

PLANNING PANEL- 8 October 2014

<u>SCHEDULE OF APPLICATIONS – CBC</u>	<u>PAGE</u>
Item 1 4/11/2568/0F1 Erection of 33 No. dwellings & associated infrastructure Land off Links Crescent	1
Item 2 4/14/2309/0F1 Variation of Condition 9 of planning ref 4/13/2125/0F1 (erection of wind turbine) regarding noise Land at Castlerigg Farm, Moresby Parks, Whitehaven	20
Item 3 4/14/2335/0F1 Extension over existing roof space on 3 rd floor & erection of new single storey conference centre The Beacon, West Strand, Whitehaven	25
Item 4 4/14/2336/0F1 Installation of a solar farm and the associated infrastructure, including five inverter/transformer units, internal access tracks, security fencing, CCTV cameras and two substations	31
Item 5 4/14/2348//0F1 Re-application for a single storey dwelling with a garage under Plot 3, Wyndhowe, Blythe Place, Seamill Lane, St Bees	37
Item 6 4/14/2374/0F1 Installation of 1 no. wind turbine with blade tip height of 50m Land off Byersteads Road, Sandwith, Whitehaven	47
Item 7 4/14/2375/0F1 Erection of one wind turbine (maximum hub height of 30.52m and a maximum tip height of 48.01m) with control box and all associated works Land near Cobra Castle, Egremont	54

SCHEDULE OF DELEGATED DECISIONS



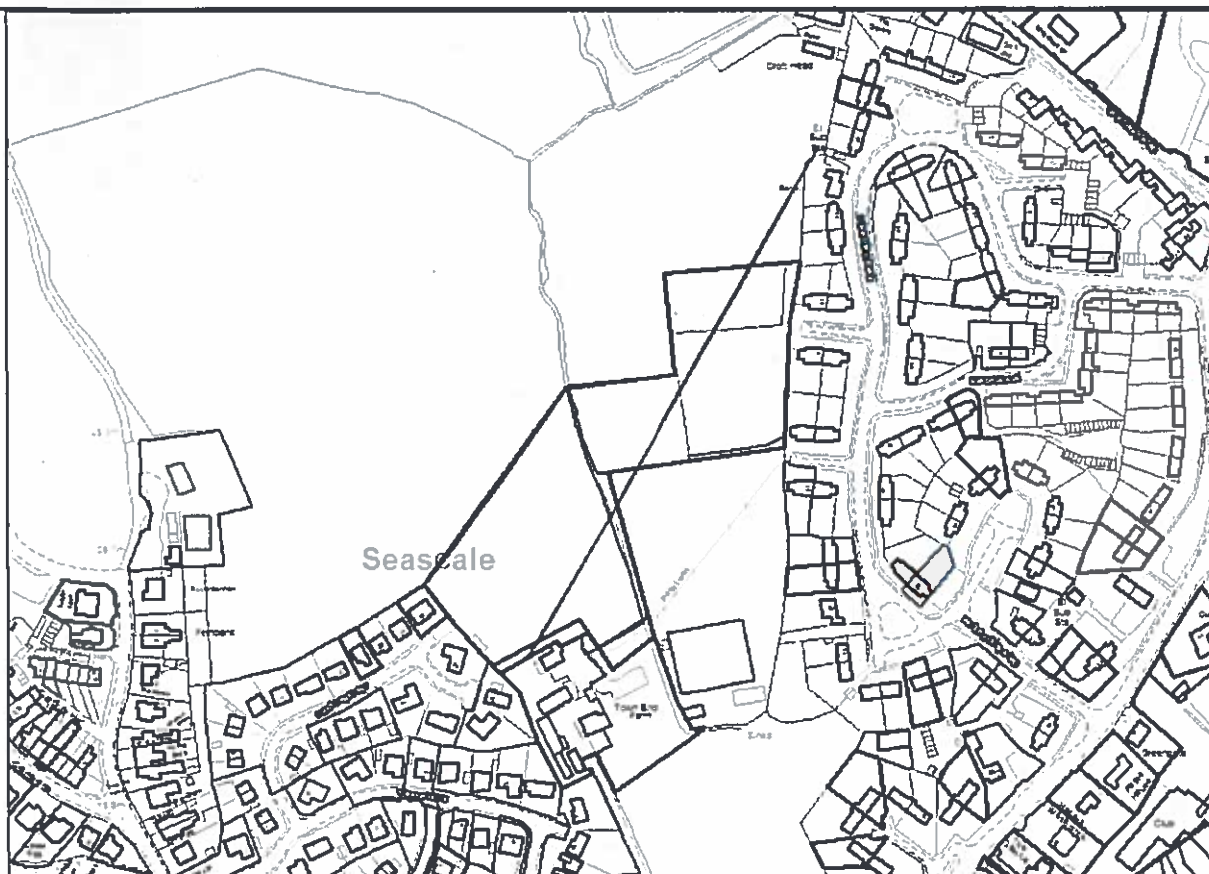
ITEM NO: 1.

To: PLANNING PANEL

Development Control Section

Date of Meeting: 08/10/2014

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 S106



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Addendum: Proposed Amendment to previous Resolution

After considerable deliberation over detail of this proposal, a report was presented to members of the Planning Panel at a meeting on 17th July 2013. The report concluded with an officer recommendation for approval subject to a S106 Agreement and conditions. Members indicated that they were mindful to refuse the application on the basis of concern over compliance with Local Plan policy, both adopted and emerging, and concern over surface water drainage. In line with the adopted Code of Practice the application was deferred to enable a final decision at a subsequent meeting. Members were then advised that discussion over drainage issues with the applicant and the County Council supported further deferral to consider whether issues relating to possible flood risk could be resolved.

As a consequence of those discussions a revised report – attached to this addendum was presented to members on 6th November 2013.

Members were appraised of the policy position relating to the application and accepted the conclusion that there were insufficient grounds to support a policy based reason for refusal.

The applicant was also able to comment on the outcome of discussion with the County Council's Flood Management Team. This enabled members to be advised of a possible additional benefit in utilising land, outside the site, but within the applicant's ownership, to accommodate a flood water storage pond. This was not a specific requirement of the development alone, but recognised historic issues of flooding of properties from water courses within the locality. It was noted that the development would have been expected to provide a small number, 7 units, of affordable housing. The applicant indicated the scope to redirect the cost of providing this affordable housing to the delivery of the storage pond. As this was presented to members, the applicant's representative expressed confidence in being able to manage the practical implementation of this additional flood management feature.

Members accepted the recommendation that there was no policy basis which clearly supported refusal and resolved to grant planning permission subject to the completion a satisfactory undertaking – a S106 Agreement which would provide for the delivery of the flood storage pond.

The applicant has subsequently submitted a draft agreement for the Council's consideration, which made provision for the implementation of the pond. It has become apparent however that the detail of the provision of this feature did not necessarily meet the expectations and requirements of the Flood Management Team – this clearly contradicted the understanding of the applicant's representative.

Local members, who had represented the views of the Seascale Parish Council and local residents when the application was considered by the Panel, were aware of this position and expressed justified concern that the grant of planning should not be made until there was certainty over the delivery of the flood management feature. This was a specific basis for members resolving to approve the application.

Whilst it would appear possible to construct a floodwater storage pond, it had become apparent that this did not necessarily fit with the emerging catchment management scheme for the area around the application site. The Flood Management Team was now expressing more specific reservations over the implementation of the proposal tabled by the applicant.

Following discussion with the applicant, the County Flood Management Team and the Council's planning team, an alternative solution has emerged. This would require the completion of an agreement, through which the applicant would undertake to make a payment equivalent to cost of providing the affordable housing units – estimated to be £164,000 – this would represent the difference between the market value and the discounted resale value of the 7 affordable units. £30,000 of this sum would be provided prior to any dwelling being occupied and the remainder on occupation of the 25th dwelling or on 25th May 2015, whichever is earlier.

The precise amount would be calculated on the market value at the property prior to development commencing. These payments would be transferred to the County Council to be used for flood alleviation works in Seascale.

This arrangement was discussed with the County Flood Management Team, who considered access to this financial resource to be of potentially greater benefit to flood management in the area than

the floodwater storage pond. This was particular the case as there would be potential to use the commitment to funding to lever further resource through other streams.

Members resolved to approve the application in November 2013 with the specific requirement to secure a planning obligation relating to the delivery of the flood management pond. The arrangements for securing improvements to surface water management and flood risk are clearly different with the revised proposals. The sanction of members to accept this change of approach is required.

It is the view of officers that it is preferable to secure the payment of the commuted sum in lieu of the physical provision of a standalone solution of the pond.

Members are requested to accept change to the previous resolution accordingly.

It should be noted that this amendment does not present the chance to review the previous decision of the panel. Discussion should focus on the changes to the proposed means of supporting flood management within the area of the application site.

Introduction

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.

In accordance with the Council's Planning Code of Conduct a final decision on the application is then deferred to the following Planning Panel to allow time for further advice to be prepared / drafting of reasons of refusal as appropriate. However as it was not possible to meet this timescale a report was taken to the 14 August Planning Panel whereby it was agreed that a final decision be deferred until such time that all the required information relating to site drainage could be collated. This information has now been obtained and will assist Members in making the final decision on the proposal.

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 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 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 its 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:-

Amended Recommendation – Approve subject to a S106 Agreement to secure the payment equivalent to the cost of providing the affordable housing units on the site to be used by Cumbria County Council's Flood Alleviation and Management Team specifically for flood alleviation works in Seascale, 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 Peshaw 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 Lees 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.

Reason

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.

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.

ITEM NO: 2.

