thereafter will be restricted to Street 3 only.

The proposed development will be drained via a series of perimeter strip drains lining the platform and surface water gullies draining the access roads and transient storage area. These will connect to the existing site drainage system.

It is intended to preserve the vegetation in the area between the rail sidings and east-west stream as far as practicable and plant further vegetation in this area once the facility is in place to further minimise the visual impact of the facility.

It is envisaged that the facility will operate under a similar regime to that of the existing railhead, whereby trains will be unloaded using a fork lift. The LLW containers will either then be loaded directly onto a tug and trailer for direct transfer to the grouting facility or transferred onto the raised plinth formed on the retaining wall at the back edge of the platform, for transfer to the proposed transient store. The fork lift will then move to the transient store and off-load the containers from the raised plinth into the transient store area below. Before being placed in the store or transferred to the grouting plant, each container will be weighed and inspected in accordance with existing site protocols and procedures.

Once it becomes operational, all future LLW rail deliveries would be made to the new facility. However, the existing railhead will be retained to support future site development and the import of non-nuclear materials and, if necessary, this will be subject to a separate planning application(s) at the appropriate time.

CONSTRUCTION PROGRAMME AND MATERIALS

The proposed construction programme would begin with site clearance and the stripping and stockpiling of top soil, followed by the installation of drainage and foundations; the formation of the rail spur embankment and earthworks using stripped top soil; the laying of the rail tracks; the construction of the platform apron and retaining wall and the formation of the transient storage area and all other

CUMBRIA COUNTY COUNCIL

surfaces and access roads. It is envisaged that construction of the proposed facility would commence in the summer of 2007 subject to regulatory approval and is anticipated to take approximately 12 months.

- Principle of Development

The proposed development is contained within the designated operational area of the LLWR site and is proposed to facilitate the on-going and more efficient delivery and receipt of LLW by rail, with the benefit of a significantly less visible transient store and the retention of the existing railhead to support future LLWR site development and the import of non-nuclear and construction materials where practicable by rail. The proposed development of a rail siding and transient store is therefore highly sustainable and wholly compliant with the policy objectives of the adopted Development Plan.

- Amount of Development

The size and capacity of both the rail siding and the transient store have been designed to ensure they fulfil their intended purpose and will operate efficiently. The rail siding and plinth is long enough to accommodate a typical train which may carry up to 10 no LLW containers. The transient store will allow the short term storage of approximately 35 LLW containers, stacked two high, this ensures sufficient capacity is available to manage the existing and future maintenance of the grouting facility and or handling equipment within the vault, without having to store on the rail siding or elsewhere where they could be visible. On occasion it may be necessary to stack containers higher than 2 on this facility and it is proposed that in the event, this would be subject to an appropriate prior notification and written approval procedure, to be agreed with the Waste Planning Authority.

- Layout of Development

This again is largely dictated by engineering and technical design and by the operational requirements of the proposed facility. The location of the facility has been determined by the alignment of the railway line hard against the site boundary, the ground conditions and the location of both the existing rail siding and the grouting facility within the LLWR site, such that a new siding for this purpose could not logically be formed anywhere else, within the LLWR site boundary and no other layout design would be practicable and/or feasible. The layout of the rail siding platform and transient store is then dictated by the rail siding and technical criteria determine its precise form and layout.

- Scale

The scale of development is largely dictated by the need to provide

CUMBRIA COUNTY COUNCIL

a facility which is capable of accommodating the intermodal transfer of LLW containers and the transient storage of those containers, to allow the onsite processes to be managed effectively. Therefore the scale of development is consistent with the existing facilities and the wider site context.

- Appearance

Again this is pre-determined by the proposed nature and operational requirement of the development. The finished form, construction materials and surface are each dictated by the function of the facility and the degree and intensity of use it will receive. Whilst of a functional appearance, the development will not however appear out of character with the wider LLWR site and will appear very similar to the existing rail siding.

- Landscaping

There is scope to introduce additional screen planting to some of the undeveloped areas around the proposed facility subject to operational requirements. If this is deemed necessary, it is suggested that the details of a planting scheme are secured and implemented by means of an appropriately worded planning condition, although this could also be controlled by the ongoing review of the site Landscape and Wildlife Management Strategy and Implementation Plan.

- Access

Access to the facility within the LLWR has been designed to facilitate the continued safe and efficient delivery, receipt and movement of LLW around the site.

