

PLANNING PANEL AGENDA – 6 NOVEMBER 2013

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ITEM NO: 1.

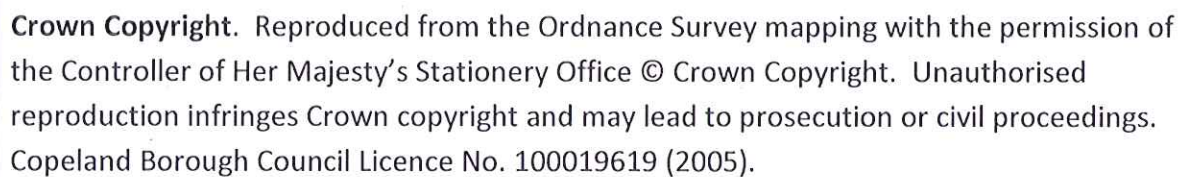


To: PLANNING PANEL

Development Control Section

Date of Meeting: 06/11/2013

Application Number:	4/11/2568/OF1
Application Type:	Full : CBC
Applicant:	Persimmon Homes Lancashire
Application Address:	LAND OFF LINKS CRESCENT, SEASCALE
Proposal	ERECTION OF 33 NO. DWELLINGS AND ASSOCIATED INFRASTRUCTURE
Parish:	Seascale
Recommendation Summary:	Approve subject to Section 106 Agreement



This application was reported to the 17 July 2013 Planning Panel with a recommendation to approve subject to conditions. Contrary to officer recommendation however Members were minded to refuse the application on potential flood risk grounds.

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## **Comment on Flooding Issues**

Since the application was last considered, a meeting has taken place between the County Council Local Flood Management Team, our Flood and Coastal Defence Engineer, and representatives from Persimmon Homes. This has clarified the situation with respect to drainage and flooding issues relating to the site.

It is confirmed that the County Council are currently undertaking a Flood Investigation Study of Seascale which has yet to be completed. This acknowledges that there have been surface water flooding incidents on the adjacent site, The Fairways, and that part of the problem relates to the build-up of debris in a culvert under the estate and the fact that it takes surface water from the field behind. Actions which could potentially alleviate flooding in this area are being explored and include reducing flows by diverting flows away from The Fairways, improving performance of the culvert and increasing its size.

Persimmon, the applicants wish to reiterate that the proposal:

- Will not add to or exacerbate the existing flood risk downstream of the site
- Surface water run off rates will be no greater than the agreed runoff rate that the site currently generates.
- Will allow greater control of the runoff through on site attenuation and discharge controls.

Furthermore they point out that the method of attenuation on site/ detailed drainage system design has not yet been undertaken and note that this would be subject to control by condition. Persimmon also offer to undertake further measures to help protect the area further and these include an increase in dwelling floor levels, re-profiling, on-going maintenance of the watercourse and the use of porous paving in areas of non- adoptable highway.

The use of sustainable Urban Drainage features (SUDS) could also be employed in conjunction with the County, the detailed design of which could be imposed by condition, which the County support.

In particular discussions are to be held regarding the potential for an overflow flood water storage area on land the applicants control adjoining the site but this would potentially impact on the viability of the scheme and may be at the expense of the affordable homes element. It is considered that the additional flood alleviation measures as referred to could be appropriately controlled via a S106 agreement.

It should be noted that subject to the above measure the County do not oppose the scheme.

## **Background**

A major application originally for the erection of 63 dwellings and associated infrastructure on a 1.9 ha greenfield site on the northern edge of Seascale was received in November

2011. In view of its local significance and the fact it was located outside the development boundary for the village, as designated in the adopted Copeland Local Plan, Members undertook a site visit in December 2011.

The application has since been held in abeyance at the bequest of the applicants to enable negotiations to take place with the Borough and Parish Councils. This has now resulted in the submission of amended plans proposing a scaled down version of the scheme for 33 houses on just part of the site.

### **The Amended Proposal**

The revised application now comprises 33 dwellings on a 0.96ha site.

To the east the site abuts greenfield land, part of which is a community recreational area, with Town End Farm located to the south. It is bounded to the north by Seascale Golf Course, and to the west by the residential estate the 'Fairways', where it adjoins Links Crescent.

A mix of dwelling types are proposed. These comprise 3 x 2 bedroom houses, 14 x 3 bedroom houses and 16 x 4 bedroom houses in the form of predominantly two and three storey detached and semi-detached delivered via 9 different house types. Within this mix 7 affordable dwellings (4 x 3 bed units and 3 x 2 bed units) are intended which accounts for 20 % of the housing total.

The application is accompanied by a Planning Statement, Flood Risk Assessment, Ecological Assessment, a Transport Statement and a tree survey.

### **Consultations**

Seascale Parish Council. Object to the amended scheme for the following reasons:

- The whole area is outside the settlement boundary.
- Sole access through the Fairways would create extra traffic at the existing hazardous junction of The Banks and Gosforth Road. The traffic survey undertaken by Cumbria Highways in July 2012 clearly demonstrated the already heavy use of Gosforth Road by existing vehicles.
- Concern that amenities such as the health centre and the school would not be able to absorb the probable increase in the population.
- Proposal is for development which is out of proportion to the village.
- Area is liable to flooding and it would make flooding in surrounding open spaces and properties worse because of the proposal to raise the level of the area to be built on. The incidents of flooding in Summer 2012 directly affected the proposed site. Houses on the Fairways were flooded and the pumping of surface and foul water back into The Fairways system failed.
- Consideration of such a development is premature and must be held over until investigations to identify and resolve drainage issues are completed.

**Flood and Coastal Defence Engineer.** Previously had concerns but has subsequently been

involved in the negotiations with the County Council.

**Local Flood Management Team, Cumbria County Council.** Not opposed to the scheme – see comment above.

**Rights of Way Officer, Cumbria County Council.** Requests further information to establish where the existing footpath would go in terms of the layout and the proposed line of the diversion. Update to be provided verbally to the Panel.

**Housing Services Manager.** Agrees that 20% of the site for an affordable discounted rate of 80% is acceptable but that the definition of affordability must be met for them to be genuinely affordable i.e. must meet the needs of eligible households including availability at a cost low enough for them to afford, determined with regard to local incomes and local house prices. Also must include provision for them to remain at an affordable price for future eligible households. Satisfied that this could be controlled either before the application is determined or via a suitable condition / agreement.

**Highway Authority, Cumbria County Council.** Raises no objection to the amendment subject to conditions and recommends improvements to the existing public footpath which cuts through part of the site which can be a condition of the development. However do raise the issue regarding the reduced level of parking provision on the site.

**Historic Environment Officer, Cumbria County Council.** Recommends that an archaeological evaluation and a scheme of archaeological recording be undertaken and that the development be subject to pre-commencement conditions covering this element.

**Consultant Arboriculturalist.** Concludes that none of the trees within the site pose a significant constraint to the proposals. A landscaping scheme would be beneficial advises that this could be attached as a condition.

**Senior Planning Policy Officer.** Comments to the effect that the site is outside the settlement boundary and there are other sites within it which are sequentially preferable. This along with issues surrounding flooding, genuine affordability, and exceptional need would indicate that the proposal does not sit favourably in terms of the existing Copeland Local Plan policies.

The emerging local plan, acknowledges that the site is also outside the settlement boundary **but** this plan introduces more flexibility in that it identifies a need for additional land in a number of settlements (with some sites adjacent to the settlement boundary) via the Site Allocations process. Desk top work to produce the draft SHLAA (evidence for the Site Allocations process) indicates that this site could be a deliverable site within the first five years of the emerging local plan. However, there are other sites within the settlement boundary in Seascale which could make them sequentially preferable. It is also recognised that proposals on some of the sites will need to be determined before allocations can be made to ensure delivery of housing in the borough.

**ONR.** No comments received.

Environment Agency – Note that the scheme has been designed in such a way as to accommodate the existing watercourse and protect existing wildlife. The site plan shows the water course as being culverted which would normally be opposed. However, they would raise no objections providing a condition in this instance is imposed requiring a scheme to be agreed for any bridges crossing being of the clear span type.

United Utilities. No objection:

- The site is drained on a separate system.
- Also will not permit highway drainage into the public sewer system.
- Will only allow a maximum discharge foul flow rate of 3 l/s from the site into manhole NY03019201 and request that this be secured by condition.
- Land drainage and subsoil drainage is not be connected to the public sewer system.

### **Neighbour Representations**

Extensive neighbour consultations have been undertaken in relation to this application. Some 67 letters of objection were received in relation to the original scheme for 63 dwellings. Re-consultation on the amendment has led to a further 21 letters being generated. Collective grounds of objection raised include:

- Site is green field and outside the settlement boundary
- Development is not in the Parish Plan.
- Will increase surface water run-off. Area is liable to flooding. Recent floods have shown the present infrastructure is inadequate two properties on The Fairways were flooded and Town End Farm. This needs to be thoroughly investigated. A new drainage system with adequate capacity for the increased flow will be required.
- Question whether the existing drains and village sewerage plant could cope with the additional effluent.
- Sole access via 'The Fairways' would create extra traffic and increase congestion at the junction of The Banks and Gosforth Road. Would mean at least 33 more cars using the junction and there is already a problem regarding parking adjacent to the junction for Parish Hall functions. Will create highway safety problems for issues for local children.
- Question the need for housing here. More suitable land for housing elsewhere in the village near the village school.
- The site is very close to a major nuclear site which is planned to expand – this goes against the Weightman Report on Fukushima. Advice that NMP Ltd, NDA and OCNS be consulted.
- Advise that the County Archaeologist be consulted as there is indication of pre Roman field systems on the site.
- Require bungalows within the development.
- Query whether local services such as the Health Centre, school etc.. could cope with the increased demand.
- No demand for new houses as evidenced by the large number of unsold properties on the estate and in the village.
- Point out that if it is linked to nuclear new build – this will be based on modular buildings and will require minimal personnel to build and run the facility - there is

- unlikely to be a significant influx of workers.
- There are slow worms on the site.
- Assurance that Coniston Avenue will not be used for construction traffic as part of it is only single width.
- Development is out of proportion to the village.
- Town End Farm is home to bats and owls and the land is used by birds of prey.
- Concern properties on The Fairways would become overlooked.

## **Planning Policy**

The following documents and guidance are considered relevant and material to the assessment of this application:

### **National Planning Policy Framework**

The National Planning Policy Framework (NPPF), which came into effect (March 2012), sets out the Governments planning policies and how these are to be applied. It introduces a presumption in favour of sustainable development and emphasises that the purpose of the planning system is to contribute to the achievement of this and revokes the majority of the current Planning Policy Statements.

The NPPF identifies three dimensions to sustainable development; economic, social and environmental. It defines an economic role as contributing to building a strong, responsive and competitive economy by ensuring that sufficient land of the right type is available in the right places and at the right time. A social role is defined as supporting strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of the present and future generations. An environmental role is defined as contributing to protecting and enhancing our natural, built and historic environment.

In terms of housing, paragraph 47 encourages Local Planning Authorities to provide market and affordable housing to meet evidenced needs. Paragraph 50 requires Local Planning Authorities to deliver a wide choice of high quality homes to meet the needs and demands of the community.

As regards design, paragraph 56 attaches great importance to the design of the built environment and acknowledges that good design is a key aspect of sustainable development, indivisible from good planning, and should contribute positively to making places better for people. Paragraph 58 clarifies that planning decisions should aim to ensure that developments will function well and add to the overall quality of the area; establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live and respond to local character and reflect the identity of local surroundings and materials.