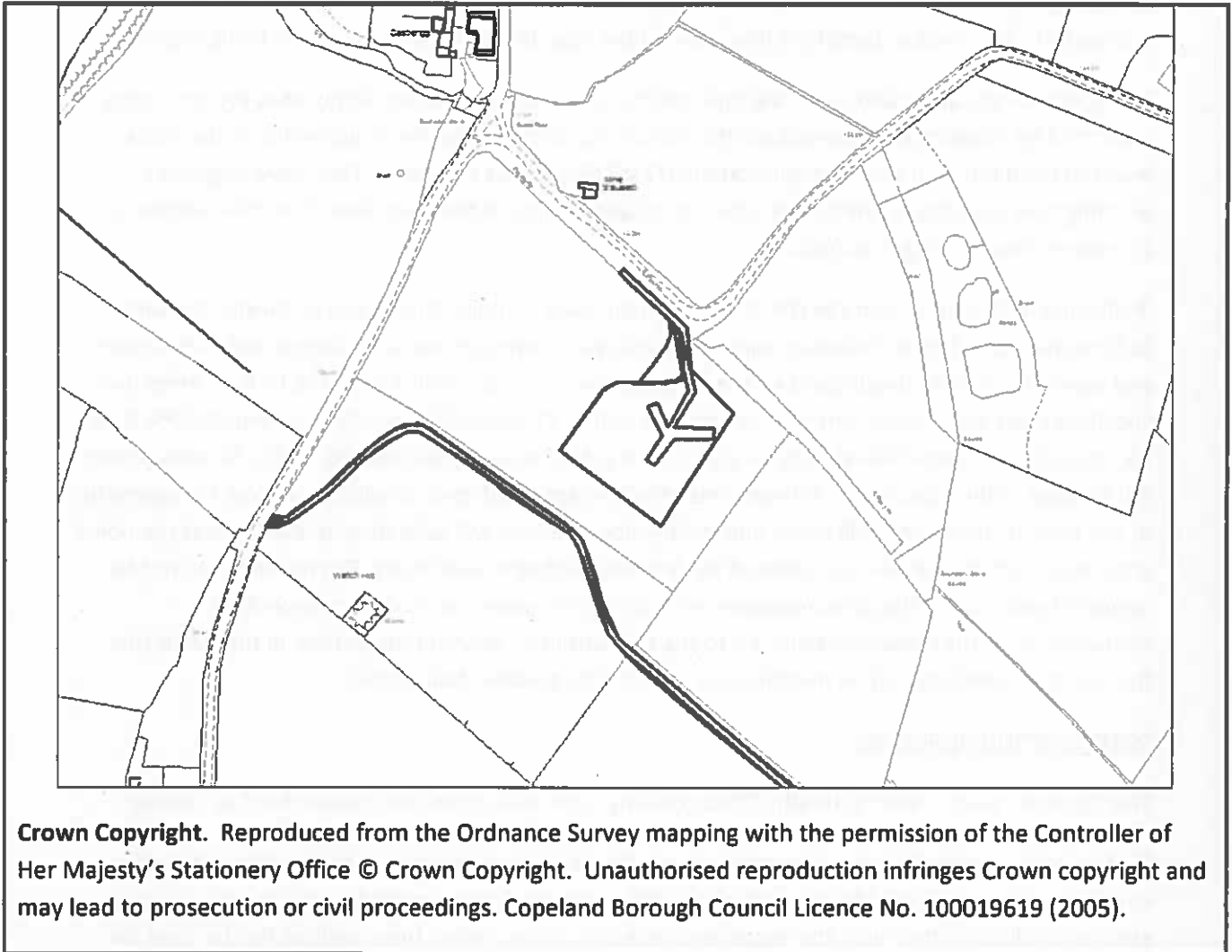


To: PLANNING PANEL

Development Control Section

Date of Meeting: 08/10/2014

Application Number:	4/14/2309/OF1
Application Type:	Full : CBC
Applicant:	Mr D Harper
Application Address:	LAND AT CASTLERIGG FARM, MORESBY PARKS, WHITEHAVEN
Proposal	VARIATION OF CONDITION 9 OF PLANNING REF 4/13/2125/OF1 (ERECTION OF WIND TURBINE) REGARDING NOISE
Parish:	Moresby
Recommendation Summary:	Refuse



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PROPOSAL

This application relates to an open area of agricultural land near to Moresby Parks. The field adjoins the unclassified road between Moresby Parks and Pica and is approximately 1.5km to the north east of Moresby Parks village.

Planning permission was granted on appeal for the erection of a single wind turbine located within the field in 2013 under reference 4/13/2125/0F1. The turbine is to be a total height of 77.0 metres to blade tip. The approved access to serve this turbine is to be achieved from the unclassified to the north of the agricultural land, with an access track approximately 40m long across the agricultural land. Work has not yet commenced on the approval.

This application seeks planning permission for the variation of condition 9 of the planning approval, regarding noise. The original condition as imposed by the Planning Inspector is as follows:-

'Following notification from the LPA that a justified noise complaint has been received, the wind turbine operator shall at their own expense, employ a competent and qualified person to measure and assess by a method approved by the LPA, whether noise emissions from the turbine meet the specified level. The assessment shall commence within 21 days of the notification and the LPA shall

be notified in writing of the results, in accordance with the approved method, within 60 days of the notification. The turbine operation shall cease if the specified level is confirmed as being exceeded.'

The agent for the application is of the opinion that the existing condition imposed is too restrictive and could be interpreted as to exclude the option of putting mitigation in place should the noise levels of condition 8 of planning application 4/13/2125/0F1 be exceeded. They have suggested wording that specifically references allowing mitigation should the noise level from the turbine be exceeded. This wording is as follows:-

'Following notification from the LPA that a justified noise complaint has been received, the wind turbine operator shall at their own expense, employ a competent and qualified person to measure and assess by a method approved by the LPA, whether noise emissions from the turbine meet the specified level. The assessment shall commence within 21 days of the notification and the LPA shall be notified in writing of the results, in accordance with the approved method, within 60 days of the notification. If the assessment demonstrates that the specified level is being exceeded, the operator of the turbine operation shall cease and the turbine operator will take steps to ensure that the noise emissions from the turbine are reduced to, or below, the specified levels. The turbine shall not be operated until such mitigation measures are in place. The operator shall provide written confirmation of the reduction achieved to the LPA within an agreed time period. In the event that the specified limits cannot be met the operation of the turbine shall cease.'

CONSULTATION RESPONSES

The Council's Environmental Health Officer dealing with noise issues has commented as follows:-

From a noise nuisance perspective there is already some concern about the noise levels from the existing turbines at Fairfield Farm and Watch Hill, so my preference would be to keep the existing stricter condition rather than the suggested variation. As you noted the condition has been used for previous planning permissions without comment.

However, I do understand the developer's concern that the existing condition could be interpreted as to exclude the option of putting in mitigation measures should the noise levels from condition 8 be exceeded. My main concern is that the turbine should not be allowed to operate while it is known to be in breach of the noise limits, so should the planning panel decide to go ahead with a variation I would like to see this written into the condition. Possible wording is as follows:

'Following notification from the LPA that a justified noise complaint has been received, the wind turbine operator shall at their own expense, employ a competent and qualified person to measure and assess by a method approved by the LPA, whether noise emissions from the turbine meet the specified level. The assessment shall commence within 21 days of the notification and the LPA shall be notified in writing of the results, in accordance with the approved method, within 60 days of the notification. If the assessment demonstrates that the specified level is being exceeded the turbine operation shall cease and the turbine operator will take steps to ensure that the noise emissions from the turbine are reduced to, or below, the specified levels. The turbine shall not be operated until such mitigation measures are in place. The operator shall provide written confirmation of the reduction achieved to the LPA within an agreed time period. In the event that the specified limits cannot be met the operation of the turbine shall cease.'

8 letters of objection have been received to the proposal, 1 from the owners of the nearest property to the turbine (other than the applicants' dwelling Castlerigg Farm), and another from Friends of Rural Cumbria's Environment (FORCE). The concerns raised are as follows:-

- The condition was included as stated to safeguard the living conditions of nearby residents.
- The original condition and condition 8 regarding specified noise levels were set following the submission of the noise assessment in the course of the application and therefore if this is accurate no mitigation should be required.

No other comments have been received in relation to the statutory notification procedure.

PLANNING POLICY

National Planning Policy Framework

The National Planning Policy Framework (NPPF) 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. It identifies three dimensions to sustainable development, one of which is an environmental role.

With specific reference to 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.

Copeland Local Plan 2013 - 2028

The Core Strategy and Development Management Policies DPD (now referred to as the Copeland Local Plan 2013 – 2028) which replaces most of the Policies in the Local Plan 2001-16 was adopted in December 2013.

The Policies in the Core Strategy and Development Management Policies DPD are a material consideration when determining planning applications.

Policy ER 2 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 amended wording is suggested by the agents due to the potential for conflicting interpretation of the original condition from their perspective, and it makes no specific reference for mitigation should be noise levels be exceeded.

However, while understanding this point of view this is a standard condition wording used for wind turbine approvals. In addition, the Council’s Environmental Health Officer has specified a preference for retaining the condition as existing, should noise monitoring be required in relation to the turbine following its construction and commencement of use.

Therefore in the context of the above, the application is considered to be at variation with policies ER 2 and DM 2 of the Copeland Local Plan 2013 – 2028 and as such is recommended for refusal.

Recommendation:-

Refuse

Statement:

The Local Planning Authority has acted positively and proactively in accordance with Copeland Local Plan policies and the National Planning Policy Framework in determining this application by identifying matters of concern with the proposal and raising those with the applicant/ agent. However, in this case it has not been possible to arrive at a satisfactory resolution for the reasons set out in the reason for refusal



ITEM NO: 3.

To: PLANNING PANEL

Development Control Section

Date of Meeting: 08/10/2014

Application Number:	4/14/2335/OF1
Application Type:	Full : CBC
Applicant:	Copeland Borough Council
Application Address:	THE BEACON, WEST STRAND, WHITEHAVEN
Proposal	EXTENSION OVER EXISTING ROOF SPACE ON 3RD FLOOR & ERECTION OF NEW SINGLE STOREY CONFERENCE CENTRE
Parish:	Whitehaven
Recommendation Summary:	Approve (commence within 3 years)

render cladding and masonry blockwork with aluminium framed glazing and an insulated single ply membrane flat roof system. The existing plant on the roof will be relocated to provide the space for the extension, which will be accessed through a new door in the existing 4th floor of the Beacon.

The proposed new single storey building is to be utilised as a conference centre and will have an approximate floor area of 90 sqm. It is circular in shape and will be located on part of the upper section of the car park, with an area of external decking to provide a level access. This will be finished with render cladding and masonry blockwork and glazing to match the main building. Internally, the majority of the building will be an open space area, but it will have a small kitchen area and toilet facilities.

