

PLANNING PANEL AGENDA – 13 August 2014

PAGE

SCHEDULE OF APPLICATIONS

Item 1	4/12/2033/0F1 Construction of A1 Retail Development with Access, Car Parking, Servicing, Landscaping & Associated Works Vacant Former Dairy Site, Land off East Road, Egremont	1
Item 2	4/14/2251/0F1 Siting of 1 x 30m High (Hub) Wind turbine with a Tip Height of 45m Land at Petersburg Farm, Beckermet	17

SCHEDULE OF DELEGATED DECISIONS

26

ITEM NO: 1.



To: PLANNING PANEL

Development Control Section

Date of Meeting: 13/08/2014

Application Number:	4/14/2033/OF1
Application Type:	Full : CBC
Applicant:	Egremont Assets
Application Address:	VACANT FORMER DAIRY SITE, LAND OFF EAST ROAD, EGREMONT
Proposal	CONSTRUCTION OF A1 RETAIL DEVELOPMENT WITH ACCESS, CAR PARKING, SERVICING, LANDSCAPING AND ASSOCIATED WORKS
Parish:	Egremont
Recommendation Summary:	Refuse



Crown Copyright. Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Copeland Borough Council Licence No. 100019619 (2005).

Introduction

This application relates to an elevated site some 0.38 ha in area situated adjacent to the junction of the Egremont Bypass /A595T and East Road in Egremont, adjoining a predominantly residential area. The bypass forms its western / southern boundary and East Road, the south eastern one. To the north it adjoins the remainder of the vacant site with a block of residential apartments, the gable end of which is some 39m distant beyond. Directly to the east it neighbours the residential dwellings of Wyndham Close.

Although the site itself is relatively flat, it is situated above the level of East Road and the bypass, the existing access to it is situated at the south eastern corner off East Road is graded to accommodate the change in levels of approximately 3m.

Members benefited from a site visit on 23 April 2014, the application has since been held in abeyance to address highway concerns and policy considerations.

Relevant Planning History

The only previous planning history relating to the site comprises a planning permission granted for housing in 2008 (4/08/2147/0F1 refers). This was for a development of 28 units which has subsequently lapsed.

The site remains vacant, having been so for over 25 years. It formerly accommodated a dairy/ chocolate factory with associated buildings, the derelict shell of one which remains.

Proposal

The proposed scheme comprises a development of two single storey pitched roof buildings, to be used for A1 retail purposes, with associated parking and servicing arrangements.

The larger of the two units would measure some 28m in length by 14m in width with a gross floorspace of some 405 square metres and it is the intention this would be used as a single retail unit such as a general convenience store. Adjacent would be the second smaller building measuring 21m in length by 14m in width, with a corresponding floorspace of 305 square metres. This would be split into three smaller A1 retail units. In terms of layout this has subsequently been amended to accommodate highway requirements and involves positioning the two buildings lengthways on the site, running north to south adjacent to the western boundary and facing inwards. Inbetween the two buildings would be situated a delivery vehicle parking area and access to it. A 31 space car park would be available directly in front incorporating two accessible spaces.

Vehicular access to the development would be via the existing access from East Road with the junction altered to accord with highway requirements and the provision of a 6m wide service road to the car park.

External materials proposed for the buildings include a mixture of red/ brown brickwork walls and light grey cladding panels to the walls. Grey concrete tiled roof with dark grey aluminium glazed doors and windows.

The application is accompanied by the following documents:

- Preliminary Risk Assessment
- Transport Statement
- Planning Statement

Consultations

Egremont Town Council – No objection but in response to the amended scheme make the observation that this development could take more people from the town's Main Street.

Highway Agency – No objection.

Highway Authority – Now raise no objection subject to conditions on the basis of the amended site layout plan which is considered to address their original concerns regarding inadequate on-site parking provision, intensification of use of the access resulting in turning vehicle conflicts and inadequate servicing provision.

Flood and Coastal Defence Engineer – Noted that the development falls into flood zone 1 and the majority of the site falls into an area not considered at risk of surface water flooding.

Planning Policy – Consider that the following are the main planning policy considerations.

Need/Capacity for additional convenience retail in Egremont

The West Cumbria Retail Study April 2009 (Page 134, paragraph 12.60) identified that existing convenience goods floorspace was marginally over trading by 9%/£0.51m (2009) and that this was expected to increase to approximately £0.79m by 2014 and £1.71m by 2023, equating to a need for an additional 320 m² net convenience floorspace by 2023. This implies that there is relatively limited capacity to support additional convenience floorspace in Egremont, and the scale of any proposals would need to reflect this low level of additional capacity. The conclusions of the 2009 Retail Study were considered to still be valid in the Retail Assessment Addendum Report of February 2012.

As the proposal is for a relatively modest scheme, with approximately 300m² convenience floorspace within the overall development, it would seem to be appropriate in terms of scale to meet Egremont's needs. The main question is whether retail development is appropriate on that particular site or whether a more suitable alternative(s) is available.

Paragraph 4.8.4 of the Copeland Local Plan 2013-2028: Core Strategy and Development Management Policies states that "the emphasis is on maintaining and enhancing the viability and vitality of the existing retailing centres", and that "Millom, Egremont and Cleator Moor continue as Key Service Centres".

Policy ER9 directs retail and service sector provision to the defined boundaries (town centre and settlement boundaries) of each Key Service Centre to serve local communities and facilitate small scale tourism. It then goes on to say that the "*town centre boundaries will be reviewed and may be redrawn to reflect current circumstances*". This review process will be part of the Site Allocations and Policies Plan, which is in the early stages of production, and so the existing town centres boundaries from the Copeland Local Plan 2001-2016 are carried forward until the review is completed.

