

PLANNING PANEL AGENDA – 15 AUGUST 2012

		PAGE
	<u>SCHEDULE OF APPLICATIONS - CBC</u>	
Item 1	4/12/2170/OF1 Single wind turbine Fields 4400 & 6382, Land adjacent to Watch Hill, Low Moresby, Whitehaven	1
Item 2	4/12/2195/OF1 Two Storey Detached Building – Ground Floor Brewery/Farm Shop, First Floor Function Room Blackbeck Hotel, Egremont	16
Item 3	4/12/2246/OF1 Erection of single wind turbine Land to the North West of Kidburngill Farm, Lamplugh	24
Item 4	4/12/2259/001 Outline application for residential development of 66 dwellings including associated infrastructure Land off Hopedene, Mill Hill, Cleator Moor	35
Item 5	4/12/2327/OF1 Change of use from Shed to Brewery & Erection of Two BBQ Huts (Retrospective) Blackbeck Hotel, Blackbeck, Egremont	49
Item 6	4/12/2359/OF1 Detached dwelling with integral garage (Resubmission) Land adjacent to 7 Hensingham Road, Whitehaven	55
	<u>SCHEDULE OF DELEGATED DECISIONS</u>	58

## RELEVANT INFORMATION

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

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

Town and Country Planning Act 1990

Planning and Compulsory Purchase Act 2004

Cumbria and Lake District Joint Structure Plan

Copeland Local Plan 2001-2016 - adopted June 2006

Lake District National Park Local Plan - Adopted May 1998

Cumbria Car Parking Guidelines

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

In particular:

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

Department for Communities and Local Government (DCLG):-

Planning Policy Guidance Notes and Planning Policy Statements

Development Control Policy Notes

Design Bulletins

## STANDARD CONDITIONS

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

### Outline Consent

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

### Reserved Matters Consent

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

### Full Consent

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

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ITEM NO: 1.

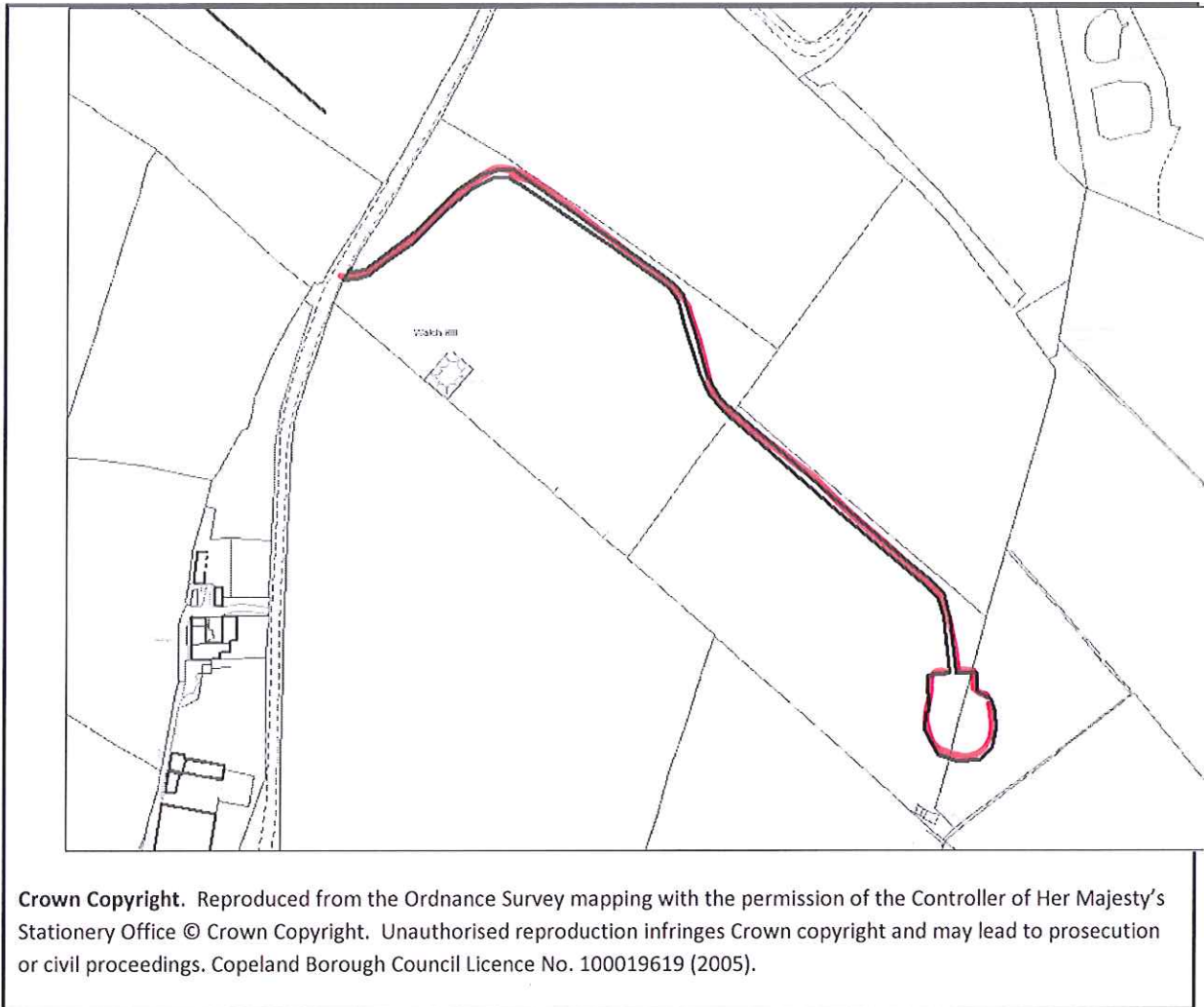


To: PLANNING PANEL

Development Control Manager

Date of Meeting: 15/08/2012

<b>Application Number:</b>	4/12/2170/OF1
<b>Application Type:</b>	Full : CBC
<b>Applicant:</b>	Mr H Harper
<b>Application Address:</b>	FIELDS 4400 & 6382, LAND ADJACENT TO WATCH HILL, LOW MORESBY, WHITEHAVEN
<b>Proposal</b>	SINGLE WIND TURBINE WITH 50 METRE HUB HEIGHT, 48 METRE BLADE DIAMETER & OVERALL BLADE HEIGHT OF 74 METRES
<b>Parish:</b>	Moresby
<b>Recommendation Summary:</b>	Approve (commence within 3 years)



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## INTRODUCTION

This application relates to an elevated area of land at Commongate Farm, adjacent to the former Watch Hill reservoir at Low Moresby.

Members deferred this application at the Planning Panel meeting on 25 April 2012 to enable them to visit the site. The site visit took place on 16 May 2012.

## PROPOSAL

Planning permission is sought for the erection of a wind turbine on the site. The turbine will have a 50 metre hub tower and a blade diameter of 48 metres, giving an overall blade to ground height of 74 metres. The turbine will have a pale matt grey finish.

A new 500 metre long track is to be constructed from the Moresby Parks Road to the west of the site to provide access to the turbine.

The turbine will be connected to the local grid using underground cables.

The turbine will have the benefits of producing renewable energy with a maximum output of 500KW and is designed to reduce the running costs of the applicant's farm by providing cheaper electricity and making a contribution to reducing his carbon footprint. It is estimated that the turbine will provide an annual carbon offset of 795 tonnes.

The application is accompanied by the following:-

- A planning and environmental statement
- A design and access statement
- A site location plan
- An elevation plan
- Photomontages
- A landscape and visual impact assessment
- A noise assessment
- A phase 1 habitat survey
- An appropriate assessment with regards to hen harriers
- A hen harrier mitigation plan

## CONSULTATION RESPONSES

### RSPB

The RSPB object to the current proposal for the reasons outlined below:

1. This turbine is large (74 metres to tip) and is located within the hen harrier sensitivity area. The area is internationally important for wintering hen harriers, an Annex1 and Schedule 1 bird species.
2. The RSPB would consider this turbine to be equivalent to a 'commercial' sized turbine, in terms of its potential impact on both roosting and foraging hen harriers.

3. The agreed buffer distances used for hen harrier in this area (and elsewhere) based on the best available research and applying the precautionary principle, is 300 metres from turbines for foraging birds and 600 metres from turbines for roosting hen harriers. This means that within these buffers, disturbance displacement will occur, effectively sterilising the area for use by hen harrier.
4. On this basis, the turbine will disturb and displace a hen harrier roost.
5. The turbine is located directly adjacent to a suitable hen harrier foraging area and other suitable foraging habitat occurs within 300 metres of the proposed turbine.
6. The cumulative impact of Fairfield, Weddicar Rigg and Keekle Head (assuming it is still in planning) must be considered.

We would re-consider our objection, if the impact could be mitigated against by moving the turbine west, by several hundred metres. We consider that even a smaller turbine in the current location could impact hen harrier and that a thorough site survey and analysis of impact would need to be undertaken, to include other bird species of conservation concern.

#### Natural England

The turbine is right on the edge of Distington Moss which is used by foraging birds of prey, including hen harriers, and a number of other species which may be disturbed by the proximity of the turbine. The buffer zone for potential disturbance to roosting birds is 600 metres and the potential zone for disturbance to foraging birds is 300 metres. Other developments have offered mitigation/compensation foraging habitat managed to meet the need of harriers where there is a risk at a loss: mitigation ratio of 1:1. This ensures no net loss of habitat.

#### Historic Environment Officer (Cumbria County Council)

No objections

#### Highways Control Officer

No objections from a highway point of view subject to the construction of an acceptable access off the highway and the submission of a Traffic Management Plan.

#### Environmental Health Officer

The submitted noise assessment indicates noise from the wind turbine would not exceed the standards recommended in the ETSU report "The Assessment and Rating of Noise from Wind

Farms.” However I have some concerns with the accuracy of the distances to the nearest receptors quoted in the report. Given the proximity to the Fairfield wind farm I consider that it would be appropriate to attach the same noise conditions that were applied to the Fairfield wind farm permission.

#### Other

A letter of objection has been received from a local resident who claims that the existing Fairfield Farm wind farm at Pica already causes noise nuisance and shadow flicker which continues to have significant impacts upon his quality of life. The current proposal will add another turbine in the locality which will increase the overall affects to his amenity.

He also claims that since the Fairfield wind farm has become operational there has been a noticeable downturn in local bird populations.

A second objection has been received from a resident of Drigg who raises concerns about the impact of this turbine in terms of local amenity and the negative impact it will have on the tourism of the locality.

#### 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 recently came into effect (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 identifies three dimensions to sustainable development, one of which is an environmental role.

The NPPF is ground breaking in that it revokes the majority of the current Planning Policy Statements / National Documents including PPS 22 ‘Renewable Energy’. Though it should be noted that the Companion Guide to PPS 22 is still in force and is relevant in so far that it advises how to evaluate renewable energy applications in order to arrive at an objective view and that landscape and visual effects should be assessed on a case by case basis.



The NPPF also seeks to minimise impacts on biodiversity and geodiversity. It states that planning policies should:

- plan for biodiversity at a landscape-scale across local authority boundaries
- identify and map components of the local ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect them and areas identified by local partnerships for habitat restoration or creation;
- promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations, linked to national and local targets, and identify suitable indicators for monitoring biodiversity in the plan.

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.

The need for an up to date development plan is stressed as a basis for decision making however, it does allow full weight to be given to relevant local plan policies adopted since 2004 for a limited period of 12 months from the date the framework came into effect even if there is a limited degree of conflict with it. Our Copeland Local Plan 2001-2016, which was adopted in 2006, falls into this category. Post this time period due weight is only to be given to policies according to their degree of consistency with the Framework and the stage of preparation of any emerging plans. In respect of assessing this application it means that full weight can therefore still be given to Policies EGY 1 and EGY 2 of the adopted Copeland Local Plan 2001-2016 (Saved Policies June 2009).

## **Renewable Energy**

As regards renewable energy developments it states that we should:

- Support the transition to a low carbon future in a changing climate, including encouraging the use of renewable resources by the development for example of renewable energy.
- Contribute to preserving and enhancing the natural environment and reducing pollution.
- Encourage the effective use of land by reusing previously developed 'brown field' land.
- Promote mixed use developments and encourage multiple benefits from its use.
- Conserve heritage assets in a manner appropriate to their significance.
- Actively manage patterns of growth.
- Take account of and support local strategies to improve health, social and cultural well being to meet local needs.