There will be an overall net loss of 7 parking spaces on the site.

The planning application is accompanied by the following information:-

- Detailed layout and elevation drawings which illustrate the development proposals
- Design and access statement
- Phase 1 Desktop study
- Preliminary Ecological Appraisal
- Tree survey and proposed protection plan
- Bat survey

PLANNING POLICY

National Planning Policy Framework

The National Planning Policy Framework (NPPF), which came into effect in March 2012, sets out the Government's new 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.

It outlines that there are three dimensions to sustainable development; economic, social and environmental. A social role includes support for cultural facilities.

Paragraph 17 sets out a number of core planning principles which. Amongst other things, seeks to secure high quality designs and also conserving heritage assets in a manner appropriate to their significance.

Paragraph 56 emphasizes that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development.

Paragraph 70 seeks to deliver social, recreational and cultural facilities and services.

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 material considerations indicate otherwise.

Copeland Local Plan 2013-2028

The Core Strategy and Development Management Policies DPD (known as the Copeland Local Plan 2013-2028) was adopted by the Council in December 2013.

The Policies in the Core Strategy and Development Management Policies DPD are a material consideration when determining planning applications and carry significant weight.

The following Core Strategy policies are considered relevant to this application:-

ST 1 sets out the Strategic Development Principles that underpin the planning policies. This places an emphasis on supporting development that provides or contributes to the Boroughs social and community infrastructure and also seeks to protect and enhance the Boroughs cultural and historic features and their settings.

Policy ER 10 seeks to maximise the potential of tourism within the Borough by supporting appropriate developments which improve and enhance the quality of the tourism product.

Policy SS4 seeks to protect community and cultural facilities. Specifically this policy allows the expansion and or enhancement of existing cultural facilities to assist continuing viability, particularly in areas where new development will increase the demand for facilities.

Policy DM 22 seeks to secure developments which are accessible to all users.

CONSULTATION RESPONSES

Highway Control Officer

Has concerns regarding the proposed loss of parking to the facility. For a development of the completed facility's size, a total of 50 parking spaces would be expected and this proposal only includes 16 spaces post development. However it is recognised that the site does not directly link to the highway network, therefore the statutory response is that the proposal doesn't affect the highway.

They have also commented that a Construction Method Statement should be supplied prior to the development commencing if The Beacon is to remain open during the works.

Copeland Disability Forum

Have asked for clarification on some issues in the proposal, relating to the access and toilet facilities in both the extension and the new building. The points have now been clarified by the agent, and an amended plan submitted to address some of the points. Following the changes, CDF have now confirmed that they wish to support the application.

ASSESSMENT

The Beacon is a considerable asset and the proposed development represents an opportunity to source external funding to enable the extension and improvement to the Beacon and the role that it provides within the community.

The proposed extension will provide additional gallery space for The Beacon and the detached building will provide useful conference/meeting room space which expands the range of facilities on offer on the site.

Whilst the proposed development will impact upon the setting of existing buildings in a sensitive harbourside location, it is considered that the scale form and design is compatible with existing features within the Conservation Area. While the extension to the fourth floor of the existing building will be at a significant height and prominence, it follows the design of the existing building and does not exceed the highest point of the existing structure. With regards to the detached new building, it has a low level roof structure and will be viewed from the wider harbour area against the backdrop of the bank which reduces its visual impact. The circular form helps to link this to the appearance of the Beacon, whilst being a separate building.

The ability to provide an acceptable level of car parking is a key issue in assessing this application. There is an issue over the loss of existing spaces and the lack of additional parking provision relating the extra floor space proposed. Those presenting the application on behalf of the Council point to the sustainable town centre location and the presence of existing car parks close to the Beacon, It is considered that this proposal will not result in parking problems of a scale which would be an issue, but this position reiterates the need to develop a wider strategy for car parking across the town centre in order to accommodate and encourage development and growth.

It is certainly the case that this potential area of concern is heavily outweighed by the benefits of enhancing the Beacon and facilitates it can provide for residents, businesses and visitors to the Borough.

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:-

- Site Location Plan Scale 1:1000 Drawing No 2123.2.201 received by the Local Planning Authority on 01 August 2014.
- Proposed Site Plan Scale 1:200 Drawing No 2123.2.202 received by the Local Planning Authority on 01 August 2014.
- Existing and Proposed Plan Beacon Scale 1:100 Drawing No 2123.2.302 received by the Local Planning Authority on 01 August 2014.
- Conference Centre Proposed Plan Scale 1:50 Drawing No 2123.2.303 received by the Local Planning Authority on 01 August 2014.

- Extension Existing elevations Scale 1:100 Drawing No 2123.2.401 received by the Local Planning Authority on 01 August 2014.
- Extension Proposed elevations Scale 1:100 Drawing No 2123.2.402 received by the Local Planning Authority on 01 August 2014.
- Conference Centre Proposed elevations Scale 1:50 Drawing No 2123.2.403 received by the Local Planning Authority on 01 August 2014.
- Beacon Extension Indicative Existing and Proposed Section Scale 1:100 Drawing No 2123.2.501 received by the Local Planning Authority on 01 August 2014.
- Indicative Proposed Site Visuals Drawing No 2123.2.801 received by the Local Planning Authority on 01 August 2014.

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. Prior to the commencement of development, a construction method statement regarding the proposed site works shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented and so maintained thereafter.

Reason

For the avoidance of doubt.

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

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>>

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.



ITEM NO: 4.

To: PLANNING PANEL

Development Control Section

Date of Meeting: 08/10/2014

Application Number:	4/14/2336/OF1
Application Type:	Full : CBC
Applicant:	Cleator Solar Park Limited
Application Address:	LAND BETWEEN WOODEND AND MOOR ROW, EGREMONT
Proposal	INSTALLATION OF A SOLAR FARM AND THE ASSOCIATED INFRASTRUCTURE, INCLUDING: FIVE INVERTER/TRANSFORMER UNITS, INTERNAL ACCESS TRACKS, SECURITY FENCING, CCTV CAMERAS AND TWO SUBSTATIONS
Parish:	Cleator Moor, Egremont
Recommendation Summary:	Site Visit



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Introduction

This proposal relates to an undulating greenfield site in open countryside some 300m to the north of Woodend Farm, at Woodend, near Cleator. A major application covering an area of 18.61 ha which is bounded by agricultural land to the north, west and south, and to the east it adjoins the road known as Dalzell Street. In terms of proximity to settlements it extends from the edge of the village of Moor Row, some 90m to the north, Bigrigg 200m distant to the west, and Woodend and Cleator, 312m and 510m respectively to the south and east.

Vehicular access to the site would be via new accesses constructed to the north east and south east from Dalzell Street.

Proposal

The proposed development comprises the installation of a solar PV farm with an electricity capacity generation of up to 6.423MWp and associated infrastructure. This will involve the erection of module arrays which will run east to west across the site. The modules will be angled at 25 degrees in order to maximise sunlight. The lowest edge of the modules will be 0.8m off the ground whilst the highest would be a maximum of 2.34m. Other associated

structure include the erection of a 2.1m high green mesh security fence around the boundary of the site, underground cabling, five inverter / transformer units, two substations, and three pairs of CCTV cameras.

The application is accompanied by

- Landscape and Visual Impact Assessment
- FRA
- Drainage Report
- Site Report and Appraisal Plans
- Ecological Appraisal
- Traffic Plan.
- Biodiversity Management Plan
- Cultural Assessment
- Site Report, Appraisal and Plans.
- Non-Technical; Summary
- Planning Statements
- Ground Condition Report
- Design and Access Statement.

Consultations

In view of the nature of the application extensive consultations have been carried out. To date the following responses have been received:

Egremont Town Council

Strongly object for the following reasons:

1. Magnitude on this open countryside which gives the appearance of an industrial development.
2. Impact on this open countryside.
3. Visual impact on residents of Woodend, Bigrigg, and one property, High House, on the border of the access road in Cleator Moor Parish.
4. Access on a narrow country road which suffers from flooding from farmers' fields and its twisting contours gives great concern to users of this road, school transport and commuters to BNFL driving through Moor Row along this road and walkers who use the road daily.
5. Consultation was poor and many people were not informed of the public presentation where they could look at the plans. Those who did go felt the firm – Castillium were not too well informed themselves and this did not inspire confidence for such a large scale development.
6. In all fairness Castillium were contacted and did return and hold an informal meeting with those people most affected and presented the plans that would be submitted showing the reduction in south Westfield which helps reduce the visual impact but by doing this it now affects residents of High House.
7. Community benefit of £10k was thought abysmal.
8. Imperative that a site visit is arranged which ensures that all areas affected by this will be visited i.e. High House, access to the development along the narrow road and

its twisting contours to ensure road safety, the fields where the development will occur, residents of Downfield Lane, Bigrigg and Woodend, taking into account the route the lorries will take during the construction period.

Cleator Moor Town Council – comments awaited.

CCC Highway Authority – Holding objection as inadequate information has been submitted to satisfy the Local Highways Authority that the proposals are acceptable in terms of the impact of the construction traffic on the local road network, with consequent interference with the local traffic flows and potential inconvenience and danger to highway users.

Consultant Arboriculturist – Accepts the proposed landscaping providing the mitigation planting is carried out as stated in the landscape master plan. Recommends that conditions are attached requiring that the development is carried out in accordance with the tree report, method statement and landscape master plan and that planting specifications for the proposed hedgerows, copses and tree planting are submitted prior to development commencing.

CCC Historic Environment Officer – Former 19th century ironstone mines, railways and a farmstead remains survive on the site. Request that the remains be subject to a programme of archaeological recording via a pre commencement condition.

Natural England – Request that a Habitat Regulations Assessment be undertaken to establish whether there is likely to be any potential impacts on the interest features of the nearby River Ehen SAC – a European designated site as a result of the development. The services of a consultant ecologist have been engaged to provide this. No objection re the SSSI's in the vicinity – are satisfied that it will not damage or destroy the interest features for which these sites have been notified. Also offer no comment in respect of landscape but advise consultation with the Lake District National Park Authority. As regards protected species advise their published Standing Advice be applied.