Paragraph 4.8.4 goes on to say that proposals not in existing town centres will be dealt with in accordance with the National Planning Policy Framework (NPPF paragraphs 24-27), which in this case means applying the sequential test.

Sequential assessment

NPPF Paragraph 24 requires applications for main town centre uses to be located in town centres, then in edge of centre locations, and only if suitable sites are not available should out of centre sites be considered. It goes on to say that when considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre.

Paragraph 4.10.3 reiterates this by stating "*the policy emphasis therefore is on maintaining and enhancing the viability and vitality of their existing centres rather than seeking expansion and growth*".

The proposal is for retail development on an out of centre site at Egremont, where there is a suitable town centre/edge of centre site available. This is contrary to the development plan for Egremont and does not meet the sequential test as required by the National Planning Policy Framework (paragraphs 24 and 27) and the application should be refused on that basis.

Neighbour / Other Representations

Six letters have been received from neighbours in the vicinity, the collective grounds of concern/ objection are summarised as follows:

- The application has failed to properly apply the sequential test to the selection of the site by appropriately assessing an available, suitable and viable site within the town centre, contrary to the requirements of the NPPF.
- Non compliance with Copeland Local Plan. The proposal would have a significantly and demonstrably adverse impact upon the vitality and viability of Egremont Town Centre and is therefore contrary to the NPPF and local policies within the recently adopted Copeland Local Plan.
- Retail development within Egremont should only be considered where development increases the shopping within the very much needed town centre in accordance with local plan policy.
- The development proposal seeks to develop the shops around the relief road/ bypass and if allowed to progress will recreate the risks and dangers that the bypass was originally designed to remove.
- Pedestrian safety. There are two possible routes. Pedestrians would either have to cross two busy roads to get to the development. Egremont Main Street and then after exiting the underpass East Road, or the A595T bypass.
- Access to and from Wyndham Place/ Wyndham Terrace. Due to parked cars vehicles exiting have no visibility east along East Road until they pull out a cars length. Adding another junction here would further compound the problem.
- Traffic parking on East Road. Householders currently park outside their homes. To improve visibility would require the removal of these vehicles via provision of double yellow lines. This would then force them to park on the single track road to Wyndham Place thereby restricting access to Wyndham Place and East Road Garage.
- Proposal will lead to an unacceptable increase in traffic on East Road to the detriment of other road users.

- **Regrading of A595T from Clints Roundabout to East Road Roundabout to 30mph.** If this development is permitted creating shops either side how does it differ from the Main Street - this stretch of road will no longer be bypassing the commercial areas of the town and for safety reasons will need to be regraded to 30mph.
- **The development is advertised as easy access to A595. The bypass was never constructed as access to commercial or business premises but as a means of quickly moving traffic round Egremont. If its use is altered then it fails in its original purpose and needs to be risk assessed accordingly or accidents will occur.**
- **Owner of one of the flats on neighbouring Christy Place expresses particular concern, at neighbouring shops, potential disturbance and nuisance they may create as a result of increased footfall and traffic in this area particularly along East Road and that this may devalue the property.**
- **No significant improvement would be gained from widening the access to 6m as traffic volume would be greatly increased in this already congested area. Major alterations to the road and access in this area would be necessary to facilitate acceptance of the retail proposal.**
- **Regards suggested pedestrian access from East Road (steps) this would necessitate a ramp which cyclists and skaters would relish resulting in a potential safety hazard.**
- **Concerns that the proposed boundary may encroach on a neighbours land.**
- **Likelihood of stray carrier bags and other refuse being thrown or blown over the neighbours garden fence immediately adjacent.**

In response to the neighbouring concerns the following comments are offered:

The policy concerns are considered in the assessment section of this report.

Whilst the objections relating to highway issues and highway safety are noted it is reiterated that the amended scheme is considered acceptable by the Highway Authority and that the Highways Agency also raise no objections to the proposal.

The issues raised regarding potential impact on property values, land ownership and impact of carrier bags are not material planning considerations these relate to civil matters with the latter being a management issue for the retailer concerned.

Planning Policy

National Planning Policy Framework

The National Planning Policy Framework (NPPF) sets out the planning guidelines at a national level and outlines that the purpose of the planning system is to contribute to the achievement of sustainable development.

It 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.

Ensuring the vitality of town centres is one of the key objectives and in relation to decision making Paragraph 24 requires local authorities to apply sequential testing to planning applications for main town centre uses that are not in an existing centre. It cites that applications for such uses should be located in town centres, then in edge of centre locations and then **only if suitable sites are not available should out of centre sites be considered**. When considering edge of centre and out of centre proposals preference should be given to accessible sites that are well connected to the town centre.

Paragraph 27 advocates that where an application fails to satisfy the sequential test or is likely to have a significant adverse impact it should be refused.

The NPPF requires proposals to be determined in accordance with the development plan unless material considerations determine otherwise.

Planning Practice Guidance (PPG)

A web based online resource updating previous planning policy guidance introduced in March 2014. As a result a raft of old guidance including 'Planning for Town Centres Practice Guidance on need, impact and the sequential approach, 2009' has been cancelled. This new guidance reinforces that contained in the NPPF by advocating the sequential and impact approach to ensuring the vitality of town centres.

Copeland Local Plan 2013-2028

The Core Strategy and Development Management Policies DPD (the Copeland Local Plan 2013-2028) was recently 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 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:

Core Strategy

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. It supports moderate levels of development in the key service centres of which Egremont is one.

Policy ST3 Strategic Development Priorities. Sets out the strategic development priorities for the Borough.

Policy ST4 Providing Infrastructure.