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

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

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

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

### **Cumbria Wind Energy Supplementary Planning Document (SPD)**

The SPD which was adopted in 2008 was 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.

### **Copeland Local Plan 2001-2016 (Saved Policies June 2009)**

Policies EGY 1 and EGY 2 of the adopted Copeland Local Plan 2001-2016 (Saved Policies June 2009) are specifically relevant. The former supports renewable energy developments and sets out the criteria against which all proposals for renewable energy are to be considered. The full Policy is set out below:

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

1. That there would be no significant adverse visual effects.
2. That there would be no significant adverse effects on landscape or townscape character and distinctiveness.
3. That there would be no adverse impact on biodiversity.
4. That proposals would not cause unacceptable harm to features of local, national and international importance for nature or heritage conservation.
5. That measures are taken to mitigate any noise, smell, dust, fumes or other nuisance likely to affect nearby residents or other adjoining land users.
6. That adequate provision can be made for access, parking and any potentially adverse impacts on the highway network.

7. That any waste arising as a result of the development would be minimised and dealt with using a suitable means of disposal.
8. There would be no adverse unacceptable conflict with any existing recreational facilities and their access routes.
9. That they would not give rise to any unacceptable cumulative effects when considered against any previous extant planning approvals for renewable energy development or other existing/ approved utility infrastructure in the vicinity.

Policy EGY 2 refers specifically to wind energy and requires that such proposals meet the criteria set out in EGY 1 above as well as providing for the removal of the turbines when they cease to be operational and site restoration.

Policy ENV 4 of the Local Plan seeks to protect landscape features and habitats. It states that development which may adversely affect habitat will only be permitted if it can be shown that the reasons for the development outweigh the need to retain the feature and that mitigation measures can be provided for which could reinstate and where possible enhance the nature conservation value of the features.

Policy ENV 5 relates specifically to protected species. It states that development which would have an adverse effect upon the conservation interest of any site supporting species protected by law and their habitats will not be permitted. It does indicate that mitigation and compensatory measures will be considered when assessing their impact.

## ASSESSMENT

It is accepted in this instance from the supporting documentation accompanying the application that it is likely there would be no negative effects of erecting such a large single turbine in this location in relation to the issues of, noise, shadow flicker, aviation and communications, transport and access and heritage / archaeology as detailed below:

- 1) Noise: The supporting case contends that any noise arising from the turbine in operation would be below the recommended level and would have no impact on surrounding properties. The Environmental Health Officer has confirmed that noise issues raised by the turbine can be adequately dealt with by the use of appropriately worded conditions attached to any planning permission.
- 2) Shadow Flicker: The accompanying assessment concludes that no additional shadow impacts will affect the adjoining houses than that created by the existing wind turbines in the area.
- 3) Aviation and Communications. No MOD or aviation concerns are envisaged. Telecommunications and television interference investigations have revealed that the proposed turbine would have no impact on services in the area.

- 4) Transport and Access. Access to the site already exists and the Highway Authority raise no objections to the proposal. Whilst construction would increase traffic movements to the site this would only be temporary. Operational traffic will be insignificant. A traffic management plan can be secured by a suitably worded planning condition.
- 5) Heritage and Archaeology. There are no conservation areas, ancient monuments or listed buildings likely to be affected in the vicinity.

The main issues raised by the application relate to landscape, visual and cumulative effects of the proposal and also the potential impacts on a protected species which are material and deemed to carry considerable weight.

### Landscape, Visual and Cumulative Impacts

The site comprises an elevated green field location which is open in character and has extensive views across moorland and higher farmland to the east and lower agricultural land to the west.

The Wind Energy SPD identifies the site as being within the Type 9 Intermediate moorland and plateau and in sub type 9a as open moorland. It describes this type as having a moderate capacity to accommodate up to a small group of 3-5 turbines.

The Cumbria Landscape Character Guidance and Toolkit (March 2011) identifies the land in the vicinity as "open moorland". The vision for this area is that the landscape will be enhanced through the restoration and enrichment creating a harmonious balance between moorlands and woodlands and mining and agricultural features.

The guidance stresses that large scale wind energy infrastructure developments and other vertical structures such as communication masts, pylons or overhead transmission lines could erode the open and remote character of the landscape and reduce the nature conservation interest. It advocates that large scale wind energy development should be avoided in open and prominent areas where it could degrade the open and expansive character. It also advises that the adverse effects of tall structures such as turbines should be minimised through careful siting and managing the numbers of turbines to prevent them becoming a dominant feature within the landscape.

This proposal is for a tall structure, some 74 metres in overall height which would be consistent with the size of turbines at the adjoining Fairfield wind farm at Pica.

There are already turbines within the landscape. The proposed turbine will be located in close proximity to the Fairfield wind farm and will have intervisibility with the existing Lowca wind farm to

the west and the other turbine development both on shore and off shore within this part of West Cumbria.

The proposed turbine will be visible when viewed from both the east and west within the local area. However from these locations the turbine will be sited in close proximity to the Fairfield wind farm and this will result in the turbine being read as part of this existing turbine group.

The proximity of this proposed turbine to an existing wind farm is comparable to the recent application at Lowca which was allowed on appeal. The Inspector in this case placed great emphasis on the proximity of the turbine to an existing wind farm and also the presence of other vertical structures within the landscape. He argued that any adverse effects of the turbine would be diminished as it is sited within a landscape that already has turbines within it.

#### Impacts on Protected Species

The Cumbria Landscape Character Guidance and Toolkit (March 2011) recognises that this area of open moorland provides over wintering habitat for an internationally important number of hen harriers. Hen harriers numbers within Britain are small and this species are listed on Annexe 1 of the EC Birds Directive which affords them a high level of protection.

Both the RSPB and Natural England have raised concerns with regards to the potential impact that this turbine may have on the hen harrier population in this locality. In response to these concerns the applicant's agent has submitted a Hen Harrier Mitigation Plan following discussions with all relevant parties.

This report outlines that the turbine would not contribute to the loss of further hen harrier roosting habitat due to its location on the periphery of the sensitive area and its separation distance from any known roost sites in the area. On this basis there is no need to provide compensatory roost habitats.

In terms of foraging habitat most of the land under the applicants control within 300 metres of the turbine is of an improved grassland habitat which is of little value to foraging hen harriers. It is proposed that 3.3 hectares would be managed as compensatory foraging habitat to offset the suitable hen harrier foraging habitat that would be impacted upon by the development. The remaining 5.1 hectares would be used for general biodiversity enhancement. The management of this land would be controlled through a high level stewardship scheme to be agreed with both Natural England and the RSPB.

Natural England and the RSPB have been formally consulted on the mitigation plan and their comments are awaited. However the proposed mitigation measures have been fully discussed with both of these organisations and they meet the loss: mitigation ratio that they both apply. On this

basis no objections are anticipated. Members will be updated of any formal response at the meeting.

## CONCLUSION

Given the presumption in favour of sustainable development and the weight given to the social and economic benefits of renewable energy development I am of the view that the turbine will not have an adverse impact on the landscape of such significance that the presumption in favour of sustainable development would be outweighed.

The proposed mitigation measures put forward by the applicant are acceptable and are sufficient to overcome the concerns about the potential impact of the turbine on the wintering habitat of the hen harriers.

### **Recommendation:-**

Approve subject to 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:-
  - Site location plan (1 of 2), drawing number T155-Plan Loc 1, scale 1:2500, received on 26 March 2012
  - Site location plan (2 of 2), drawing number T155-Plan Loc 2, scale 1:2500, received on 26 March 2012
  - Site layout plan, drawing number T155 – Plan – Lay, scale 1:500, received on 26 March 2012
  - Elevation plan, scale 1:250, received on 26 March 2012
  - Switch room and HV metering unit detail, drawing number T-spec-detail 1, scale

- 1:50, received on 26 March 2012
- Landscape and visual impact assessment, prepared by Westwood Chartered Landscape Architects, dated February 2012
  - Planning statement and environmental report prepared by Jim Harley Planning Consultants, dated February 2012
  - Extended phase 1 habitat survey, reference 4909, prepared by Enviro Centre, dated January 2012
  - Appropriate Assessment, reference 5067, prepared by Enviro Centre, dated May 2012
  - Hen harrier mitigation plan, reference 5129, prepared by Enviro Centre, dated July 2012
  - Assessment of environmental noise, reference 2533-01/ifb, prepared by Acia

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. The permission hereby granted shall be for a period not exceeding 20 years from the date when electricity from the development is first generated. Within 12 months of the cessation of electricity production from the development, or the expiry of the permission, whichever is the sooner, the development hereby permitted shall be removed in its entirety from the site and the site shall be restored either to its condition before the development took place or otherwise in accordance with a scheme that shall have first been submitted to and approved in writing by the local planning authority.

Reason

For the avoidance of doubt and to safeguard the visual amenities of the locality.

4. If the turbine ceases to be operational for a continuous period of 6 months, the development hereby permitted shall, within a period of 3 months (or such longer period as may be agreed in writing by the local planning authority), be removed in its entirety from the site and the site shall either be restored to its condition before the development took place, or otherwise in accordance with a scheme that shall have first been submitted to and approved in writing by the local planning authority.

Reason

To avoid possible dereliction in the interests of general amenity.

5. The whole of the access area bounded by the carriageway edge, entrance gates and the splays shall be constructed and drained to the specification of the Local Planning Authority in consultation with the Highway Authority. The development shall be carried out in accordance with the approved details.

Reason

In the interests of highway safety

6. Prior to work commencing on the site the applicant shall submit a Traffic Management Plan which shall be submitted to and approved in writing by the Local Planning Authority. Any works identified in the Plan shall be fully implemented in accordance with the approved details.

Reason

In the interests of highway safety

7. No development shall commence until full details of the finish and colour of the turbine hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried in accordance with the approved details.

Reason

For the avoidance of doubt and to safeguard the visual amenities of the locality.

7. No development shall commence on the site until an area of land has been safeguarded for the foraging and roosting of hen harriers as set out in the hen harrier mitigation plan prepared by Enviro Centre dated July 2012 in accordance with a high level stewardship scheme which has been submitted to and approved in writing by the Local Planning Authority. The specified land shall be safeguarded in accordance with the approved scheme at all times during construction, operation and decommissioning of the wind farm hereby permitted.

Reason

For the avoidance of doubt and to ensure adequate mitigation measures are secured to overcome any potential impact on the wintering habitat of the hen harriers.



8. No construction or decommissioning work as part of the development hereby permitted shall take place between the months of October to March.

Reason

For the avoidance of doubt and to ensure adequate protection for the nearby hen harrier sensitivity area.

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

Reason

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

11. The rating noise emissions expressed as LA90, 10 min from the effect of the turbine hereby permitted, as measured or calculated, and corrected for the presence of any tonal components, in accordance with ETSU-R-97, at any dwelling lawfully existing at the date of this permission, shall not exceed:

9. Between 0700 and 2300 hours the greater of 35 dB (A) or 5 dB (A) above the day-time background noise levels for each of the wind speeds set out below.

(b) Between 2300 and 0700 hours the greater of 43 dB (A) or 5 dB (A) above the night-time background noise levels for each of the wind speeds set out below.

Wind speed (m/s)	3	4	5	6	7	8	9	10	11	12
Day-time Background noise level (dB(A))	24	28	32	36	39	42	45	47	48	50
Night-time Background noise level (dB(A))	26	29	31	34	37	40	42	45	48	51

Reason

For the avoidance of doubt and to protect the amenities of nearby residential properties

10. Following notification from the Local Planning Authority (LPA) that a justified complaint has been received, the wind turbine operator shall, at their own expense, employ a suitably competent and qualified person to measure and assess, by a method to be approved in writing by the LPA, whether noise from the turbine meets the specified level. The assessment shall be commenced within 21 days of the notification, or such longer time as approved by the LPA.

A copy of the assessment report, together with all recorded data and audio files obtained as part of the assessment, shall be provided to the LPA (in electronic form) within 60 days of the notification.

The operation of the turbine shall cease if the specified level is confirmed as being exceeded.