CCC Rights of Way Officer – Offers the following comment:

Public Footpath 406015 runs across the proposed site and note that it is intended to enclose the path with new hedge boundaries linking into existing site hedgerows.

The minimum width of the footpath is 1.8metres but there are also wider stated widths in the a Modification Order covering the footpath, therefore the new hedgerows must be planted to allow for these widths and to also ensure this width can be maintained by the landowner.

To improve access to this footpath the Highway Authority would wish to see the metal field gate and stile leading onto Dalzell Street at the east side of the site improved with Hunter latches allowing convenient access onto the National cycleway, and similarly the present kissing gate on the west side of the site replaced with a gate to allow convenient and lower mobility access towards Bigrigg.

The present footpath surface needs to be improved with an aggregate all weather surface again to improve all year round convenient access to this route. It is also noted that the proposed maintenance road appears to cross the footpath alignment.

There is on-going dialogue with the applicant to address these matters.

Environment Agency – No objection.

Coal Authority – awaited.

Flood and Coastal Defence Engineer- No objection, the site is currently fields, with drainage being through natural infiltration. The development will only increase the impermeable surface by less than 1% according to the Flood Risk Assessment (FRA) and rainfall will simply run off the solar panels onto the ground. The FRA states that the proposed swales should provide more storage for surface water than will be generated as a result of the development.

CCC Spatial Planning Team – awaited.

Neighbours / Other

This application has raised considerable concern in the local community. To date some 71 letters of objection have been received and the main grounds include:

- Visual Impact – this will be significant and out of scale with its surroundings.
- Effect on landscape - glare will be substantial and will be seen from a large area including the top of Dent. It will change the appearance of the landscape from agricultural to one that is industrial.
- Negative impact on local tourist industry especially as its located near to the national cycle route and the Wainwright`s coast to coast.
- No local benefit only the farmer and solar company will gain.
- Query temporary nature of proposal – as panels will be in situ for 30 years.
- Should be located on brownfield sites not greenfield.
- Public footpath traverses site and will need to be retained.
- Impact of construction vehicles on local road network – its unsuitable for HGV`s and raises safety issues given the scale of lorry movements proposed during construction.
- Noise – emissions from the site will be a continual nuisance to local residents.
- Noise and dust from construction.
- Area is undermined.
- Flooding – area is subject to localised flooding especially the roads. Panels will increase run off making this worse.
- Cost of Decommissioning – needs ring fenced funds to ensure this happens.
- Solar parks should be located on roofs of existing buildings not greenfield sites.
- Unrealistic electricity output- should use average data not maximum.
- Grazing reduction – availability of grazing for sheep will be significantly reduced by shielding effect on panels affecting grass growth.
- Effect on local house values.

In addition there has been 1 letter of support.

Planning Policy

This will be detailed in the final report.

Assessment

In view of the sheer nature and scale of the proposal, its location in open countryside and resulting potential impact, as well as the extensive local community concern generated, this major application raises significant issues which require careful consideration. It is therefore recommended that Members take the opportunity to visit the site to fully appraise all the material planning issues before determination.

Recommendation:-

Site Visit

ITEM NO: 5.



To: PLANNING PANEL

Development Control Section

Date of Meeting: 08/10/2014

Application Number:	4/14/2348/OF1
Application Type:	Full : CBC
Applicant:	Mr and Mrs D Lavery
Application Address:	PLOT 3, WYNDHOWE, BLYTHE PLACE, SEA MILL LANE, ST BEES
Proposal	RE-APPLICATION FOR A SINGLE STOREY DWELLING WITH A GARAGE UNDER
Parish:	St. Bees
Recommendation Summary:	Approve



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Introduction

This application relates to plot 3, an existing plot situated within a small development site to the eastern side of Sea Mill Lane, St Bees. The site is terraced in form rising from the west to an elevated level section then steeply to the east where it adjoins Nethertown Road. Originally garden land belonging to the neighbouring bungalow 'Wyndhowe' to the north, it is flanked by a pair of semi-detached traditional houses to the west which are situated at a lower level and to the south by the grounds of a property known as 'Shorelinks.'

The Proposal

This particular application comprises a resubmission for the erection of a detached dwelling with accommodation provided over two floors. The original scheme having been approved in 2012 (4/12/2179/DF1 refers).

It is proposed that upper ground floor will provide the main habitable space in the form of three bedrooms, a kitchen/ dining area, a lounge, utility room, hall and bathroom. Underneath the lower ground floor will house the integral garage.

External materials proposed include a flat grey concrete tiled roof, facing brick walls with sandstone coloured artstone cills, heads and quoins. Windows and doors will be white upvc.

Vehicular access is via a shared access directly off Seamill Lane which also serves the remaining vacant plot 2 on this development site, the existing bungalow 'Wyndhowe' and two new dwellings.

The revisions this scheme proposes over the current permission comprise:

- The introduction of a hipped roof and much lower pitch at 25 degrees to help reduce impact.
- Increase in overall height of the dwelling so that it is now proposing to be some 0.503m higher than neighbouring dwelling Wyndhowe with the resultant increase in floor levels. The reasons for the resubmission are explained in the assessment section of this report.

Planning History

Both the development site and this individual plot have a complex planning history which is material and relevant.

The Plot

The most recent consent was granted in 2012 for a three bedroom dwelling on two floors with the main habitable living space on the upper ground floor with a garage underneath on the lower ground floor. (4/12/2179/DF1 refers) It is this permission this current application seeks to amend.

Permission was refused in July 2011 for a two and a half storey detached dwelling on this site (4/11/2247/DF1 refers) for the following reason:

“By virtue of its scale, height and resultant massing the proposed dwelling, with accommodation provided over three floors, in this location would constitute an over dominant and incongruous form of development out of character with neighbouring dwellings and the surrounding area generally. Furthermore it would have an unacceptable impact on residential amenity, both visually and in terms of overlooking, on the existing properties of Wyndhowe and West View contrary to Policies DEV 6, HSG 4 and HSG 8 of the adopted Copeland Local Plan 2001-2016.”

A subsequent appeal against the decision was dismissed. The Inspector, taking into account the height of the proposal allied to the difference in levels, considered it would result in the development appearing oppressive in the views from the back gardens and windows of 1 and 2 West View and that the degree of overlooking and the overbearing presence it would exert in relation these properties, situated in front of the site, would harmfully affect the living conditions of the occupiers.

A previous application for a similar 4 bedroom detached dwelling on this plot was refused in December 2010 (4/10/2482/DF1 refers) for similar reasons.

The Development Site

The site also has the benefit of an outline consent originally granted in 2005 and renewed in 2008 for one single storey dwelling as part of an outline permission granted for four dwellings on the former horticultural nursery site (4/05/2011/001 & 4/08/2237/001 refers). This was a controversial application with neighbour objections and Members of the Planning Committee benefiting from a site visit at the time. It should be noted that they concurred with the view of officers that the impact of any new dwellings on the existing ones was a key issue and supported the imposition of a condition to restrict the height of new dwellings on the plots to single storey only.

An application to erect a 4 bedroom detached dwelling with a separate detached double garage on this plot was withdrawn in July 2008. (4/08/2273/0F1 refers)

Plot 4 opposite accommodates a four bedroom dormer bungalow with accommodation provided over two floors. (4/08/2132/0F1 refers) which was refused on the grounds of overlooking and visual impact on neighbouring properties then subsequently allowed on appeal. This property has now been built.

Plot 2 on the other hand, situated on the other side of the existing property "Wyndhowe", had planning permission for a two and a half storey dwelling refused and then had an appeal dismissed in 2008. (4/07/2657/0F1 refers). In dismissing this appeal the Inspector considered that the proposed dwelling would be incongruous and detrimental to the character and appearance of Sea Mill Lane and would adversely affect the living of the neighbouring property 'Wyndhowe'. This decision has implications that need to be taken into account in assessing this proposal. This plot currently remains vacant. In order to keep the permission live on the site an individual outline consent for a single storey dwelling on the site was approved in 2012 (4/12/2198/001 refers).

An application to demolish the barn and erect a new dwelling on plot 1 was refused and dismissed on appeal (4/09/2426/0F1 refers) on the grounds that it would appear incongruous and be out of scale and character with its surroundings. A revised scheme for this plot has now been approved and the dwelling erected.

Consultations

St Bees Parish Council - Acknowledge there is a long planning history associated with the site and are aware of the issues which have led to this new application. Felt it was regrettable the building had progressed to this stage before problems were identified but believe everything reasonably practical has been done to address the issue of height in the new design. In the circumstances raise no objection to this revised application.

Highway Authority - No objections.

Neighbours

Three letters of objection have been received, one from each of the neighbouring properties.

The resident of Wyndhowe, The neighbouring bungalow to the north expresses concern about the proposed increase in height of the dwelling, and states that it was agreed with the

approved plan that the height of the new dwelling should be the same as Wyndhowe, and no higher. Concern now is that the approved plan is not going to be enforced.

Residents of 1 West View, one of a pair of semi-detached properties opposite, raises the following concerns:

- Points out that the overlooking of neighbouring properties has been a constant theme in the planning history of the site and that it's not just the matter of the roof line to the north and south of plot 3.
- Query why Building Control did not take the planning history into account before agreeing a course of action. Consider other solutions could have been considered which may have better addressed the issue of overlooking. Also surprised the applicant's professional advisers did not identify previous planning issues.
- Result is that the front elevation of plot 3, which is the part that impacts most adversely on West View in terms of mass and scale, is at least a significant 1m higher than it should have been. This is compounded by that fact that the site level of plot 3 is significantly higher than that of West View.
- References that the minimum recommended separation distances between the plot and West View should be given less weight - consider that these distances should be extended given the respective site levels increase.
- Whilst the beneficial effect of amending the roof line is recognised, the solution does not address the fundamental issue of mass and scale in relation to the overlooking of West View, and the fact that the overall structure has been lifted by what appears to be at least 1m, a significant margin from the perspective of West View.

Finally, the residents of 2 West View also wish to make their concerns known regarding the adverse impact it will have on them:

Overlooking/ loss of privacy

Their front door, entrance stairs, living room and main bedroom are all at least 1.0-1.5m higher than the original approved application. As a result they will have full unimpeded view of our rear garden, drive, dining room and their daughter's first floor bedroom which is now overlooked from above. Have lost all privacy to the rear and side of the house.

