

PP 071112
Item 6

PLANNING PANEL 7 NOVEMBER 2012

AGENDA

SCHEDULE OF APPLICATIONS

Item 1	4/11/2437/OF10F1 Erection of Decking at Rear of Dwelling (Retrospective) 5 Fairladies, St Bees	1
Item 2	4/12/2453/OF1 New Fence, Sterile Zone & Patrol Track Area G, Sellafield, Seascale	7
Item 3	4/12/2454/OF1 New Fence, Sterile Zone & Patrol Track Area H, Sellafield, Seascale	13
Item 4	4/12/2458/OF1 Erection of an Anemometer Mast up to 80m In Height for a Temporary Period of 3 Years Land at Weddicar, Near Whitehaven	18

<u>SCHEDULE OF DELEGATED DECISIONS</u>	25
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RELEVANT INFORMATION

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

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

Town and Country Planning Act 1990

Planning and Compulsory Purchase Act 2004

Cumbria and Lake District Joint Structure Plan

Copeland Local Plan 2001-2016 - adopted June 2006

Lake District National Park Local Plan - Adopted May 1998

Cumbria Car Parking Guidelines

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

In particular:

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

Department for Communities and Local Government (DCLG):-

Planning Policy Guidance Notes and Planning Policy Statements

Development Control Policy Notes

Design Bulletins

STANDARD CONDITIONS

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

Outline Consent

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

Reserved Matters Consent

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

Full Consent

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

ITEM NO: 1.

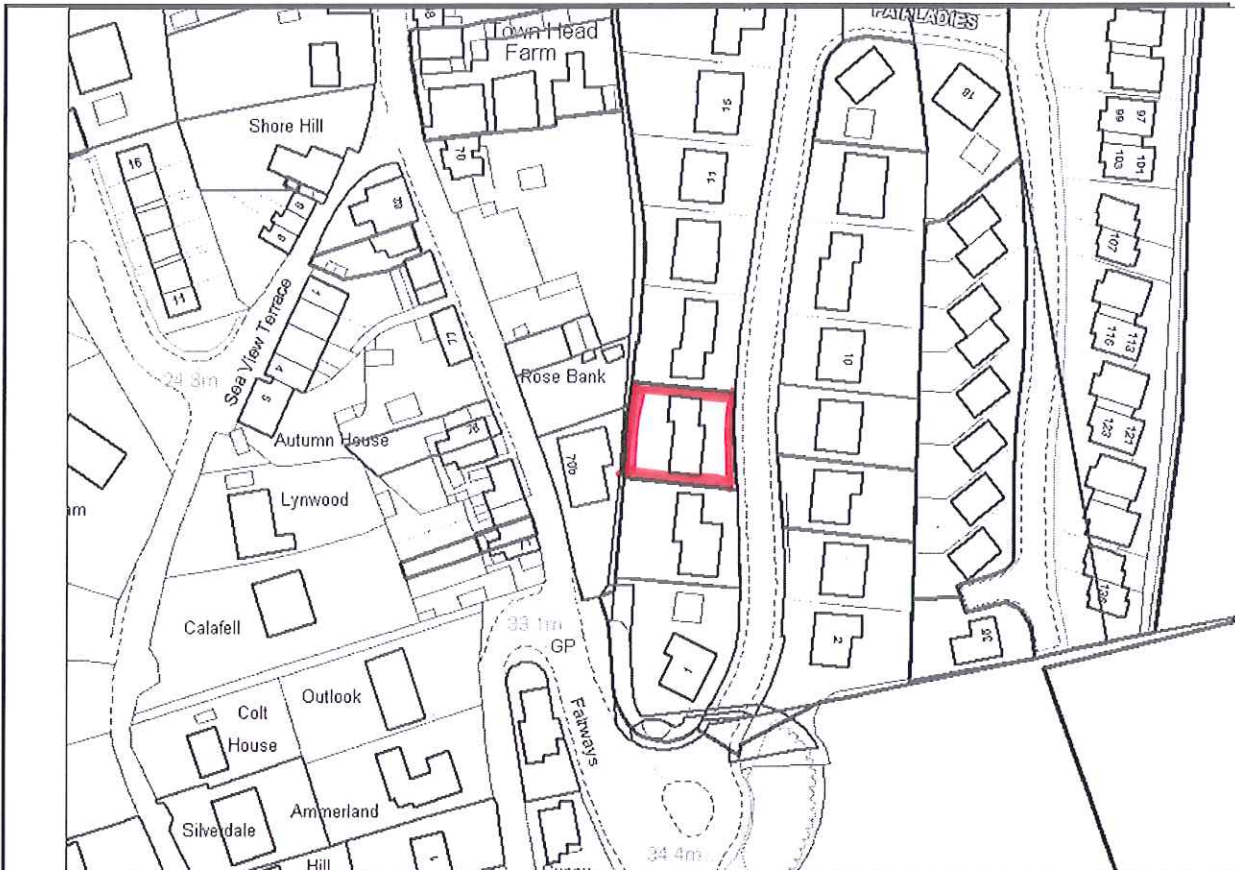


To: PLANNING PANEL

Development Control Section

Date of Meeting: 07/11/2012

Application Number:	4/12/2437/0F1
Application Type:	Full : CBC
Applicant:	Mr C and Mrs G Mounsey
Application Address:	5 FAIRLADIES, ST BEES
Proposal	ERECTION OF DECKING AT REAR OF DWELLING (Retrospective)
Parish:	St. Bees
Recommendation Summary:	Approve



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INTRODUCTION

This application relates to a detached two storey house located within the Fairladies estate in St Bees. The property is located towards the southern entrance of the estate and sits to the west of the road and in an elevated position above properties on Main Street.

PROPOSAL

Planning permission is sought, in retrospect, for the erection of a raised decking area to the rear of this house. Photographs attached to the report illustrate this.

To the rear of the property is a flagged path/patio area, which runs along the extent of the rear elevation and has a maximum depth of 1.97m. The level of the garden then slopes down to the west and there are steps leading down to a small patio area.

The decking, which is of a natural timber construction, measures 4.3m in width and projects 3.0m beyond the existing patio/flagged path.

Given the steeply sloping nature of the rear garden the decking stands on timber legs. The platform itself sits 1.06m above the lower garden level and including the balustrade (0.94m), has a maximum height of 2.0m. It is the applicant's intention to block up the open area under the decking with sandstone.