Reason

For the avoidance of doubt and to protect the amenities of nearby residential properties

#### **Reason for Decision**

The siting of a 74 metre high wind turbine in this location is considered to represent an acceptable form of wind energy development in accordance with Policies EGY 1 and EGY 2 of the adopted Copeland Local Plan 2001-2016 and the National Planning Policy Framework. The proposed mitigation measures proposed are also sufficient to minimise the impact of this development on local protected species in accordance with Policies ENV 4 and ENV 5 of the adopted Copeland Local Plan 2001-2016

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ITEM NO: 2.

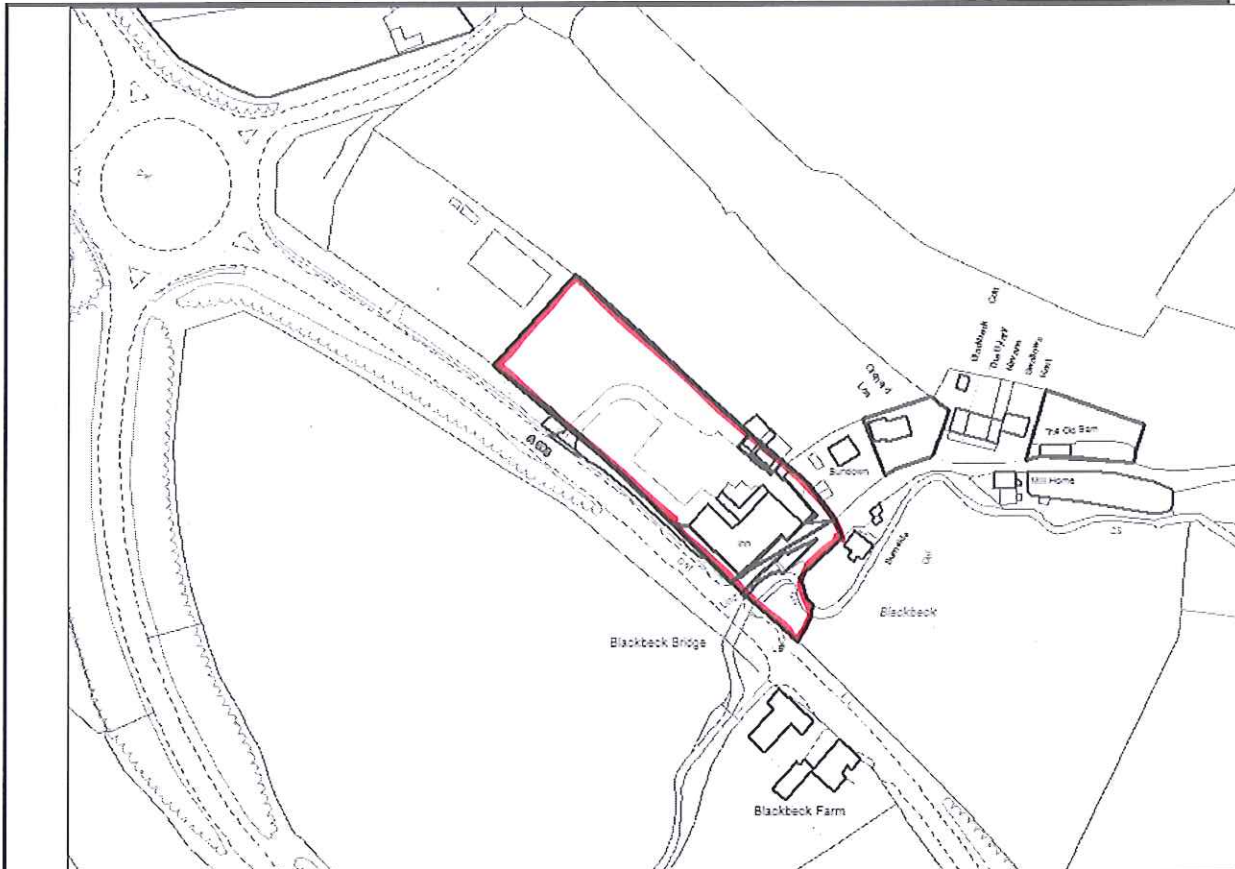


To: PLANNING PANEL

Development Control Manager

Date of Meeting: 15/08/2012

<b>Application Number:</b>	4/12/2195/OF1
<b>Application Type:</b>	Full : CBC
<b>Applicant:</b>	Mrs B Taylor
<b>Application Address:</b>	BLACKBECK HOTEL, BLACKBECK, EGREMONT
<b>Proposal</b>	TWO STOREY DETACHED BUILDING - GROUND FLOOR BREWERY/FARM SHOP, FIRST FLOOR FUNCTION ROOM
<b>Parish:</b>	Haile, Ponsonby
<b>Recommendation Summary:</b>	Approve (commence within 3 years)



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At the 23 May 2012 Planning Panel Members resolved to carry out a site visit before determining this application. The site visit took place on Wednesday 6 June 2012.

#### BACKGROUND

Planning permission was granted in June 2008 to extend the existing Blackbeck Hotel. Within this scheme an additional 260 sq m of floor area at first floor level was to be created to provide seven additional bedrooms (4/08/220/Of1 refers). This permission has not been implemented and has now lapsed.

Prior to this, planning permission was granted in 2004 for the erection of a detached outbuilding within the Hotel grounds to provide a garage, laundry and store (4/04/2740/Of1 refers). Part of this building is now being used, without planning permission, as a brewery. A retrospective planning application has been submitted to regularise the unauthorised use and the unauthorised erection of two small bbq huts within the grounds of the Hotel (4/12/2327/Of1 refers). This application forms a concurrent item on this agenda.

## PROPOSAL

Planning permission is now sought for the creation of a new two storey detached building within the grounds of the Blackbeck Hotel to provide a brewery/farm shop and function room facility. This long established hotel is located along the A595 and in close proximity to the heavily trafficked roundabout which provides the main access to Sellafield.

There are approximately 10 dwellings at Blackbeck, mostly located to the north east of the hotel.

It is proposed to locate the new building on the existing overspill car park which sits at a slightly higher level than the main hotel complex and the A595, onto which it fronts. Along this site frontage is a dense hedgerow. The applicant has confirmed that this will be retained.

The new building will be two storey measuring 27.0m in length and 17.0m in width. The proposed height has now been reduced from 11.3m to 10.3m and given the level of the land, will be 3.6m higher than the existing hotel.

The new building will have a two storey projecting entrance feature to the northwest elevation, faced with sandstone. The main building will be finished with wet dashed render to match the existing hotel. Mock Georgian white upvc windows and doors are proposed.

The application is accompanied by a Design and Access Statement and additional supporting statements and an Executive Summary (business case) from the applicant. A copy of the Executive Summary and supporting email are attached. Within these the applicant points out that due to the economic climate at Sellafield, where overnight stays by staff are being restricted, business has halved in the past two years and there is need to diversify to safeguard existing jobs.

The development will provide a one stop shop brewery and farm shop selling a number of very large items such as beer barrels, bags of grain, brewing equipment and produce from the existing and other locally based breweries. The applicant is also keen to offer demonstrations of the brewery practices to local schools and colleges showing them how you go from 'grain to glass'.

It is also intended to sell a range of local farm produce and arts, crafts and furniture made locally. A list of local suppliers who have expressed an interest in using the facility has been supplied.

A seating area for coffee and cakes produced by the existing chefs will also be provided, which in turn will help encourage people to stay for lunch at the hotel.

Proposed opening hours of the shop will be from 8am to 5pm Monday to Friday, 9am to 5pm on Saturdays and from 10am to 2pm on Sundays and Bank Holidays. The function room will be available during the same operating hours as the hotel, until 12 o'clock midnight.

In terms of parking, it is proposed to create an additional 20 parking spaces taking the total up to 43 spaces, 3 of which will be accessible.

## CONSULTATIONS

Haile Parish Council – raise no objections.

Highways Agency – initially issued a temporary direction preventing the Council from determining this application until a Transport Assessment had been submitted. This has now been provided and following re-consultation, the Highways Agency have withdrawn the holding direction and offer no objections.

Environmental Health – no comments received.

No comments have been received in respect of neighbour notification and publicity procedures.

## PLANNING POLICY

The Government has recently published the National Planning Policy Framework which sets out the new planning guidelines at a national level. The NPPF includes a presumption in favour of sustainable development. Building a strong, competitive economy and supporting a prosperous rural economy are encouraged as part of the goal of securing sustainable development.

The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Therefore significant weight should be placed on the need to support economic growth through the planning system (para. 19). Investment in business should not be over-burdened by the requirements of planning policy expectations and local planning authorities should support existing business sectors and allow a rapid response to change in economic circumstances (para. 21).

To deliver a prosperous rural economy local planning authorities should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. Plans should support the sustainable growth and expansion of all types of business enterprise in rural areas, both through conversion of existing buildings and well designed new buildings and support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations (para.28).

In terms of retail development the NPPF recognises that town centres are the heart of their communities and their vitality and viability should be supported. Paragraph 24 requires a sequential approach to main town centre uses to be applied. Main town centre uses should 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.

The NPPF requires proposals to be determined in accordance with the development plan unless material considerations determine otherwise. It allows full weight to be given to relevant local plan policies until March 2013. The adopted Copeland Local Plan 2001-2016, falls into this category.

In respect of this application, given that the site is located outside of any of the defined settlement development boundaries for the Borough, the key policies of the adopted Local Plan identified below remain relevant to its assessment.

DEV 1 'Sustainable Development and Regeneration' expects all development to contribute to achieving a sustainable regeneration of the Borough.

DEV 4 'Development Boundaries' advocates a sequential approach to development, firstly through the reuse of existing buildings; secondly on previously developed sites, and only then on previously undeveloped land.

DEV 5 'Development in the Countryside' seeks to protect the quality and character of the wider countryside and sets out the types of development that will be permitted outside the defined Key Service and Local Centres. Amongst other things, this includes leisure or tourism development; development within existing employment sites and development for community purposes.

DEV 6 'Sustainability in Design' sets out the sustainable design principles which all new development should adopt.

EMP 4 'Extension of an existing employment use' permits the extension of an existing employment use which meets the requirements of other plan policies.

TCN 1 'Promoting vitality and viability of Town Centres' seeks to protect the vitality and viability of existing town centres.

TSM 1 'Visitor Attractions' - seeks to protect existing tourist attractions and development which contributes to their enjoyment will be permitted provided they do not conflict with the principles of sustainable development.

RUR 1 'Economic Regeneration in Rural Areas' supports small scale, ancillary development for employment purposes in rural areas subject to criteria.

## ASSESSMENT

There is a policy presumption at both National and Local levels in favour of allowing business expansion and diversification which will ultimately help meet the goal of achieving sustainable development.

Whilst this site falls outside the Key Service and Local Services Centres of the Borough, as defined by the Copeland Local Plan, it sits adjacent to the heavily trafficked A595 and is associated with a long established business.

It is clear from the applicants supporting documentation that there has been a downturn in their existing hotel business and they are looking to respond to this by offering a new tourist facility, incorporating the relatively new brewery. As already set out in the report, an application for the unauthorised brewery has been submitted and is recommended for approval under a separate item.

In terms of retail development, it is clear within the NPPF and Copeland Local Plan that there is a presumption against allowing such development in the countryside in order to safeguard the vitality and viability of existing town centres. Whilst the proposal is clearly not for and out an out retail development such as a supermarket, it does involve an element of retail use. The site is located 1.4m south of Thornhill, one mile north of Calderbridge and just over half a mile east of Beckermet. The former two villages have shops but these are considered to principally provide a local service function whilst the proposal appears to be a tourist orientated development. In this respect, it is considered that the proposal will not adversely affect the viability of existing retail uses within the locality and that the economic benefits of this rural business diversification scheme are considered to be a material consideration which outweighs the policy presumption against retail developments.

Whilst the physical development itself will be substantial and will have a presence when viewed from the A595, the existing Hotel occupies extensive grounds and the development will sit on an existing surfaced parking area. The height of the building has been reduced to ensure it is not overly dominant in relation to the existing hotel and through the use of appropriate materials including, sandstone detailing, it is considered to be an acceptable design solution.

The Highways Agency have raised no objections and are satisfied that the increased visitors to and from the site will not create a road safety issue on the A595.

Overall, the proposal is considered to represent an acceptable business expansion and diversification scheme which should improve tourist facilities and create employment opportunities in a rural part of the Borough and, on this basis, approval is recommended.