OTHER MATERIAL CONSIDERATIONS

In addition to the above, there are several other principal issues raised by the development and which the application has taken into account. These are:

- Visual Amenity

By replacing the current LLW operation of the existing railhead, the proposed rail siding and transient store will have a beneficial operational effect. Relative to the existing operation, the proposed facility will be a) located further inside the LLWR site area and thereby further physically off-set from Drigg village, and b) the proposed transient store will be purposely set down by about 2 metres below the level of the existing railhead and concealed behind it and the proposed new facility. Together with retained planting in and around the development area, the proposed facility will bring an overall visual benefit in accordance with the coastal development and visual amenity policies of the Development Plan.

CUMBRIA COUNTY COUNCIL

- Residential Amenity

It is not proposed to vary the present working hours, working practices and procedures or noise levels experienced with the LLW operation of the existing railhead. There will consequently be no additional and/or adverse impact upon the residential amenities of nearby householders as a result of the operation of the proposed development.

There may be some limited effects resulting from the construction process, such as the visibility of construction materials, activities, plant and machinery and the import of these to the site. BNGSL have undertaken to import material by rail where possible given the existing site constraints although this will not always be possible and road transport will be required to support the construction. It is envisaged that the greatest impact during construction will be the import of ready mixed concrete. Consideration has been given to the installation of a batching plant for this development although at this juncture it is considered the installation of a batching plant will create more environmental impact in terms of dust, noise and visual intrusion for this scale of development. If ready mixed concrete is used it is estimated that a maximum 30 concrete wagons per day, (non-consecutive days) for a total of approximately 8-10 days over the 12 month construction period represents the worst case scenario, (noting that not all of these days will involve the maximum of import (30 wagons) of concrete). Following discussion with the local parish council BNGSL have undertaken to revisit the use of on-site batching plant in more detail prior to the import of such materials. A draft traffic management plan will be requested as part of the tender submission from potential contractors and will be a material consideration in the selection of the preferred contractor by BNGSL. Following contract award and prior to the import of bulk materials, the plan will be developed in conjunction with the Waste Planning Authority, local community and other stakeholders as appropriate. This plan will consider, but not be limited to, the following:

- Maximising the use of the existing rail network
- Minimisation of road deliveries
- Justification of material to be brought in by road
- The provision of on-site batching facilities
- Management of construction traffic through Drigg and Holmrook Villages - Minimising road deliveries during school holidays - Any secondary impacts

Notwithstanding this production of the plan the delivery of construction material to the site by road will be constrained by the existing site protocols (designed to avoid such things as school drop off and collection times). The overall aim of this plan is to minimise and control any construction noise and/or disturbance to the local community. To this end, BNGSL would be happy to accept a

suitably worded planning condition(s)) to regulate the production of this plan through the Waste Planning Authority.

- Ecological Considerations

Due to the limited scale and contained nature and characteristics of the proposed development and its operation, whereby once operational there will be no additional emissions to air and emissions to water will be fully intercepted, there will be no migratory effect or other external impact beyond the LLWR site boundary that could affect the designed SSSI's, Lake District National Park or protected species within the wider vicinity.

There may be some dust generated during the construction phase although on-site procedures and controls will ensure that this is minimised.

Within the LLWR site, it is recognised that the proposed development area lies adjacent to an area that is known to support breeding Great Crested Newts. Small numbers of newts could therefore be present within the development area. It is proposed that following the grant of planning permission, a disturbance licence will be obtained from Natural England to agree and detail any precautions and/or mitigation measures that have to be taken. In addition, the area is known to be inhabited by reptiles. Prior to the commencement of construction a two-pronged approach to the presence of reptiles will be implemented. Firstly an alternative area of habitat will be set aside and reptiles within the development area will be captured and relocated to this area. These mitigation measures relating to the relocation of reptiles will be agreed prior to the commencement of any part of the proposed development and can be secured using appropriately worded planning conditions.

The application is accompanied by an Ecological Survey Report.

In addition, due to the historic use of the application site, there is potential for contaminated land to be present. It is envisaged however that should any remediation measures become necessary, these will be localised. There is no intention to export any materials from the site as part of the construction phase of this development.

Neither will the operation of the proposed rail siding and transient store introduce the scope for any additional conventional and/or radiological hazards over those that presently exist and are controlled through the safe management and operation of the existing railhead.

CONCLUSION

This proposal is to rationalise an existing operation on the LLWR site, namely the transfer of LLW by rail and related activities

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comprising the unloading of containers, transient storage and manoeuvring within the site.

The proposed development is contained within the designated operational area of the LLWR site and will facilitate the on-going and more efficient transfer of LLW between rail wagons and site road vehicles, with the benefit of a significantly less visible transient store. The retention of the existing railhead will have the added benefit of supporting future development and operation by allowing the import of non-nuclear and construction materials by rail where practicable. The proposed development of a rail siding and transient store is therefore highly sustainable.