Paragraph 60 recognises that it is proper to promote or reinforce local distinctiveness and paragraph 61 requires planning decisions to address the connections between people and places and the integration of new development into the natural, built and historic environment.

Paragraph 64 clarifies that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

#### Policy Summary for Decision Making

The NPPF constitutes guidance for local planning authorities and in respect of development management is a material consideration in determining planning applications and reaffirms that the planning system remains plan led - requiring that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

It initially allowed full weight to be given to relevant local plan policies adopted since 2004 for a limited period of 12 months even if there was a limited degree of conflict with it. The Copeland Local Plan 2001-2016, adopted in 2006, fell into this category. **For determining applications post March 2013 the NPPF states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. In respect of assessing this application key Policies DEV 1, DEV 3, DEV 4 DEV 5, HSG 1, HSG 2 HSG 5 and ENV 16 are considered compatible and consistent with the NPPF.**

It should also be noted that in the absence of an up to date adopted local plan that the NPPF's policy guidance can take precedence. It could be argued that this applies in this case as we are in effect in the 'interim period' whereby the existing Copeland Local Plan policies are out of date and the ones in the emerging local plan have yet to be formally adopted. In such circumstances the **NPPF states that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits** when assessed against this policy framework or specific policies in the framework which indicate development should be restricted.

#### Copeland Local Plan 2001-2016

The adopted Copeland Local Plan seeks to achieve sustainable forms of development, as required under the overarching policy of the Plan, **Policy DEV 1. Policy DEV 3** designates Seascale as being a Local Centre where small scale development which helps to sustain local services, meets local needs and supports rural businesses will be supported. **Policy DEV 4** sets a preference for the development of brown field sites within the development boundary but does accept the uses of greenfield sites if these are not forthcoming.

**Policy DEV 5** only permits certain types of development outside settlement boundaries such as for local needs housing, essential agricultural or forestry workers, replacement dwellings

and leisure or tourism related. That is where there genuine exceptional circumstances prevail. The proposal is outside the current development boundary and would be classed as development in open countryside. It also does not appear to meet any of the criteria listed in the policy that would constitute the essential overriding need discussed in paragraph 3.1.8.

**Policy DEV 6** sets out the sustainable design principles which all new development should adopt.

**Policy HSG 4** permits housing redevelopment within settlement boundaries. The site is located outside the development boundary of the village whereas other potential sites within the boundary could meet the criteria of DEV 4.

**Policy HSG 5** only permits housing outside the settlement boundary where it can be demonstrated that it meets exceptional circumstances arising from local social and economic conditions. Where this criterion is fulfilled the development must comply with the sequential test set out in Policy DEV 4. As submitted the proposal does not meet the exceptional circumstances required by this policy to enable the application to be supported as development in open countryside.

**Policy HSG 8** sets out the design criteria for all new housing within the Borough. Amongst other things, it advocates certain separation distances between dwellings, including a minimum of 21.0m between face elevations containing habitable room windows.

**HSG 10 Affordable Housing.** Sets out the requirements for affordable housing provision within housing schemes.

**ENV 10 Protection of Trees.** Aims to protect trees on development sites

**Policy ENV 12** seeks to secure landscaping within new developments.

**Policy ENV 16** outlines the sequential approach to flood risk together with a requirement for a flood risk assessment.

## Policy Summary

The Local Plan 2001-16 identifies an allocated site within Seascale, which together with current permissions could provide approximately 20 dwellings. There is also land within the settlement boundary that could be sequentially preferable to the proposed site. This, along with the concerns around flood risk that may still require clarification and the lack of affordable housing provision and any exceptional need being met would mean that the proposal as it currently stands should be refused if considered solely against policies in the Local Plan 2001-16.

## Emerging Local Planning Policies

The Core Strategy and Development Management Policies DPD which will replace most of the Policies in the Local Plan 2001-16 is now at an advanced stage of production, following a Public Examination in April.

The Policies in the Core Strategy and Development Management Policies DPD are a material consideration when determining planning applications. Once the Inspector has issued his report following the Examination then greater weight can be attached to these policies, particularly given the limited scale of objection to the Strategy and its consistency with up to date national policy guidance. The document is currently due to be adopted in September 2013.

**Policy ST1** of the Core strategy sets out the fundamental principles that will achieve sustainable development. Among other things it seeks to ensure that development creates a residential offer which meets the needs and aspirations of the Borough's housing markets and is focused on previously developed land away from greenfield sites. It also seeks to ensure that new development addresses land contamination with appropriate remediation measures.

**Policy ST2** sets a spatial development strategy whereby development should be guided to the principal settlement and other centres and sustain rural services and facilities. Affirms that Seascale will continue to be designated as a Local Centre and suggests that the village could accommodate growth of between 50 and 100 additional homes up to 2027. It also continues the use of settlement boundaries to manage development within settlements. It does also acknowledge the Council may need to consider allocating sites that are currently

outside, but adjacent to, the existing settlement boundary in a number of settlements including Seascale. Any such land will be identified through the SHLAA and Site Allocations process.

**Policy ST4** outlines the approach to securing developer contributions for relevant infrastructure, including affordable housing.

**Policy SS1** seeks to improve the housing offer across the Borough.

**Policy SS2** seeks to achieve sustainable housing growth by focussing new housing development within accessible locations to meet the needs of the community.

**Policy SS3** requires developers to demonstrate the provision of a balanced mix of housing types.

**Policy DM10** requires new development to be of a high standard of design to enable the fostering of 'quality places'. In doing so development should respond positively to the character of the site and it's immediate and wider setting, paying careful attention to scale, massing and arrangement. Likewise, development should create and maintain reasonable standards of general amenity.

**Policy DM11** seeks to ensure that development proposals reach high standards of sustainability.

**Policy DM12** sets out specific design standards for new residential development, including the need to retain appropriate separations distances.

**ENV1 and DM24** – reiterate the approach to flood risk outlined in Policy ENV16 of the Local Plan 2001-16.

## **Policy Summary**

The Core Strategy and Development Management Policies DPD also considers the site to be outside of the existing settlement boundary, but acknowledges the need to identify additional land in a number of settlements, with some sites adjacent to the existing settlement boundary, through the Site Allocations process.

It is intended that all potential development sites will be considered through the Strategic Housing Land Availability Assessment (SHLAA) and Site Allocations process. The Draft SHLAA will be the subject of public consultation over the summer, with consultation due to begin later this month.

Desktop work to produce the Draft SHLAA suggests that the site proposed here could be a deliverable site within the first five years of the new Local Plan. However, some of the other sites being considered at Seascale are within the existing settlement boundary and/or brownfield sites, which could make them sequentially preferable to the site being considered here. All of the sites should be given proper consideration in a comparative process to be fair to all members of the local community and to ensure that the best development location(s) in Seascale are found. Feedback from the consultation will help us to ascertain whether this is the case.

Whilst noting the above, there is also the recognition that proposals on some of the sites will need to be determined before allocations can be made to ensure the delivery of housing in the borough.

### **Assessment /General Policy Summary**

It should be noted that whilst the Copeland Local Plan is an historic document which can be afforded increasingly less weight in the light of national policy it will shortly be superseded by the emerging local plan. It remains a tool to support the assessment of proposed development and in the determination of applications for planning permission. The relevant policies are broadly compatible and consistent with the NPPF and until the Inspector's Report into the Core Strategy and Development Management Policies of the emerging local plan is received still carries some weight. This has to be carefully balanced against the

weight which can now be given now to the emerging local plan as well as the guidance contained in the NPPF. Recent case law relating to development across the country indicates that the 2001-2016 local plan policies, although unsupportive of the proposal will not provide adequate basis to justify refusal to grant planning permission.

On the ground Policies DEV 5 and HSG 5 are the **key** Copeland Local Plan Policies which are relevant to the assessment of this application. Both only permit development outside the settlement boundaries where there are genuine exceptional grounds. No such grounds have been put forward to support this application. In terms of benefits the applicants have offered 7 affordable units which are identified in 'The Copeland Strategic Housing Market Assessment' (2011) as needed in Seascale. These are at 20% below market value i.e. at sub market value which in itself does not constitute **genuine affordable housing in perpetuity**. Arguably though, it is considered that this could be suitably addressed via an appropriately worded S106 to accompany an approval should permission be granted. More latterly they have also offered a commuted sum payment for the enhancement of public open space with the Parish Council which would take place out with the planning process.

As it stands the reduced proposal remains an unallocated site outside of the settlement boundary in the Copeland Local Plan 2001-16 and as such would be considered as development in the open countryside.

The emerging policies within the Core Strategy and Development Management Policies document will require additional pieces of land to be allocated to support the aspirations of the borough to 2027. Ideally deliberation over sites needed to deliver these aspirations should be secured through a Site Allocations process. Determination of this application is premature to this process, but it is not considered that determination should be delayed further. The applicant is keen to have the application determined and of course could exercise an option to appeal against non-determination. It is recognised that it may be necessary to include sites outside the settlement boundaries in order to ensure that land allocations relate to development that is deliverable. At this stage sites which may be within the settlement boundary, and apparently sequentially preferable to the application site may not be deliverable within the timeframe of the emerging local plan. Government policy in promoting an agenda for growth has generally been interpreted as tipping the balance in favour of development which is deliverable, as long as it is sustainable, and avoids unacceptable harm to other material considerations, even if policy requirements cannot be met.

As the site is adjacent to the settlement boundary it could be considered against policy ST2 of the Core Strategy and Development Management Policies document, if it met the needs of the housing market's aspirations and provided all necessary infrastructure.

There are also concerns, specifically consideration of the strategic infrastructure needs associated with the proposed development, such as potential open space and education requirements which have yet to be satisfactorily addressed.

Again, against this concern is the need to balance the argument with the requirements of the NPPF during the current interim period i.e. without formally adopted and up to date local plan policies. This engenders a more flexible approach to decision making advocating a presumption in favour of granting planning permission unless there are significant adverse impacts that would outweigh the benefits or were it is not in accordance with the specific policies of the NPPF.

#### **Weight to be given to the Local Plan 2001-16 and the Core Strategy and Development Management Policies document**

The Local Plan 2001-16 remains a significant part of the borough's development plan until it is replaced by policies and allocations in the new Local Plan (the Local Development Framework). The first part of the Local Development Framework (the Core Strategy and Development Management Policies document) is nearing completion, and the weight attached to it increases the closer it is to adoption.

The end of the Public Examination of the document is near, with the Inspector's Report expected in the next couple of weeks. Once the Inspector's Report is received we will know what amendments the Council is required to make before the Core Strategy and Development Management Policies document can be adopted as a sound plan. **This will then tip the balance strongly in favour the Core Strategy and Development Management Policies document when attributing weight to the respective local planning policies which has built in greater flexibility when identifying potential new sites.**

It is expected that the Core Strategy and Development Management Policies document will be adopted in September 2013.

#### **Update**

It should be noted that the policy context has changed since the application was last considered. This updates the above. The Inspector's Report into the Examination in Public

of the emerging Core Strategy and Development Management Policies has now been published and, given the limited amount of objection to it and its consistency with national policy guidance, arguably its policies now can be afforded greater weight than previously. However, caution should still be exercised as the policies cannot be given full weight until the plan is formally adopted in December. That said the above policy summary in respect of this application remains applicable.