**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 1:1250, received on 5 April 2012.
  - Proposed ground floor layout, scale 1:100, drawing no. 007, received on 5 April 2012.



- Proposed first floor layout, scale 1:100, drawing no, 008, received on 5 April 2012.
- Design & Access Statement, received on 5 April 2012.
- Transport Assessment Form (smaller developments), received on 15 May 2012.
- Letter from the applicant to the Local Planning Authority received on 17 May 2012.
- Proposed north east elevation, scale 1:100, drawing no. 010, received on 27 June 2012.
- Proposed south west elevation, scale 1:100, drawing no. 009, received on 27 June 2012.
- Proposed north west and south east elevations, scale 1:100, drawing no. 011, received on 27 June 2012.
- Site plan, scale 1:500, drawing no. 013A received on 5 July 2012.
- Proposed elevation including existing building, drawing no. 014, scale 1:200, received on 5 July 2012.
- Executive Summary, received on 28 July 2012.

Reason

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

3. The groundfloor accommodation of the development hereby permitted shall be limited to those uses specified in the applicant's letter to the Local Planning Authority received on 17 May 2012, emails received by the Local Planning Authority on 15 June 2012 and 20 July 2012 and the Executive Summary (Business Case) received by the Local Planning Authority on 28 July 2012 and not for general A1 retail use.

Reason

To protect the vitality and viability of existing town centre and village retail uses.

4. The brewery/farm shop, craft and display space and cafe hereby permitted shall not be open to the public outside the following times:-

8.00 – 17.00 Mondays to Fridays  
9.00 – 17.00 Saturdays  
10.00 -14.00 Sundays and Bank Holidays

**Reason**

To minimise potential disturbance to nearby residences and to safeguard the amenities of the locality.

5. Notwithstanding the details submitted to the Local Planning Authority on 5 April 2012 the existing hedgerow along the southwest frontage of the site shall be retained as confirmed by the applicant in her email to the Local Planning Authority dated 15 June 2012.

**Reason**

To enhance the appearance of the development in the interest of visual amenities.

**Reason for decision**

An acceptable form of development to provide a brewery/farm shop and function room associated with this established business in accordance with Policies DEV 1, DEV 4, DEV 5, DEV 6, EMP 4, TSM 1, TCN 1 and RUR 1 of the adopted Copeland Local Plan 2001-2016 and the National Planning Policy Framework.

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Rachel Carrol

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**From:** Belinda Taylor [blackbeckenquiries@gmail.com]  
**Sent:** 20 July 2012 13:21  
**To:** Rachel Carrol  
**Subject:** Recommendation to refusal of planning at Blackbeck

Dear Rachel

With reference to your letter dated 10th July, I am disappointed to hear that you are recommending to refuse the planning application, this was not the impression you gave when yourself and Tony Pomfret visited Blackbeck for discussions on the new build last month.

During your visit we talked at great lengths about the proposals for the new build and we made it very clear that this was not "an out and out A1 retail facility", we explained the need for diversification, the need to ensure existing jobs be retained, that unless we change we will not survive and the current business would close and all jobs be lost, we talked about the need to entice tourist to the facility, the way in which we would have demonstrations for visitors on the "grain to glass" concept of brewing and growing hops demonstrated by a local farmer, the mock brewery exhibit which would be large scale and take up an enormous area, the painting gallery area once again a large area, a cafeteria area where visitors could sit and have coffee and browse the Blackbeck restaurant menu and hopefully decide to stay and have lunch with us in our restaurant, we were not talking about a supermarket type of shop by any means as you suggest.

On this visit or in any consequential correspondence, you have NEVER requested that I submit a detailed business case, which, if required was readily available, you never asked that I submit a detailed list of the businesses that we intend to use for suppliers - ONLY as stated in paragraph 3 of your letter dated the 7th June, " a list of local farmer/traders who have expressed an interest in utilising the facility"

As you stated in your letter both local and national planning policy should presume in favour of allowing existing business to expand, I find it unacceptable that you can presume that the location is not suitable for the planned venture. Having considered Policy RUR1 of the Local Plan and taking appropriate advice I would suggest that this policy is not relevant. This proposal does not involve a conversion or replacement of existing buildings and in any event there is no definition within the policy or its preamble as to what small scale (or any scale) is.

This is quite clearly a proposal for supporting an existing business based upon serviced accommodation and to support economic development and business growth. It would appear to me that the Local Plan is silent on such proposals except for Policy EMP4 (Extension of an existing employment use). In that context the proposal appears consistent with Policies DEV 1 (Aims and objectives- involving the creation of new jobs) and DEV 6 (Sustainability in Design).

If there are concerns regarding the scale of retail use the normal practice would be to request a Sequential Test (Retail Assessment), this you have not done. In any event the current default threshold for such a test or provision of Business Plans is 2.500 sq ft. (NPPF Para 26 see below). This proposal is for 2,422 sq ft (225 sq m)

In such a circumstance of the Local Plan being effectively silent I believe that national planning policy and ministerial statements are more relevant in this case

I would draw your attention in this circumstance to the National Planning Policy Framework (NPPF), March 2012.

This makes it quite clear that where a Local Plan is silent on matter the NPPF takes precedent. This development is entirely sustainable in this location on a Trunk Road

and adjacent to the major employer in the Borough which is a business opportunity in its own right. Thus the proposals accord with the principles of the NPPF and in particular to Para 28 which states:

“Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:

- support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings;
- promote the development and diversification of agricultural and other land-based rural businesses;
- support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres.”

I would also refer you to the Ministerial Statement on Planning for Growth (which is recognised by the Planning Inspectorate as a material consideration in appeal cases. This states that “When deciding whether to grant planning permission, local planning authorities should support enterprise and facilitate housing, economic and other forms of sustainable development. Where relevant - and consistent with their statutory obligations - they should therefore:

- (i) consider fully the importance of national planning policies aimed at fostering economic growth and employment, given the need to ensure a return to robust growth after the recent recession
- (ii) take into account the need to maintain a flexible and responsive supply of land for key sectors, including housing
- (iii) consider the range of likely economic, environmental and social benefits of proposals; including long term or indirect benefits such as increased consumer choice, more viable communities and more robust local economies (which may, where relevant, include matters such as job creation and business productivity)
- (iv) be sensitive to the fact that local economies are subject to change and so take a positive approach to development where new economic data suggest that prior assessments of needs are no longer up-to-date
- (v) ensure that they do not impose unnecessary burdens on development.

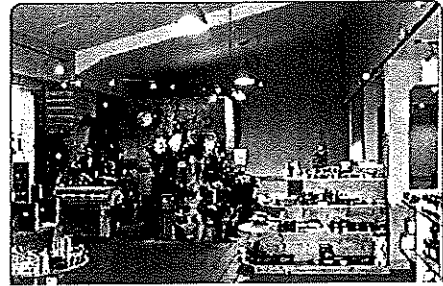
In determining planning applications, local planning authorities are obliged to have regard to all relevant considerations. They should ensure that they give appropriate weight to the need to support economic recovery, that applications that secure sustainable growth are treated favourably and that they can give clear reasons for their decisions.

I should be grateful if you would take the above points into consideration which I believe are material to this case. I would like to attend the planning panel on the 15th Aug and to be permitted to put across my views, or at the very least I would request that members of the Panel are provided with a copy of this letter.

Regards

Belinda Taylor

## Executive Summary



Blackbeck Brewery is a 5 barrel micro brewery that is located at the Blackbeck Hotel close to Egremont. This is a relatively new business, its construction was completed and start-up phase having been incorporated in 2009.

Initial plans were to produce five main lines of products primarily focusing on our 4 main cask ales followed by a cider. Initially these products were sold only in commercial size 9 gall casks. After purchasing mini kegs for the Christmas period we quickly realised there was potential for another market and now the products are sold in different sized containers of 500 ml traditional beer bottles, mini kegs 5lt and also 9 gall commercial casks and the cider comes in 2lt 3lt and 20lts bagged boxes. These products are sold over the counter and distributed to markets that are appreciative of readily available, good quality ale and real cider.

To prosper there is need for Blackbeck to be flexible and responsive, there has been a great deal of interest in the take away products, and, as we have seen a downturn in our hotel side of the business due to cut backs on travel and conference use from our main source of business which is Sellafield site.

We have seen a niche in our area for the provision of a brewery/farm shop where we intend to entice customers by providing them with locally produced products, when they want it and before the competition. At present we have a network set up with our local farming community where we swap buy and sell to each other, for example our spent grain from the brewing process goes to a farmer to feed to his cattle and in return we buy sausage and bacon from him to use in the hotel. The same with the veg prep for the chickens and in return we buy eggs.

From order to goods being sold we intend to ensure that every policy and procedure, system and process must have the objective of improving the flexibility and response of the whole company.

People have never been so interested in quality local food and how it is produced, in freshness and in traceability. Customers are seeking out specialist producers and, for some, there is a desire to reduce food miles. Therefore if customers have to travel then you have to persuade them that their journey will be worthwhile. While farm shops come in all shapes and sizes, the most sustainable at the moment are those offering what is known as a full basket shop - all the ingredients for a good wholesome meal, thereby making the journey for customers worthwhile,

Our marketing strategy will be based mainly on ensuring customers know we are able to fulfil, their requirements on time every time and offering the right product and information available to the right target customer. Hence we intend to implement a market penetration strategy that will ensure that we are well known and respected in our industry. We will ensure that our products' prices take into consideration people's budgets, and that these people appreciate the product(s) and know that it exists, including where to find it. However these prices will also take into consideration the cost of production and distribution so as to ensure that we remain viable and operational. The marketing effort will convey the sense of quality and satisfaction in every picture, every promotion, and every publication. Our promotional strategy will involve integrating advertising, events, personal selling, public relations and direct marketing. In the long term internet marketing shall also be undertaken.

Our target markets will primarily constitute the traditional real ale drinkers and general public who appreciate good quality traditional food and beer and a day out for lunch and a stroll around a shop full of interesting local produce. There is also a move towards real ale in the younger sector, who not only look at the difference in price but also the fact that there are no chemical contents and its all natural ingredients. These younger customers constitute a large portion of the market, but will primarily buy from the internet but the common bond will be the appreciation of a good-quality traditional brew able to fulfil their thirst. Blackbeck Brewery Shop will pride itself on its production

COPELAND BOROUGH COUNCIL

28 JUL 2012

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**Excellence in Fulfilling the Promise:** We intend to produce and provide products of uncompromised quality to our customers. This is so as to meet the needs and standards of our customers.

**Effective and Efficient Buying Selling and Distribution Network:** The importance of such cannot be overemphasized in our line of business. We intend to establish an excellent local buying network that will enable us to rapidly respond to customers' needs both in the shop but also in delivering goods which have been ordered on line.

**Loyalty and Dedication:** The loyalty and dedication of our employees shall be essential to the prosperity of the organization. We recognize that staff commitment to success should lead to the survival and prosperity of the products, and ultimately the organization as a whole.

**Adherence to Stringent Values and Principles:** Blackbeck needs to acknowledge the fact that the financial and strategic management of the business will ultimately determine its prosperity and success. Hence we intend to adhere to stringent values and principles that will enable such to be achieved

### 1.3 Mission

Blackbeck Brewery intends to create a pleasant, enjoyable and sociable environment through the provision of refreshing high-quality local food and drink. Hence we intend to assist in the creation of a welcoming and relaxed ambiance reflective of people enjoying themselves. We are sensitive to the taste, look and feel of good food and beer, as well as affordable prices depending on the market. We intend to provide the best possible value to our customers who care about quality local products at affordable prices.

Internally we intend to create and nurture a healthy, creative, respectful and enjoyable work environment, in which our employees are encouraged to respect the customer and the quality of the product we produce. In addition follow-up will be mandatory so as to ensure customer satisfaction and make any improvements as recommended by the customers in future

We have achieved the Bronze CBEN certificate for our commitment to our environment and also the Environmental Award from Copeland Council in recognition of our aim to lower our carbon footprint for innovative work in our brewery. In achieving these awards we feel that our customer will appreciate the commitment we as a company have made to the future.

Our mission is to carefully attend to every detail in the production of all our brews, and to promise continuity in the quality and selection of our local produce.