At its closest point, the decking sits 5.6m from the rear boundary. Running along this boundary is a dark stained timber fence and some shrubbery. Beyond the rear boundary are two detached properties located along Main Street, the closer of the two being 70b Main Street, a detached bungalow. The eaves height of this bungalow is on a similar level to the top of the boundary fence. The outlines of windows in the rear elevation of the bungalow are partially visible through the existing fence.

Towards the north-western corner of the rear garden the rear boundary is shared with that of Rose Bank, a traditional detached house, the front elevation of which faces south. Within the curtilage of Rose Bank and in particular alongside the north-western corner of the application site are some mature trees which appear to be of an evergreen type. These offer a good degree of screening. When standing on the existing path towards the southern boundary of the application site you can see the one of the first floor windows within Rose Bank and part of a ground floor bay window.

CONSULTATIONS

St Bees Parish Council – no comments received.

Two letters of objection have been received from the owners of the two adjoining properties to the rear. The grounds for objection can be summarised as follows:-

1. It would allow more of an intrusion to the overlooking of gardens and bedrooms. There is a view into two bedrooms of 70b Main Street when standing at the end of the decking.
2. The building of decking to the rear of the first five properties was contested when the estate was being built due to the intrusion of privacy. From this, the said houses were refused planning permission for decking. What stood then should stand now for the same reasons.
3. Objectors were assured at the time of the houses being built that some restriction would be put on the deeds to ensure the building of decking could not happen.
4. If this application were approved it could create a precedent and would give others the strength to apply.

RELEVANT PLANNING HISTORY

Outline planning permission for the Fairladies residential development was granted in February 2000 (4/010/0785/001 refers). Detailed permission for plot 1, together with the layout of the estate as a whole including road and drainage details was then approved in April 2002 (4/01/0830/0R1 refers).

A detailed application for dwellings on plots 2-14 was then approved in March 2003 (4/02/1405/OR1 refers). Following this approval amended plans were then submitted in April 2003 seeking to raise the floor levels of the properties in order to comply with Part M of the then Building Regulations which required level access. As part of this, and in order to minimise the ground modelling between plots 2-14 and existing properties on Main Street, it was proposed to erect decking in lieu of flagged patios.

Following objections from adjoining property owners the timber decking was omitted from plots 2, 3 and 4 and instead it was proposed to construct steps from the rear door down to garden level. This amended scheme was subsequently approved by Members in July 2003 following a site visit.

None of these planning permissions were subject to restrictive conditions as regards decking.

It should be noted that the decking as constructed sits at this lower level, below the rear access door/steps.

PLANNING POLICY

National Planning Policy Framework

The National Planning Policy Framework (NPPF) sets out the planning guidelines at a national level and includes a presumption in favour of sustainable development. Seeking to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings is encouraged as part of the goal of securing sustainable development.

The NPPF requires proposals to be determined in accordance with the development plan unless material considerations determine otherwise. It allows full weight to be given to relevant local plan policies until March 2013. Our Copeland Local Plan 2001-2016, adopted in 2006, falls into this category. In respect of this application key policies of the adopted Copeland Local Plan identified below remain relevant to the assessment of this application.

Copeland Local Plan 2001-2016

DEV 6 'Sustainability by Design' advocates a sustainable form of design being achieved in all new developments. Amongst other things, DEV 6 requires development to show a high standard of design and choice of materials.

HSG 20 'Domestic Extensions and Alterations' presumes in favour of allowing domestic extensions and alterations provided the scale, design and materials respect the character of the parent property; they would not lead to a significant reduction in daylighting; they would not create security, privacy or overlooking problems and they would not result in a loss of 50% or more of the undeveloped curtilage.

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. Consultation on the Pre-Submission Draft took place over the summer and the Council intends to submit to the Secretary of state on 31st October for Public Examination.

The Policies in the Core Strategy and Development Management Policies DPD are a material consideration when determining planning applications. Whilst they should be given limited weight at the moment there have only been 58 objections and the weight given to them should increase as the examination progresses. The document is currently due to be adopted in August 2013.

Policy DM18 'Domestic extensions and alterations', like that of HSG 8 above presumes in favour of allowing domestic extensions and alterations provided the scale, design and materials respect the character of the parent property; they would not lead to a significant reduction in daylighting; they would not create security, privacy or overlooking problems and they would not result in a loss of 50% or more of the undeveloped curtilage.

ASSESSMENT

The key issue to consider in relation to this application is whether the decking, as erected, creates significant overlooking and privacy problems for the adjoining neighbours which substantially affects the standard of amenity they would normally expect from their dwellings.

When considering this, the arrangements that existed prior to the decking being erected must be taken into account. As stated earlier in the report an existing flagged path runs to the rear of the house and at one point measures some 1.97m in depth, which according to the applicant is used as a seating area. When standing on this path at the far southern end of the garden a first floor window and part of a ground floor window in the front of Rose Bank are visible, albeit some 30+ metres distant at an oblique angle. In comparison, when standing on the new decking, given the abundance of evergreen trees, these windows are not visible nor is possible to look into its garden.

70b Main Street is a detached bungalow which sits at a significantly lower level than the decking. Consequently, the resultant outlook is over its roof as opposed to overlooking any private amenity space. That said, when looking down from the decking the outline of windows in the side elevation of 70b Main Street are partially visible through the close boarded timber fence, however, this would remain the case even if the decking were not there.

There is already some planting in front of the rear boundary fence which the applicant intends to strengthen. This would eventually screen all views through the fence and could be secured by way of a condition attached to the grant of planning permission.

On balance, whilst not condoning the retrospective nature of this application, it is considered that no additional overlooking of neighbouring properties and their gardens occurs as a result of this decking beyond what previously existed and as a result there is unlikely to be a significant adverse affect on the amenities of the neighbouring properties from overlooking. As a consequence the proposal is considered to be an acceptable form of development in compliance with the National

Planning Policy Framework, adopted Copeland Local Plan Policies DEV 6 and HSG 20 and Policy DM18 of the emerging Core Strategy and Development Management Policies DPD. As such, approval is recommended.

Recommendation:-

Approve

Conditions

1. Notwithstanding the submitted details received by the Local Planning Authority on 18 September 2012, additional screen planting shall be implemented along the western rear boundary details of which shall be submitted to and approved in writing by the Local Planning Authority within three months from the date of this decision notice and the approved planting scheme shall be implemented within six months from the date of this decision notice and so maintained thereafter.

Reason

To safeguard the amenities of the adjacent bungalow.