Development Management Policies

The Development Management policies are set out to provide further detail on how the Core Strategy will be implemented. The following policies are relevant to this application:

Policy ER7 Principal Town Centre, Key Service Centres, Local Centres and other service areas: Roles and Functions. This emphasises the need to maintain and enhance the viability and vitality of existing retail centres including Egremont town centre.

Policy ER Key Service Centres, Local Centres and other Smaller Centres. Supplements ER9 Again the policy emphasis here in respect of key service centres is to maintain and enhance the viability and vitality of existing centres rather than seek expansion and growth.

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

Assessment

This application initially raised two key issues highway safety implications and policy considerations. Following lengthy negotiations with the Highway Authority which resulted in an amended layout for the scheme highway safety is no longer considered an issue with all the concerns having now been satisfactorily addressed. The outstanding issue that remains is that of policy and this is considered below.

In policy terms the issue is whether retail development is appropriate on the application site i.e. whether it will potentially impact on the vitality and viability of Egremont town centre and whether there is a more suitable site available (i.e. sequentially preferable) within.

The Copeland Local Plan identifies Egremont as a key service centre. It has a designated town centre boundary where all new town centre uses should be focussed in order to enhance and maintain the towns vitality and viability. This is borne out in Policies ER7 and ER9 of the local plan. Furthermore paragraph 4.8.4 of the document which accompanies the former cites that proposals not in existing town centres boundaries will be dealt with in accordance with the NPPF (paragraphs 24-27) which in the case of this proposal will mean applying the sequential test. Basically this requires applications for town centre uses to be located in town centres , then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered.

Although the proposed site is unallocated and within the towns settlement boundary in retail sequential terms it is considered to be an **out of centre** site because of its location. For it to be an edge of centre site it needs to be well connected / located to the town centre as well as within 300m of the town centre. Although it is just within 300m of the town centre boundary it is not well connected to it as it is physically separated from it by two roads, including the busy A595T/ Egremont Bypass, which is part of the strategic road network. The onus is on the applicant in this case to demonstrate there are no suitable sites within or on the edge of the town centre for the proposal in order to satisfy the sequential test. Out of centre sites are not sequentially preferable when more suitable alternative sites are known to exist within town centres preferably, or if not on the edge.

Alternative Site

It is our view in considering this application that there is an alternative site at Chapel Street, situated to the rear of the town's Main Street, which is partly within the town centre boundary. This is an allocated Employment Opportunity Site (EOS), by virtue of the saved policy EMP3 of the Copeland Local Plan 2001-2016. It is some 0.37ha in area and its status as an EOS site makes it suitable for retail development. Half of the site is within the town centre boundary and the rest an edge of centre location. As such it is considered sequentially preferable to an out of centre location for retail use.

Supporting Case

The original submission and supplementary statements puts forward the following summarised case in support of the proposal:

-- The development offers the scope and potential to attract additional visitors/ trade who might be inclined to stop at Egremont as opposed to passing by and overall accords with Policy ER7.

-- Whilst the development potential of Chapel Street as an alternative and potentially sequential site is acknowledged and that part of it is within the town centre boundary, they challenge whether it could be considered as preferable to the application site as it is not within an existing retail part of the town centre and is separated from it by non-retail uses at a distance of some 200m. At best it is contended that it is an edge of centre site and therefore not a sequentially preferable alternative to the application site. Also question whether the town centre boundary is the right measure to be used and whether it should be the primary shopping area.

-- Aware that Chapel Street Site is now being marketed, the applicants wish to supplement the supporting case is supplemented by reiterating and emphasising that the application site is an edge of centre site which could function as part of the town centre. It is close to and well connected to the town centre using existing pedestrian crossings and that it is within 300m of shops on the Main Street. It is emphasised that the bypass is not a barrier but a permeable obstacle both in terms of crossings including a subway and fluctuations in traffic frequency. As such it meets the NPPF test that it is an accessible site well connected to the town centre. .

-- The town centre boundary for Egremont is out of date and in the process of review and there is no certainty that the car park site (part of the Chapel Street Site within the town centre boundary) will remain in the town centre.

Suitability of the Chapel Street Site.

-- Consider it is not suitable for retail development as it is allocated for employment use and that retail development here would conflict with local plan policies.

-- No details of size, scale and form of retail development for the Chapel Street site are available. Whilst units of the size required could be accommodated on the car park land the layout is not conducive to their market and locational requirements.

-- Do not regard the Chapel Street Site as being suitable for the scale of retail proposed on the application site. The location is inferior to the shops on Main Street and without a much greater mass of floorspace any retail use on Chapel Street would not function as part of the town centre.

-- Understand that there is the possibility of a larger form of development on the site being considered which is not appropriate and would not meet the towns identified needs.

--Chapel Street Site is not appropriate for small scale top up convenience retailing either in isolation or as part of a mix of other uses. The site is in a tertiary and back land location and is not well linked visually or physically to the Main Street / primary shopping area.

-- A larger site including the Council owned land at Chapel Street could be suitable for a larger retail store and this would be distinctly different to the small scale nature of retailing proposed on the application site.

Availability

-- Land at Chapel Street in their view is not genuinely available in practical terms.

-- The Council owned element of the Chapel Street Site and the larger site cannot be said to be truly available. It could not be acquired today without further discussions and decisions being made.

-- The site has only been actively marketed since the submission of this application.

-- There are no terms agreed with a proposed purchaser and no certainty that specific bids will be fulfilled.

-Viability

-- It is clear there is no operator for the Chapel Street Site. Without a main retail occupier it cannot be considered that the site is viable for development proposed.

Conclusion of Applicants Case

-- Do not accept that the application site is situated in an out of centre location or that the Chapel Street Site occupies an in-centre position in Egremont. For this reason the Chapel Street Site cannot be considered as sequentially preferable.