## **Conclusion**

It is reiterated that the site remains outside both the current Copeland Local Plan settlement boundary (Policy DEV 4) and the proposed settlement boundary in the emerging local plan and that the developer has not provided any additional information which demonstrates a justifiable exceptional case in terms of community benefit as requested, apart from affordable units and a commuted sum payment in respect of the Parish controlled public open space.

There are also concerns around the apparent lack of genuine affordable housing within the scheme, with only discounted open market housing offered though it is accepted that this could be addressed satisfactorily via a S106.

‘The Response on Flood Risk Concerns’ report by the applicant is acknowledged and Cumbria County Council local flood management team following detailed negotiations do not oppose the scheme subject to the implementation of suitable additional flood alleviation measures and details of a SUDS system being agreed. In view of this there are now no reasonable grounds for refusing the application on the basis of flood risk and drainage concerns.

The above dialogue has demonstrated clear tensions between historic local plan policy, emerging policy and national guidance. Whilst the development may have some credibility in this context, the developer does not provide anything to demonstrate how this development is of benefit other than increasing consistency with the agenda for growth. The determination of this is based on a finely balanced argument with the impacts and benefits of the scheme needing to be carefully considered against a complex policy backdrop.

Given the complex nature of the issues relating to the site and the fact it has now been demonstrated that surface water flooding will not be exacerbated by the scheme and that positive measures could be implemented to improve the existing situation, controlled via a S106 and conditions, it is concluded on balance that the proposal should be supported.



## Recommendation:-

Approve subject to a S106 governing the potential for affordable housing in perpetuity and/or flood alleviation measures and the following conditions:

### Conditions

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

#### Reason

To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. Permission shall relate to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them:-

Amended Location Plan, drwg no JB/LC-SC/LP, scale 1:1250, received on 14 February 2013.

Amended Planning Layout, drwg no JB/PL1/LC-SC Rev A, scale 1:500, received on 14 February 2013.

Amended Penshaw House Type, Lancashire Elevations, scale 1:100, received on 14 February 2013.

Amended Roseberry House Type, Lancashire Elevations, scale 1:100, received on 14 February 2013.

Amended Rufford House Type, Lancashire Elevations, scale 1:100, received on 14 February 2013.

Amended Runswick House Type, Lancashire Elevations, scale 1:100, received on 14 February 2013.

Amended Souter House Type, Lancashire Elevations, scale 1:100, received on 14 February 2013.

Amended Penrose House Type, Lancashire Elevations, scale 1:100, received on 14 February 2013.

Amended Cherryburn House Type, Lancashire Elevations, scale 1:100, received on 14 February 2013.

Amended Hanbury House Type, Lancashire Elevations, scale 1:100, received on 14 February 2013.

Amended Hatfield House Type, Lancashire Elevations, scale 1:100, received on 14 February 2013.

Amended 1.8m High Timber Screen Fence, drwg no SDF05, scale 1:20, received on 14 February 2013.

Amended Plot Divisional Fence, drwg no SDF11-08, scale 1:20, received on 14 February 2013.

Amended 1.8m High Brick Screen Wall Detail, drwg no SDW08, scale 1:20, received on 14 February 2013.

Ecological Survey and Assessment, by ERAP Ltd Consultant Ecologists, dated October 2011, received on 21 November 2011.

Results of Reptile Survey and Mitigation Strategy, by ERAP Ltd Consultant Ecologists, dated February 2013 received on 14 February 2013.

Flood Risk Assessment, by Less Roxburgh Ltd Consulting Engineers, Report no 5400/RI, Rev A 08.11.11, dated October 2011, received on 21 November 2011.

Seascale: Response on Flood Risk Concerns 5400/3, by Lees Roxburgh Ltd Consulting Engineers, dated 11 February 2013, received 14 February 2013.

Stage 1 Road Safety Audit, February 2011, by Urban Vision, received 15 December 2011.

Proposed Development Site Tree Survey, by Campbell Logue MSc Forestry, dated 28 November 2011, received on 21 November 2011.

Proposed Residential Development Links Crescent, Seascale, Final for Planning, Transport Statement, by WYG Transport Planning, Report No A045104/DG1, dated November 2011, received 21 November 2011.

#### Reason

To conform with the requirement of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

3. No development shall commence within the site until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

The written scheme of investigation shall include the following components:

- i) An archaeological evaluation
- ii) An archaeological recording programme the scope of which will be dependant upon the results of the evaluation.

#### Reason

To afford reasonable opportunity for an examination to be made to determine the existence of any remains of archaeological interest within the site and for the preservation, examination or recording of such remains.

4. Where the results of the programme of archaeological work referred to in the above condition make it appropriate, there shall be carried out within two years of the completion of that programme on site, or within such timescale as agreed in writing by the Local Planning Authority, an archaeological post-excavation assessment and analysis, the preparation of a site archive ready for deposition at

a store, the completion of an archive report, and the preparation and submission of a report of the results for publication in a suitable specialist journal.

Reason

To ensure that a permanent and accessible record by the public is made of the archaeological remains which have been disturbed by the development.

5. Before development commences full details of the surface water drainage scheme, including attenuation measures and flow discharge rates, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be completed and become operational before the development is brought into use and shall be so maintained thereafter.

Reason

To ensure a satisfactory scheme of surface water disposal from the site.

6. The maximum foul drainage flow discharge rate from the site to drain into manhole no NY03019201 shall be 3 l/s.

Reason

To ensure a satisfactory foul drainage scheme serving the site.

7. Before development commences details of all bridges proposed on the site shall be submitted to and approved in writing by the Local Planning Authority. The bridges shall be constructed as detailed in the approved scheme and so maintained thereafter.

Reason

The use of clear –spanning bridges will maintain the river corridor and allow the movement of both the river and associated wildlife.

8. No development shall take place until full details of the hard landscaping works have been submitted to and approved in writing by the Local Planning Authority. These works shall include hard surfacing, means of enclosure, finished levels or contours etc. Landscaping shall be carried out in accordance with the approved details and so maintained thereafter.

Reason

To enhance the appearance of the development in the interest of visual amenities of the area and to ensure a satisfactory landscaping scheme.

9. Full details of the soft landscaping works including planting plans and written specifications of plants, species, sizes and densities shall be submitted to and approved in writing by the Local Planning Authority. Landscaping shall be carried out in accordance with the approved details and so maintained thereafter..

Reason

To enhance the appearance of the development in the interests of visual amenities and to ensure a satisfactory landscaping scheme.

10. No development shall take place until a schedule of landscape maintenance has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details for its implementation. Development shall be carried out in accordance with the approved schedule and maintained as such thereafter.

Reason

To ensure the implementation of a satisfactory landscaping scheme.

11. The development shall implement all of the mitigation, enhancement, long term management and monitoring measures set out in the Results of Reptile Survey and Mitigation Strategy Report, prepared by ERAP Ltd Consultant Ecologists dated February 2013 and submitted as part of the amended planning application.

Reasons

To protect the protected species evident on the site.

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

Reason

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

13. No dwellings or buildings or structures shall be commenced until the access roads, as approved, are defined by kerbs and sub base construction.

Reason

To ensure that the access roads are defined and laid out at an early stage in the interests of highway safety.

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

Reason

In the interests of highway safety.

15. Development shall not commence until details of the diversion, links and surfacing of Footpath No 426003 have been submitted to and approved in writing by the Local Planning Authority. The approved works shall be implemented and completed before any dwelling is occupied and shall be so maintained thereafter.

Reason

In the interests of highway safety.

16. Before development commences details of land reserved for the parking of vehicles engaged in construction operations associated with the development hereby approved, shall be submitted to and approved in writing by the Local Planning Authority. The land, including vehicular access thereto, shall be provided in accordance with the details so approved and kept available for this purpose at all times until the completion of the construction works.

Reason

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

17. The scheme shall incorporate the use of Sustainable Urban Drainage features (SUDS), details of which shall be submitted to and approved in writing by the Local Planning Authority before development commences. The approved scheme shall be implemented and become operational before any dwellings are occupied and shall be so maintained thereafter.

Reason

To help alleviate any potential flooding of the site.

**Informatives**

United Utilities have requested that the site be drained on a separate system with foul drainage only connected into the foul sewer in order to ensure a satisfactory drainage scheme.

The applicant / developer should ensure that measures are taken to prevent surface water discharging onto or off the highway to the satisfaction of the Highway Authority.

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**Statement**

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and negotiating with the applicants acceptable amendments to address them. As a result the Local Planning Authority has been able to grant planning permission for an acceptable proposal in accordance with Copeland Local Plan policies and the presumption in favour of sustainable development as set out in the National Planning Policy Framework.

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ITEM NO: 2.

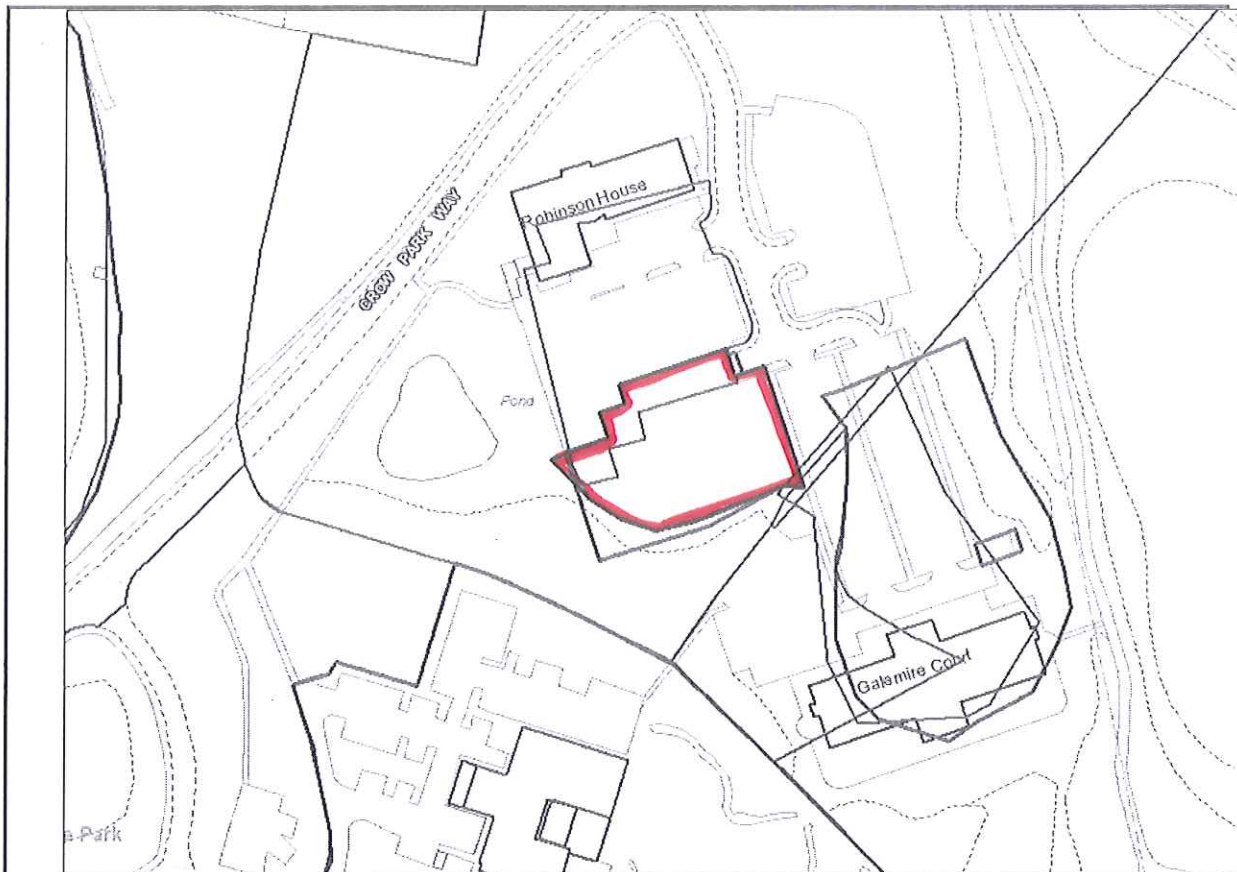


To: PLANNING PANEL

Development Control Section

Date of Meeting: 06/11/2013

<b>Application Number:</b>	4/13/2314/OF1
<b>Application Type:</b>	Full : CBC
<b>Applicant:</b>	Energy Coast West Cumbria (Properties) Ltd
<b>Application Address:</b>	SITE 2B, CROW PARK WAY, WESTLAKES SCIENCE AND TECHNOLOGY PARK, MOOR ROW
<b>Proposal</b>	ERECTION OF CHILDRENS NURSERY & ASSOCIATED PARKING, EXTERNAL PLAY AREAS AND STRUCTURES
<b>Parish:</b>	Egremont
<b>Recommendation Summary:</b>	Approve (commence within 3 years)



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## Introduction

A proposal for the erection of a new, purpose built, detached building for use as a children's day nursery on plot 2B, Crow Park Way, Westlakes Science and Technology Park (hereinafter referred to as the Park) near Whitehaven.