Reason for Decision

An acceptable form of development within the rear garden of this detached house is accordance with Policies DEV 6 and HSG 20 of the adopted Copeland Local Plan 2001-2016 and the National Planning Policy Framework.



View northwest from rear path



6a

view southwest across rear garden



View west from edge of decking
6b



View northwest from decking

ITEM NO: 2.



To: PLANNING PANEL

Development Control Section

Date of Meeting: 07/11/2012

Application Number:	4/12/2453/OF1
Application Type:	Full : CBC
Applicant:	Sellafield Limited
Application Address:	AREA G, SELLAFIELD, SEASCALE
Proposal	NEW FENCE, STERILE ZONE & PATROL TRACK
Parish:	Beckermeth with Thornhill
Recommendation Summary:	Approve



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Introduction

As part of the overall Site Security Enhancement Programme (SSEP) it is proposed to replace and enhance the security fence around the licensed Sellafield Site. This will involve extending the boundary in some locations and the provision of a double fence line around the site. In some cases modifications to the existing fence are all that will be required whilst in others there will be complete new sections requiring the benefit of planning permission. The overall purpose is to provide a new enhanced and secure boundary to the site.

Six applications for the fences have been approved to date and one for area E, adjoining the site, is still pending. It should be noted that in view of the tight timescales involved for delivering the programme work on site has already commenced. In addition to the two on this agenda the final batch of applications for the remaining fence works have now been received and it is the intention to report them to the December meeting.

The Proposal

This application is for a new section of fence, known as Area G and is one of two on this agenda. The works proposed comprise:

The works in Area G comprise:

- Installation of a new single fence some 150 metres in length on the outside of the existing perimeter fence line to the immediate west of Main Gate.
- Creation of, for the most part, a 10 metre wide sterile zone due to the sloping topography in between the two fence lines (new and existing). The existing permeable vegetation within the sterile zone will be retained.
- Construction of a black tarmac footpath approximately 1.3 metres wide within the sterile zone. The existing vehicular patrol track on the inside of the existing fence line will remain.

In terms of detail the new fence will be constructed of steel galvanised post and mesh, topped with razor wire coils and green in colour. It will measure a total of 3.7 metres in height.

This will marry up with a new area of fence `C` to the west which was approved in August and is under construction. (4/12/2314/OF1 refers).

Consultations

Highway Authority – raise no objection, although adjacent to the highway in this location it is considered that the proposal will not affect it.

Office for Nuclear Regulation (ONR) – no comments.

Planning Policy

National Planning Policy Framework (NPPF) / Copeland Local Plan

The National Planning Policy Framework, 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.

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.

It allows full weight to be given to relevant local plan policies until March 2013. The Copeland Local Plan 2001-2016, adopted in 2006, falls into this category. In respect of this application key policies of the adopted Copeland Local Plan identified below remain relevant to the assessment of this application.

DEV 1 Sustainable Development and Regeneration - requires all development proposals to accord with the local plan aims and objectives and is expected to contribute to achieving sustainable regeneration.

DEV 5 Development in the Countryside – aims to protect the countryside from inappropriate development but accepts that there are exceptions including existing employment sites.

DEV 6 Sustainability in Design – advocates high quality sustainable design in all new development.

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. Consultation on the Pre-Submission Draft took place over the summer and the intention is that this will be submitted to the Secretary of State on 31st October for Public Examination.

The Policies in the Core Strategy and Development Management Policies DPD are a material consideration when determining planning applications. Whilst they should be given limited weight at the moment this should increase as the examination progresses. The document is currently due to be adopted in August 2013.

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.

ER 1 Planning for the Nuclear Sector - supports developments contributing to the continuing future of the nuclear industry providing they are not unacceptably detrimental to the environment.

DM 1 Nuclear related Development – identifies principles that development in the nuclear sector should conform to.

Assessment

Whilst it is acknowledged that the sheer extent and scale of the fence development overall will result in the loss of significant areas of established boundary vegetation / landscaping which currently serves to assimilate the industrialised nature of the site into the surrounding topography, it is recognised that such measures are required and take precedence in the interests of national security. That said however in this particular location, adjacent to Main Gate there will be no substantial loss of vegetation. Relevant issues relating to lighting luminance can be adequately controlled by the use of appropriate conditions.

Taking into account the above, the construction of a new perimeter security fence in this location, which is part of an overall Site Security Enhancement Programme for Sellafield, is considered to represent an acceptable form of development in accordance with Policies DEV 1, DEV 5 and DEV 6 of the adopted Copeland Local Plan 2001-2016 and the National Planning Policy Framework.

Recommendation:-

Approve

Conditions

1. 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, by Sellafield Ltd, project no 35/09974, Area G, received 28 September 2012.

General Arrangement Plan, OBE 2795350 Mod A, scale 1:500, received 28 September 2012.

Section and Elevation for Fence Proposal, OBE 2795351 Mod A, received 28 September 2012.

Signage for Fence around Area G, 1BE 2795375 Mod A, received 28 September 2012.

Location Plan for Second Batch of Six Planning Proposals for New Fence, Sterile Zone And Patrol Track, 1BE 2759258 Rev B, received 28 September 2012.

Site Location Plan, 1 BE2759254 Rev A, received 28 September 2012.

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.

2. Details of the proposed lighting shall be submitted to and approved in writing by the Local Planning Authority before they are brought into use. The lighting shall be installed in accordance with the approved details and so maintained thereafter.

Reason

To safeguard the amenities of the locality and minimise the risk of light pollution.

Reason for Decision

The construction of a new perimeter fence in this location, around a section of the licensed Sellafield Site, forms part of an overall Site Security Enhancement Programme and as such represents an acceptable form of development in accordance with Policies DEV 1, DEV 5 and DEV 6 of the adopted Copeland Local Plan 2001-2016 (Saved Policies June 2009) and the guidance contained in the National Planning Policy Framework.

ITEM NO: 3.