--Do not consider that the Chapel Street Site is truly available, suitable or viable as a location for retailing of a scale and function comparable with that proposed on the application site.

-- The Chapel Street Site is not fundamentally suited to small scale convenience retailing and could not be considered as sequentially preferable in retail terms.

-- There are no sequentially preferable sites and that the sequential test is passed.

-- If the larger site can be assembled at Chapel Street and operator interest confirmed the application site would pose no threat commercially to it. They are fundamentally different retail formats providing different ranges of goods and shopping experiences.

Response to Supporting Case

The following comments are provided in response to the supporting case:

The claim that the application site is an edge of centre site as opposed to an out of centre site is refuted. The guidance contained in the NPPF for identifying such sites makes it clear it does not just depend on distance from the town centre but also on the sites location and how it relates to the town centre i.e. it has to be well connected to it and accessible. It is our view that the site because it is physically separated from the town by two roads, including the bypass which arguably serves to bisect it from the town centre, it qualifies only as an out of centre location.

The claim that the Chapel Street Site is a distance of 200m from the primary shopping area (i.e. Main Street) is incorrect. It is situated less than 150m away and only a 1-2 minute walk from Main Street. It should be noted that there is not a defined primary shopping area in Egremont as such and that the retail units are spread along the length of Main Street, with the greater concentration towards the south of Main Street, even further away from the application site.

The Chapel Street site is not an edge of centre site as at least half of it, i.e. the Council owned car park, falls wholly within the town centre boundary, the remainder is on the edge of centre but due to its closer proximity and better relationship with the town's Main Street, being located just behind, it is considered a more sequentially preferable site to the application site, which is further away from the town centre boundary and physically separated from it.

Availability, Viability and Suitability.

The applicant claims that the Chapel Street Site is not available, due to multiple ownerships, or viable for retail development as there is no retail operator on board and therefore not a realistic alternative to their proposal. This is not currently the case and is disputed. The key test to apply sequentially in determining whether the alternative site at Chapel Street is a realistic option is whether it is **'available, suitable and viable'** Part of the site, the Chapel Street Car Park, is in the Council's ownership and is currently being marketed for potential development, making the site available. The initial marketing was completed in March 2014 and the Council received a number of bids from interested parties to acquire the site, some of which include retail development. The Council is now having further discussions to explore four of the proposals in greater detail and ensure the Council achieves best value from the land sale. It is expected that the required information will be received and assessed so that a decision can be made in the next couple of months. The marketing of the site demonstrates that it is available, and the level of interest shown to date would suggest that the site is viable for a number of uses, including retail development.

It is also our view that the site is suitable for the size and type of retail development being proposed, i.e. small scale convenience retailing. It is well linked to the Main Street as half of the site is within the town centre boundary. It should also be noted that in addition to the Chapel Street Site there are a number of smaller vacant units within the town centre that could fulfil the role of the applicant's three proposed smaller A1 use units.

Disagree with the prejudgement of any review of the town centre boundary which it is claimed would be redrawn to exclude Chapel Street. Whilst a review of the town centre boundary is taking place it is not proposed to redraw it so that it excludes Chapel Street car park.

It is re-emphasised that the Chapel Street Site is suitable for retail development. It is allocated as an Employment Opportunity Site by virtue of saved Policy EMP 3 of the Copeland Local Plan 2001-2016, and not a pure employment site. As such a retail use would be appropriate as part of the regeneration strategy for the area.

Contrary to the applicants view, consider the site at Chapel Street is suitable for accommodating the proposed development. It is similar in size to the application site (0.37ha and 0.38ha respectively) and the applicants admit that a development of the size they are proposing could fit onto the Chapel Street Site. They state that it is not suitable because of locational and market reasons, though this is not adequately quantified/ demonstrated. It would certainly meet the towns need for 320 square metres (net) of additional convenience floorspace as identified in the West Cumbria Retail Study 2009, which is still considered valid.

Conclusion

Despite the supporting case put forward it remains our view that the application site constitutes an out of centre site which is not well connected and located in relation to Egremont town centre. It is physically separated from it by two roads including the busy multi carriage A595T / Egremont Bypass.

The policy context is reiterated, Paragraph 27 of the NPPF states that “where an application fails to satisfy the sequential test..., it should be refused”. This process, as outlined in Planning Practice Guidance Paragraph 8, “supports the viability and vitality of town centres by placing existing town centres foremost in both plan-making and decision-taking”.

It has not been satisfactorily demonstrated that there are no suitable sites within or on the edge of town centre, given that the Chapel Street Site which is currently being actively marketed is potentially in our view one such available alternative site. This site is considered sequentially preferable and one which is available and capable of meeting the requirements of the proposal.

Taking into account the above it is our view therefore, that this application for an A1 retail development with access, parking and associated works, on an out of town centre site in Egremont does not satisfactorily meet the sequential test as required by the NPPF and as such the proposal is contrary to Policies ST2, ER7 and ER9 of the Copeland Local Plan 2013-2028.

Recommendation:-

Refuse

Reason for refusal:

The proposal for an out of town centre retail development at Egremont, where there is a suitable alternative and sequentially preferable town centre site available, is contrary to Policies ST2, ER7 and ER9 of the Copeland Local Plan 2013-2028 and fails to satisfy the sequential test as required by paragraphs 24 and 27 of the National Planning Policy Framework and the guidance contained in the Planning Practice Guidance.

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: 2.