## Company Summary

Blackbeck Brewery is a relatively new company providing high quality ales and food in the local market. Blackbeck Brewery intends to focus on the brewing process and the brewery itself. The brewery will house five stainless steel vessels whose shiny finish will be highlighted by the flood lights on the ceiling. Interested customers will be able to observe the brewing process during the day and will be offered guided educational tours of the brewing facility.

In future we intend to liaise with local schools and colleges who may be interested in the full process from "grain to glass" where we will guide them through the full process from the plant being harvested to the malting with small demonstrations where children and adults alike can touch and feel the grain the plants and taste the products then onto the process of producing the ales, we intend to offer short courses on the production process and brewing classes.

- Combination of skills in directorship. The directors intend to jointly develop business strategy and long-term plans, having wide experience in product and business know-how.
- Establishment and maintenance of strong capital base.
- An aggressive and focused marketing campaign with clear goals and strategies.

## 4.2 Weaknesses

- Lack of a reputation in comparison to our competitors.
- The introduction of new organizational practices and personnel who have not previously worked together presents a challenge to the company.
- A limited financial base compared to the major players in the industry.

## 4.3 Opportunities

- Specific niche: Appreciation for high-quality ales and locally produced foods and produce
- The new generation of individuals and families has a far greater appreciation of locally produced products
- Current drive by government and social awareness towards the use of locally produced products.
- Internet marketing and sales--though still in its infancy.

## 1. Market Analysis Summary

2. The current drive and emphasis by the government on diversification from the larger industrial base presents an opportunity for Blackbeck Brewery to make a valuable contribution towards achieving this goal. This will result in implementation of brewery farm shop where modern production techniques and transfer of knowledge can be seen and locally produced products can be bought. Having undertaken a thorough and comprehensive research of the market we realized that there was a niche for a brewery/farm shop that focuses on producing affordable thirst quenching brews which can be bought to take home along with other locally produced foods and goods or to bring your friends and family for a great day out and be entertained. Though there are breweries currently on the market, some of whom have been in existence for a relatively long period of time, we believe that there is a market need for one (ourselves in this instance) that particularly focuses on
3. We appreciate that entering such a market is not a bed of roses, particularly as it is monopolistic. Hence we intend to implement an aggressive marketing strategy, well supported by the other business functions. The above prognosis influenced our decision to enter the brewery/farm shop market.

## Sales Strategy

We intend to focus on improving our implementation, by working on key objectives and better coordination of marketing efforts. For the short term at least, the selling process will depend on personal selling and advertising to lure and inform potential clients about the products we offer and the benefits of consuming our home grown products. Our marketing does not intend to affect the perception of need as much as knowledge and awareness of the product categories.

## Sales Forecast

The sales forecast monthly summary which has been produced by our accountants is attached

promotional campaigns, adding leverage to its reputation and image. Undoubtedly this would add confidence and pride in our staff complement as their hard work would be recognized often at the highest levels. Communicating such achievements often gives customers a feeling that they can rely

## **7.4 By-Products**



ITEM NO: 3.



To: PLANNING PANEL

Development Control Manager

Date of Meeting: 15/08/2012

<b>Application Number:</b>	4/12/2246/OF1
<b>Application Type:</b>	Full : CBC
<b>Applicant:</b>	Empirica Investments Ltd
<b>Application Address:</b>	LAND TO THE NORTH WEST OF KIDBURNGILL FARM, LAMPLUGH
<b>Proposal</b>	ERECTION OF A 67M SINGLE WIND TURBINE
<b>Parish:</b>	Arlecdon and Frizington
<b>Recommendation Summary:</b>	Refuse



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## INTRODUCTION

This application relates to an open area of hillside which lies to the west of Kidburngill. The land immediately to the north rises to a maximum height of 215metres.

The land is currently in an agricultural use and is accessed via an existing track which joins onto the minor road which links Rowrah to Lillyhall.

Members deferred this application at the Planning Panel meeting on 20 June 2012 to enable them to visit the site. The site visit took place on 4 July 2012.

## PROPOSAL

Planning permission is sought for the erection of a single wind turbine on the land. The turbine will have a hub height of 45 metres and a total height to blade tip of 67 metres. The transformer will either be housed within the turbine tower or within a small external kiosk at the base of the tower.

Access is to be achieved off an existing track. A crane pad is proposed at the base of the turbine to facilitate the erection of the turbine.

The turbine will be connected to the local grid using underground cables.

The application is accompanied by the following:-

- A site location plan
- An elevation plan
- A design and access statement
- A landscape and visual impact assessment including photomontages
- A noise impact assessment
- An ecological scoping assessment
- A site access statement and feasibility report

## 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 recently came into effect (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 identifies three dimensions to sustainable development, one of which is an environmental role.

The NPPF is ground breaking in that it revokes the majority of the current Planning Policy Statements / National Documents including PPS 22 'Renewable Energy'. Though it should

be noted that the Companion Guide to PPS 22 is still in force and is relevant in so far that it advises how to evaluate renewable energy applications in order to arrive at an objective view and that landscape and visual effects should be assessed on a case by case basis.

The NPPF also seeks to minimise impacts on biodiversity and geodiversity. It states that planning policies should:

- plan for biodiversity at a landscape-scale across local authority boundaries
- identify and map components of the local ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect them and areas identified by local partnerships for habitat restoration or creation;
- promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations, linked to national and local targets, and identify suitable indicators for monitoring biodiversity in the plan.

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.

The need for an up to date development plan is stressed as a basis for decision making however, it does allow full weight to be given to relevant local plan policies adopted since 2004 for a limited period of 12 months from the date of the framework came into effect even if there is a limited degree of conflict with it. Our Copeland Local Plan 2001-2016, which was adopted in 2006, falls into this category. Post this time period due weight is only to be given to policies according to their degree of consistency with the Framework and the stage of preparation of any emerging plans. In this respect of assessing this application it means that full weight can therefore still be given to Policies EGY 1 and EGY 2 of the adopted Copeland Local Plan 2001-2016 (Saved Policies June 2009).

## **Renewable Energy**

As regards renewable energy developments it states that we should:

- Support the transition to a low carbon future in a changing climate, including encouraging the use of renewable resources by the development for example of renewable energy.
- Contribute to preserving and enhancing the natural environment and reducing pollution.
- Encourage the effective use of land by reusing previously developed 'brown field' land.
- Promote mixed use developments and encourage multiple benefits from its use.
- Conserve heritage assets in a manner appropriate to their significance.
- Actively manage patterns of growth.
- Take account of and support local strategies to improve health, social and cultural

well being to meet local needs.

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

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

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

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

### **Cumbria Wind Energy Supplementary Planning Document (SPD)**

The SPD which was adopted in 2008 was 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.

### **Copeland Local Plan 2001-2016 (Saved Policies June 2009)**

Policies EGY 1 and EGY 2 of the adopted Copeland Local Plan 2001-2016 (Saved Policies June 2009) are specifically relevant. The former supports renewable energy developments and sets out the criteria against which all proposals for renewable energy are to be considered. The full Policy is set out below:

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

1. That there would be no significant adverse visual effects.
2. That there would be no significant adverse effects on landscape or townscape character and distinctiveness.
3. That there would be no adverse impact on biodiversity.
4. That proposals would not cause unacceptable harm to features of local, national and international importance for nature or heritage conservation.

5. That measures are taken to mitigate any noise, smell, dust, fumes or other nuisance likely to affect nearby residents or other adjoining land users.
6. That adequate provision can be made for access, parking and any potentially adverse impacts on the highway network.
7. That any waste arising as a result of the development would be minimised and dealt with using a suitable means of disposal.
8. There would be no adverse unacceptable conflict with any existing recreational facilities and their access routes.
9. That they would not give rise to any unacceptable cumulative effects when considered against any previous extant planning approvals for renewable energy development or other existing/ approved utility infrastructure in the vicinity.

Policy EGY 2 refers specifically to wind energy and requires that such proposals meet the criteria set out in EGY 1 above as well as providing for the removal of the turbines when they cease to be operational and site restoration.

Policy ENV 4 of the Local Plan seeks to protect landscape features and habitats. It states that development which may adversely affect habitat will only be permitted if it can be shown that the reasons for the development outweigh the need to retain the feature and that mitigation measures can be provided for which could reinstate and where possible enhance the nature conservation value of the features.

Policy ENV 5 relates specifically to protected species. It states that development which would have an adverse effect upon the conservation interest of any site supporting species protected by law and their habitats will not be permitted. It does indicate that mitigation and compensatory measures will be considered when assessing their impact.

## CONSULTATION RESPONSES

Highways Control Officer

The submitted details only constitute a desk top study for highways issues. The appropriate routing needs to be confirmed which could be achieved using a suitably worded planning condition requiring the submission and approval of a traffic management plan.

#### Environmental health

I am happy with the outlined in the noise assessment which comply with the guidance set out in ETSU-R-97. Therefore a condition setting a maximum noise level should be attached to any planning permission.

#### Natural England

The application site falls within the hen harrier sensitivity area. Hen harriers are protected species and the Council has an obligation to take regard of the impact on hen harriers as a material consideration in its planning decision and a duty to maintain and enhance the population in accordance with its core function.

There has been no survey of the use of the site and its surroundings by wintering hen harriers. Without this information the Local Planning Authority will not be able to make a decision based upon up to date information on the use of the local area by wintering hen harriers and therefore assess any potential impact of a turbine at this location. Therefore a wintering hen harrier survey should be carried out to inform the planning application and the results used to determine whether the turbine in its current position will have an impact on the species and, in light of this, whether any mitigation or compensation measures will need to be taken.

#### Friends of the Lake District

We are concerned about the impact that a structure of this scale would have in this location. The turbine will be situated on a prominent ridge, which is clearly visible from the western Lake District fells. The turbine will be widely visible across the local landscape within a 7 km radius. This area includes Copeland's highest quality landscapes, as denoted by the Landscape of County Importance designation.

The potential landscape and visual impact of this proposal upon the local area and National Park is therefore significant and does not accord with the planning policies outlined in the adopted development plan policies.

#### Lake District National Park Authority

No objections. We are of the opinion that the special qualities of the National Park and its setting would not be significantly adversely affected by the proposal. The sensitivities in this area for us are the intervisibility between the upland edge, the coastal plain and the sea i.e. views into and out of the National Park. Tall vertical structures such as wind turbines might interrupt this to negative effect. In this case however I believe that the receiving landscape has the capacity to accommodate

a single turbine at 67 metres to blade tip height at this site without significant harm to the National Park.

Cumbria County Council Spatial Planning Team

The County Council do not consider this to be a category 1 application and therefore do not intend to respond from a strategic planning perspective.

RSPB

The proposal falls within the hen harrier sensitivity area. The RSPB would support the undertaking of vantage point surveys for determining use of the site primarily by hen harriers, focussing on dusk for roosting birds and some daytime observation (winter walkover) for foraging birds. A breeding bird survey visit would also be recommended to pick up any use by priority bird species known to be affected by wind turbine developments via disturbance displacement.

Other 5 letters of objection have been submitted which raise the following points:-

- the turbine will be a dominant structure which will have an adverse visual impact on the character and appearance of the local area including the National Park
- the turbines will have adverse impacts on residential properties in terms of noise, vibration and shadow flicker
- The turbines will have no benefit to the local area
- The turbine will have an adverse impact on tourism and the economy of the area
- There has not been any community consultation on this proposal
- The local roads are not adequate for a large construction project
- The turbine raises potential impacts to low flying aircraft
- Adverse impact on the local wildlife population within the valley
- This proposal will set a precedent for other turbines within the area.

## ASSESSMENT

It is accepted in this instance from the supporting documentation accompanying the application that it is likely there would be no negative effects of erecting such a large single turbine in this location in relation to the issues of noise, shadow flicker, transport and access and heritage / archaeology as detailed below:

- 6) Noise: The supporting case contends that any noise arising from the turbine in operation would be below the recommended level and would have no impact on surrounding properties. The Environmental Health Officer has confirmed that noise issues raised by the



turbine can be adequately dealt with by the use of appropriately worded conditions attached to any planning permission.

- 7) Shadow Flicker: The accompanying assessment concludes that no additional shadow impacts will affect the adjoining houses than that created by the existing wind turbines in the area.
- 8) Transport and Access. Access to the site already exists and the Highway Authority raise no objections to the proposal. Whilst construction would increase traffic movements to the site this would only be temporary. Operational traffic will be insignificant.
- 9) Heritage and Archaeology. There are no conservation areas, ancient monuments or listed buildings likely to be affected in the vicinity.