Flood Risk

Will be a significant increase in run off from plot 3 but there is no evidence of preventative drainage on the plans. Concern that the stone retaining wall will not stop run-off flooding West View. Localised flooding could result.

Increased Height

The house on plot 3 will now exceed the hill behind it forming the skyline and will be taller than the adjacent property. Concerned it will overshadow our house and is likely to exceed the height given on this application.

Also express concern regarding the lack of party wall agreement, and that their boundary retaining wall may fail where it adjoins Plot 3, as a result of potential soil erosion from run off adjacent to it, cars parked next to it affecting its stability, along with the increase in ground level.

Consider the original approved scheme found an acceptable middle ground between the

neighbours' interests and the applicants and addressed the privacy concerns of adjacent neighbours. The revised design exceeds these limits and reduces privacy at West View to zero.

Planning Policy

National Planning Policy Framework

The National Planning Policy Framework, which came into effect in March 2012, sets out the Government's new 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.

It 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.

Paragraph 56 attaches great importance to the design of the built environment. 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.

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.

Copeland Local Plan 2013-2028

The Core Strategy and Development Management Policies DPD (the Copeland Local Plan 2013-2028) was adopted by the Council in December 2013. It replaces the majority of policies in the former Copeland Local Plan 2001-2016.

The adopted Plan is consistent with the NPPF and paragraph 196 of the NPPF makes it clear that all applications must be determined in accordance with the Development Plan.

The Policies in the Core Strategy and Development Management Policies DPD are a material consideration when determining planning applications.

The following Policies of the new local plan are considered relevant and now carry significant weight in decision making:

Policy ST1 Strategic Development Principles. This sets out the fundamental principles that will achieve sustainable development.

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.

Policy DM10 Achieving Quality of Place. This sets out the detailed approach to implementing ST1 to achieve good quality places with the principles for the mix and layout of developments set out.

Policy DM11 Sustainable Development Standards sets out the detailed requirements sustainable development should meet.

Policy DM12 Standards for New Residential Development. Sets out the detailed standards of residential amenity which need to be achieved in any new housing development.

Assessment/ Conclusion

This application seeks permission for a revised scheme for the erection of a dwelling on plot 3. As it stands the dwelling is substantially erected up to and including upper ground floor level minus the roof. It was at this point the current applicant realised that there were substantive issues associated with the massing and scale preventing completion. Prior to this the new owner was not aware of the significance of the planning history relating to this plot. It transpires that as a result of the presence of a public drain in front of the building line the decision was made early on in the process to build over which involved raising the floor levels of the proposed dwelling, this along with the installation of under floor heating, resulted in a direct increase in height at variance with the approved plans. Following negotiations with the applicant work on site has stopped and this revised scheme submitted in an attempt to regularise the situation.

The reasons for the development being built in a manner which does not accord with the approved plans are of limited relevance to the determination of this application. The determination of the application must rest with the potential impact of the dwelling as now proposed. The planning history of the site is a material consideration. On the one hand this means that there will be development on site – even if the existing structure were to be removed and building work completed in accordance with the approved plan. On the other hand a series of refused planning applications and appeals on this and adjoining sites, suggests that there is limited scope for variation from the approved plan, without raising the same issues which have previously been used to refuse permission.

Historically reference to the adjoining existing dwelling has been used as a benchmark against which new development could be assessed. An Inspector at a previous appeal considered that a building with a roof pitch facing west – towards West View at 600mm higher than Wyndhowe, would result in an adverse impact on the amenity of occupiers of the adjoining property so as to justify refusal. If the development sought to use the roof form as approved, the impact of the scale and massing of the development is considered to be similar to that considered in the appeal proposal. The modification to the roof form now proposed is critical to the potential acceptance of the application. The use of a hipped roof, instead of a gable, at both ends of the building, together with the use of a low roof pitch, a shallower slope – results in a significant mass of roof space being removed. Impact in terms of the creation of a building which is overbearing has been limited to that which has been

accepted when planning permission has previously been granted.

Objection to the application makes justifiable reference to the scope for the new dwelling to overlook the pair of semi-detached houses immediately to the west. The development management policies of the local plan require a separation distance – window to window of 21 metres. There is no provision for additional distance given difference in levels. The west facing windows of the new building are 23 metres from the closest window in the properties at West View. It is similarly justifiable for objectives to raise concern over the increase in the height and position of the windows of the new dwelling relative to their properties. These windows will overlook from a position approximately half a metre higher than would have been the case if the development had been built in accordance with the approved plan. Does this change the scale of impact on the occupiers of the adjoin dwelling? It does but there are windows where windows were previously proposed. The relationship with the neighbouring property has changed but not the point where it is considered that refusal to grant planning permission could be justified. In reaching this conclusion consideration been given to the unconventional layouts and relationships which already exist in this part of St Bees, with dwellings and publically accessible view points, allowing views across and into houses and the garden areas around them. This is particularly the case in this instance where the space to the rear of the two most affected houses is not conventional back garden and where window to window distance meets normally expected requirements.

These judgements are finally balanced. The determination of this application is based on assessment of whether a threshold of unacceptable impact has been crossed, resulting in the change in the height of the building being unacceptable. For the reasons outlined in the previous paragraphs this is not considered to be the case in this instance and it is accordingly recommended that planning permission should be granted.

Recommendation:-

Approve, subject to the following conditions:

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 Alan B. Freeman Ltd, ref 2014.636.AD, received 6 August 2014.

Additional Information to accompany a re-submission application, by Alan B. Freeman Ltd, received 6 August 2014.

Site Location Plan, ref 2014.636.LP, scale 1:1250, received 6 August 2014.

Site Sections, Proposed Dwelling No 3, adjacent to Wyndhowe, Blythe Place, St Bees, CA27 OBG – Amended Scheme, dwg no 2014.636.02, scale 1:100, received 6 August 2014.

Elevations, Floor Plans & Site Layout, Proposed Dwelling No 3, adjacent to Wyndhowe, Blythe Place, St Bees, CA27 OBG – Amended Scheme, dwg no 2011.469.??, scales 1:50, 1:100 & 1:200, received 2014.

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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order with or without modification) no external alterations (including replacement windows and doors) or new window openings, rooflights, dormers, extensions, conservatories, or enlargement shall be carried out to the dwelling, nor shall any detached building, enclosure, domestic fuel containers, pool or hardstandings be constructed within the curtilage other than those expressly authorised by this permission.

Reason

To safeguard the character and appearance of the development and neighbouring residential amenity.

3. The access drive shall be surfaced in permeable bound materials and shall be constructed and completed before the development is occupied / brought into use.

Reason

In the interests of amenity and highway safety.

Informative on behalf of United Utilities

The site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

Building Regulations H3 clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. We would ask the developer to consider the following drainage options in the following order of priority:

- a) An adequate soak away or some other adequate infiltration system, (approval must be obtained from local authority/building control/Environment Agency); or, where that is not reasonably practical
- b) A watercourse (approval must be obtained from the riparian owner/land drainage authority/Environment Agency); or, where that is not reasonably practicable
- c) A sewer (approval must be obtained from United Utilities)

To reduce the volume of surface water draining from the site we would promote the use of permeable paving on all driveways and other hard-standing areas including footpaths and parking areas.

Deep rooted shrubs and trees should not be planted in the vicinity of the public sewer and overflow systems.

The applicant / developer should contact United Utilities Service Enquiries on 0845 746 2200 regarding connection to the water mains or public sewers.

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.

ITEM NO: 6.



To: PLANNING PANEL

Development Control Section

Date of Meeting: 08/10/2014

Application Number:	4/14/2374/OF1
Application Type:	Full : CBC
Applicant:	DC21 Group
Application Address:	LAND OFF BYERSTEDS ROAD, SANDWITH, WHITEHAVEN
Proposal	INSTALLATION OF 1 NO. WIND TURBINE WITH BLADE TIP HEIGHT OF 50M
Parish:	Whitehaven
Recommendation Summary:	Site Visit



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Site Location

This application relates to an elevated greenfield site in open countryside within close proximity to St Bees Head. In terms of nearby properties it is situated some 290m to the north of the parent property, Byersteads Farm, circa 240m to the south of the nearest non associated property Fair View, and 340m to the south east of Croftfoot at Sandwith. The nearest settlements of Rottington and Sandwith are located some 1.1km to the south west and 340m to the north west respectively.

Proposal

It is proposed to erect one 50kW three bladed wind turbine on a single tapered tower, off white in colour and 36.6m to hub height with an overall ground to tip height of 50m. It would be situated on an underground concrete foundation measuring 49 square metres. Alongside the base of the turbine would be erected a small control cabinet of approximately 2m x 1.5m x 2m. A cable trench will be dug to lay the power cables to connect the turbine to the national grid. It is proposed that a temporary access track will be laid during construction and that this would be some 50m in length leading directly from the adjacent Byersteads Road.

The application is accompanied by a:

Planning & Design & Access Statement

Noise Assessment

Community Consultation Responses

Landscape and Visual Impact Assessment & accompanying Photomontages

Consultation Responses

Egremont Town Council – Although aware it is not within their boundary consider that a turbine in this area would be highly visible for miles around and in an area of natural beauty which is enjoyed by local people, tourists and walkers. It is unacceptable. There was also poor pre application community consultation. Cumulative effect on our area is getting to be disastrous.

Arqiva – no objection

MOD – no objection

Scientific Officer – awaited

Highway Authority – awaited

Neighbours & Others

To date 17 individual letters of objection have been received, main grounds of objection include the following:

- Visual Impact
- Landscape Impact – within proximity to St Bees Head and heritage coastline.
- Prefer to see them out at sea.
- Potential Noise Nuisance – could set dogs off barking at the nearest non associated property some 250m away which is a licensed boarding kennels.
- Affect from flicker on neighbouring properties – particularly in respect of health.
- No local community benefit only the land owner and developer will benefit.
- Potential cumulative impact
- Effect on property values
- Effect on local wildlife
- Suggest they either be painted grey to fit in with the Cumbrian Sky or green to fit in with the fells.

FORCE - formally **OBJECT** to the application for the following reasons.