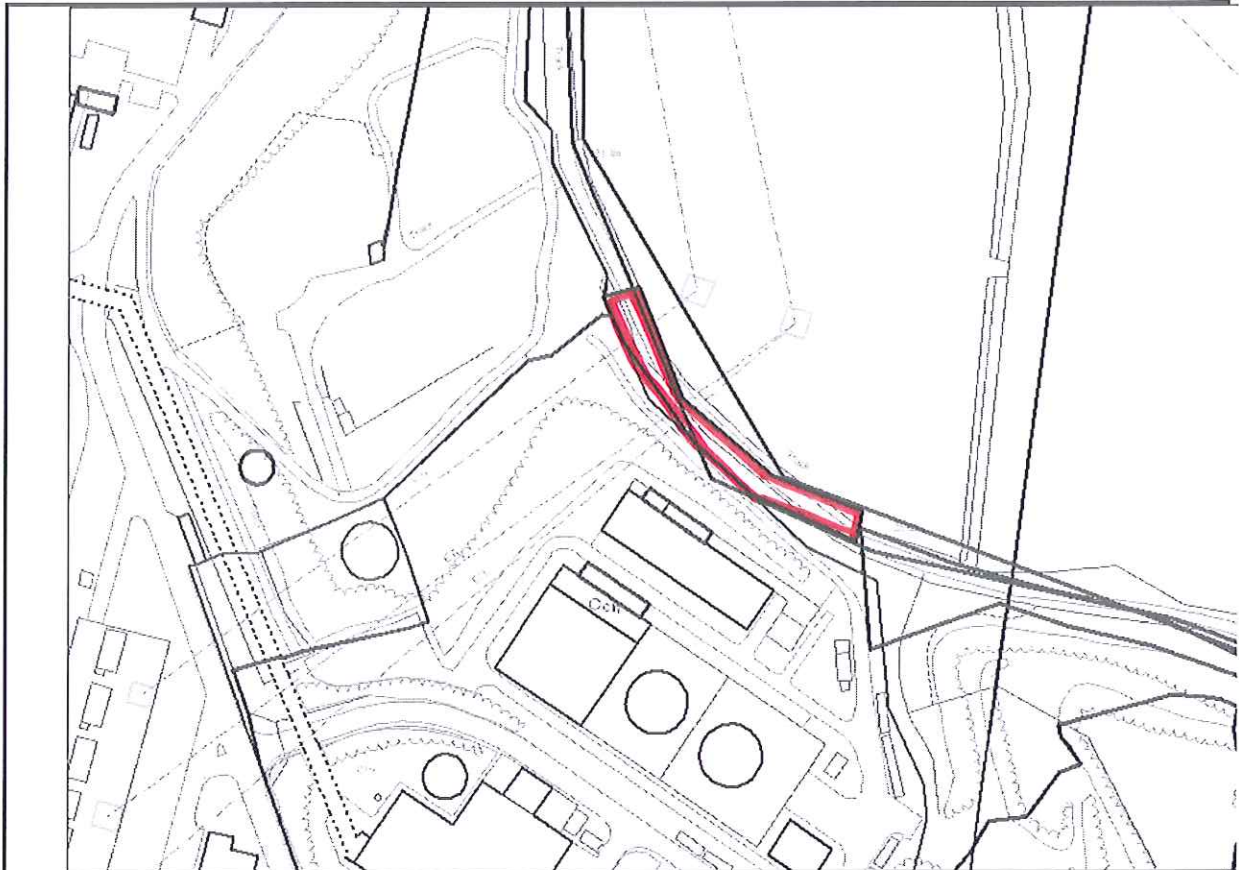


To: PLANNING PANEL

Development Control Section

Date of Meeting: 07/11/2012

Application Number:	4/12/2454/OF1
Application Type:	Full : CBC
Applicant:	Sellafield Limited
Application Address:	AREA H, SELLAFIELD, SEASCALE
Proposal	NEW FENCE, STERILE ZONE & PATROL TRACK
Parish:	Ponsonby
Recommendation Summary:	Approve



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Introduction

As part of the overall Site Security Enhancement Programme (SSEP) it is proposed to replace and enhance the security fence around the licensed Sellafield Site. This will involve extending the boundary in some locations and the provision of a double fence line around the site. In some cases modifications to the existing fence are all that will be required whilst in others there will be complete new sections requiring the benefit of planning permission. The overall purpose is to provide a new enhanced and secure boundary to the site.

Six applications for the fences have been approved to date and one for area E, adjoining the site, is still pending. It should be noted that in view of the tight timescales involved for delivering the programme work on site has already commenced. In addition to the two on this agenda the final batch of applications for the remaining fence works have now been received and it is the intention to report them to the December meeting.

The Proposal

This application is for a new section of fence, known as Area H and is one of two on this agenda. The works proposed comprise:

- Installation of a new double fence line each some 130m in length adjacent to Ponsonby Track, a public bridleway to the west of Calder Gate.
- Creation of a maximum 10m wide sterile zone in between surfaced in a grey crushed quarry stone and containing minimal vegetation.
- The existing patrol track which will be within the sterile zone will be retained.

In terms of detail the new fence will be constructed of steel galvanised post and mesh, topped with razor wire coils and green in colour. It will measure a total of 3.7 metres in height.

This will join up with a new section of fence known as Area F which was approved at the last meeting and is under construction. (4/12/2417/OF1 refers). This also runs alongside Ponsonby Track and involves the construction of a section of culvert.

Consultations

Highway Authority – raise no objection, although adjacent to a public bridleway in this location it is considered that the proposal will not affect it.

Office for Nuclear Regulation (ONR) – no comments.

Planning Policy

National Planning Policy Framework (NPPF) / Copeland Local Plan

The National Planning Policy Framework, 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.

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.

It allows full weight to be given to relevant local plan policies until March 2013. The Copeland Local Plan 2001-2016, adopted in 2006, falls into this category. In respect of this

application key policies of the adopted Copeland Local Plan identified below remain relevant to the assessment of this application:

DEV 1 Sustainable Development and Regeneration - requires all development proposals to accord with the local plan aims and objectives and is expected to contribute to achieving sustainable regeneration.

DEV 5 Development in the Countryside – aims to protect the countryside from inappropriate development but accepts that there are exceptions including existing employment sites.

DEV 6 Sustainability in Design – advocates high quality sustainable design in all new development.

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. Consultation on the Pre-Submission Draft took place over the summer and the intention is that this will be submitted to the Secretary of State on 31st October for Public Examination.

The Policies in the Core Strategy and Development Management Policies DPD are a material consideration when determining planning applications. Whilst they should be given limited weight at the moment this should increase as the examination progresses. The document is currently due to be adopted in August 2013.

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.

ER 1 Planning for the Nuclear Sector - supports developments contributing to the continuing future of the nuclear industry providing they are not unacceptably detrimental to the environment.

DM 1 Nuclear related Development – identifies principles that development in the nuclear sector should conform to.

Assessment

Whilst it is acknowledged that the sheer extent and scale of the fence development overall will result in the loss of significant areas of established boundary vegetation / landscaping which currently serves to assimilate the industrialised nature of the site into the surrounding topography, it is recognised that such measures are required and take precedence in the interests of national security. That said however in this particular location, adjacent to Main Gate there will be no substantial loss of vegetation. Relevant issues relating to lighting luminance can be adequately controlled by the use of appropriate conditions.