However, despite the above there are significant concerns relating to landscape, visual and cumulative effects of the proposal and also the potential impacts on a protected species which are material and deemed to carry considerable weight.

### **Landscape, Visual and Cumulative Impacts**

The site comprises an elevated green field location which is open in character and has extensive views across moorland and higher farmland to the north and south. It lies in close proximity to the National Park boundary. Its quality is recognised by its designation as a County Landscape.

The wind energy SPD identifies the site as being within the wider "Moorland Hills and Low Plateau types". It describes this type as having a moderate capacity to accommodate turbines.

The Cumbria Landscape Character Guidance and Toolkit (March 2011) identifies the land in the vicinity as "Character Area 9d "Ridges". The guidance acknowledges that these are generally open, large scale landscapes which have wide, expansive and often uninterrupted and striking views of the Lakeland Fells. These provide drama and reinforce the sense of wilderness that are sensitive to changes in land management and significant infrastructure development.

The vision for this area is that the landscape will be conserved and enhanced. It states that development will be carefully controlled in order to ensure ridges aren't cluttered or dominated by new development. The fragmenting pattern of rough moorland will be repaired, significantly enriching the wildlife and visual interest of these areas. The remnant heather and rough pasture will be improved and extended. Existing features will be enhanced and new features will be created such as tarns, wetlands and small woods creating dramatic focal features in a predominantly open landscape. The pattern of stone walls, hedges and woodlands on lower slopes will be conserved and maintained.

The guidance stresses that the siting of large scale wind energy, other vertical structures such as telecommunications masts, pylons and overhead transmission lines in open and prominent areas should be avoided where it could degrade the open and expansive character.

This proposal is for a tall structure, some 67 metres in overall height, in a prominent and elevated location which is open to views from both the immediate and wider locality. There are no wind turbines within this localised area and the landscape is devoid of any vertical structures. In my opinion the proposed turbine would constitute a prominent feature incongruous in its surroundings. As a result it will have a materially harmful effect on the character and appearance of the surrounding rural landscape contrary to criterion 2 of Policy EGTY of the Local Plan.

### **Impacts on Protected Species**

This site lies within the hen harrier bird sensitivity area as defined by the RSPB. The site is located close to an area used by wintering hen harriers and there is potential for disturbance of this species. Hen harrier numbers within Britain are small and this species are listed on Annexe 1 of the EC Birds Directive which affords them a high level of protection.

Both the RSPB and Natural England have raised concerns with regards to the potential impact that this turbine may have on the hen harrier population in this locality. The applicant's agent has been alerted to these concerns and has been asked to submit additional information with regards to the potential impact on hen harriers. To date no additional information has been supplied.

In view of this there is insufficient information available to confirm that this proposal will not have an adverse impact on the population of hen harriers.

### **CONCLUSION**

Being mindful of the new policy context under which this application should be assessed, and the fact that the NPPF introduces a presumption in favour of such sustainable development with emphasised support for the delivery of renewable, providing that the impacts of such schemes are or can be made acceptable, allows full weight to be given to the existing renewable energy policies of the Copeland Local Plan. Taking this and the above into account I am of the view that the proposed erection of such a large scale wind turbine in this location would have a significant adverse impact on the character and appearance of the surrounding landscape which cannot be made acceptable by mitigation. The benefits which would result from this proposal are not considered to be sufficient to outweigh these impacts. On this basis the proposal is considered to be contrary to Policies EGY 1 and EGY 2 of the Copeland local Plan and the NPPF.

The evidence submitted in relation to hen harriers is not considered to be sufficient to conclusively demonstrate that this turbine will not have an adverse impact on the internationally important population of hen harriers which utilise the local area. This view is supported by both the RSPB and Natural England.

**Recommendation:-**

Refuse for the reasons below:-

**Reason for Decision**

1. The proposed siting of one large turbine, some 67 metres in overall height, would introduce a prominent feature within the landscape which would have a materially harmful effect on the character and appearance of the surrounding rural landscape, contrary to Policies EGY 1 and EGY 2 of the adopted Copeland Local Plan 2001-2016 (Saved Policies June 2009).
2. Based upon the submitted information the Local Planning Authority do not consider that it has been established that the proposed wind turbine will not have a detrimental impact on both the nearby roosting and foraging areas for hen harriers. As a consequence this proposal would be contrary to Policies ENV 4 and ENV 5 of the adopted Copeland Local Plan 2001-2016 (Saved Policies June 2009).

ITEM NO: 4.



To: PLANNING PANEL

Development Control Manager

Date of Meeting: 15/08/2012

<b>Application Number:</b>	4/12/2259/001
<b>Application Type:</b>	Outline : CBC
<b>Applicant:</b>	High Grange Developments Ltd
<b>Application Address:</b>	LAND OFF HOPEDENE, MILL HILL, CLEATOR MOOR
<b>Proposal</b>	OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT OF 66 DWELLINGS INCLUDING ASSOCIATED INFRASTRUCTURE
<b>Parish:</b>	Cleator Moor
<b>Recommendation Summary:</b>	Approve in Outline (commence within 3 years)



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## INTRODUCTION

This application relates to an area of land which lies adjacent to the existing housing estate at Mill Hill. The land is currently allocated for residential development in the adopted Copeland Local Plan 2001-2016.

Members deferred this application at the Planning Panel meeting on 20 June 2012 to enable them to visit the site. The site visit took place on 4 July 2012.

## PROPOSAL

This application seeks outline planning permission for the erection of 66 dwellings on the site. The land is divided into two distinct areas. Area one is currently flat grazing land adjacent to the existing

houses at Mill Hill. Area two is a former mine which was subsequently used for the deposit of iron ore waste.

Although only in an outline form an indicative layout plan has been submitted which illustrates how 66 dwellings can be accommodated on the site. The dwellings have been divided into small courtyards and this will enable the site to be developed in phases. It is proposed to provide a mix of housing types including detached, semi detached, semi linked town houses and bungalows. The applicants have also confirmed that the maximum height of any building on the site will not exceed 9.5 metres.

It is proposed that the former slag heap will be reclaimed as part of this development to provide an environmental improvement to the locality. The existing public footpath which borders the site will remain unaltered.

Access to the whole site is to be achieved from a single road leading off the existing road network which serves the Mill Hill estate. It is proposed to carry out improvements to the approach road in conjunction with the Highway Authority to accommodate the scale of development proposed.

The following information has been submitted with the application:-

- an indicative layout plan
- a plan showing proposed improvements to the approach road
- a design and access statement
- a supporting planning statement
- a statement of flood risk
- a phase 1 desk study
- a site investigation report
- an envirocheck report
- survey for great crested newts and orchids and a subsequent addendum to the report

## CONSULTATION RESPONSES

### Town Council

A number of residents have raised objections to using Hopedene as the access point to the development as it is very narrow and not suitable for volumes of heavy traffic. It would also

specifically affect a blue badge holder's daily routine if the option to park in the road is removed. A parking bay some distance away would be totally unusable for this person. The use of the estate road would also have safety issues for existing residents and also children who use the existing play area.

Members welcome the development of new housing but feel that the issue over the access road constitutes a material planning consideration and a different route into the development should be sought. A possible solution would be to purchase extra land from the Coal Industry Social Welfare Organisation who owns the adjoining field.

#### Highways Control Officer

As with all highways issues, the starting point is always that the Highway is a place to pass and re-pass. It does not provide for an allocated parking space for an individual dwelling.

However the location/form of the replacement parking is not yet set and has to be agreed. The specific details of this can be achieved by using a planning condition. The fact that we are now aware of the issues raised locally will inform that process.

The location of the traffic calming shown on the layout plan is indicative only. It is only to inform the Highway Authority of the proposal to introduce traffic calming. I trust that the developer will consider alternative solutions, perhaps a speed table rather than a road narrowing and provide driveways to the fronts of houses in lieu of parking to the rear.

#### Natural England

The protected species survey has identified that Great Crested Newts, a European protected species may be affected by this application.

The submitted survey is not clear enough to decide whether there are suitable features on the application site for newts for example ponds, hibernation sites, foraging habitat, commuting corridors following a Habitat Suitability Index. Therefore further survey work is required in accordance with Natural England's Great Crested Newt mitigation guidelines. If this is not provided then the application should be refused.

#### United Utilities

United Utilities has carried out an internal assessment of Cleator Wastewater Treatment Works (WwTw) as part of an initiative to ensure greater governance and clarity for wastewater treatment works experiencing capacity issues. This information is held internally and has been used to assess the capacity constraints at Cleator WwTw. The assessment indicates current flow capacity issues.

To resolve the capacity issue United Utilities is undertaking a multi million pound investment scheme to upgrade Cleator WwTw. The project will be completed by March 2015.

Our Network Operations team carried out site investigations during March 2012. The investigations established that the wastewater network system adjacent to the site can currently only serve the existing population of domestic residents.

United Utilities will have no objection to the proposed development providing specific conditions are imposed which prevents any development taking place until the Cleator Wastewater Treatment Work has been completed by United Utilities and which prevents any connection to the public sewer network until after March 2015. No surface water from the development shall be discharged into the public sewer system. All details of surface water and foul drainage shall be agreed by United Utilities once the Cleator WwTw improvement scheme is completed. The applicants also need to be aware of a trunk main which lies adjacent to the proposed development site. An access strip of 10 metres will be required.

#### Environment Agency

No objection in principle. There has been previous surface water flooding to the south of the site due to the main river being overloaded and at capacity. Consequently we would not wish to see any proposal to discharge surface water to the main river system. The drainage scheme proposed should provide a sustainable drainage strategy to include SUDS elements with attenuation, storage and treatment capacities incorporated.

In terms of potential risks from land contamination on controlled waters the site appears to pose relatively low risks to controlled waters. A condition should be attached which sets out the procedure for dealing with any contamination that is found during development.

#### Flood and Coastal Defence Engineer

The site lies within Flood Zone 1. For development proposals on sites comprising one hectare or above, the vulnerability to flooding from other sources as well as from river and sea flooding, and the potential to increase flood risk elsewhere through the addition of hard surfaces and the effects



of the new development on surface water runoff should be incorporated into a Flood Risk Assessment.

#### Coal Authority

The Coal Authority concurs with the recommendations of the Phase 1 Desk Study that coal mining legacy potentially poses a risk to the proposed development and that further investigation works should be undertaken prior to the development in order to establish the exact situation regarding coal mining legacy issues on the site.

The Coal Authority raises no objections provided that the Local Planning Authority imposes a planning condition on any approval which requires the gas monitoring and further site investigation works in respect of the mine entries to be undertaken prior to the commencement of development.

#### Planning Policy

The site is a mix of previously developed land and greenfield land that has been allocated for housing in the adopted Copeland Local Plan 2001-2016. It is made up of two parts, both of which are within the settlement boundary of Cleator Moor. On that basis housing is supported on this site subject to satisfactory land remediation, phasing, affordable housing, open space and any other identified developer contributions considered to be appropriate in this case.

#### Spatial Planning, Cumbria County Council

We do not consider this application to be a Category 1 application. Consequently the County Council will not be responding from a strategic planning perspective. We take this approach because the proposed development is located on a site that is allocated in the Local Plan.

#### Historic Environment Officer, Cumbria County Council

No objections

#### Copeland Disability Forum

We are not oppose to the development but cannot support the proposed access route planned to serve it. The proposed replacement parking will not be suitable for one of the residents who is a blue

badge holder. The proposed traffic calming directly outside their house will also prevent them from parking close to their property. There are also other elderly residents on the estate who park outside their homes.

A possible alternative route should be considered which does not disrupt the residents

Crime Prevention Design Advisor

I have encouraged the applicant to construct the dwellings to Secure by Design specifications

Other

Four letters of objection and three petitions containing a total of 39 signatures have been received in opposition to the proposal. They raise the following issues:-

- the proposed access off Hopedene is not adequate to deal with the additional traffic
- the access route will cause safety issues to all residents, especially children using the playing field
- the existing junction onto the Whitehaven/Cleator Moor Road is unsafe and cannot accommodate the additional traffic that would result from this proposal
- the traffic calming will severely affect existing residents including a blue badge holder and several elderly people who have lived on the estate for many years
- the existing public sewer is not adequate to cope with the additional flows that will result from this proposal
- Loss of a greenfield site
- Impact on existing wildlife and flora including lizards on the slag bank
- Adverse impact on views of the surrounding countryside

## PLANNING POLICY

### National Planning Policy

The Governments Planning Policies are set out in the National Planning Policy Framework (NPPF) which was introduced in March 2012.