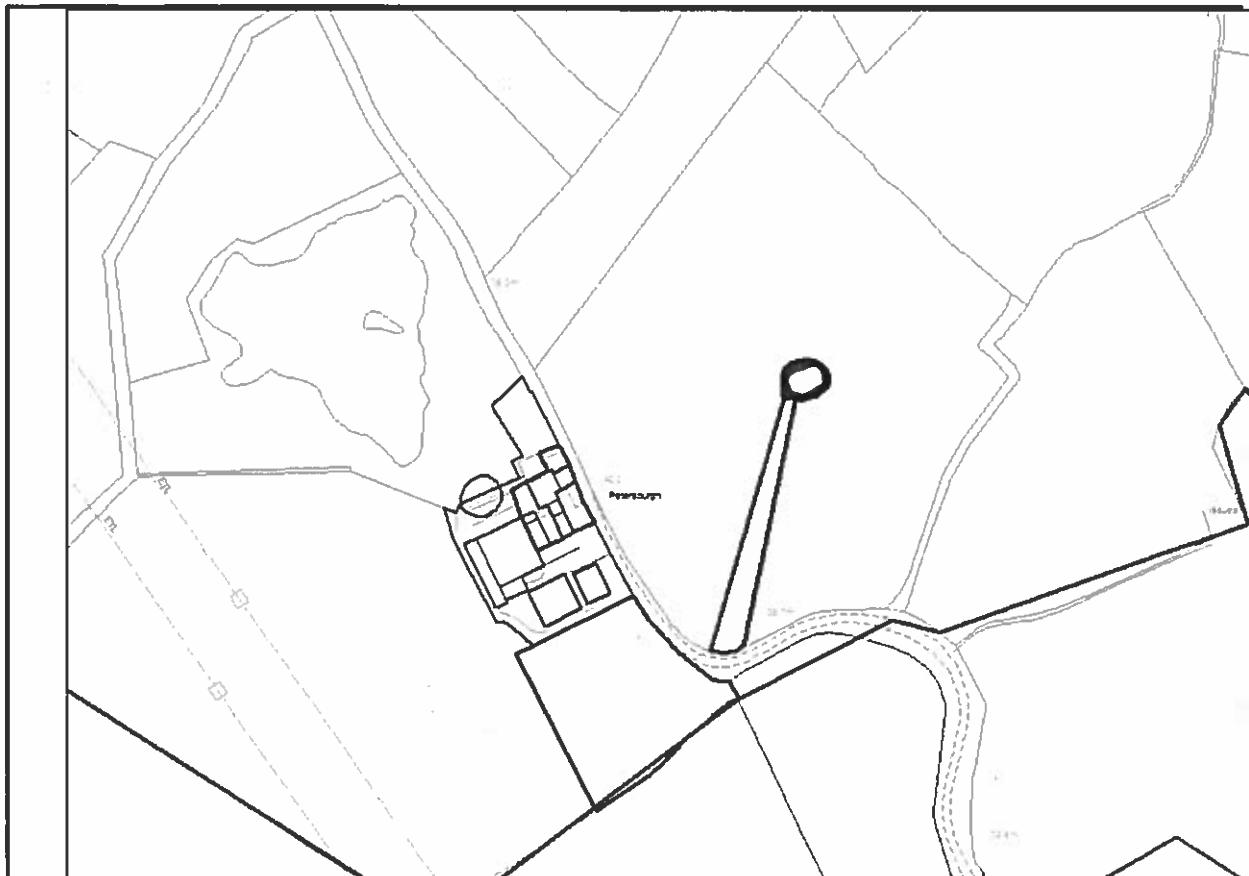


To: PLANNING PANEL

Development Control Section

Date of Meeting: 13/08/2014

Application Number:	4/14/2251/0F1
Application Type:	Full : CBC
Applicant:	Mr S Sherwen
Application Address:	PETERSBURGH FARM, BECKERMET
Proposal	PROPOSED SITING OF 1 x 30M HIGH (HUB) ENDURANCE WIND TURBINE WITH A TIP HEIGHT OF 45.0M
Parish:	Beckermet with Thornhill
Recommendation Summary:	Site Visit



Crown Copyright. Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Copeland Borough Council Licence No. 100019619 (2005).

Site Location

This application relates to a relatively level green field site comprising agricultural land 130m to the north east of the applicants farm 'Petersburgh', and some 430m to the nearest property Crofthouse Farm, on the southern edge of Beckermeth. The site is situated in open countryside and is surrounded by agricultural land. The nearest settlement is Beckermeth with nearest residential properties being circa 400m away to the north.

Proposal

It is proposed to erect one 225kW three bladed wind turbine with a diameter of 29.1m, on a single tapered tower 30.52m to hub height, resulting in an overall ground to tip height of 45.07m. It would be finished in a neutral matt colour and situated on a concrete foundation, in addition a cable trench run and access track, some 80m in length, across the field via the

existing field access would be required. This would be temporary using reinforcing cover sheets.

This application is accompanied by a:
Design and Access Statement
Photomontages
Community Consultation Responses
Noise Study
Technical Details

Consultations:

Beckermet with Thornhill Do not believe that planning permission should be granted at this stage because of the poor quality of the application.

In particular:

Question whether the grid reference is correct.

The application ignores the Parish Council's response to the pre application consultation.

They raised 6 points that needed to be addressed of which only 3 have been covered.

Specifically asked what the development would look like for people living in Beckermet, whilst 7 photomontages have been provided none show views from within the village.

Requested a statement be provided about blade safety.

Issues due to proximity of the site to the new site for a nuclear power station at Moorside and Sellafield.

There are typographical errors -A595 is referred to as A695.

Noise report quotes a lot of statistics which is obviously standard material, no effort is made to explain what this would mean for residents.

Egremont Town Council

Pre application consultation was limited, notices were placed in discrete locations and this was why the response was poor. There should have been a public meeting.

The wind turbine will be extremely and visually intrusive and no community benefit has been considered to help mitigate the impact if approved.