- Unacceptable change to landscape character, impacting on views towards the Lake District National Park and the surrounding countryside
- The scheme, if it were to go ahead, would have an unacceptable cumulative impact, sequentially, with other wind energy developments in the area
- Lack of benefits of the scheme
- Incompatibility with local and national planning policy
- Inappropriate size and scale of the proposed development

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) (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.

The NPPF constitutes guidance for local planning authorities and in respect of development control 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, unless the plan is out of date or not consistent with the NPPF.

All of the policies quoted in the NPPF taken as a whole constitute the Governments 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.

Renewable Energy

As regards renewable energy developments the NPPF 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 reducing emissions in greenhouse gases and supporting the delivery of renewables. (Paragraph 93 refers)
And specifically in determining such 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.

Conserving and Enhancing the Natural Environment

Core Planning Principle 11 recognises that planning should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes (Paragraph 109 refers) It also specifically stresses that we should maintain the character of the undeveloped coast, protecting and enhancing its distinctive landscapes (Paragraph 114 refers).

Ministerial Statement & Planning Practice Guidance for Renewable and Low Carbon Energy

The Government issued a Ministerial Statement in June 2013 followed by 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.

It should be noted that this guidance and the Ministerial Statement has been given some weight in more recent appeal decisions affecting turbines.

Copeland Local Plan 2013-2028

The Local Development Framework Core Strategy and Development Management Policies

DPD (known as the Copeland Local Plan 2013-2028) was adopted by the Council in December 2013. It now replaces the majority of policies in the former Copeland Local Plan 2001-2016.

The adopted Plan is consistent with the NPPF and paragraph 196 of the NPPF makes it clear that all applications must be determined in accordance with the Development Plan.

The following Policies of the new local plan are considered relevant and now carry significant weight in decision making:

Core Strategy:

Policy ST1 Strategic Development Principles,

Policy ST2 Spatial Development Strategy

Policy ER2 Planning for the Renewable Energy Sector reinforces this stating that 'the Council will seek to support and facilitate new renewable energy generation at locations which best maximise renewable resources and minimise environmental and amenity impacts.'

Development Management Policies DPD

The criteria which apply specifically to renewable energy development/generation are set out in Development Management **Policy DM 2 Renewable Energy Development in the Borough** as follows:

'Proposals for renewable energy development in the Borough will be supported where they satisfy the following criteria:

- A. Proposals should be developed with the Borough's community and key stakeholders in accordance with the Council's current adopted approach to stakeholder involvement.
- B. There would be no unacceptable adverse visual effects.
- C. There would be no unacceptable adverse effects on landscape or townscape character and distinctiveness.
- D. There would be no unacceptable impacts on biodiversity or geodiversity.
- E. The proposals would not cause an unacceptable harm to features of nature or heritage conservation importance.
- F. There are no unacceptable impacts of noise, odour, dust, fumes, light or other nuisance likely to affect nearby residents and other adjoining land users.
- G. Any waste arising as a result of the development will be minimised and managed appropriately.
- H. Provision is made in proposals for the removal and site restoration at the end of the operating life of the installation.

Adequate mitigation measures would be secured to minimise the potential impacts of any renewable energy development proposals and to deliver significant benefits to

the community where the scheme is to be sited wherever possible. If necessary such measures would need to be secured through Planning Obligations.'

Policy DM11 Sustainable Development Standards – sets out the detailed requirements for sustainable development and construction in support of ST1 for reducing carbon emissions and increasing energy efficiency to complement the wider approach to renewable energy generation.

Cumbria Wind Energy Supplementary Planning Document

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.

Cumbria Landscape Character Assessment

This county wide landscape assessment was compiled by Cumbria County Council in 2011. Importantly it provides baseline information that can be used when making decisions on future land use and management. It identifies and assesses landscape types and provides a strategic framework which includes visions and objectives for future landscapes and guidelines to protect, manage and plan changes to maintain and enhance landscape distinctiveness.

Assessment

In view of the sensitive nature and location of this application and the level of local concern it is generating Members are recommended to visit the site to fully appraise the material planning issues it raises prior to determination.

Recommendation:-

Site Visit

ITEM NO: 7.

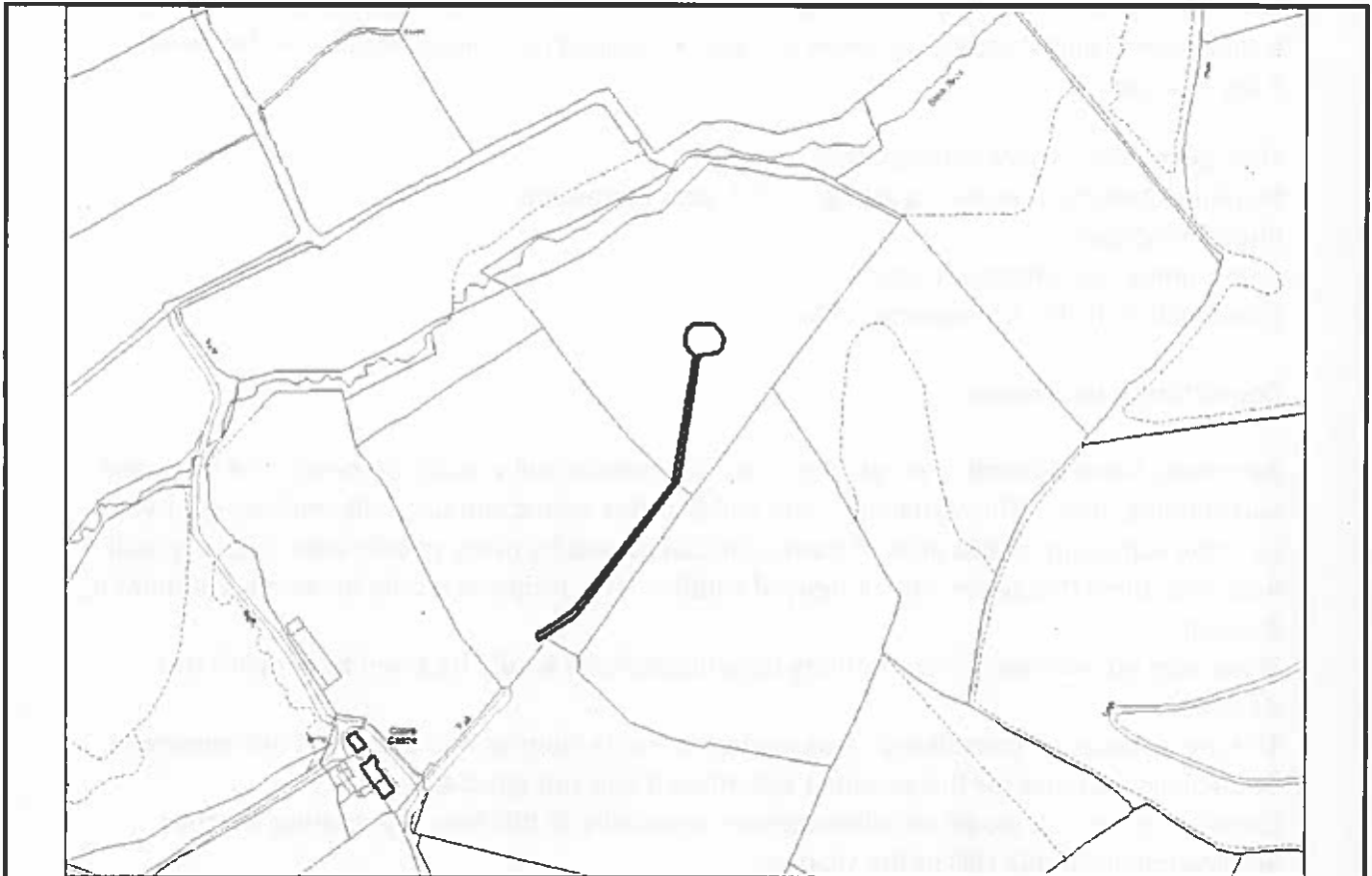


To: PLANNING PANEL

Development Control Section

Date of Meeting: 08/10/2014

Application Number:	4/14/2375/0F1
Application Type:	Full : CBC
Applicant:	Mr T Dixon
Application Address:	LAND NEAR COBRA CASTLE, EGREMONT (GRID REF: 302718, 511897)
Proposal	ERECTION OF ONE WIND TURBINE (MAXIMUM HUB HEIGHT OF 30.52M AND A MAXIMUM TIP HEIGHT OF 48.01M) WITH CONTROL BOX AND ALL ASSOCIATED WORKS
Parish:	Egremont
Recommendation Summary:	Site Visit



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Site Location

This application relates to a sloping elevated greenfield site situated in open countryside some 330 m to the north east of Cobra Castle Farm, the nearest and parent property. It comprises agricultural land and is surrounded by the same. It is flanked by the back drop of Dent Fell and the Lake District National Park to the immediate east some 300m distant. The nearest settlements include Egremont to the west and Wilton to the south east, at 1.2km and 1.1km away respectively.

Proposal

It is proposed to erect one three bladed wind turbine on a single prefabricated steel tapered tower 30.52m to hub height, with an overall ground to tip height of 48.01m. The precise model however has yet to be confirmed and it is requested that this detail be controlled by condition.

The turbine would be finished in a neutral matt colour and situated on a concrete foundation 9.2m x 9.2m in size and a depth of 0.9m. In addition a cable trench run and access track, some 240m in length, across the field via the existing field access would be required and it is envisaged that this will be temporary in nature.

The turbine would be connected to the grid via the nearby 11kv 3 phase supply located at the farm. A small control unit alongside the tower will also be required measuring a maximum of 4m x 4m x 2.4m in height.

This application is accompanied by a:
Planning Statement including Design and Access Statement
Photomontages
Community Consultation Responses
Construction Traffic Management Plan

Consultation Responses

Egremont Town Council- strongly object as this turbine will visually dominate the town and surrounding areas. This visual intrusion will scar this scenic and unspoilt landscape for years to come especially as this area of tranquillity is enjoyed by many people who regularly walk here and enjoy the peace and all signs of wildlife. This proposal would be an environmental disaster.

There was no mention if a community benefits package would be given to mitigate this development.