Taking into account the above, the construction of a new perimeter security fence in this location, which is part of an overall Site Security Enhancement Programme for Sellafield, is considered to represent an acceptable form of development in accordance with Policies DEV 1, DEV 5 and DEV 6 of the adopted Copeland Local Plan 2001-2016 and the National Planning Policy Framework.

Recommendation:-

Approve

Conditions

1. 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, by Sellafield Ltd, project no 35/09974, Area H, received 28 September 2012.

Section & Elevation for Fence Proposal, 1 BE 2795372 Mod A, scale 1:50, received 28 September 2012.

Signage for Fence around Area H, 1 BE 2795373 Mod A, received 28 September 2012.

General Arrangement Plan, 0 BE 2795371 Mod A, scale 1:500, received 28 September 2012.

Location Plan for Second Batch of Six Planning Proposals for New Fence, 1 BE 2759258

Rev B, received 28 September 2012.

Location Plan , 1 BE 2759255 Rev A, received 28 September 2012.

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.

2. Details of the proposed lighting shall be submitted to and approved in writing by the Local Planning Authority before they are brought into use. The lighting shall be installed in accordance with the approved details and so maintained thereafter.

Reason

To safeguard the amenities of the locality and minimise the risk of light pollution.

Reason for Decision

The construction of a new perimeter fence in this location, around a section of the licensed Sellafield Site adjacent to a public right of way known as Ponsonby Track, forms part of an overall Site Security Enhancement Programme and as such represents an acceptable form of development in accordance with Policies DEV 1, DEV 5 and DEV 6 of the adopted Copeland Local Plan 2001-2016 (Saved Policies June 2009) and the guidance contained in the National Planning Policy Framework.

ITEM NO: 4.

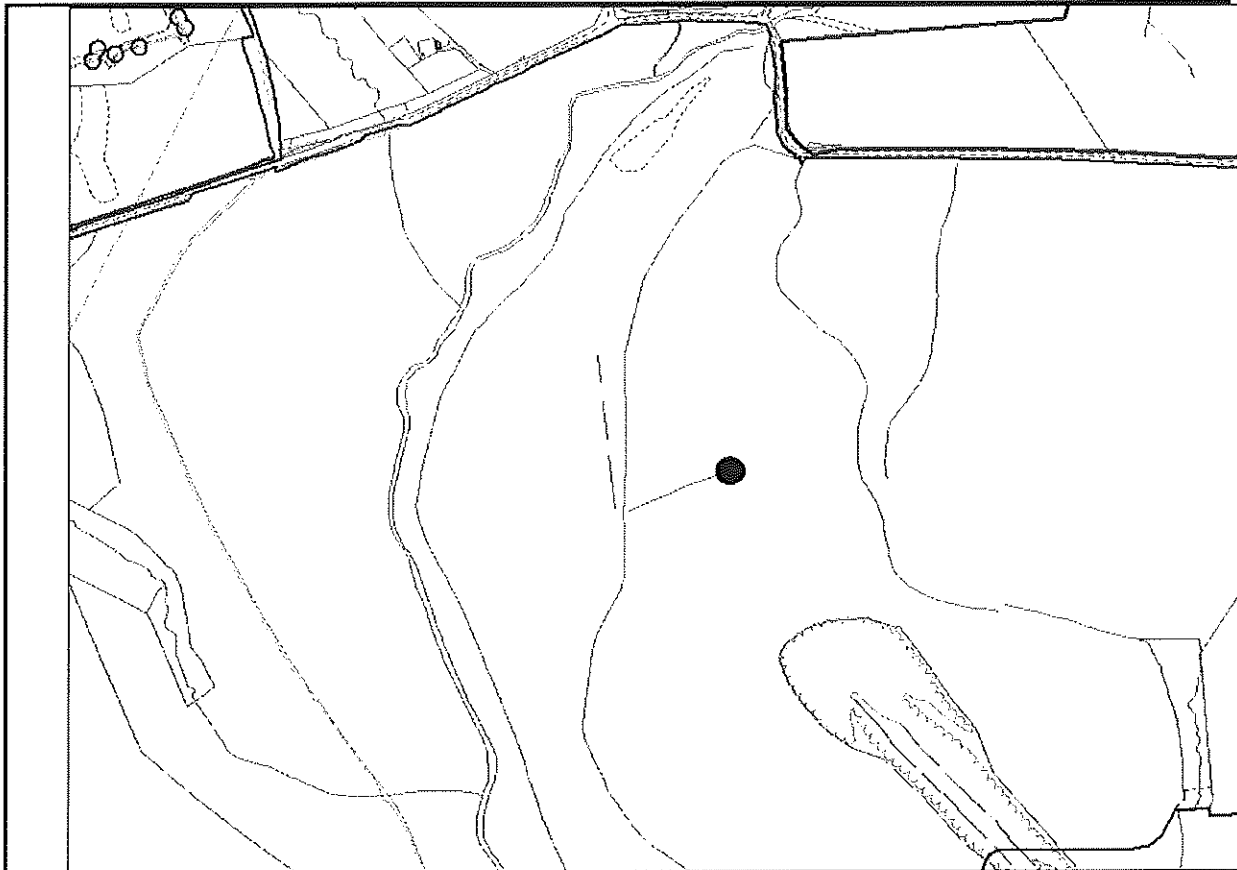


To: PLANNING PANEL

Development Control Section

Date of Meeting: 07/11/2012

Application Number:	4/12/2458/OF1
Application Type:	Full : CBC
Applicant:	RWE npower Renewables
Application Address:	LAND AT WEDDICAR, GRID REF: EASTING 300743, NORTHING 518010, NEAR WHITEHAVEN
Proposal	ERECTION OF AN ANEMOMETER MAST UP TO 80M IN HEIGHT FOR A TEMPORARY PERIOD OF 3 YEARS
Parish:	Weddicar
Recommendation Summary:	Approve



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The Proposal

This application relates to a former opencast site which has since been restored and planted with trees. The site lies to the south west of Weddicar Rigg. Moresby Parks is the nearest settlement which lies approximately 1.3 km to the south east.