The NPPF outlines that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 7 defines a social role as one of the three dimensions to sustainable development. Sustainable development involves supporting strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations.

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.

The NPPF confirms that development should be approved that accords with the development plan.

#### Local Planning Policy

The adopted Copeland Local Plan 2001-2016 seeks to achieve sustainable forms of development. Policy DEV 2 designates Cleator Moor as being one of the four key service centres where development should be focussed. Policy DEV 4 of the adopted Copeland Local Plan 2001-2016 sets a preference for the development of brown field sites within the development boundary.

Policy DEV 6 encourages sustainable forms of design.

The site is allocated under Policy HSG 2 of the Local Plan for residential development.

Policy HSG 4 permits housing redevelopment within settlement boundaries. Policy HSG 8 sets out the design standards that all new housing developments should meet.

#### Emerging Local Development Framework.

The adopted Local Plan is due to be replaced by a Local Development Framework. The Emerging Core Strategy has undergone a process of public consultation and therefore carries some weight in determining planning applications.

Policy ST2B of the Core Strategy permits appropriately scaled development in Cleator Moor.

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

#### ASSESSMENT

This site has been allocated for residential development for a number of years. It falls within the defined development boundary for Cleator Moor, which is designated as a Key Service Centre where new development should be focussed. On this basis the principle of residential development on the site is already established.

The key issues raised by this application relate to ecology, affordable housing, access, drainage and community benefits.

### Ecology

A detailed ecology report has been submitted with the application which deals with the effects of this proposal on both Great Crested Newts and Orchids. Natural England were not satisfied that this report was adequate in that it did not provide sufficient information regarding the suitability of the habitat at Hope Pit for Great Crested Newts. The applicants have now submitted an addendum to their original report which provides additional information on this issue. Natural England has been consulted and their response is anticipated prior to the meeting. Members will be updated on any response at the meeting.

### Affordable Housing

The applicants have indicated that they contacted three Housing Associations before submitting the application. The Home Group were the only ones to respond and they have advised that they already have vacant properties within the locality and therefore they do not consider that there is a need for any affordable housing in this locality.

The Councils Strategic Housing Market Assessment outlines that only one affordable dwelling is required for Cleator Moor within the period 2010-2015. This confirms that there is not an affordable housing need locally.

### Access

The submitted application proposes access off the existing estate road at Hopedene. Members are advised that alternative means of access outside the applicants control cannot be considered. The application has to be determined on the basis of the information that has been submitted.

County Highways have indicated that they are not opposed to the proposed access into the site although they would wish to see some form of traffic calming on the existing estate road. These works fall outside the application site but would be controlled through a legal agreement.

The issues raised by local residents have been discussed with the Highways Officer. He has indicated that the location of the traffic calming as shown on the submitted layout is indicative only and is only to inform the Highway Authority of the proposal to introduce traffic calming. He has indicated that he is prepared to discuss alternative solutions with the applicants. He has suggested that the use of a speed table rather than a road narrowing proposal may be advantageous and providing driveways to the front of houses rather than parking to the rear may be more convenient to existing residents.

In terms of direct access into the site the Home Group have now agreed to provide access across their land which will allow the entrance into the land from Hopedene to be achieved.

### Drainage

United Utilities have indicated that there is not sufficient capacity in the existing sewage network to accommodate this development. They have advised that plans are in place to upgrade the Waste Water Treatment Works in Cleator Moor but this will not be complete until March 2015. Consequently they have suggested conditions which restrict development until the upgrade has been carried out.

In response to this the applicants have entered into further dialogue with United Utilities with regards to a potential phasing of development which would allow some development to take place on the site. United Utilities have yet to respond to this proposal. Any response received will be reported at the meeting.

Notwithstanding this the site has been allocated for residential development in the development plan for a number of years. United Utilities were party to the allocation of this land and they have a duty to make provision for new development. If an agreement cannot be achieved then the applicant could provide a private treatment works to serve the development until such time as the existing WwTW have been upgraded. A suitably worded condition could be imposed on any planning permission which requires a scheme of drainage to be agreed with the Local Planning Authority before development commences.

### Community Benefits

The applicants have had some dialogue with the Town Council regarding the drainage of the playing field to the west of the application site. The Town Council have identified that the community would like improvements to the play area at Mill Hill and a community group has been formed to pursue this project. The play area has drainage problems which would need to be resolved prior to the installation of any play equipment on the site. In response to this request the applicants have agreed that they would be prepared to assist with the drainage of this playing field subject to a detailed design being provided by an appropriately qualified land drainage engineer.

### **CONCLUSION**

The outstanding issues can be resolved and the development of this site for housing is fully in accordance with the policies outlined in the adopted Copeland Local Plan. The development would

also have the benefit of removing the remnants of former mining activity from the site and also assisting with improvements to an existing play area.

**Recommendation:-**

Approve in outline (commence within 3 years)

**Conditions**

1. The layout scale, appearance, means of access thereto and landscaping shall be as may be approved by the Local Planning Authority.

Reason

To comply with Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. Detailed plans and drawings with respect to the matters reserved for subsequent approval shall be submitted to the Local Planning Authority within three years of the date of this permission and the development hereby permitted shall be commenced not later than the later of the following dates:-

- a) The expiration of THREE years from the date of this permission

Or

- b) The expiration of TWO years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason

To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

4. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy detailing how this unsuspected contamination shall be dealt with to the Local Planning Authority for written approval. The remediation strategy shall be implemented as approved.

Reason

To ensure that the proposed development complies with the requirements of paragraph 109 of the National Planning Policy Framework.

0. Prior to the commencement of development the applicant shall undertake gas monitoring and further site investigation works in respect of the mine entries as recommended in paragraphs 7.2.1 – 7.2.3 and 7.2.5 – 7.2.7 of the Phase 1 Desk Study. In the event that the site investigation works confirm the need for remedial works to treat the mine entries and./or any other mitigation measures (e.g. gas protection) to ensure the safety and stability of the proposed development, these works should also be undertaken prior to the commencement of the development.

Reason

For the avoidance of doubt and in order to establish the exact situation regarding coal mining legacy issues on the site.

5. 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. These details shall be in accordance with the standards laid down in the current *Cumbria Design Guide*. 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.

6. The new access road into the site shall be constructed and brought into use prior to the occupation of any dwelling that takes access off that part of the access road.

Reason

To ensure that the proposed new access road is constructed within a reasonable timescale, in the interests of highway safety.

7. Details showing the provision of the replacement parking for the residents of 1-6 Hopedene shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development on the site. The approved spaces shall be constructed prior to the first occupation of any of the dwellings hereby approved and shall be maintained at all times thereafter.

Reason

To ensure that adequate provision is made for the existing properties along the approach road in the interests of highway safety.

8. Prior to the commencement of development on the site a plan showing the provision for the parking of any vehicle engaged in the construction operations associated with the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. This land, including access thereto, shall be used for or kept available for these purposes at all times until completion of the construction works on the site.

Reason

For the avoidance of doubt and to minimise inconvenience and danger to road users.

9. Prior to the commencement of development on the site full details of the surface water drainage for the highway shall be submitted to and approved in writing by the Local Planning Authority. Any approved works shall be implemented prior to the development being completed and shall be operational at all times thereafter.

Reason

In the interests of highway safety and environmental management

10. Before development commences full details of the foul and surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall become operational before the development is brought into use and shall be so maintained thereafter.

Reason

To ensure the provision of a satisfactory drainage scheme.

11. Prior to the commencement of development on the site a detailed scheme which outlines the phasing for development in the site shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details at all times thereafter.

Reason

For the avoidance of doubt



## **INFORMATIVES**

1. United Utilities have specified that no surface water, highway drainage or land drainage from the proposed development shall be discharged into the public sewer system.
2. No obstruction to the public right of way (FP403001) which lies adjacent to/runs through the site shall occur during or after the completion of the site works.
3. United Utilities has advised that the development should not be connected to the public sewer until the Cleator Waste Water Treatment Works has been upgraded. These works are scheduled to be completed by March 2015.
4. A large diameter trunk main is laid across/adjacent to the site. The applicant must comply with United Utilities standard conditions for work carried out on or when crossing aqueducts and easements. This will involve an access strip of 10 metres in total.

### **Reason for Decision**

An acceptable housing scheme on this allocated site which lies within the designated development boundary for Cleator Moor in accordance with Policies DEV 2, DEV 4, DEV 6, HSG 2 and HSG 4 of the adopted Copeland Local Plan 2001-2016.

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ITEM NO: 5.

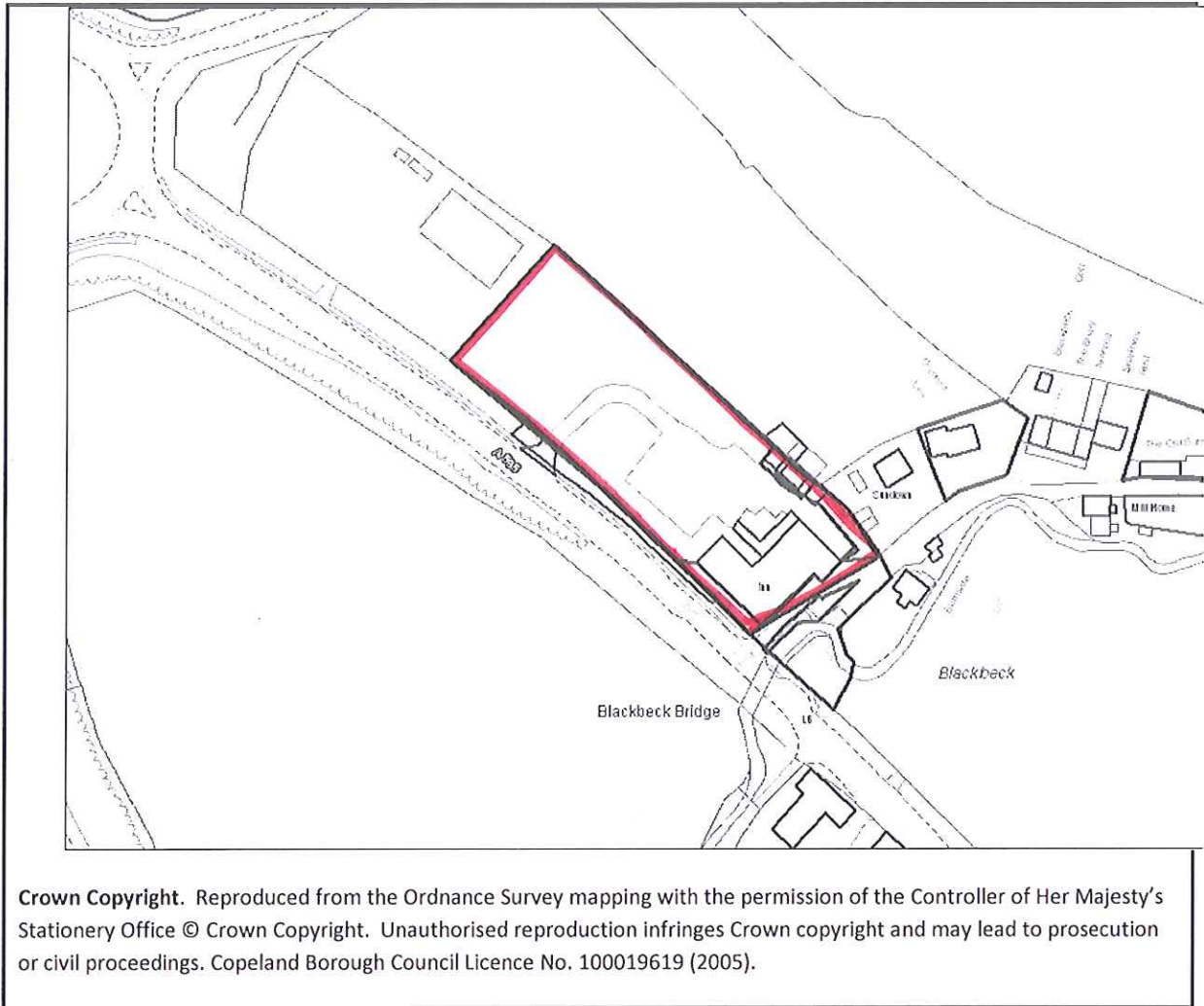


To: PLANNING PANEL

Development Control Manager

Date of Meeting: 15/08/2012

<b>Application Number:</b>	4/12/2327/OF1
<b>Application Type:</b>	Full : CBC
<b>Applicant:</b>	Mrs B Taylor
<b>Application Address:</b>	BLACKBECK HOTEL, BLACKBECK, EGREMONT
<b>Proposal</b>	CHANGE OF USE FROM SHED TO BREWERY & ERECTION OF TWO BBQ HUTS (RETROSPECTIVE)
<b>Parish:</b>	Haile
<b>Recommendation Summary:</b>	Approve



## BACKGROUND

Planning permission was granted in 2004 for the erection of a detached outbuilding within the grounds of the Blackbeck Hotel to provide a garage, laundry and store (4/04/2740/0F1 refers). Part of this building is now being used, without planning permission, as a brewery.