Support the objections made by Beckermet with Thornhill and believe Copeland is in danger of being overrun by turbines that are visually intrusive and detrimental to the special environment we live in.

Haile and Wilton Parish Council - Although it will be highly visible consider they are not able to fully comment as it isn't in their parish.

Scientific Officer - A key consultation response which is awaited.

Highway Authority – awaited.

MOD - No objections.

RSPB – No comments.

Neighbour/ Other Representations

To date 18 letters of objection have been received the majority from local residents of Beckermet.

Collectively they express concern on the following grounds:

Will obscure and severely impact on many Beckermet and Braystones residents panoramic and uninterrupted views of the Wasdale fells and Black Coombe.

Will be a huge negative visual impact for local residents.

One objector's home is only 300m NE of the proposed site and it will devastate their views.

Will devalue residential property.

Turbine would be visible from wider afield and many unexpected places.

Would have an effect on the landscape.

It is in an elevated position.

Any gains for the developer could not outweigh the negative visual impact for all who enjoy fabulous views for miles around this area.

We support nuclear new build and accept Sellafield but do not want every development here. Nuclear new build supports the whole community whereas the turbine does not.

Have enough of these turbines in the area.

Need to halt the spread of these turbines for profit. Renewable energy advantages are not proportional to the detrimental effect on our unique and beautiful landscape.

Beckermet is one of the few remaining places in West Cumbria not overlooked by turbines.

If approved will set a precedent and village could take on a similar appearance to Flimby.

It is a profit making scheme and not an essential low cost renewable energy source for the working farm.

Effect on local wildlife especially local barn owls, bats and starlings which use local Nursery Wood and Petersburgh Pond. Site is within 500m of a SSSI at St Bridget's Church in Beckermet.

Use of solar panels on the farm buildings roof would be less obtrusive.

Potential for shadow flicker.

Noise Study is over 15 years old and out of date. It tells the layman nothing. Turbines cause health issues such as sleep disturbance and this turbine is only some 300 yards from houses. UK Noise Association recommends they should not be sited within 1 mile of houses. 45db is not an acceptable level of noise at night.

Will undermine the enjoyment of walkers in the area.

Effect on local public footpath which runs close to the turbine.

No wider community benefits have been indicated.

They are uneconomic and inefficient producers of electricity.

Not enough detailed information in the submission - lack of a scaled sectional drawing.

Submission has basic errors.

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.

Recommendation

In view of the proximity of this proposed turbine to the village of Beckermeth and the concerns raised by the local Parish Councils and local residents, it is recommended that Members take the opportunity to visit the site to appraise all the material planning considerations before determining the application.

Recommendation:-

Site Visit

PLANNING PANEL AGENDA – 13 August 2014

SCHEDULE OF DELEGATED DECISION

Application Number	4/13/2329/0F1
Applicant	Millom Town Council
Location	LAND ADJACENT TO BANK END, HAVERIGG, MILLOM
Proposal	CONSTRUCTION OF A CRUSHED STONE PATH & ART TRAIL ALONG TOP OF SEA DEFENCE BUND
Decision	Approve (commence within 3 years)
Decision Date	18 July 2014
Dispatch Date	18 July 2014
Parish	Millom

Application Number	4/14/2134/0F1
Applicant	Mr J Murphy
Location	OLD BREWERY, BIRKS ROAD, CLEATOR MOOR
Proposal	CHANGE OF USE OF FORMER OLD BREWERY AND STORES INTO DWELLING HOUSE
Decision	Approve (commence within 3 years)
Decision Date	20 June 2014
Dispatch Date	28 July 2014
Parish	Cleator Moor

Application Number	4/14/2163/0F1
Applicant	Brooks of Whitehaven
Location	35 CHURCH STREET, WHITEHAVEN
Proposal	CHANGE OF USE FROM MIXED USE A1 RETAIL/C3 RESIDENTIAL TO MIXED USE A1 RETAIL/B1 OFFICE USAGE WITH REPAIR/REPLACEMENT OF EXISTING TIMBER SASH WINDOWS
Decision	Approve (commence within 3 years)
Decision Date	2 July 2014
Dispatch Date	28 July 2014
Parish	Whitehaven

Application Number	4/14/2164/0L1
Applicant	Brooks of Whitehaven
Location	35 CHURCH STREET, WHITEHAVEN
Proposal	LISTED BUILDING CONSENT FOR WORKS ASSOCIATED WITH CHANGE OF USE FROM MIXED USE A1 RETAIL/C3 RESIDENTIAL TO MIXED USE A1 RETAIL/B1 OFFICE USAGE WITH REPAIR/ REPLACEMENT OF EXISTING TIMBER SASH WINDOWS
Decision	Approve Listed Building Consent (start within 3yr)
Decision Date	2 July 2014
Dispatch Date	28 July 2014
Parish	Whitehaven

Application Number	4/14/2179/0F1
Applicant	Mr S McNeil
Location	29 GRISEDALE CLOSE, MIREHOUSE, WHITEHAVEN
Proposal	TWO STOREY SIDE EXTENSION AND SINGLE STOREY REAR EXTENSION
Decision	Approve (commence within 3 years)
Decision Date	9 July 2014
Dispatch Date	28 July 2014
Parish	Whitehaven

Application Number	4/14/2194/001
---------------------------	---------------

Applicant	Westhouse Investments
Location	LAND AT TOWN HEAD FARM, SANDWICH, WHITEHAVEN
Proposal	OUTLINE APPLICATION FOR THE ERECTION OF 7 DWELLINGS
Decision	Approve in Outline (commence within 3 years)
Decision Date	1 July 2014
Dispatch Date	18 July 2014
Parish	Whitehaven