Planning permission is sought for the siting of a meteorological mast on the land for a three year period. The mast is to be 80 metres in height and will have a diameter of 165mm. It will be constructed of lightweight galvanised steel and is of a latticework design. The mast will be supported by six steel guy wires, three of which will be anchored 25 m from the mast at equal distances apart and three of which will be anchored 50 metres from the mast at equal distances apart. The angle between each guy wire would be 120 degrees. The mast itself sits upon a steel plate and will require no foundations. It will occupy an area of no more than 0.1 hectares.

The purpose of the mast is to collect baseline data in order to assess the location as a possible site for wind energy development. After the three year period it will be dismantled and the land reinstated.

Access to the site will be via an existing gate from Walkmill Bridge to the north of the site. The mast will be delivered to the site in sections which can be transported using four wheel vehicles. This will ensure that there is no need to create a surfaced track to serve the site.

Consultations

Highways Control Officer

No objections from a highway point of view. The applicant should try to ensure that vehicles leaving the site during the construction phase do not give rise to the deposit of mud, dust or other debris on the public highway.

Coal Authority

In areas subject to previous mining activity we normally request a Coal Mining Risk Assessment. However, as this application is only for the temporary installation of a meteorological monitoring mast, there is no need for an Assessment to be submitted. Any detailed application that follows would require the submission of an Assessment. On this basis we would raise no objections to this application.

Neighbours

Eight letters of objection has been received which raise the following concerns:-

- This will result in a dominant feature due to its height and positioning which will have a harmful effect on the character and appearance of the rural landscape, in contravention of Local Plan policies
- The perceived outcome as a wind farm site would blight local housing and prohibit investment in tourism in the locality.

Planning Policy

National Planning Policy Framework

The National Planning Policy Framework (NPPF), which recently came into effect (March 2012), sets out the Government's new planning policies. 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 has replaced the previous Planning Policy Statement on Renewable Energy although the Companion Guide to PPS 22 is still in force and is relevant in so far that it advises how to evaluate renewable energy applications in order to arrive at an objective view and that landscape and visual effects should be assessed on a case by case basis.

The NPPF clarifies that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

Local Plan Policy

The Copeland Local Plan 2001-2016, which was adopted in 2006. Policy EGY 2 refers specifically to wind energy and requires that such proposals meet the criteria set out in EGY 1 above as well as providing for the removal of the turbines when they cease to be operational and site restoration. 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.

Cumbria Wind Energy Supplementary Planning Document (SPD)

This SPD was adopted in 2008 and developed jointly by the Cumbrian local planning authorities to support policy implementation and provide consistent guidance for wind energy development. It provides locational guidance for wind farm development, acknowledges that Cumbria has a high quality environment and advocates that future decisions are made against a robust assessment of landscape capacity based on landscape character, sensitivity and value.

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. Consultation on the Pre-Submission Draft took place over the summer and the Council intends to submit to the Secretary of State on 31st October for Public Examination.

The Policies in the Core Strategy and Development Management Policies DPD are a material consideration when determining planning applications. Whilst they can only be given limited weight at the moment, the limited scale of objection to the Strategy and its consistency with up to date national policy guidance provides for increasing weight to be afforded to this set of local policy. The document is currently due to be adopted in August 2013.

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 current 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

The proposal is for the erection of a single 80m high wind monitoring mast only. Whilst it may well be the forerunner to a wind farm development if the results of the monitoring are positive, all that should be considered in this case is the current proposal. Any future wind farm proposal would be the subject of a separate application.

Although the proposed mast will be 80 metres high it is a relatively lightweight structure and is only required on the site for a temporary three year period. This will help to minimise its visual impacts on the landscape or the amenity of the area in accordance with Policies EGY 1 and EGY 2 of the adopted Copeland Local Plan 2001-2016.

Recommendation:-

Approve

Conditions

1. This permission shall expire on 30 November 2015. The meteorological mast shall be removed from the site on or before this date and the land restored to its former condition.

Reason

The use hereby approved is not considered suitable as a permanent form of development in order to safeguard the amenities of the locality.

INFORMATIVE


1. The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to The Coal Authority.

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com <<http://www.groundstability.com/>>

2. The applicants should seek to ensure that any vehicle leaving the site during the construction phase does not give rise to the deposit of mud, dust or other debris on the public highway.

Reason for Decision


The erection of a single 80 metre high meteorological mast on this site is considered to constitute an acceptable form of temporary wind energy development in accordance with Policies EGY 1 and EGY 2 of the adopted Copeland Local Plan 2001-2016 (Saved Policies June 2009) and the guidance contained in the adopted Cumbria Wind Energy Supplementary Planning Document and the National Planning Policy Framework (March 2012).

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1 of 8 100%

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List of Delegated Decisions

Selection Criteria:

From Date: 02/10/2012

To Date: 26/10/2012

Printed Date: Monday, October 29, 2012

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Application Number	4/12/2367/0F1
Applicant	Mr B Fowler
Location	PLOT 1, ADJACENT TO CLARACK HOUSE, SCALEGILL ROAD, MOOR ROW (1 RUSPER DRIVE)
Proposal	ERECTION OF DWELLING HOUSE (RESUBMISSION)
Decision	Approve (commence within 3 years)
Decision Date	17 October 2012
Dispatch Date	17 October 2012
Parish	Egremont

Application Number	4/12/2382/0F1
Applicant	Whitehaven Bangladeshi Community Centre
Location	2 COLLEGE STREET, WHITEHAVEN
Proposal	REINSTATEMENT OF TWO BEDROOMED FLAT FROM COMMUNITY ROOMS AT SECOND FLOOR LEVEL
Decision	Approve (commence within 3 years)
Decision Date	3 October 2012
Dispatch Date	3 October 2012
Parish	Whitehaven

Application Number	4/12/2384/0F1
Applicant	Stobbarts Ltd
Location	ST BEGHS SCHOOL, COACH ROAD, WHITEHAVEN
Proposal	INSTALLATION OF ERA SOLAR MONO-CRYSTALLINE MODULES (RETROSPECTIVE)
Decision	Approve
Decision Date	3 October 2012
Dispatch Date	3 October 2012
Parish	Whitehaven

Application Number	4/12/2386/0F1
Applicant	Sellafield Limited
Location	SELLAFIELD, SEASCALE
Proposal	ERECTION OF TWO STOREY MODULAR BUILDING TO PROVIDE OPERATIONAL SUPPORT FACILITIES
Decision	Approve
Decision Date	2 October 2012
Dispatch Date	2 October 2012
Parish	Beckermest with Thornhill