The pre application consultation was inadequate with queries and questions not answered. Councillors feel that for the people it will affect it was not good enough.

Consider a site visit would be advantageous especially as this firm is preparing another application at Cobble Hall in the vicinity.

Cleator Moor Town Council – awaited

Highway Authority – awaited

Lake District National Park – awaited

Scientific Officer – awaited.

MOD- no objection.

Arquiva – no objection

Natural England – Identify that the site is in close proximity to the Black Moss, the Clints Quarry, the Florence Mine, the Haile Great Wood, and the River Ehen (Ennerdale Water to Keekle Confluence) Sites of Special Scientific Interest (SSSIs). The River Ehen (Ennerdale Water to Keekle Confluence) SSSI forms part of the River Ehen Special Area of Conservation (SAC). However, consider that it is not likely to have a significant effect on the interest features for which River Ehen SAC has been classified and advise that an Appropriate Assessment under the Habitat Regulations is not required.

Also advise that due to the proximity to the Lake District National Park that they be consulted.

Neighbours and Others

To date 30 letters of objection have been received, the main grounds of objection are summarised below:

- Visual Impact – the turbine is large and will spoil the vista of green undulating hills. It will be highly visible from many viewpoints and properties.
- Landscape Impact – area around Cobra Castle is very picturesque and provides Egremont with a remarkable backdrop.
- Effect on wildlife / ecological impact
- No local or wider community benefits
- Cumulative Impact
- Prefer to see them off shore.
- Effect on peoples living conditions / amenity.
- Inadequate pre application community consultation.
- Safety – concern re the potential structural failure of the turbine.
- Fire
- Associated health problems
- Inefficiency as a means of power generation.
- Noise pollution
- Potential for Flicker
- Effect on local roads
-

FORCE -

formally OBJECT to the application for the following reasons:

- Unacceptable change to landscape character, impacting on views towards the Lake District National Park and surrounding countryside
- The scheme, if it were to go ahead, would have an unacceptable cumulative impact, sequentially, with other wind energy developments in the area
- Lack of benefits of the scheme
- Incompatibility with local and national planning policy
- Inappropriate size and scale of the proposed development

In addition 1 letter of support has 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) (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.

The NPPF constitutes guidance for local planning authorities and in respect of development

control 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, unless the plan 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.

Renewable Energy

As regards renewable energy developments the NPPF 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 reducing emissions in greenhouse gases and supporting the delivery of renewables. (Paragraph 93 refers)

And specifically in determining such 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.

Conserving and Enhancing the Natural Environment

Core Planning Principle 11 recognises that planning should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes (Paragraph 109 refers) It also specifically stresses that we should maintain the character of the undeveloped coast, protecting and enhancing its distinctive landscapes (Paragraph 114 refers).

Ministerial Statement & Planning Practice Guidance for Renewable and Low Carbon Energy

The Government issued a Ministerial Statement in June 2013 followed by 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.

It should be noted that this guidance and the Ministerial Statement has been given some weight in more recent appeal decisions affecting turbines.

Copeland Local Plan 2013-2028

The Local Development Framework Core Strategy and Development Management Policies DPD (known as the Copeland Local Plan 2013-2028) was adopted by the Council in December 2013. It now replaces the majority of policies in the former Copeland Local Plan 2001-2016.

The adopted Plan is consistent with the NPPF and paragraph 196 of the NPPF makes it clear that all applications must be determined in accordance with the Development Plan.

The following Policies of the new local plan are considered relevant and now carry significant weight in decision making:

Core Strategy:

Policy ST1 Strategic Development Principles,

Policy ST2 Spatial Development Strategy

Policy ER2 Planning for the Renewable Energy Sector reinforces this stating that 'the Council will seek to support and facilitate new renewable energy generation at locations which best maximise renewable resources and minimise environmental and amenity impacts.'

Development Management Policies DPD

The criteria which apply specifically to renewable energy development/generation are set out in **Development Management Policy DM 2 Renewable Energy Development in the**

Borough as follows:

Proposals for renewable energy development in the Borough will be supported where they satisfy the following criteria:

- A Proposals should be developed with the Borough's community and key stakeholders in accordance with the Council's current adopted approach to stakeholder involvement.
- B. There would be no unacceptable adverse visual effects.
- C. There would be no unacceptable adverse effects on landscape or townscape character and distinctiveness.
- D. There would be no unacceptable impacts on biodiversity or geodiversity.
- E. The proposals would not cause an unacceptable harm to features of nature or heritage conservation importance.
- F. There are no unacceptable impacts of noise, odour, dust, fumes, light or other nuisance likely to affect nearby residents and other adjoining land users.
- G. Any waste arising as a result of the development will be minimised and managed appropriately.
- H. Provision is made in proposals for the removal and site restoration at the end of the operating life of the installation.

Adequate mitigation measures would be secured to minimise the potential impacts of any renewable energy development proposals and to deliver significant benefits to the community where the scheme is to be sited wherever possible. If necessary such measures would need to be secured through Planning Obligations.'

Policy DM11 Sustainable Development Standards – sets out the detailed requirements for sustainable development and construction in support of ST1 for reducing carbon emissions and increasing energy efficiency to complement the wider approach to renewable energy generation.

Cumbria Wind Energy Supplementary Planning Document

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.

Cumbria Landscape Character Assessment

This county wide landscape assessment was compiled by Cumbria County Council in 2011. Importantly it provides baseline information that can be used when making decisions on future land use and management. It identifies and assesses landscape types and provides a strategic framework which includes visions and objectives for future landscapes and guidelines to protect, manage and plan changes to maintain and enhance landscape distinctiveness.

Assessment

In view of the sensitive nature of this application and the level of local concern it is generating Members are recommended to visit the site to fully appraise the material planning issues it raises prior to determination.

Recommendation:-

Site Visi

List of Delegated Decisions

Selection Criteria:

From Date: 02/09/2014

To Date: 30/09/2014

Printed Date: Tuesday, September 30, 2014

Printed Time: 8:55 AM

Application Number	4/13/2484/OF1
Applicant	Mr and Mrs J Agnew
Location	MONTREAL FARM, MOOR ROW
Proposal	CONVERSION OF AGRICULTURAL BARNs TO THREE DWELLINGS
Decision	Approve (commence within 3 years)
Decision Date	4 September 2014
Dispatch Date	15 September 2014
Parish	Egremont

Application Number	4/14/2063/OF1
Applicant	Mr E Holmes
Location	PADDOCK ADJACENT TO BECK BROW, WILTON, EGREMONT
Proposal	TWO BEDROOMED BUNGALOW
Decision	Approve (commence within 3 years)
Decision Date	19 September 2014
Dispatch Date	19 September 2014
Parish	Haile

Application Number	4/14/2214/001
Applicant	Mr J English
Location	FORMER COUNCIL DEPOT, HOLBORN HILL, MILLOM
Proposal	OUTLINE APPLICATION FOR THE ERECTION OF 8 DETACHED DWELLINGS AND ONE DETACHED GARAGE
Decision	Approve (commence within 3 years)
Decision Date	10 September 2014
Dispatch Date	15 September 2014
Parish	Millom

Application Number	4/14/2231/001
Applicant	Age UK West Cumbria
Location	GARAGE, MILLOM ROAD, MILLOM
Proposal	OUTLINE APPLICATION FOR DEMOLITION OF EXISTING GARAGE AND ERECTION OF A PAIR OF SEMI DETACHED HOUSES
Decision	Approve (commence within 3 years)
Decision Date	18 September 2014
Dispatch Date	25 September 2014
Parish	Millom

Application Number	4/14/2249/OF1
Applicant	Mr and Mrs R Hoodless
Location	REAR OF WOODLANDS, HAYESCASTLE ROAD, DISTINGTON
Proposal	NEW DWELLING (RESUBMISSION)
Decision	Refuse
Decision Date	2 September 2014
Dispatch Date	8 September 2014
Parish	Distington

Application Number	4/14/2250/OF1
Applicant	Mr Sharp
Location	LANGTHWAITE FARM, MILLOM
Proposal	INSTALLATION OF A DOMESTIC WIND TURBINE WITH A HUB HEIGHT OF 15M (TOTAL HEIGHT TO TIP 21.60M)

Decision	Approve (commence within 3 years)
Decision Date	18 September 2014
Dispatch Date	25 September 2014
Parish	Whicham

Application Number	4/14/2268/OF1
Applicant	Mr Sharp
Location	LANGTHWAITE FARM, MILLOM
Proposal	PROPOSED 120 NO. GROUND MOUNTED PHOTOVOLTAIC PANELS TO GENERATE ELECTRICITY
Decision	Approve (commence within 3 years)
Decision Date	18 September 2014
Dispatch Date	25 September 2014
Parish	Whicham

Application Number	4/14/2288/OF1
Applicant	Mr P Clarke
Location	55 RANNERDALE DRIVE, WHITEHAVEN
Proposal	SINGLE STOREY SIDE EXTENSION & REMOVAL OF FIRST FLOOR WINDOW
Decision	Approve (commence within 3 years)
Decision Date	18 September 2014
Dispatch Date	25 September 2014
Parish	Whitehaven

Application Number	4/14/2292/OF1
Applicant	Mr J Scrugham
Location	SPRINGFIELD STORES, SPRINGFIELD ROAD, BIGRIGG, EGREMONT
Proposal	PRIOR APPROVAL OF PROPOSED CHANGE OF USE FROM USE CLASS A1 (RETAIL SHOP) TO USE CLASS C3 (DWELLING HOUSE)
Decision	Approve (commence within 3 years)
Decision Date	4 September 2014
Dispatch Date	15 September 2014
Parish	Egremont

Application Number	4/14/2302/OF1
Applicant	T Mace and K Slater
Location	2 THE BRIDLES, SEASCALE
Proposal	REPLACEMENT DWELLING TYPE
Decision	Approve (commence within 3 years)
Decision Date	18 September 2014
Dispatch Date	24 September 2014
Parish	Seascale

Application Number	4/14/2305/OF1
Applicant	Mr J Wegener
Location	143 HOLBORN HILL, MILLOM
Proposal	ERECT DETACHED GARAGE AT BOTTOM OF REAR GARDEN
Decision	Approve (commence within 3 years)
Decision Date	9 September 2014
Dispatch Date	15 September 2014
Parish	Millom