The application is of clear merit and is fully in accordance with the policies of the adopted Development Plan. Both the Council's Corporate Director Economic Prosperity and Sustainability and the Head of Sustainability and Nuclear policy support the proposed development.

Recommendation

Permission be granted

19 4/07/9003/0

ERECTION OF A TRADITIONALLY CONSTRUCTED SINGLE STOREY PITCHED ROOF CHILDRENS CENTRE WITH ASSOCIATED LANDSCAPING ACCOMMODATION COMPRISES OF CHILD AND ADULT ROOMS, TOILETS, STAFF OFFICES AND CIRCULATION SPACES
ORGILL PRIMARY SCHOOL, SOUTHEY AVENUE, EGREMONT, CUMBRIA.
PTSU

Parish Egremont

Permission is sought by Cumbria County Council for a Childrens Centre within the grounds of Orgill Primary School, Southey Avenue, Egremont.

The proposed building would be of single storey construction, measuring 19.8 metres x 10.3 metres. The exterior elevations would be clay brickwork with feature panels of painted render and untreated cedar boarding. Also proposed is a Green Cambrian slate roof and painted timber windows and doors.

The development comprises an adult training room, child friendly room, office space, toilet accommodation and one to one consulting room. It is expected that the facility will be used by adults and children of varying ages.

The building would be located to the south west of the existing school buildings, adjacent to the Open Gate nursery, with a new access created to the building from Southey Avenue. A 6 space car park, including 1 disabled space, would be provided.

The proposal is acceptable in size and design while being situated within the site boundary of an existing educational and community facility. As such it is recommended that no objections are raised to the proposal.

Recommendation

Permission be granted

20 4/07/9004/0

VARIATION OF CONDITION 1 OF PLANNING CONSENT
4/04/9016 TO PERMIT THE CONTINUED OPERATION OF
THE CIVIC AMENITY SITE
YEATHOUSE QUARRY, YEATHOUSE, FRIZINGTON, CUMBRIA.
CUMBRIA WASTE MANAGEMENT LTD

Parish Arlecdon and Frizington

In August 1990 planning permission for a temporary period of three years was granted to establish a Civic Amenity facility on this former landfill site (4/90/0616/F2 refers). This consent was extended for a further period of ten years in January 1993 (4/92/9021/002 refers) as the programme to set up alternative sites was still being progressed.

The County Council has been unable to acquire and develop a suitable replacement facility and, as such, a further extension of time for this site is required for one year beyond the permitted planning expiry date of 31 March 2007. The site comprises a number of skips dealing with general household items as well as recycling facilities for glass, scrap metal and engine oil.

Recommendation

Permission be granted

07 Mar 07

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for a further period of one year until 31 March 2008.

Schedule of Applications - DELEGATED MATTERS

| | | |
|-------------|-------------------------|---|
| 4/06/2832/0 | Whitehaven | CHANGE OF USE FROM RETAIL UNITS TO YOUTH CENTRE MULTI STOREY CAR PARK, SWINGPUMP LANE, WHITEHAVEN, CUMBRIA. MR M MILLS |
| 4/07/2003/0 | Cleator Moor | DEMOLITION OF OLD FARM HOUSE BIRKS FARM, BIRKS ROAD, CLEATOR MOOR, CUMBRIA. MESSRS J CHARLTON & SONS |
| 4/06/2862/0 | Whitehaven | ERECTION OF GROUND FLOOR BEDROOM AND SHOWER ROO 97, BRANSTY ROAD, BRANSTY, WHITEHAVEN, CUMBRIA. MR & MRS HAILES |
| 4/06/2866/0 | Whitehaven | ILLUMINATED ADVERT SIGN MIREHOUSE PHARMACY, 50, MEADOW ROAD, MIREHOUSE, WHITEHAVEN, CUMBRIA. JOHN URWIN LTD. |
| 4/06/2870/0 | Arlecdon and Frizington | ERECTION OF EXTENSION OVER GARAGE AND TO KITCHEN 2, PHEASANTS RISE, ROWRAH, CUMBRIA. MR & MRS KIGHT-GREEN |
| 4/07/2002/0 | Whitehaven | BEDROOM AND BATHROOM EXTENSION ABOVE GARAGE, SINGLE STOREY KITCHEN EXTENSION TO REAR, PORCH 77, SNEBRO ROAD, WHITEHAVEN, CUMBRIA. MR & MRS SMITH |
| 4/07/2004/0 | Whitehaven | REFURBISHMENT OF FRONT PORCH 49, HIGH ROAD, KELLS, WHITEHAVEN, CUMBRIA. MR & MRS J GILMORE |
| 4/07/2005/0 | Distington | TWO STOREY EXTENSION AND ATTACHED DOUBLE GARAGE SPRINGHILL HOUSE, DISTINGTON, CUMBRIA. MR & MRS P NEVINSON |
| 4/07/2027/0 | Whitehaven | CCTV CAMERA SNECKYEAT COMMUNAL HALL/, WARDENS FLAT, SNECKYEAT COURT, WHITEHAVEN, CUMBRIA. TWO CASTLES HOUSING ASSOCIATION |
| 4/07/2034/0 | Whitehaven | DOUBLE STOREY EXTENSION TO DWELLING 14, THE GREEN, BRANSTY, WHITEHAVEN, CUMBRIA. MR & MRS S WALKER |
| 4/07/2035/0 | Whitehaven | FIRST FLOOR EXTENSION |