Application Number	4/12/2387/0F1
Applicant	Mr and Mrs Jones
Location	WHINRIGG, BANKFIELD, BECKERMET
Proposal	SINGLE STOREY EXTENSION TO SIDE & REAR TERRACE
Decision	Approve (commence within 3 years)
Decision Date	3 October 2012
Dispatch Date	3 October 2012
Parish	Beckermest with Thornhill

Application Number	4/12/2388/0F1
Applicant	Mr P Pattinson & Mrs C Herald
Location	MOORLEYS, EGREMONT
Proposal	AMENDMENT TO APPROVED BARN CONVERSION (4/09/2435)
Decision	Approve (commence within 3 years)
Decision Date	2 October 2012

Dispatch Date	3 October 2012
Parish	St. Bees

Application Number	4/12/2390/OF1
Applicant	Mr D Jackson
Location	BLACK HOW FARMHOUSE, CLEATOR
Proposal	PROPOSED RENOVATION INCLUDING TWO NEW PORCHES, NEW PATIO DOOR AND WINDOW ALTERATIONS
Decision	Approve
Decision Date	3 October 2012
Dispatch Date	3 October 2012
Parish	Cleator Moor

Application Number	4/12/2391/OF1
Applicant	Mr R Patrick
Location	28 MAIN STREET, EGREMONT
Proposal	APPLICATION TO VARY CONDITION 2 OF PLANNING PERMISSION 4/09/2374/OF1
Decision	Approve
Decision Date	3 October 2012
Dispatch Date	3 October 2012
Parish	Egremont

Application Number	4/12/2392/OF1
Applicant	Mr W Osborne
Location	BARN AT KIDBURNGILL FARM, LAMPLUGH
Proposal	CONVERSION OF BARN TO SINGLE DWELLING
Decision	Approve (commence within 3 years)
Decision Date	8 October 2012
Dispatch Date	9 October 2012
Parish	Arlecdon and Frizington

Application Number	4/12/2393/OF1
Applicant	Mr D Salmon
Location	2 SUMMERGROVE VILLAS, HENSINGHAM, WHITEHAVEN
Proposal	TWO STOREY EXTENSION TO SIDE WITH ENCLOSED BALCONY TO REAR FIRST FLOOR & ERECTION OF PORCH TO FRONT
Decision	Approve (commence within 3 years)
Decision Date	11 October 2012
Dispatch Date	11 October 2012
Parish	Weddicar

Application Number	4/12/2394/OF1
Applicant	Sellafield Limited
Location	SELLAFIELD, SEASCALE
Proposal	VARIATION OF CONDITON 1 OF PLANNING APPROVAL 4/07/2431 TO EXTEND FOR A FURTHER 5 YEARS
Decision	Approve
Decision Date	10 October 2012
Dispatch Date	11 October 2012
Parish	Beckermest with Thornhill

Application Number	4/12/2398/OF1
Applicant	Mr R Pitt

Location	LAND TO THE EAST OF WAINGATE BRIDGE COTTAGES, HAVERIGG, MILLOM
Proposal	ERECTION OF AGRICULTURAL BUILDING
Decision	Approve (commence within 3 years)
Decision Date	11 October 2012
Dispatch Date	11 October 2012
Parish	Millom

Application Number	4/12/2399/0F1
Applicant	J and A Lowe
Location	LAND AT SHERWOOD HOUSE, BARNGILL, DISTINGTON
Proposal	CONSTRUCTION OF GLASSHOUSE ON AGRICULTURAL LAND
Decision	Approve (commence within 3 years)
Decision Date	15 October 2012
Dispatch Date	16 October 2012
Parish	Distington

Application Number	4/12/2400/0F1
Applicant	Mr G Dawson
Location	1 WHINLATTER CLOSE, MILLOM
Proposal	DEMOLISH GARAGE, ERECT TWO STOREY EXTENSION
Decision	Approve (commence within 3 years)
Decision Date	17 October 2012
Dispatch Date	17 October 2012
Parish	Millom

Application Number	4/12/2401/0F1
Applicant	Mr J Wilkinson
Location	BURNT MOOR FARM, DRIGG, HOLMROOK
Proposal	DEMOLISH SUB STANDARD EX POULTRY BUILDING & ERECT GENERAL PURPOSE BUILDING (AGRICULTURAL)
Decision	Approve (commence within 3 years)
Decision Date	16 October 2012
Dispatch Date	16 October 2012
Parish	Seascale

Application Number	4/12/2402/0F1
Applicant	Mr D Jefferson
Location	11 RICHMOND TERRACE, WHITEHAVEN
Proposal	SINGLE STOREY EXTENSION TO REAR; INSTALLATION OF FRENCH DOOR (IN EXISTING WINDOW OPENING); REPLACE FRONT DOOR & WINDOWS; DWARF WALL & RAILINGS TO FRONT OF DWELLING
Decision	Approve (commence within 3 years)
Decision Date	18 October 2012
Dispatch Date	18 October 2012
Parish	Whitehaven

Application Number	4/12/2403/0F1
Applicant	Mr R Kinsella
Location	PLOT 51, RHEDA PARK, FRIZINGTON
Proposal	NEW DETACHED FOUR BEDROOMED DWELLING
Decision	Approve (commence within 3 years)
Decision Date	18 October 2012
Dispatch Date	18 October 2012

Parish	Arlecdon and Frizington
Application Number	4/12/2405/OF1
Applicant	Mr Green and Mrs Fawcett
Location	DOE HILL, NETHERTOWN ROAD, ST BEES
Proposal	ERECTION OF SUN ROOM TO SIDE OF PROPERTY WITH VERANDA & STORAGE UNDERNEATH
Decision	Approve (commence within 3 years)
Decision Date	16 October 2012
Dispatch Date	19 October 2012
Parish	St. Bees

Application Number	4/12/2406/OL1
Applicant	Mr P Pattinson & Mrs C Herald
Location	MOORLEYS, EGREMONT
Proposal	LISTED BUILDING CONSENT FOR AMENDMENT TO APPROVED BARN CONVERSION (4/09/2435)
Decision	Approve Listed Building Consent (start within 3yr)
Decision Date	17 October 2012
Dispatch Date	19 October 2012
Parish	St. Bees

Application Number	4/12/2408/OF1
Applicant	Mr N Thompson
Location	10 WELLINGTON STREET, MILLOM
Proposal	ALTERATIONS TO EXISTING TWO STOREY MAISONETTE AND CREATION OF EXTERNAL ENCLOSED STAIR ACCESS
Decision	Approve (commence within 3 years)
Decision Date	17 October 2012
Dispatch Date	17 October 2012
Parish	Millom