Application Number	4/14/2202/OF1
Applicant	Mire Services
Location	FIRST FLOOR, 39/40 JAMES STREET, WHITEHAVEN
Proposal	CHANGE OF USE FROM CHILDS PLAY FUNHOUSE WITH CAFE TO CONFERENCE FACILITIES WITH CATERING FACILITIES
Decision	Approve (commence within 3 years)
Decision Date	10 July 2014
Dispatch Date	18 July 2014
Parish	Whitehaven

Application Number	4/14/2203/OF1
Applicant	Mrs H Naylor-Lopez
Location	90 WASDALE PARK, SEASCALE
Proposal	DEMOLISH GARAGE AND CONSERVATORY, ERECT SINGLE STOREY KITCHEN/UTILITY ROOM EXTENSION TO SIDE ELEVATION
Decision	Approve (commence within 3 years)
Decision Date	9 July 2014
Dispatch Date	14 July 2014
Parish	Seascale

Application Number	4/14/2206/OF1
Applicant	Mr F Watson
Location	THE LODGE, HOWGATE, WHITEHAVEN
Proposal	CREATION OF NEW DRIVEWAY ENTRANCE TO FRONT OF PROPERTY
Decision	Approve (commence within 3 years)
Decision Date	23 July 2014
Dispatch Date	28 July 2014
Parish	Moresby

Application Number	4/14/2212/OF1
Applicant	Mr T West
Location	SITE ADJACENT TO WILSON PIT YARD, WILSON PIT ROAD, SANDWICH, WHITEHAVEN
Proposal	DEVELOPMENT OF AGRICULTURAL BUILDING WITH AGRICULTURAL CONTRACTOR STORAGE
Decision	Approve (commence within 3 years)
Decision Date	14 July 2014
Dispatch Date	15 July 2014
Parish	Whitehaven

Application Number	4/14/2213/OF1
Applicant	Cumbria Emmaus Trust
Location	EMMAUS HOUSE, WALKMILL CLOSE, MORESBY PARKS, WHITEHAVEN

Proposal	CONSTRUCTION OF DETACHED OUTBUILDING FOR THE STORAGE OF GARDENING EQUIPMENT
Decision	Approve (commence within 3 years)
Decision Date	9 July 2014
Dispatch Date	14 July 2014
Parish	Moresby

Application Number	4/14/2216/0F1
Applicant	Mr P Haig
Location	GOLFTHWAITE, THE BANKS, SEASCALE
Proposal	DETACHED DOUBLE GARAGE
Decision	Approve (commence within 3 years)
Decision Date	9 July 2014
Dispatch Date	28 July 2014
Parish	Seascale

Application Number	4/14/2218/0F1
Applicant	Mrs E Bonnar
Location	CAFE AND PREMISES TO REAR OF 151 QUEEN STREET, WHITEHAVEN
Proposal	CHANGE OF USE OF CAFE TO RESIDENTIAL TWO BEDROOMED ACCOMMODATION
Decision	Approve (commence within 3 years)
Decision Date	23 July 2014
Dispatch Date	28 July 2014
Parish	Whitehaven

Application Number	4/14/2219/0F1
Applicant	Mr D Webb
Location	THE HOLLOWES, THE HILL, MILLOM
Proposal	ERECTION OF BALCONY WITH STEPPED ACCESS
Decision	Approve (commence within 3 years)
Decision Date	17 July 2014
Dispatch Date	28 July 2014
Parish	Millom Without

Application Number	4/14/2221/0F1
Applicant	Messrs A & C Park
Location	FIELD 0043, OPPOSITE FAIRLADIES FARM, OUTRIGG ROAD, ST BEES
Proposal	ERECT GENERAL PURPOSE/SHEEP BUILDING
Decision	Approve (commence within 3 years)
Decision Date	17 July 2014
Dispatch Date	30 July 2014
Parish	St. Bees

Application Number	4/14/2222/0F1
Applicant	Mr D Gabbert
Location	10 ST GEORGES TERRACE, MILLOM
Proposal	CHANGE OF USE FROM FLORISTS TO BEAUTY/HAIR SALON
Decision	Approve
Decision Date	17 July 2014
Dispatch Date	30 July 2014
Parish	Millom

Application Number	4/14/2223/OF1
Applicant	Dobies Cumbria Ltd
Location	43 LOWTHER STREET, WHITEHAVEN
Proposal	VARIATION OF CONDITIONS 5, 6, 7, 8, 9 & 10 OF PLANNING APPROVAL 4/12/2517/OF1 (PART DEMOLITION AND REDEVELOPMENT INTO NINE APARTMENTS)
Decision	Approve (commence within 3 years)
Decision Date	21 July 2014
Dispatch Date	22 July 2014
Parish	Whitehaven

Application Number	4/14/2226/OF1
Applicant	Mrs Bonnar
Location	22 CORONATION DRIVE, WHITEHAVEN
Proposal	TWO STOREY REAR EXTENSION
Decision	Approve (commence within 3 years)
Decision Date	9 July 2014
Dispatch Date	30 July 2014
Parish	Whitehaven

Application Number	4/14/2229/OF1
Applicant	Mr I Nancollis
Location	ULLCOATS MILL, EGREMONT
Proposal	EXTENSION
Decision	Approve (commence within 3 years)
Decision Date	17 July 2014
Dispatch Date	30 July 2014
Parish	Egremont

Application Number	4/14/2230/OF1
Applicant	Miss C Nicholson
Location	46 NORBECK PARK, CLEATOR MOOR
Proposal	REPLACE EXISTING GARAGE
Decision	Approve (commence within 3 years)
Decision Date	16 July 2014
Dispatch Date	30 July 2014
Parish	Cleator Moor