Application Number	4/14/2307/0F1
Applicant	Mr J K Gibson
Location	BRECON VILLA, 36 BRANSTY ROAD, BRANSTY, WHITEHAVEN
Proposal	TWO STOREY REAR EXTENSION
Decision	Approve (commence within 3 years)
Decision Date	10 September 2014
Dispatch Date	11 September 2014
Parish	Whitehaven

Application Number	4/14/2310/0F1
Applicant	Mr C Hamilton
Location	74/75 HIGH STREET, CLEATOR MOOR
Proposal	CHANGE OF USE FROM DENTIST SURGERY TO A TATTOO AND ART STUDIO AND LIVING ACCOMMODATION
Decision	Approve (commence within 3 years)
Decision Date	15 September 2014
Dispatch Date	15 September 2014
Parish	Cleator Moor

Application Number	4/14/2312/0F1
Applicant	Mrs E Giles
Location	52 LAPSTONE ROAD, MILLOM
Proposal	CHANGE OF USE FROM FORMER BABY SHOP TO A LAUNDERETTE
Decision	Approve (commence within 3 years)
Decision Date	25 September 2014
Dispatch Date	25 September 2014
Parish	Millom

Application Number	4/14/2313/0F1
Applicant	Mrs A Madine
Location	46 SPRINGFIELD ROAD, BIGRIGG, EGREMONT
Proposal	DEMOLISH AND REPLACE EXISTING PROPERTY
Decision	Withdrawn
Decision Date	9 September 2014
Dispatch Date	9 September 2014
Parish	Egremont

Application Number	4/14/2314/0F1
Applicant	Sellafield Limited
Location	SELLAFIELD SITE, SEASCALE
Proposal	CONSTRUCTION OF CAR PARK ON EXISTING GRASSED AREA (CAR PARK A)
Decision	Approve (commence within 3 years)
Decision Date	24 September 2014
Dispatch Date	25 September 2014
Parish	Beckermeth with Thornhill

Application Number	4/14/2315/0F1
Applicant	Sellafield Limited
Location	SELLAFIELD SITE, SEASCALE
Proposal	CONSTRUCTION OF CAR PARK ON EXISTING GRASSED AREA (CAR PARK B)
Decision	Approve (commence within 3 years)

Decision Date	24 September 2014
Dispatch Date	26 September 2014
Parish	Beckermeth with Thornhill

Application Number	4/14/2322/0F1
Applicant	Mr A and Mrs J Sanders
Location	LAND OPPOSITE 31/32 SOLWAY ROAD, KELLS, WHITEHAVEN
Proposal	ERECTION OF DOUBLE GARAGE
Decision	Approve (commence within 3 years)
Decision Date	18 September 2014
Dispatch Date	25 September 2014
Parish	Whitehaven

Application Number	4/14/2323/0F1
Applicant	Mr and Mrs G J Frears
Location	4 HARRIER COURT, MORESBY PARKS, WHITEHAVEN
Proposal	SINGLE STOREY EXTENSION TO SIDE
Decision	Approve (commence within 3 years)
Decision Date	4 September 2014
Dispatch Date	15 September 2014
Parish	Moresby

Application Number	4/14/2325/0F1
Applicant	Mr R Taylor
Location	23 LEATHWAITE, WHITEHAVEN
Proposal	TWO STOREY EXTENSION
Decision	Approve (commence within 3 years)
Decision Date	4 September 2014
Dispatch Date	23 September 2014
Parish	Whitehaven

Application Number	4/14/2326/0F1
Applicant	Mr M Stephenson
Location	4 WHEATLEY TERRACE, ENNERDALE ROAD, CLEATOR MOOR
Proposal	CONSTRUCTION OF VEHICLE ACCESS AND HARDSTANDING
Decision	Approve (commence within 3 years)
Decision Date	2 September 2014
Dispatch Date	15 September 2014
Parish	Cleator Moor

Application Number	4/14/2328/OA1
Applicant	Food Programme Delivery Orchid Group
Location	CUMBRIAN CO-OP, 53 MAIN STREET, DISTINGTON
Proposal	2 X INTERNALLY ILLUMINATED FASCIA; 1 X NON ILLUMINATED FASCIA; 1 X INTERNALLY ILLUMINATED PROJECTOR; 1 X NON ILLUMINATED FLAT ALUMINIUM WALL MOUNTED PANEL
Decision	Approve Advertisement Consent
Decision Date	1 September 2014
Dispatch Date	15 September 2014
Parish	Distington

Application Number	4/14/2329/0F1
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Applicant	Mr and Mrs P Bennett
Location	1 HIGHFIELD COURT, WHITEHAVEN
Proposal	FIRST FLOOR EXTENSION OVER EXISTING GROUND FLOOR AREA & EXTENSION TO FRONT (REBUILD PORCH)
Decision	Approve (commence within 3 years)
Decision Date	4 September 2014
Dispatch Date	25 September 2014
Parish	Whitehaven

Application Number	4/14/2330/OF1
Applicant	Hurd Rolland
Location	WITHIN GROUNDS OF 1 ALBION STREET, WHITEHAVEN
Proposal	SMOKING SHELTER
Decision	Approve
Decision Date	16 September 2014
Dispatch Date	16 September 2014
Parish	Whitehaven

Application Number	4/14/2334/TPO
Applicant	Copeland Borough Council
Location	WOODLAND ADJACENT TO ACTON COURT, WHITEHAVEN
Proposal	WORKS TO THREE SYCAMORE TREES ADJACENT TO ACTON COURT SITUATED WITHIN A CONSERVATION AREA
Decision	TREE PRESERVATION APPROVE
Decision Date	26 August 2014
Dispatch Date	15 September 2014
Parish	Whitehaven

Application Number	4/14/2338/OF1
Applicant	Mr D Leslie
Location	1 GRISEDALE CLOSE, MIREHOUSE, WHITEHAVEN
Proposal	ERECTION OF TWO STOREY EXTENSION TO PROVIDE DAY ROOM, UTILITY, BEDROOM AND EN-SUITE
Decision	Approve (commence within 3 years)
Decision Date	18 September 2014
Dispatch Date	25 September 2014
Parish	Whitehaven

Application Number	4/14/2344/OF1
Applicant	Mr and Mrs J Pennington
Location	2 BROOM BANK, THE HIGHLANDS, WHITEHAVEN
Proposal	FIRST FLOOR BEDROOM EXTENSION ABOVE EXISTING KITCHEN AND NEW SUN ROOM REPLACING EXISTING CONSERVATORY WITH LINK CORRIDOR
Decision	Approve (commence within 3 years)
Decision Date	18 September 2014
Dispatch Date	25 September 2014
Parish	Whitehaven

Application Number	4/14/2345/TPO
Applicant	Mr L Donnan
Location	BOUNDARY OF GLENHOLME, FOXHOUSES ROAD AND 16 MAPLE GROVE, VALLEY PARK, WHITEHAVEN

Proposal	FELLING OF 4 SYCAMORE TREES SITUATED WITHIN A CONSERVATION AREA
Decision	TREE PRESERVATION APPROVE
Decision Date	16 September 2014
Dispatch Date	22 September 2014
Parish	Whitehaven

Application Number	4/14/2351/0F1
Applicant	Mr R Dempster
Location	RANDOM, HIGH ROAD, WHITEHAVEN
Proposal	DETACHED GARAGE FOR CARAVAN
Decision	Approve (commence within 3 years)
Decision Date	25 September 2014
Dispatch Date	25 September 2014
Parish	Whitehaven

Application Number	4/14/2353/0F1
Applicant	Mr K Masson
Location	THE ROWAN TREE, HOLMROOK
Proposal	ERECTION OF TWO STOREY DORMER EXTENSION TO WEST/SOUTH ELEVATION (RESUBMISSION)
Decision	Approve (commence within 3 years)
Decision Date	10 September 2014
Dispatch Date	15 September 2014
Parish	Drigg and Carleton

Application Number	4/14/2354/0F1
Applicant	Mr P Telford
Location	ROSSENDALE, 209 FRIZINGTON ROAD, FRIZINGTON
Proposal	EXTENSION TO PROVIDE NEW BEDROOM, DRESSING ROOM AND EN-SUITE BATHROOM
Decision	Approve (commence within 3 years)
Decision Date	10 September 2014
Dispatch Date	25 September 2014
Parish	Arlecdon and Frizington

Application Number	4/14/2366/HPAE
Applicant	Mr R Jenkinson
Location	27 MONKWRAY COTTAGES, WHITEHAVEN
Proposal	PRIOR NOTIFICATION FOR REAR CONSERVATORY
Decision	Permitted Development
Decision Date	18 September 2014
Dispatch Date	18 September 2014
Parish	Whitehaven

Application Number	4/14/2368/OA1
Applicant	Abbeyfield (Whitehaven) Society
Location	JOHNSON HOUSE, HILLCREST AVENUE, WHITEHAVEN
Proposal	ADVERTISEMENT CONSENT FOR A ROAD SIGN
Decision	Approve Advertisement Consent
Decision Date	18 September 2014
Dispatch Date	25 September 2014
Parish	Whitehaven

Application Number	4/14/9007/0F2
Applicant	Cumbria County Council

Location	LAND TO NORTH SIDE OF THE B5344 BETWEEN SEASCALE AND GOSFORTH
Proposal	CONSTRUCTION OF MULTI USER ROUTE, ENVIRONMENTAL ENHANCEMENTS, PROVISION OF SEAT FURNITURE, GATEWAY FEATURES, ARTWORK & SCULPTURES
Decision	No Objection
Decision Date	19 September 2014
Dispatch Date	19 September 2014
Parish	Seascale

Application Number	4/14/9007/OF2
Applicant	Cumbria County Council
Location	LAND TO NORTH SIDE OF THE B5344 BETWEEN SEASCALE AND GOSFORTH
Proposal	CONSTRUCTION OF MULTI USER ROUTE, ENVIRONMENTAL ENHANCEMENTS, PROVISION OF SEAT FURNITURE, GATEWAY FEATURES, ARTWORK & SCULPTURES
Decision	No Objection
Decision Date	19 September 2014
Dispatch Date	19 September 2014
Parish	Gosforth