Application Number	4/12/2410/OF1
Applicant	Mr J Scrugham
Location	BLACK HOW FARM, CLEATOR
Proposal	OUTLINE APPLICATION FOR ERECTION OF DWELLING TO HOUSE AN AGRICULTURAL WORKER
Decision	Approve in Outline (commence within 3 years)
Decision Date	22 October 2012
Dispatch Date	25 October 2012
Parish	Cleator Moor

Application Number	4/12/2411/OF1
Applicant	Mr and Mrs S Hall
Location	57 CONISTON AVENUE, SEASCALE
Proposal	FIRST FLOOR EXTENSION OVER EXISTING GARAGE AND UTILITY
Decision	Approve (commence within 3 years)
Decision Date	17 October 2012
Dispatch Date	17 October 2012
Parish	Seascale

Application Number	4/12/2413/OF1
Applicant	Mr and Mrs Moore
Location	8 CROFTLANDS, BIGRIGG, EGREMONT

Proposal	INSTALLATION OF AN ORANGERY/CONSERVATORY
Decision	Approve (commence within 3 years)
Decision Date	17 October 2012
Dispatch Date	17 October 2012
Parish	Egremont

Application Number	4/12/2414/0F1
Applicant	Total Healthcare
Location	UNIT 8B, SNECKYEAT ROAD INDUSTRIAL ESTATE, HENSINGHAM, WHITEHAVEN
Proposal	CHANGE OF USE FROM B1/B2 TO D1/D2
Decision	Approve (commence within 3 years)
Decision Date	17 October 2012
Dispatch Date	17 October 2012
Parish	Whitehaven

Application Number	4/12/2418/0F1
Applicant	Mr R Taylor
Location	40 HILLCREST AVENUE, HILLCREST, WHITEHAVEN
Proposal	DEMOLISH EXISTING GARAGE & ERECTION OF TWO STOREY EXTENSION TO SIDE
Decision	Approve (commence within 3 years)
Decision Date	16 October 2012
Dispatch Date	17 October 2012
Parish	Whitehaven

Application Number	4/12/2419/0F1
Applicant	Mr J Gibbons
Location	54 SNEBRO ROAD, WHITEHAVEN
Proposal	CONSERVATORY TO REAR
Decision	Approve (commence within 3 years)
Decision Date	16 October 2012
Dispatch Date	17 October 2012
Parish	Whitehaven

Application Number	4/12/2420/0F1
Applicant	Mr T Statter
Location	LANEFOOT COTTAGE, LAMPLUGH
Proposal	FIRST FLOOR EXTENSION ABOVE EXISTING GARAGE (TO PROVIDE DAY ROOM)
Decision	Approve (commence within 3 years)
Decision Date	25 October 2012
Dispatch Date	26 October 2012
Parish	Lamplugh

Application Number	4/12/2422/0F1
Applicant	Mr J J Pringle
Location	FIELD 5100, ADJACENT OXENRIGG BARN, OXENRIGG FARM, EGREMONT
Proposal	ERECTION OF STABLE BLOCK
Decision	Approve (commence within 3 years)
Decision Date	15 October 2012
Dispatch Date	17 October 2012
Parish	Haile

Application Number	4/12/2423/TPO
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Applicant	Mr S R Baker
Location	BROCKLEBANK HOUSE, HIGH HOUSE ROAD, ST BEES
Proposal	FELLING OF ONE SYCAMORE TREE SITUATED WITHIN A CONSERVATION AREA
Decision	TREE PRESERVATION APPROVE
Decision Date	3 October 2012
Dispatch Date	3 October 2012
Parish	St. Bees

Application Number	4/12/2425/0F1
Applicant	Mr A Pattinson
Location	9 NORTH ROAD, EGREMONT
Proposal	TWO STOREY EXTENSION TO REAR
Decision	Approve (commence within 3 years)
Decision Date	17 October 2012
Dispatch Date	17 October 2012
Parish	Egremont

Application Number	4/12/2426/0F1
Applicant	Mrs J Kelly
Location	24 BUTTERMERE DRIVE, MILLOM
Proposal	SINGLE STOREY REAR EXTENSION
Decision	Approve (commence within 3 years)
Decision Date	17 October 2012
Dispatch Date	17 October 2012
Parish	Millom

Application Number	4/12/2427/0F1
Applicant	Mr J Gray
Location	1 MONTREAL CLOSE, CLEATOR MOOR
Proposal	ERECTION OF WALL TO FRONT OF PROPERTY (RESUBMISSION OF APPLICATION REF. 4/12/2326/0F1)
Decision	Approve (commence within 3 years)
Decision Date	17 October 2012
Dispatch Date	17 October 2012
Parish	Cleator Moor

Application Number	4/12/2433/0F1
Applicant	The Nail and Beauty Station
Location	24 LAPSTONE ROAD, MILLOM
Proposal	CHANGE OF USE FROM FORMER FLORISTS TO A NAIL AND BEAUTY SALON
Decision	Approve (commence within 3 years)
Decision Date	26 October 2012
Dispatch Date	26 October 2012
Parish	Millom

Application Number	4/12/2434/0F1
Applicant	Devonshire Renovations
Location	69 HOPE STREET, MILLOM
Proposal	REAR EXTENSION
Decision	Approve (commence within 3 years)
Decision Date	16 October 2012
Dispatch Date	19 October 2012
Parish	Millom

Application Number	4/12/2444/OF1
Applicant	Mr D Mackie
Location	43 PANNATT HILL, MILLOM
Proposal	ERECT SUNROOM EXTENSION
Decision	Approve (commence within 3 years)
Decision Date	23 October 2012
Dispatch Date	26 October 2012
Parish	Millom

Application Number	4/12/2452/ON1
Applicant	Mr W Arnott
Location	LAND TO REAR OF SUN INN, ARLECDON, FRIZINGTON
Proposal	NOTICE OF INTENTION FOR ERECTION OF MACHINERY & IMPLEMENT SHED
Decision	Approve
Decision Date	25 October 2012
Dispatch Date	25 October 2012
Parish	Arlecdon and Frizington

Application Number	4/12/2465/OC1
Applicant	Mr B Mean
Location	WHITEHAVEN SNOOKER & POOL CLUB, 28 ROPER STREET, WHITEHAVEN
Proposal	CONSERVATION AREA CONSENT FOR DEMOLITION
Decision	Withdrawn
Decision Date	9 October 2012
Dispatch Date	9 October 2012
Parish	Whitehaven