The site is vacant and relatively level measuring some 0.18ha in area. It is situated between the existing office developments of Robinson House and Galemire Court, and adjoins their respective car parks to the north and east with an overspill parking area adjacent to the north east. It is bounded to the west by existing landscaped areas.



## **The Proposal**

The erection of a single storey 262 metre square building situated centrally on the plot is proposed. In terms of external appearance, it is a contemporary style building with white rendered walls on top of a buff brick plinth under a grey mono-pitch metal deck roof. The walls would be interspersed with windows set out in horizontal panels to reinforce the horizontal nature of the elevations and along with doors which would be blue grey coated metal. It is also proposed to have larch or cedar wood panels on the walls serving to break down the massing. At the front, on the north elevation, a centrally located fully glazed canopy is proposed with double doors to highlight the main entrance.

Vehicle and pedestrian access would be via the north eastern corner at the front of the site leading from Westlakes Park directly to a small tarmacked parking court comprising 6 standard parking bays and 1 accessible bay, constructed of permeable paving. This would serve customers as a drop off / pick up facility with an associated pedestrian walkway alongside running up to the main entrance. Designated staff car parking in the form of 8 spaces is provided in the adjacent overspill car park which the applicant has control of.

As regards external lighting it is proposed that the building will be lit at the entrance by steel bollard lights with wall lights attached to the walls operating on a dawn to dusk setting.

## **Use**

Within the building would be three main child care areas dependent on age. Associated facilities include offices, staffroom, toilets and a kitchen. The creation of an extensive outside area to the west, south and east of the building also forms part of the proposal which would be contained by a timber palisade boundary fence 1.8m in height. This would accommodate a range of buildings and areas including landscaped areas, storage buildings, hen huts, two aviaries, play houses, glass house, covered area and an adventure play area.

The purpose of the building is to provide daily childcare for a maximum of 85 children up to the age of 5 years (pre-school). Staffing levels for this scale corresponds to 12 full time and 2 part time Nursery Nurses.

Proposed operating hours of the facility range from 7.45am to 6.00pm Monday to Friday. Arrival and departure times would be flexible to suit individual needs with the majority of the drop off times being between 7.45am- 9.30am, 12.30pm -1.30pm 3.30pm – 6.00pm.

## **Planning History**

The previous planning history is material. This application basically constitutes a resubmission. A previous application for the same proposal was refused by the Planning

Panel in January this year (4/12/2528/0F1) the only difference being, apart from the provision of staff parking in the adjacent overspill car park, that the applicants are now the Park providers. The original submission was refused for the following reasons:

“In the absence of a separate legal agreement to restrict the use of the proposed children’s nursery on a vacant employment plot on this existing Science and Technology Park, near Whitehaven to mainly employees of the Park so that it constitutes an ancillary use, the proposed development would be at variance with Policies EMP1 and EMP2 of the adopted Copeland Local Plan 2001-2016 (Saved Policies June 2009), Policies ST2, ER6 and DM4 of the emerging Copeland Local Development Framework (Core Strategy and Development Management Policies DPD May 2012) and the advice contained in the National Planning Policy Framework.”

### **Supporting case**

Following the previous refusal and in addition to a Design and Access Statement, (incorporating flood risk and site investigation) and an Arboricultural Constraints Report, the application is now accompanied by an enhanced supporting Planning Statement. This seeks to provide justification for the proposal and address the reasons for the previous refusal.

It is reiterated that the nursery will provide an important facility for the Park by supporting the child care needs of families working there and the sustainability of the park, as well as adding to the quality of existing childcare provision in Copeland generally. Critically it is also pointed out that the Park benefits from B1 (Business), B2 (General industry) B8 (storage) and D1 uses together with an agreement of 10% for ancillary use. It is asserted that the nursery fits into both the ancillary and D1 uses for the site.

It should also be noted that the previous application was accompanied by a letter from the the Park operators supporting the proposal stating that the Nursery would be a welcome facility providing a vital and long standing service for the 1500 staff based there. Following consultation with Park tenants 23 letters / expressions of interest for such a facility were received.

Reference is made to the development of the Park, that it is a major knowledge based strategic employment site related to the nuclear industry and a significant employment site in the area with over 1500 employees. It is pointed out that although this is the case, and the outline permission for this area of the Park (4/98/0271/001 refers) only permitted B1,B2 and B8 uses, and that despite this restriction ancillary uses have since been introduced as a result of separate consents and include a restaurant, conference centre and a helipad. Also, that the Masterplan Development Plan 2001 for the Park suggested that up to 10% of the space should be occupied by ancillary uses. Furthermore that the Masterplan Report for development up to 2016, which supported the extension to the Park, specifically identified a

need for up to 5ha for higher education and 3 ha for ancillary uses including a hotel. The case is therefore put forward that the proposal for a nursery is an acceptable ancillary use within the context of the existing Masterplan for the Park and subsequent ancillary developments there.

Recent Science Park research/ best practice is also referenced which consider the relevance of ancillary uses and their importance in attracting and retaining tenants. Whilst not exhaustive, this indicates that there are none which constrain use to park employees only although some do have preferential rates for such users and that the take up rate from park use averages between 40 – 55%. As regards it being truly ancillary they consider that a take up estimated at a minimum of 45% for this proposal is self-evident and given the current investment in the Park consider that demand is likely to grow not remain static or decline.

### **Consultation Responses**

**Egremont Town Council** – aware this is not a valid planning reason but feel this application will potentially divert children from other local based nurseries. The site was designated as a science and technology park and any additional support services risks the park becoming self-supportive with a negative impact to businesses in the locality, and losing additional social economic benefit that local businesses rely on. Also are concerned about the potential increase in traffic on the adjacent A595 especially at peak hours.

**Highway Authority** – no objections.

**Copeland Disability Forum** – comment specifically in relation to the provision of accessible facilities and acknowledge that one accessible parking bay will be provided. Have a concern that the area adjacent to the car parking would be surfaced in chippings. However can confirm the public area to the front is to be of a bound surface with only part of the rear garden laid to chippings.

**Flood and Coastal Defence Engineer** – no objection and advises SUDS drainage be preferable.

**Senior Planning Policy Officer** – to be reported verbally.

### **Neighbour Representations**

Three letters have been received in relation to this application, two from other nursery providers in the Whitehaven area and one from an adjoining neighbour.

The two nursery providers object to the proposal on the following grounds:

- Sustainability. There are already a number of childcare facilities within the local area none of which are full or have a waiting list. It appears there is sufficient capacity to meet demand for places. Increasing the number of places will mean reduced attendance across the board putting jobs and nurseries at risk and reducing parental choice.
- Applicants currently own and operate a nursery in Cockermouth and query Local Authority (Cumbria County Council) contract relating to funding and charge of registration fees.
- One of the objectors is concerned that this will affect their nursery directly as a significant number of their customers are based at Westlakes. Will potentially affect staff numbers. They point out that they are only operating at 58% capacity.
- Concern that by allowing this nursery on the Park it will lead to other none science/ technological business being allowed to open.

The occupier of the neighbouring offices and car park to the north initially expressed the following concerns:

- Whilst they welcome the facility are concerned about the small number of parking spaces proposed. They point out that the site is between two fully occupied buildings and the Park's overflow car park so it is arguably the busiest traffic area and this will result in a lot more vehicle movements in this area.
- Concern that parents may park in their private car park adjacent which is fully utilised.
- During construction it will be noisy and there is concern for the safety of pedestrians – requires a sensible traffic management plan.

In response to the representations the following comments are offered:

The issue of economics and whether there is a need for a further nursery in the area, although noted, is not a material planning consideration, similarly the issue regarding funding contracts. What is material however, is whether such an ancillary use is appropriate in this location and this is debated further in the report.

As regards parking, negotiations have taken place with the applicants following the neighbour's concerns and has resulted in the provision of 8 dedicated spaces provided on the adjacent overspill car park for staff via an amended plan which leaves the spaces immediately in front of the nursery for drop off and pick up only. The issue of site safety during construction is not a planning matter and will be covered separately under the CDM regulations. The applicants are aware of the issue of pedestrian safety and have suggested

this could be controlled by an appropriate condition. These revisions are considered to satisfactorily address neighbouring concerns.

## **Planning Policy**

### **National Planning Policy Framework**

The National Planning Policy Framework (NPPF) which came into effect in March 2012, sets out the Government's current planning policies and how these are to be applied. It introduces a presumption in favour of sustainable development and emphasises that the purpose of the planning system is to contribute to the achievement of this.

In terms of delivering sustainable development paragraphs 18, 19 and 20 are relevant and advocate this. They emphasise the commitment towards building a strong, competitive economy. Paragraph 21 stresses the importance of facilitating investment and that policies should be flexible enough to accommodate needs not anticipated in the plan as well as supporting flexible working practices.

The NPPF also recognises that planning has a social role in supporting strong, vibrant and healthy communities. This is emphasised in Section 8 and paragraph 69. Paragraph 70 identifies what planning should do to deliver the facilities communities need including ensuring that there is an integrated approach to considering the location of economic uses, community facilities and services.

The NPPF is a material consideration in determining planning applications and requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise.

### **Emerging Local Plan**

The Local Development Framework's Core Strategy and Development Management Policies DPD will replace most of the policies in the Copeland Local Plan 2001-16 is now at an advanced stage of production. The examination in public took place in April 2013 and it is envisaged that the document will be adopted in December 2013.

The Policies are a material consideration when determining planning applications although they cannot be afforded full weight until formal adoption they can be given greater weight now that the Inspector has issued his report following the Examination, particularly given the limited scale of objection to it and its consistency with national policy guidance.

In relation to this application the following Policies of the new document are considered relevant:

ST 1: Strategic Development Principles - sets out the fundamental principles to guide development in the Borough.