Application Number	4/14/2235/HPAE
Applicant	Mr C Banks
Location	23 SMITHFIELD ROAD, EGREMONT
Proposal	PRIOR NOTIFICATION FOR A REAR SINGLE STOREY EXTENSION
Decision	Permitted Development
Decision Date	9 July 2014
Dispatch Date	10 July 2014
Parish	Egremont

Application Number	4/14/2236/HPAE
Applicant	Mr and Mrs Fox
Location	WHITEGATE, STUBBLE GREEN, DRIGG, HOLMROOK
Proposal	PRIOR NOTIFICATION FOR REAR CONSERVATORY
Decision	Permitted Development
Decision Date	10 July 2014
Dispatch Date	10 July 2014

Parish	Drigg and Carleton
---------------	--------------------

Application Number	4/14/2237/0F1
Applicant	Mr C McNichol
Location	THE NEW CLINIC, ENNERDALE ROAD, CLEATOR MOOR
Proposal	APPLICATION FOR PRIOR NOTIFICATION OF PROPOSED DEMOLITION
Decision	Approve (commence within 3 years)
Decision Date	21 July 2014
Dispatch Date	31 July 2014
Parish	Cleator Moor

Application Number	4/14/2238/001
Applicant	Mr C McNichol
Location	FORMER CLINIC SITE, ENNERDALE ROAD, CLEATOR MOOR
Proposal	OUTLINE APPLICATION FOR 8 NO. TWO STOREY NEW DWELLINGS
Decision	Approve in Outline (commence within 3 years)
Decision Date	21 July 2014
Dispatch Date	31 July 2014
Parish	Cleator Moor

Application Number	4/14/2239/0F1
Applicant	Mr H Thinnesen
Location	SEABREEZE, LOWCA, WHITEHAVEN
Proposal	ERECTION OF DOUBLE GARAGE AND DOMESTIC STORE WITHIN CURTILAGE OF EXISTING PROPERTY
Decision	Approve (commence within 3 years)
Decision Date	30 July 2014
Dispatch Date	4 August 2014
Parish	Lowca

Application Number	4/14/2240/0F1
Applicant	Mrs D King
Location	SLATE COTTAGE, 59 MAIN STREET, HAVERIGG, MILLOM
Proposal	TWO STOREY SIDE EXTENSION AND CREATION OF NEW FRONT VERANDA
Decision	Approve (commence within 3 years)
Decision Date	18 July 2014
Dispatch Date	31 July 2014
Parish	Millom

Application Number	4/14/2244/0F1
Applicant	Mr T Hartley
Location	6 CUMBERLAND CLOSE, MILLOM
Proposal	SECOND STOREY AND SMALL REAR EXTENSION INCLUDING DEMOLITION OF EXISTING GARAGE AND REBUILD OVER AND BEHIND EXISTING REAR EXTENSION AND ABOVE SIDE ELEVATION GARAGE FOOTPRINT
Decision	Approve (commence within 3 years)
Decision Date	18 July 2014
Dispatch Date	31 July 2014
Parish	Millom

Application Number	4/14/2248/0F1
---------------------------	---------------

Applicant	Mr and Mrs W H Stephens
Location	11 LAKE VIEW, KIRKLAND, FRIZINGTON
Proposal	ROOF SPACE CONVERSION AND ALTERATIONS
Decision	Approve (commence within 3 years)
Decision Date	18 July 2014
Dispatch Date	31 July 2014
Parish	Lamplugh

Application Number	4/14/2252/HPAE
Applicant	Mr G MacDonald
Location	3 OLD MOOR GARDENS, MILLOM
Proposal	PRIOR NOTIFICATION FOR REAR CONSERVATORY
Decision	Permitted Development
Decision Date	10 July 2014
Dispatch Date	10 July 2014
Parish	Millom

Application Number	4/14/2263/0F1
Applicant	Mr and Mrs Mattinson
Location	7 THORNFIELD CLOSE, CLEATOR MOOR
Proposal	DEMOLITION OF EXISTING CONSERVATORY AND ERECTION OF SINGLE STOREY SIDE EXTENSION TO PROVIDE GROUND FLOOR SHOWER ROOM
Decision	Approve (commence within 3 years)
Decision Date	23 July 2014
Dispatch Date	31 July 2014
Parish	Cleator Moor

Application Number	4/14/2264/0F1
Applicant	Mr and Mrs Mattinson
Location	7 THORNFIELD CLOSE, CLEATOR MOOR
Proposal	DEMOLITION OF EXISTING CONSERVATORY AND ERECTION OF SINGLE STOREY SIDE EXTENSION TO PROVIDE GROUND FLOOR BEDROOM AND SHOWER ROOM
Decision	Approve (commence within 3 years)
Decision Date	23 July 2014
Dispatch Date	31 July 2014
Parish	Cleator Moor

Application Number	4/14/2274/0F1
Applicant	Mr P Martin
Location	PLOT 9, ELEANORS WAY, CLEATOR MOOR
Proposal	CONSTRUCTION OF DETACHED BUNGALOW WITH HABITABLE ATTIC ACCOMMODATION
Decision	Approve (commence within 3 years)
Decision Date	25 July 2014
Dispatch Date	31 July 2014
Parish	Cleator Moor

Application Number	4/14/9002/0F2
Applicant	G & A M Lawson
Location	WHINBANK FARM, DISTINGTON
Proposal	RETROSPECTIVE APPLICATION TO UNDERTAKE WORKS TO FILL AN AREA OF LAND TO PROVIDE USEABLE AGRICULTURAL LAND AND IMPROVE DRAINAGE OF AREA

Decision	County Council Approved
Decision Date	9 July 2014
Dispatch Date	9 July 2014
Parish	Distington