Schedule of Applications - DELEGATED MATTERS

| | | |
|-------------|----------------|---|
| | | 15, STANLEY VIEW, MIREHOUSE, WHITEHAVEN, CUMBRIA MR & MRS B TINKLER |
| 4/07/2038/0 | Whitehaven | 1 NO. FASCIA SIGN; 1 NO. PROJECTING SIGN 26, KING STREET, WHITEHAVEN, CUMBRIA. BOOTS THE CHEMIST |
| 4/06/2836/0 | St Bees | TO CROWN REDUCE/THIN FOUR SYCAMORE TREES WITHIN ST BEES CONSERVATION AREA 10, SEACROFT DRIVE, ST BEES, CUMBRIA. MR T WOOLAGHAN |
| 4/06/2837/0 | St Bees | APPLICATION TO FELL ONE SYCAMORE TREE AND PRUNE OTHERS WITHIN ST BEES CONSERVATION AREA 1, SEACROFT DRIVE, ST BEES, CUMBRIA. MR & MRS J RODGERS |
| 4/06/2853/0 | Whitehaven | ERECTION OF CHANGING ROOM FACILITY ADJACENT TO THE COMMUNITY CENTRE, SEATHWAITE AVENUE, MIREHOUSE, WHITEHAVEN, CUMBRIA. MIREHOUSE AFC |
| 4/06/2863/0 | Moresby | DETACHED DWELLING AND GARAGE PLOT 51, MANESTY RISE, LOW MORESBY, WHITEHAVEN, CUMBRIA. P DAVIES |
| 4/06/2868/0 | Moresby | RENEWAL OF PERMISSION FOR PORTAKABIN USED FOR STORAGE LAND TO REAR OF, MORESBY SOCIAL CLUB, SCHOOL BROW, MORESBY, WHITEHAVEN, CUMBRIA. WHITEHAVEN AND DISTRICT LIONS CLUB |
| 4/07/2013/0 | Cleator Moor | MACHINERY STORE AND HAY STORE (NOTICE OF INTENTION) FIELD OS 8586, OFF, BOWTHORN ROAD, CLEATOR MOOR CUMBRIA. MR I TOWERS |
| 4/07/2015/0 | Whitehaven | CROWN REDUCE 2 HAWTHORNE TREES WITHIN WHITEHAVE CONSERVATION AREA 112, QUEEN STREET, WHITEHAVEN, CUMBRIA. BARRYS CORNER LTD. |
| 4/07/2022/0 | Cleator Moor | ERECTION OF MEETING ROOM CLEATOR MOOR CIVIC HALL &, MASONIC CENTRE, MARKET SQUARE, CLEATOR MOOR, CUMBRIA. CLEATOR MOOR CIVIC HALL & MASONIC C |
| 4/06/2864/0 | Millom Without | (PART 24 OF SCHEDULE 2 (GENERAL PERMITTED |

Schedule of Applications - DELEGATED MATTERS

DEVELOPMENT) THE ADDITION OF 2 NO. 0.3 METRES
MILLOM PARK, BANKSIDE FARM, MILLOM, CUMBRIA.
AIRWAVE MMO2 LTD.

4/07/2006/0 Millom

TWO STOREY UTILITY ROOM/BEDROOM EXTENSION

136, HOLBORN HILL, MILLOM, CUMBRIA.
MR & MRS G J CLUNIE

4/07/2025/0 Millom Without

ERECTION OF POLY TUNNEL

CROFT PADDOCK, KIRKSANTON, CUMBRIA.
D J AITKEN & P M PRESTON