ST 2: Spatial Development Strategy and ST 3 Strategic Development Priorities - outline the overall spatial and regeneration strategies for the Borough. Policy ST2; sets a spatial development strategy whereby development should be guided to the principle settlement and other centres and sustain rural services and facilities. It specifically identifies the Park as an existing major employment location in the Borough within this context.

ER6: Location of Employment – supports employment development in appropriate locations.

DM4: Westlakes Science and Technology Park – specifies the only uses that will be permitted on the site. This includes B1 and specifically sets out that only the higher education element of D1 will be allowed.

#### Copeland Local Plan

The NPPF initially allowed full weight to be given to relevant local plan policies adopted since 2004 for a limited period of 12 months even if there was a limited degree of conflict with it. The Copeland Local Plan 2001-2016, adopted in 2006, fell into this category. For determining applications post March 2013 the NPPF states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. They are considered generally compatible and compliant with the NPPF. Accordingly these policies are given due weight in the assessment of the application.

In respect of this application key policies of the adopted Copeland Local Plan (the Plan) identified below remain relevant to the assessment of this application.

DEV 1: Sustainability and Regeneration. This requires all development to contribute to achieving sustainable regeneration of the Borough.

DEV 5: Development in the Countryside. This only permits development on existing employment sites in countryside locations.

DEV 6: Sustainability in Design. This advocates high quality sustainable design in all new developments.

EMP 1: Employment Land Allocation – allocates sites in the borough for future employment development and includes West Lakes Science and Technology Park.

EMP 2: West Lakes Science and Technology Park – this is the key policy governing development on the Park.

This states *“Land with planning permission and land allocated for employment use has been identified on the proposals map as E1. Within this area development in Use Classes B1 and*

*D1 will be permitted. Development must be designed to a high standard and make a positive contribution towards the high quality appearance of the Park."*

SVC 11: Education, training, health and other community facilities. This generally supports the development of new day nursery / childcare facilities subject to the requirements of other plan policies being met. Furthermore it states that it must involve sites related to the needs of the community and that can be served by a range of transport modes.

It should be noted that in the absence of an up to date adopted local plan that the NPPF's policy guidance can take precedence. It could be argued that this applies in this case as we are in effect in the 'interim period' whereby the existing Copeland Local Plan policies are out of date and the ones in the emerging local plan, although gaining greater weight post Inspector's Report, have yet to be formally adopted. In such circumstances the NPPF states that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against this policy framework or specific policies in the framework which indicate development should be restricted.

## **Assessment**

Given the nature of the application the detailed policy context is considered important.

Copeland Local Plan Policy EMP 1 specifically allocates 19.12ha on the Park for employment purposes which includes the proposed development site, plot 2B. It also identifies permitted uses on the estate as being B1 and D1 with reference to EMP 2 which serves to clarify these uses.

Whilst EMP 2 of the Plan confirms that D1 uses are acceptable on the Park, the preamble to the policy further clarifies the specific intention of this. Paragraphs 3 and 4 of 5.2.15 of the Plan in particular are relevant as it states that all new uses will be restricted to B1 and that D1 uses refer specifically to permitting development associated with higher education only as an exception.

SVC 11, on the other hand, which advocates community services such as day nurseries could potentially support the development of a nursery on the site as an ancillary use as an exception to Policy EMP 2. It would need to be demonstrated that the site is well related to the intended community it is designed to serve i.e. employees on the Park and are or can be accessed by a range of transport modes.

Notwithstanding the above, It can be argued however that the Emerging Local Plan Policies now carry greater weight than the existing Copeland Local Plan policies above given that the Inspector's Report has now been issued. But caution is required here as the emerging plan has yet to be formally adopted. Significant weight therefore would also have to be attributed to the guidance contained in the NPPF during this interim period. In the context of the NPPF this presumes in favour of development unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

The key Policies of the emerging plan; ST2 and ER6 of the Core Strategy reinforce and endorse the policy approach of the Copeland Local Plan by identifying the Park as a strategic employment site which will be promoted as the focus for a knowledge campus of international significance in line with the requirements of Development management policy DM4. This policy specifies the acceptable ancillary uses for the site within D1 being restricted to higher education.

As such the development of a children's nursery on the site under these policies would be precluded. That said the proposed use would be acceptable if it could be demonstrated that the scale and nature is ancillary to the function of the business park so that it can be considered to represent an exception to policy.

In order for a day nursery to be supported on the site therefore, it would have to be considered as an exception to policy as an ancillary use, but this would need to be clearly justified.

The case put forward to support this resubmission is noted. This indicates that there is evidence in historical documentation relating to the Park's development that demonstrates there has been some previous intention to permit limited ancillary uses which has transformed into formal development on the site. However, restricting such a use via a separate legal agreement is not considered feasible and is not practised elsewhere on such Park's. It is acknowledged in practice this would be unworkable but it would mean there would be no formal control over the facility. As an indication of the intent to exercise appropriate control over the development as being ancillary however the applicants for this application are the Park providers as opposed to a private individual.

Taking the above into account and the fact that the current policy context gives supremacy to the guidance contained in the NPPF, and that this submission goes some way to addressing the previous grounds of refusal, it is considered on balance that the proposal should now be supported.



**Recommendation:-**

Approve

**Conditions**

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

**Reason**

To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. Permission shall relate to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them:-

Design and Access Statement, Revision 2, by Ashwood Design Associates Ltd, October 2012 received 5 August 2013.

Planning Statement, by MJN Associates, July 2013, received 5 August 2013.

Arboricultural Constraints Report, by APM Consultancy, November 2012, received 5 August 2013.

Location Plan and Existing Block Plan / Survey Plan, drawing no 1472 11, scale 1:1250 & 1:100, received 5 August 2013.

Proposed Plans, Elevations Shed Plans & Elevations & fence details, drawing no 1472 12 Rev A, scale 1:100 & 1:50, received 5 August 2013.

Proposed Site Plan, drawing no 1472 13 Rev B, scale 1:100, received 5 August 2013.

OS Location Plan, drawing no 1472 15, scale 1:1250, received 5 August 2013.

Amended Proposed Block / Roof Plan, drawing no 1472 12 Rev B, scale 1:100, received 15 October 2013.

Use of Nurseries/Creche Facilities on UK Science Parks, Supplementary Information to Planning Statement, by MJN Associates, dated October 2013, received by email attachment 15 October 2013.

**Reason**

To conform with the requirement of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

3. No development shall commence until an Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. This shall provide details of adequate protection measures for the retained trees / hedges during construction including the erection of fencing and any specialist construction methods undertaken in accordance with British Standard BS 5837:2012. The development shall be carried out in accordance with the approved method statement.

Reason

To adequately protect the existing trees and hedges on site which are considered worthy of retention.

4. Before the development is brought into operation, details of a traffic management scheme to give pedestrian priority shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and retained thereafter.

Reason

In the interests of pedestrian safety.

5. Dedicated staff car parking shall be provided and brought into use in accordance with the details shown on the amended block plan, drawing no 1472 12 Rev B, received on 15 October 2013, prior to the operation of the Nursery development hereby approved. The approved parking spaces shall be maintained at all times thereafter.

Reason

In the interests of highway safety.

6. Before development commences representative samples of the materials to be used on the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and so maintained thereafter.

Reason

To ensure a satisfactory appearance of the development in the interests of visual amenity.

## Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and negotiating with the applicants acceptable amendments to address them. As a result the Local Planning Authority has been able to grant planning permission for an acceptable proposal in accordance with Copeland Local Plan policies and the presumption in favour of sustainable development as set out in the National Planning Policy Framework.

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ITEM NO: 3.



To: PLANNING PANEL

Development Control Section

Date of Meeting: 06/11/2013

Application Number:	4/13/2379/0F1
Application Type:	Full : CBC
Applicant:	Mr J Gate
Application Address:	FIELD 4886, NEAR WINDER, NORTH OF FRIZINGTON
Proposal	BELOW GROUND RECEPTION TANK FOR RUN OFF WATER AND SLURRY FOR WINTER STORAGE
Parish:	Arlecdon and Frizington
Recommendation Summary:	Site Visit



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## INTRODUCTION

This application relates to field number 4886, an area of agricultural land which lies between Frizington and Winder. This land forms part of the applicants existing agricultural holding which comprises land to the east of Frizington which extends in a north easterly direction towards Winder. The applicant also currently owns and uses some agricultural buildings on the edge of the village, known as Lonsdale Farm.

## PROPOSAL

Planning permission is sought for the construction of an open structure on the site which will be used for the storage of slurry and run off water. It is proposed to be 22.0m x 22.0m with sloping sides narrowing to a base of 10.0m x 10.0m in size and will be lined with clay. The overall depth of the structure is to be 3 metres below ground level. A 1.5 metre high bund is to be constructed around its perimeter to provide an enclosure to stop excess run off. The bund will be surfaced with top soil.

Access to the site is to be achieved off a private access road which lies to the North West and which serves Eskett Quarry. The private road joins onto the A5086 to the north of the site.

The site lies approximately 480 metres to the west of the nearest dwellings in Frizington.

To the east of the agricultural land is the linear group of dwellings running north to south along Skelsceugh Road in the hamlet of Winder, separated from the site by the quarry road and a line of mature trees that were planted when the quarry road was constructed. The properties along Skelsceugh Road are 320m from the site at the nearest point. There is also a group of terraced dwellings to the north of the site fronting onto the A5086 called Waterloo Terrace, which are 550m away from the site.

A separate application for the erection of a general purpose agricultural building on land adjacent to this proposal has also been submitted by the applicant. This application is included on the agenda as a separate item (Planning Application 4/13/2406/0F1 refers).

## CONSULTATION RESPONSES

This application has received a large amount of public interest, including the receipt of the approximately 400 letters of objection (380 of which are on a proforma sheet). In addition, Arlecdon and Frizington Parish Council have raised an objection to the proposal, due to the smell and the possibility of toxic fumes which could be harmful to the health of residents. They also have concerns that the spreading of slurry in such large quantities over the land may cause seepage into the local water courses which would be harmful to the local environment and wildlife.

## ASSESSMENT

As this application raises a number of issues with regards to the potential impacts on residential amenity, public health and the pollution of local water courses it is considered appropriate for Members to visit the site prior to reaching a decision on the application.

### **Recommendation:-**

Site Visit

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ITEM NO: 4.



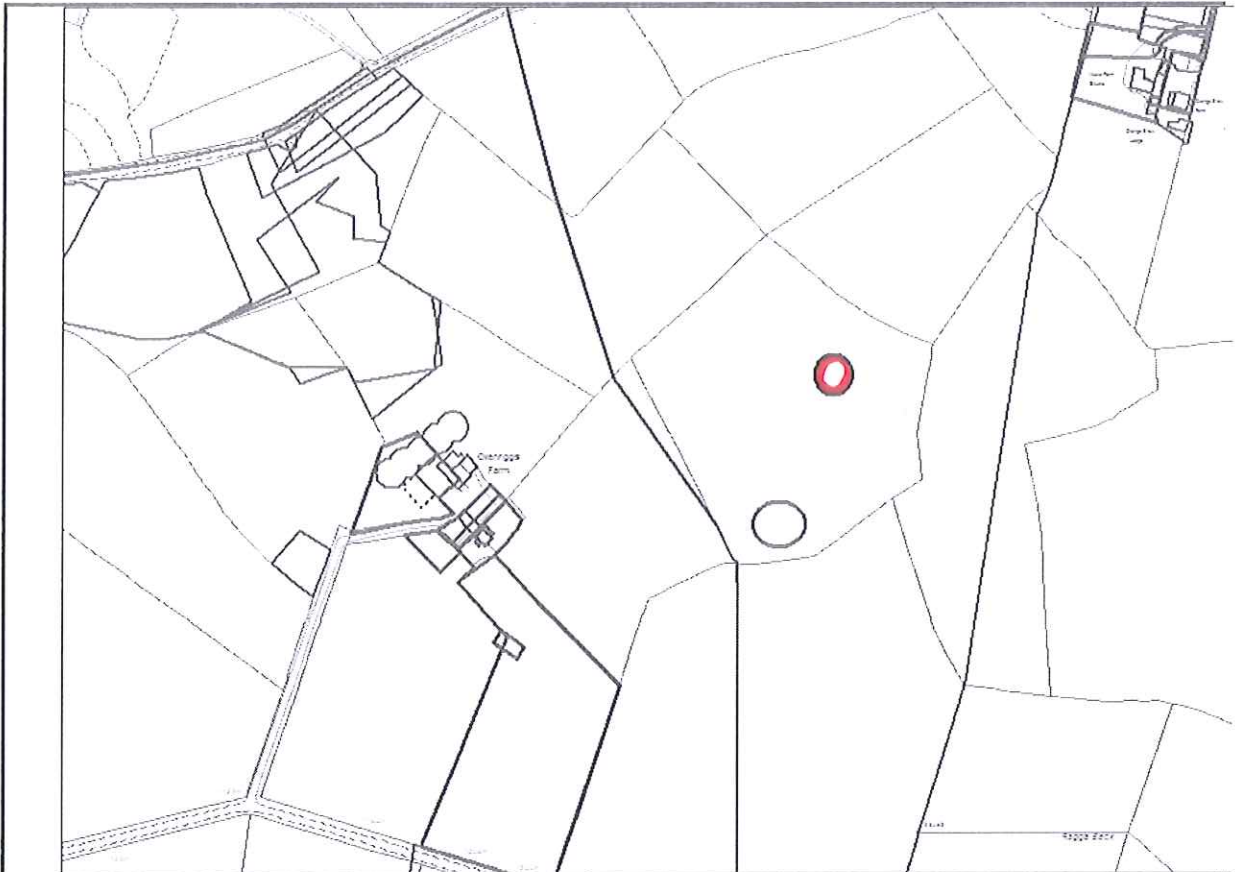
To: PLANNING PANEL

Development Control Section

Date of Meeting: 06/11/2013

Application Number:	4/13/2392/0F1
Application Type:	Full : CBC
Applicant:	Mr D Walker
Application Address:	LAND AT OXENRIGGS FARM, EGREMONT, GRID REFERENCE (EASTINGS 302771, NORTHINGS 510144)
Proposal	PROPOSED SITING OF 1 x 24.8M HIGH (HUB) WIND TURBINE WITH A TIP HEIGHT OF 34.5M
Parish:	Haile
Recommendation Summary:	Site Visit





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## Introduction

This proposal relates to an elevated greenfield site in open countryside, situated some 1.5km to the east of Egremont and some 240m to the north east of a group of dwellings comprising Oxenriggs Farm. The nearest other non-associated dwellings comprise the isolated group at Grange Brow some 270m distant.

## The Proposal

Permission is sought for the erection of a single 50kw wind turbine on the site. This would be situated on a single tapered tubular tower pale grey in colour with a hub height of 24.8m. The turbine would be three bladed with a rotor diameter of 19.2m giving a total ground to tip height of 34.5m.

It would be fixed onto a 6m by 6m concrete reinforced foundation some 1.4m in depth and be capable of producing 100,00 - 250,000 kWh per year which is suitable for larger farms.

Underground cabling will connect the turbine to the local electricity network.

Access to the development would be via the existing entrance road serving the former farmstead and then via existing access gates and across fields via the use of temporary reinforcing cover sheets to provide access, which will then be removed following installation.

This application is accompanied by a:  
Design and Access Statement  
Photomontages  
Acoustic Data & Wind Turbine Noise Performance Test  
Technical Details

### **Planning History**

The only associated planning history relevant to this application is the approval of a 50m high anemometer mast in 2012 for a temporary 12 month period on a neighbouring site some 70m to the south west for the purpose of assessing the wind resource in this location. (4/13/ 2392/OF1 refers)

### **Consultations**

**Haile & Wilton Parish Council** - Strongly object, the height of the turbine will have a visual impact for a large proportion of the parish and residents in surrounding areas and it will also be greatly visible from the National Park. A parish questionnaire undertaken in March 2013 regarding turbines showed that 90% of residents who replied were totally against wind turbines of this size.

**Highway Authority** - no objections subject to a condition to protect the adjacent highway from mud during construction.

**Scientific Officer** - A key response given the proximity of nearest non associated dwellings which is awaited.

### **Neighbours**

To date three letters of objection have been received, two of whom are from residents of the nearest non associated group of dwellings at Grange. Collectively they express concern on the following grounds:

-- A recent survey carried out in the parish did not support the development of wind turbines in the area.

-- Unacceptable intrusion into the local landscape --This wind turbine will be over 100 feet tall and the visual impact of it will spoil / dominate a naturally beautiful area.

-- Would destroy the views of Dent and Ennerdale and Buttermere Fells.

-- Will set a precedent for other turbines in the parish.

-- When is this proliferation going to stop as already have four in the area and have reached saturation point.

-- If we have to have them would prefer to see the smaller units being used such as those at Fairladies Farm and Low Thorny which only have a local impact and are much more suited to

our environment unlike those at Orgill.

-- Query why they have to be white as a darker colour would make them less conspicuous and cut down on flicker.

-- It is a commercial size turbine which raises the question as to whether it is required for domestic reasons or commercial gain.

-- There is no need for this or similar turbines when there are hundreds of acres of them along our coastline.

-- They are not economically efficient when the development, erection, operating, maintenance and commissioning costs are taken into account.

-- Query whether a risk assessment covering erection, operation and end of lifecycle has been undertaken as there is often no incentive to decommission them leaving a dangerous rusting hulk for years to come.

### **Assessment**

In view of the proximity of this turbine to two groups of isolated non-associated dwellings, its sensitive location inland in relation to the fells /Lake District National Park and likely local opposition, Members are recommended to take this opportunity to visit the site and appraise all the material planning considerations before determining the application.

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Recommendation: Site visit

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ITEM NO: 5.



To: PLANNING PANEL

Development Control Section

Date of Meeting: 06/11/2013

Application Number:	4/13/2406/OF1
Application Type:	Full : CBC
Applicant:	W Gate and Son
Application Address:	FIELD 4886, NEAR WINDER, NORTH OF FRIZINGTON
Proposal	GENERAL PURPOSE AGRICULTURAL BUILDING
Parish:	Arlecdon and Frizington
Recommendation Summary:	Site Visit



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## INTRODUCTION

This application relates to field number 4886, an area of agricultural land which lies between Frizington and Winder. This land forms part of the applicants existing agricultural holding which comprises land to the east of Frizington which extends in a north easterly direction towards Winder. The applicant also currently owns and uses some agricultural buildings on the edge of the village, known as Lonsdale Farm.

## PROPOSAL

Planning permission is sought for the erection of an agricultural building on the site. The building as proposed would be 42.0m x 15.5m with a height of 5.5m to the eaves, and a total height of 7.5m. The materials specified are concrete panel to the lower walls, wooden Yorkshire boarding to the upper section of the walls and green box profile metal cladding to the roof. There is already a hardstanding area adjoining the application site which is utilised as a sheep pen.

The applicant has submitted information with the proposal stating that the building will be used partly as a farm yard manure store, partly for storage and also for lambing sheep.

Access to the site is to be achieved via a track which runs off a private access road to the North West and which serves Eskett Quarry. The private road joins onto the A5086 to the north of the site.

The site lies approximately 490 metres to the west of the nearest dwellings in Frizington. To the east of the agricultural land is the linear group of dwellings running north to south along Skelsceugh Road in the hamlet of Winder, separated from the site by the quarry road and a line of mature trees that were planted when the quarry road was constructed. The properties along Skelsceugh Road are 280m from the site at the nearest point. There is also a group of terraced dwellings to the north of the site fronting onto the A5086 called Waterloo Terrace, which are 545m away from the site.

## ASSESSMENT

A separate application for the construction of a below ground reception tank for water run-off and slurry for winter storage adjacent to this proposal has also been submitted by the applicant. This application is included on the agenda (Planning Application 4/13/2379/0F1 refers).

Given the issues raised by both applications it is considered appropriate for Members to visit the site so that the full extent of the agricultural proposals can be fully assessed prior to determination.

**Recommendation:-**

Site Visit

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ITEM NO: 6.



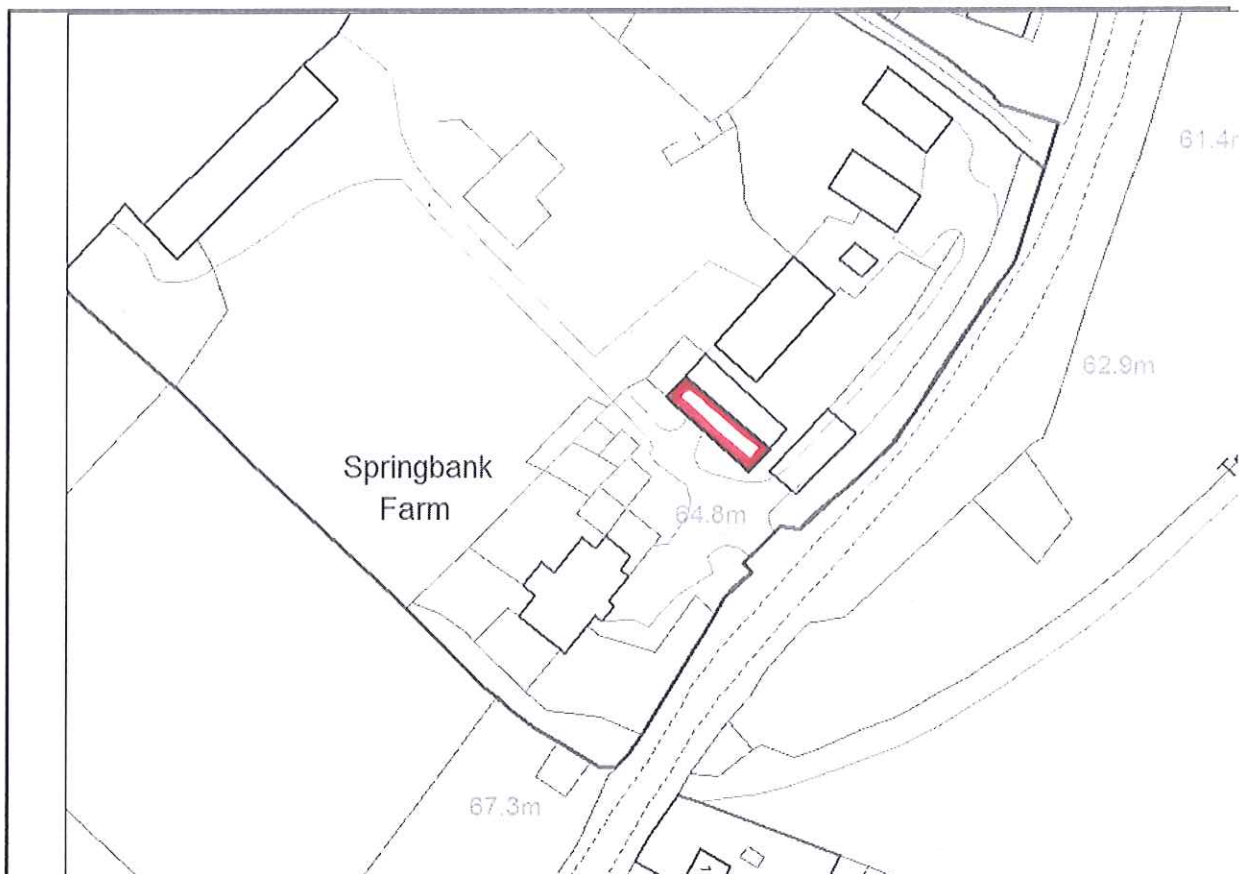
To: PLANNING PANEL

Development Control Section

Date of Meeting: 06/11/2013

Application Number:	4/13/2409/0F1
Application Type:	Full : CBC
Applicant:	Mr S Woodman
Application Address:	ROOF OF BARN AT SPRINGBANK FARM, HIGH WALTON, EGREMONT
Proposal	INSTALLATION OF 30 SOLAR MONOCRYSTALLINE PANELS
Parish:	St. Bees
Recommendation Summary:	Approve (commence within 3 years)





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## Introduction

This application relates to an isolated working farm at High Walton near St Bees.

The applicant is related to a Copeland Councillor and in accordance with the agreed Council Protocol it has to be reported to the Planning Panel for a decision.

## The Proposal

The application comprises the installation of 30 Solar PV monocrystalline on the western 15 degree pitch slope of a detached barn within the existing farm building group. These will be contained within an aluminium frame and will protrude some 200mm above the existing roof line. The total output is estimated as 10 kw and the purpose of which is to generate electricity for domestic/ farm purposes.

## **Consultations**

St Bees Parish Council – no comments yet received will report verbally.

## **Neighbour Representations**

No neighbour representations have been received.

## **Planning Policy**

The following documents and guidance are considered relevant and material to the assessment of this application:-

### **National Planning Policy Framework**

The National Planning Policy Framework (NPPF), which came into effect in March 2012, sets out the Government's planning policies and how these are to be applied. It introduces a presumption in favour of sustainable development and emphasises that the purpose of the planning system is to contribute to the achievement of this.

The NPPF constitutes guidance for local planning authorities and in respect of development control is a material consideration in determining planning applications. It does not change the status of the development plan and the planning system remains plan led - requiring that applications for planning permission be determined in accordance with the development plan unless it is out of date or not consistent with the NPPF.

All of the policies quoted in the NPPF taken as a whole constitute the Government's view of what sustainable development means in practice for the planning system.

The NPPF usefully elaborates on the Government's interpretation of what is meant by sustainable development. It identifies three dimensions to sustainable development, namely economic, social and environmental. The environmental role is defined in paragraph 7 as contributing to protecting and enhancing our natural built and historic environment; and as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution and mitigate and adapt to climate change including moving to a low carbon economy. Paragraph 8 confirms that these three roles should not be taken in isolation because they are mutually dependent.

As regards renewable energy developments it states that we should:

- Support the transition to a low carbon future in a changing climate, including encouraging the use of renewable resources by the development for example of

renewable energy.

- Contribute to preserving and enhancing the natural environment and reducing pollution.
- Encourage the effective use of land by reusing previously developed 'brown field' land.
- Promote mixed use developments and encourage multiple benefits from its use.
- Conserve heritage assets in a manner appropriate to their significance.
- Actively manage patterns of growth.
- Take account of and support local strategies to improve health, social and cultural well being to meet local needs.

Core Principle 10 of this approach 'Meeting the Challenge of Climate Change, flooding & Coastal Change' recognises that planning can play a key role in

- securing radical reductions in greenhouse emissions.
- supporting the delivery of renewables. (Paragraph 93 refers)

And specifically in determining planning applications (Paragraph 98 refers) we should in particular:

- not require overall need for the energy development to be demonstrated recognising that even small scale projects provide a valuable contribution to cutting greenhouse gas emissions and
- approve the application (unless material considerations indicate otherwise) if its impacts are or can be made acceptable.

### **Planning Practice Guidance for Renewable and Low Carbon Energy**

The Government issued a practical guide for renewable energy development in July 2013. This guidance is a material consideration in determining planning applications and should be read in conjunction with the NPPF. It replaces the companion guide to PPS 22.

The guidance is useful in that it clarifies that the need for renewable energy does not automatically override environmental protections and the planning concerns of local communities. It advises that Local Planning Authorities should take into account the requirements of the technology, the potential impacts on the local environment including cumulative impacts. The views of local communities likely to be affected should also be listened to.

## **Local Plan Policy**

The NPPF stresses the need for an up to date development plan as a basis for decision making. The adopted Local Plan is out of date in terms of the NPPF as it is not a Development Plan Document adopted in accordance with the Planning and Compulsory Purchase Act 2004. As the Local Plan is not consistent with the NPPF less weight should be attached to the saved policies within it.

Consideration should be given to Policy EGY 1 of the adopted Copeland Local Plan 2001-2016 (Saved Policies June 2009) but greater weight should be afforded to the guidance set out in the NPPF which will take precedence over any areas where local plan policy contradicts or makes no specific statement about the key considerations applicable in this case.

Policy EGY 1 sets out the following criteria that all renewable energy development must satisfy. It states:-

Proposals for any form of renewable 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 conflict with any existing recreational facilities and their access routes.
9. That they would not give rise to any unacceptable cumulative effects when considered against any previous extant planning approvals for renewable energy development or other existing/ approved utility infrastructure in the vicinity.

## **Emerging Local Plan**

The Local Development Frameworks Core Strategy and Development Management Policies DPD which will replace the policies in the Copeland Local Plan, is now at a more advanced

stage of production. The public examination into the document took place in April this year and it is envisaged that this will be adopted in December 2013.

The Policies are a material consideration when determining planning applications although they cannot be afforded full weight until formal adoption they can be given greater weight now that the Inspector has issued his report following the Examination, particularly given the limited scale of objection to it and its consistency with national policy guidance.

In the meantime it is acknowledged that the NPPF is critical to development management decisions and that local plan policy can only be considered relevant where it is considered consistent with it.

The following Policies of the new document are considered relevant in this context:

Policy ER 2 of the Core Strategy relates to Planning for the Energy Coast. It states that “the Council will seek to support and facilitate new renewable energy generating at locations which best maximise renewable resources and minimise environmental and amenity impacts. The criteria on renewable energy development/generation are set out in Development Management Policy DM 2. This broadly duplicates the criteria contained in the Copeland Local Plan but adds an additional requirement whereby mitigation measures and significant benefits for the community should be taken into account in considering the balance on renewable energy developments.

### **Assessment**

Whilst the site is situated within the open countryside it is not within any sensitive landscape designation. As the barn is set down at a lower level than the adjacent road and neighbouring buildings it is unlikely to have a significant impact in the locality. The only impact it will have is immediate – on the applicants own farm building group and house from where the panels will be visible. It is envisaged however that even this will be minimal given the scale proposed. It is considered an appropriate scale and form of development which will generate renewable energy for the farm which on balance is consistent with the renewable energy guidance contained in the NPPF, the emerging Local Plan and the existing Copeland Local Plan.

### **Recommendation:-**

Approve

### **Conditions**

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

#### Reason

To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. Permission shall relate to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them:-

Block Plan of Springbank Farm, scale 1:500, received 4 October 2013.

Proposed Plan of Barn Roof, received 4 October 2013.

#### Reason

To conform with the requirement of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

3. Any solar panel which becomes redundant or is no longer needed for the production of energy shall be removed from the roof within one month of it becoming redundant in accordance with a scheme which shall have the prior written approval of the Local Planning Authority.

#### Reason

In the interests of amenity.

#### Informative

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. It should also be noted that this site may lie in an area where a current licence exists for underground coal mining.

Further information is also available on The Coal Authority website at [www.coal.decc.gov.uk](http://www.coal.decc.gov.uk)

Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at [www.groundstability.com](http://www.groundstability.com) <<http://www.groundstability.com>>

## Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.

## List of Delegated Decisions

**Selection Criteria:**

**From Date:** 01/10/2013

**To Date:** 25/10/2013

**Printed Date:** Monday, October 28, 2013

**Printed Time:** 2:40 PM



<b>Application Number</b>	4/13/2189/0F1
<b>Applicant</b>	Mr G Southward
<b>Location</b>	LAND ADJACENT TO 41 RHEDA PARK, FRIZINGTON
<b>Proposal</b>	CHANGE OF USE FROM AGRICULTURAL GRAZING LAND TO ORCHARD AND CREATION OF POND AND WET AREA
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	2 September 2013
<b>Dispatch Date</b>	18 October 2013
<b>Parish</b>	Arlecdon and Frizington

<b>Application Number</b>	4/13/2296/0F1
<b>Applicant</b>	Mr A Shoreman
<b>Location</b>	91 LOOP ROAD NORTH, WHITEHAVEN
<b>Proposal</b>	CONSTRUCTION OF NEW SINGLE STOREY EXTENSION TO EXISTING DWELLING, COMPRISING NEW KITCHEN, LIVING, UTILITY AND BEDROOM SPACE
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	6 October 2013
<b>Dispatch Date</b>	10 October 2013
<b>Parish</b>	Whitehaven

<b>Application Number</b>	4/13/2318/0F1
<b>Applicant</b>	Mr T Beaty
<b>Location</b>	LAND SOUTH OF LANGHORN FARM, BIGRIGG, EGREMONT
<b>Proposal</b>	INSTALLATION OF SINGLE WIND TURBINE (WITH A BLADE TIP HEIGHT OF 46.3M) AND ACCESS TRACK
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	9 October 2013
<b>Dispatch Date</b>	10 October 2013
<b>Parish</b>	Egremont

<b>Application Number</b>	4/13/2321/0L1
<b>Applicant</b>	Two Castles Housing Association
<b>Location</b>	GLOBE HOUSE, DUKE STREET, WHITEHAVEN
<b>Proposal</b>	LISTED BUILDING CONSENT FOR REPAIR WORK
<b>Decision</b>	Approve Listed Building Consent (start within 3yr)
<b>Decision Date</b>	16 September 2013
<b>Dispatch Date</b>	2 October 2013
<b>Parish</b>	Whitehaven

<b>Application Number</b>	4/13/2322/0F1
<b>Applicant</b>	Kells Development Group Ltd
<b>Location</b>	PLOT 25, FORMER WHITE SCHOOL, KELLS, WHITEHAVEN
<b>Proposal</b>	PAIR OF SEMI DETACHED 3 BEDROOMED HOUSES, GARAGES AND PARKING
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	27 September 2013
<b>Dispatch Date</b>	2 October 2013
<b>Parish</b>	Whitehaven

<b>Application Number</b>	4/13/2333/0F1
<b>Applicant</b>	Mr and Mrs A Musgrave
<b>Location</b>	WOODEND BARN, WOODEND, EGREMONT

<b>Proposal</b>	DEMOLITION OF EXISTING HAULAGE SHED, ERECTION OF GARAGE/SUMMERHOUSE & ASSOCIATED LANDSCAPING
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	30 September 2013
<b>Dispatch Date</b>	4 October 2013
<b>Parish</b>	Egremont

<b>Application Number</b>	4/13/2340/0R1
<b>Applicant</b>	High Grange Developments Ltd
<b>Location</b>	PHASE 1, LAND OFF HOPEDENE, MILL HILL, CLEATOR MOOR
<b>Proposal</b>	REVISED DWELLING TYPES ON ALL PLOTS (1 - 7) RELATIVE TO RESERVED MATTERS APPROVAL REF: 4/12/2473/0R1
<b>Decision</b>	Approve Reserved Matters
<b>Decision Date</b>	3 October 2013
<b>Dispatch Date</b>	8 October 2013
<b>Parish</b>	Cleator Moor

<b>Application Number</b>	4/13/2341/0F1
<b>Applicant</b>	Mr I T Agnew
<b>Location</b>	THE MOUNT, BRAYSTONES BEACH, BECKERMET
<b>Proposal</b>	PROPOSED BOATHOUSE
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	30 September 2013
<b>Dispatch Date</b>	8 October 2013
<b>Parish</b>	Lowside Quarter

<b>Application Number</b>	4/13/2342/0F1
<b>Applicant</b>	Ms J Litt
<b>Location</b>	5 MICKLAM COTTAGES, LOWCA, WHITEHAVEN
<b>Proposal</b>	REMOVE SINGLE STOREY REAR EXTENSION AND BUILD TWO STOREY EXTENSION; ERECTION OF GARAGE ON PARKING SPACE
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	3 October 2013
<b>Dispatch Date</b>	14 October 2013
<b>Parish</b>	Lowca

<b>Application Number</b>	4/13/2345/0L1
<b>Applicant</b>	Mrs A Treble
<b>Location</b>	8 CORKICKLE, WHITEHAVEN
<b>Proposal</b>	LISTED BUILDING CONSENT FOR CLADDING OF SINGLE GLAZED WOODEN DORMER WINDOW
<b>Decision</b>	Approve Listed Building Consent (start within 3yr)
<b>Decision Date</b>	8 October 2013
<b>Dispatch Date</b>	14 October 2013
<b>Parish</b>	Whitehaven

<b>Application Number</b>	4/13/2348/0F1
<b>Applicant</b>	Mr Brown
<b>Location</b>	4 FOU MART HILL, FRIZINGTON
<b>Proposal</b>	ERECTION OF DWELLING (RETROSPECTIVE)
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	2 October 2013

<b>Dispatch Date</b>	10 October 2013
<b>Parish</b>	Arlecdon and Frizington

<b>Application Number</b>	4/13/2350/0F1
<b>Applicant</b>	Mr and Mrs R Warren
<b>Location</b>	8 FOXHOUSES ROAD, WHITEHAVEN
<b>Proposal</b>	SINGLE STOREY SIDE EXTENSION TO PROVIDE ENLARGED KITCHEN AND NEW DINING ROOM; ALTERATION OF BASEMENT STAIRS AND RAILINGS
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	21 October 2013
<b>Dispatch Date</b>	22 October 2013
<b>Parish</b>	Whitehaven

<b>Application Number</b>	4/13/2351/0L1
<b>Applicant</b>	Mr and Mrs R Warren
<b>Location</b>	8 FOXHOUSES ROAD, WHITEHAVEN
<b>Proposal</b>	LISTED BUILDING CONSENT FOR SINGLE STOREY SIDE EXTENSION & ALTERATIONS OF BASEMENT STAIRS AND RAILINGS
<b>Decision</b>	Approve Listed Building Consent (start within 3yr)
<b>Decision Date</b>	21 October 2013
<b>Dispatch Date</b>	22 October 2013
<b>Parish</b>	Whitehaven

<b>Application Number</b>	4/13/2352/0F1
<b>Applicant</b>	Mr C Connor
<b>Location</b>	PLOT 1, FLEATHAM HOUSE, HIGH HOUSE ROAD, ST BEES
<b>Proposal</b>	ERECTION OF DWELLING (REVISIONS TO APPROVED SCHEME 4/09/2188)
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	22 October 2013
<b>Dispatch Date</b>	22 October 2013
<b>Parish</b>	St. Bees

<b>Application Number</b>	4/13/2353/0F1
<b>Applicant</b>	c/o Agent
<b>Location</b>	LAND BETWEEN 7 AND 9 MID STREET, KELLS, WHITEHAVEN
<b>Proposal</b>	ERECTION OF 4 NO. HOUSES WITH PARKING AREA AND GARAGES TO THE REAR
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	23 October 2013
<b>Dispatch Date</b>	24 October 2013
<b>Parish</b>	Whitehaven

<b>Application Number</b>	4/13/2354/0F1
<b>Applicant</b>	Anchor Trust
<b>Location</b>	ORCHARD COURT, MEADOW ROAD, MIREHOUSE, WHITEHAVEN
<b>Proposal</b>	REPLACEMENT WINDOWS AND DOORS
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	27 September 2013
<b>Dispatch Date</b>	14 October 2013
<b>Parish</b>	Whitehaven

<b>Application Number</b>	4/13/2356/0F1
<b>Applicant</b>	Drum Closures Ltd
<b>Location</b>	DRUM CLOSURES LTD, BORWICK RAILS, MILLOM
<b>Proposal</b>	ERECT WORKSHOP BUILDING EXTENSION
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	3 October 2013
<b>Dispatch Date</b>	14 October 2013
<b>Parish</b>	Millom

<b>Application Number</b>	4/13/2357/0F1
<b>Applicant</b>	Mr P Braithwaite
<b>Location</b>	LOW EHENSIDE FARM, BRAYSTONES, BECKERMET
<b>Proposal</b>	DEMOLISH AND REBUILD DILAPIDATED SECTION OF FARMHOUSE AND LINK, REROOF ATTACHED OUTBUILDING
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	4 October 2013
<b>Dispatch Date</b>	14 October 2013
<b>Parish</b>	Lowside Quarter

<b>Application Number</b>	4/13/2360/0A1
<b>Applicant</b>	The Royal Bank of Scotland
<b>Location</b>	71 LOWTHER STREET, WHITEHAVEN
<b>Proposal</b>	REPLACEMENT/ADDITIONAL SIGNAGE
<b>Decision</b>	Approve Advertisement Consent
<b>Decision Date</b>	25 October 2013
<b>Dispatch Date</b>	25 October 2013
<b>Parish</b>	Whitehaven

<b>Application Number</b>	4/13/2361/0F1
<b>Applicant</b>	Ms S Moore
<b>Location</b>	8 BURTON HIGH CLOSE, THE HIGHLANDS, WHITEHAVEN
<b>Proposal</b>	ERECTION OF TWO STOREY EXTENSION WITH GARAGE AND BEDROOMS OVER, AND A SINGLE STOREY KITCHEN/FAMILY ROOM WITH UTILITY TO THE REAR
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	2 October 2013
<b>Dispatch Date</b>	14 October 2013
<b>Parish</b>	Whitehaven

<b>Application Number</b>	4/13/2364/0F1
<b>Applicant</b>	Whitehaven Marina
<b>Location</b>	FORMER BUS STATION AND GARAGES, BRANSTY ROW/WELLINGTON ROW, WHITEHAVEN
<b>Proposal</b>	APPLICATION FOR PRIOR NOTIFICATION OF PROPOSED DEMOLITION
<b>Decision</b>	Approve
<b>Decision Date</b>	4 October 2013
<b>Dispatch Date</b>	8 October 2013
<b>Parish</b>	Whitehaven

<b>Application Number</b>	4/13/2368/HPAE
<b>Applicant</b>	Mr R Hodge
<b>Location</b>	OLD POST OFFICE, CALDERBRIDGE, SEASCALE

<b>Proposal</b>	DEMOLISH SUB STANDARD ROOF CONSERVATORY AND ERECT SUN ROOM/DINER EXTENSION
<b>Decision</b>	Permitted Development
<b>Decision Date</b>	7 October 2013
<b>Dispatch Date</b>	7 October 2013
<b>Parish</b>	Ponsonby

<b>Application Number</b>	4/13/2369/TPO
<b>Applicant</b>	Home Group Ltd
<b>Location</b>	LAND TO REAR OF GARAGES AT CASTLE MEWS, WHITEHAVEN CASTLE, WHITEHAVEN
<b>Proposal</b>	FELLING OF TWO DEAD ELM TREES SITUATED WITHIN A CONSERVATION AREA
<b>Decision</b>	TREE PRESERVATION APPROVE
<b>Decision Date</b>	7 October 2013
<b>Dispatch Date</b>	14 October 2013
<b>Parish</b>	Whitehaven

<b>Application Number</b>	4/13/2374/OF1
<b>Applicant</b>	The Whitehaven Foyer
<b>Location</b>	GYM AND FORMER CARPET STORE, REAR OF YMCA, 44-45 IRISH STREET, WHITEHAVEN
<b>Proposal</b>	APPLICATION FOR PRIOR NOTIFICATION OF PROPOSED DEMOLITION
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	14 October 2013
<b>Dispatch Date</b>	18 October 2013
<b>Parish</b>	Whitehaven

<b>Application Number</b>	4/13/2381/OF1
<b>Applicant</b>	The Whitehaven Foyer Company
<b>Location</b>	YMCA, 44 & 45 IRISH STREET, WHITEHAVEN
<b>Proposal</b>	VARIATION OF CONDITIONS 3, 5, 6, 7, 10, 12, 14, 15, 16 & 17 OF PLANNING APPROVAL 4/13/2045/OF1
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	18 October 2013
<b>Dispatch Date</b>	18 October 2013
<b>Parish</b>	Whitehaven

<b>Application Number</b>	4/13/2382/OL1
<b>Applicant</b>	The Whitehaven Foyer Company
<b>Location</b>	YMCA, 44 & 45 IRISH STREET, WHITEHAVEN
<b>Proposal</b>	VARIATION OF CONDITIONS 3, 4, 6, 7, 8, 9, 10 & 11 OF PLANNING APPROVAL 4/13/2044/OL1
<b>Decision</b>	Approve Listed Building Consent (start within 3yr)
<b>Decision Date</b>	17 October 2013
<b>Dispatch Date</b>	18 October 2013
<b>Parish</b>	Whitehaven

<b>Application Number</b>	4/13/2395/ON1
<b>Applicant</b>	Mr J W Mumberson
<b>Location</b>	AGRICULTURAL BUILDING AT FERN CLOSE, HAILE, EGREMONT
<b>Proposal</b>	NOTICE OF INTENTION FOR LEAN-TO BUILDING AGAINST EXISTING GENERAL PURPOSE BUILDING
<b>Decision</b>	Approve Notice of Intention

<b>Decision Date</b>	22 October 2013
<b>Dispatch Date</b>	25 October 2013
<b>Parish</b>	Haile

<b>Application Number</b>	4/13/9009/0F2
<b>Applicant</b>	Cumbria Fire & Rescue Service
<b>Location</b>	FRIZINGTON HWRC, YEATHOUSE QUARRY, YEATHOUSE, FRIZINGTON
<b>Proposal</b>	CHANGE OF USE FROM A HOUSEHOLD WASTE RECYCLING CENTRE (HWRC) TO A FIRE AND RESCUE SERVICE TRAINING FACILITY
<b>Decision</b>	County Council Approved
<b>Decision Date</b>	7 October 2013
<b>Dispatch Date</b>	7 October 2013
<b>Parish</b>	Arlecdon and Frizington