Two bbq huts have also been erected within the grounds of the Hotel, again without the benefit of planning permission.

Members visited the site on Wednesday 6 June 2012 to consider a concurrent application for the development of a brewery/farm shop and function room facility within the Hotel grounds (4/12/2195/0F1 refers). During this site visit Members took the opportunity to look at the unauthorised brewery and bbq huts.

## PROPOSAL

This application seeks planning permission, in retrospect, to change the use of part of this building to a brewery and for the siting of two bbq huts. According to the application, the brewery has been

operating since March 2012.

This long established hotel is located along the A595 to the south of Egremont and in close proximity to the heavily trafficked roundabout which provides the main access to Sellafield. There are approximately 10 dwellings at Blackbeck, mostly located to the north east of the hotel.

The detached brewery building sits to the north of the main hotel building, fronting onto the car park. It has smooth white rendered walls, a grey tiled roof covering and white upvc windows and doors. It also has a garage door to the front.

Internally, the brewery equipment is located within the south-eastern section of the building, accessed through the pedestrian door in the front elevation. The north-western section of the building is still used as a store and laundry facility for the Hotel.

To the immediate northwest of this building and also fronting the car park are the two bbq huts. They are located on a grassed area and bounded by small stone walls.

The bbq huts are identical in size measuring 3.8m in width, at their widest point and 4.0m in height and are available for use by Hotel residents. They are of a timber construction, hexagonal in shape and have pitched roofs, with a tile effect cladding. There is a central flue serving each of the huts. One hut has been painted a blue/green colour whilst the other remains a natural colour.

The brewery is open from 10am to 4pm Monday to Friday.

## CONSULTATIONS

The Highways Agency offers no objection.

Haile Parish Council – no comments received.

Environmental Health – no comments received.

No comments have been received in respect of neighbour notification and publicity procedures.

## PLANNING POLICY

The Government has recently published the National Planning Policy Framework which sets out the new planning guidelines at a national level. The NPPF includes a presumption in favour of sustainable development. Building a strong, competitive economy and supporting a prosperous rural economy are encouraged as part of the goal of securing sustainable development.

The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Therefore significant weight should be placed on the need to support economic growth through the planning system (para. 19). Investment in business should not be over-burdened by the requirements of planning policy expectations and local planning authorities

should support existing business sectors and allow a rapid response to change in economic circumstances (para. 21).

To deliver a prosperous rural economy local planning authorities should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. Plans should support the sustainable growth and expansion of all types of business enterprise in rural areas, both through conversion of existing buildings and well designed new buildings and support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations (para.28).

The NPPF requires proposals to be determined in accordance with the development plan unless material considerations determine otherwise. It allows full weight to be given to relevant local plan policies until March 2013. The adopted Copeland Local Plan 2001-2016, falls into this category.

In respect of this application, given that the site is located outside of any of the defined settlement development boundaries for the Borough the key policies of the adopted Local Plan identified below remain relevant to its assessment.

DEV 1 'Sustainable Development and Regeneration' expects all development to contribute to achieving a sustainable regeneration of the Borough.

DEV 4 'Development Boundaries' advocates a sequential approach to development, firstly through the reuse of existing buildings; secondly on previously developed sites, and only then on previously undeveloped land.

DEV 5 'Development in the Countryside' seeks to protect the quality and character of the wider countryside and sets out the types of development that will be permitted outside the defined Key Service and Local Centres. Amongst other things, this includes leisure or tourism development; development within existing employment sites and development for community purposes.

DEV 6 'Sustainability in Design' sets out the sustainable design principles which all new development should adopt.

EMP 4 'Extension of an existing employment use' permits the extension of an existing employment use which meets the requirements of other plan policies.

RUR 1 'Economic Regeneration in Rural Areas' supports small scale, ancillary development for employment purposes in rural areas subject to criteria.

## ASSESSMENT

There is a clear consensus at both national and local level that the planning system should seek to encourage the expansion and/or diversification of existing rural businesses which will ultimately help meet the goal of achieving sustainable development. This is of particular importance given the current economic climate.

Policy EMP 4 of the Local Plan clearly supports the extension of existing employment uses and Policy RUR 1 of the Local Plan seeks to support employment uses in rural areas subject to the proposal representing an acceptable form of development. In particular, the use should be compatible with the character and appearance of the surrounding landscape or built environment. Also, the proposal should not have a significant adverse traffic impact.

The brewery sits within the wider hotel complex adjacent to the heavily trafficked A595 from which there is an existing access. There is sufficient on-site parking within the grounds of the hotel and the Highways Agency has raised no objections to this application. In this respect, the brewery as currently operated is considered to be compatible with this location and is unlikely to give rise to an adverse traffic impact.

The bbq huts, as erected, are considered to be of an appropriate scale and design and sit neatly within the confines of the hotel complex. They represent a quirky form of development which will aid the applicant in varying the existing dining options offered at the hotel.

Whilst we are not aware that any complaints having been made in respect of these unauthorised developments, careful consideration should be given to the balance between allowing the business to develop whilst protecting the amenity interests and character of the area. In this respect, appropriate conditions are therefore recommended to control future activities.

On balance, it is considered that the proposal complies with the above planning policies and, as such, it is recommended that planning permission be granted.

**Recommendation:-**

Approve

**Conditions**

1. The brewery use and bbq huts hereby permitted shall be operated in association with the existing business known as the Blackbeck Hotel, Blackbeck, Egremont, Cumbria, CA22 2NY only and for no other purpose whatsoever.

**Reason**

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

2. The brewery use hereby permitted shall not be open to the public outside the hours of 10am to 4pm Monday to Friday.

Reason

To minimise potential disturbance to nearby residences and to safeguard the amenities of the locality.

**Reason for Decision**

The brewery, as operated, represents an acceptable alternative use for part of this existing garage/store/laundry building and the bbq huts, as constructed, represent an acceptable form of development in association with this established hotel facility in accordance with Policies DEV 1, DEV 4, DEV 5, DEV 6, EMP 4 and RUR 1 of the adopted Copeland Local Plan 2001 – 2016 and the National Planning Policy Framework.

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ITEM NO: 6.



To: PLANNING PANEL

Development Control Manager

Date of Meeting: 15/08/2012

<b>Application Number:</b>	4/12/2359/0F1
<b>Application Type:</b>	Full : CBC
<b>Applicant:</b>	Mr K A Young & Ms A Birkett
<b>Application Address:</b>	LAND ADJACENT TO 7 HENSINGHAM ROAD, WHITEHAVEN
<b>Proposal</b>	DETACHED DWELLING WITH INTEGRAL GARAGE (RESUBMISSION)
<b>Parish:</b>	Whitehaven
<b>Recommendation Summary:</b>	Site Visit





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## INTRODUCTION

This application relates to an area of land which lies adjacent No 7 Hensingham Road. The site is currently in use as garden land associated with the main property and slopes towards Hensingham Road.

## PROPOSAL

This application seeks planning permission for the erection of a detached dwelling on the land. The dwelling is to be sited on the western portion of the plot and will front onto Hensingham Road. It has been sited to follow the existing frontage of development in this locality.

The building has been designed as a split level house to take account of the slope across the site. Two floors of habitable accommodation are to be created with the upper floor being accommodated

within the roof space. This will restrict the ridge height so that it is consistent with the adjoining dwelling.

A garage is to be incorporated within the undercroft of the building and this will be accessed directly off Hensingham Road using the existing driveway and entrance. A parking and turning area is to be created in front of the dwelling to enable vehicles to leave and enter the site in a forward direction.

The land is to be sub divided to ensure that an area of garden land is allocated to both the proposed dwelling and the applicants existing dwelling.

It is also proposed to create two parking spaces on the land in front of the adjoining property to compensate for the loss of the parking spaces which will result from the loss of this garden land.

The site is adjoined on its northern side by an existing detached dwelling which lies in close proximity to the northern boundary of the site. This dwelling has window openings on its side gable elevation overlooking the site.


The following information has been submitted with the application:-


- a site location plan
- detailed layout and elevation plans
- a design and access statement
- a supporting planning statement

As this application raises issues with regards to the suitability of a greenfield site for infill development and also the potential impact on the amenities of the adjoining property it is considered appropriate for Members to visit the site before reaching a decision.

**Recommendation:-**

Site visit

Date From 09/07/2012 

Date To 06/08/2012 

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1 of 6 100%

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## List of Delegated Decisions

**Selection Criteria:**

**From Date:** 09/07/2012

**To Date:** 06/08/2012

**Printed Date:** Tuesday, August 07, 2012

**Printed Time:** 8:51 AM

58

<b>Application Number</b>	4/12/2239/0F1
<b>Applicant</b>	Mr T Chatterley
<b>Location</b>	ORCHARD HOUSE, LAMPLUGH
<b>Proposal</b>	SELF CONTAINED ANNEX ABOVE GARAGE TO PROVIDE LIVING ACCOMMODATION
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	12 July 2012
<b>Dispatch Date</b>	12 July 2012
<b>Parish</b>	Lamplugh

<b>Application Number</b>	4/12/2252/0F1
<b>Applicant</b>	Mr S Tyson
<b>Location</b>	LAND AT 29 HOPE STREET, MILLOM
<b>Proposal</b>	CHANGE OF USE OF LAND TO FORM EXTENSION TO DOMESTIC CURTILAGE
<b>Decision</b>	Approve
<b>Decision Date</b>	10 July 2012
<b>Dispatch Date</b>	10 July 2012
<b>Parish</b>	Millom

<b>Application Number</b>	4/12/2255/0F1
<b>Applicant</b>	St Bees Parish Council
<b>Location</b>	LAND LEADING TO CAR PARK, ADJACENT TO SEASPRAYS, SEAMILL LANE, ST BEES
<b>Proposal</b>	RE-SITING OF MILLSTONE HERITAGE FEATURE (RETROSPECTIVE)
<b>Decision</b>	Approve
<b>Decision Date</b>	9 July 2012
<b>Dispatch Date</b>	9 July 2012
<b>Parish</b>	St. Bees

<b>Application Number</b>	4/12/2256/0F1
<b>Applicant</b>	Mr B Bowness
<b>Location</b>	43 MAIN STREET, EGREMONT
<b>Proposal</b>	CHANGE OF USE OF FORMER PUBLIC HOUSE TO RESIDENTIAL
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	10 July 2012
<b>Dispatch Date</b>	10 July 2012
<b>Parish</b>	Egremont

<b>Application Number</b>	4/12/2261/0L1
<b>Applicant</b>	Mr Coulthard
<b>Location</b>	11 FOXHOUSES ROAD, WHITEHAVEN
<b>Proposal</b>	LISTED BUILDING CONSENT FOR NINE REPLACEMENT WINDOWS (RE-SUBMISSION)
<b>Decision</b>	Approve Listed Building Consent (start within 3yr)
<b>Decision Date</b>	9 July 2012
<b>Dispatch Date</b>	9 July 2012
<b>Parish</b>	Whitehaven

<b>Application Number</b>	4/12/2268/0F1
<b>Applicant</b>	Mr P Curnow
<b>Location</b>	30 TRUMPET ROAD, CLEATOR
<b>Proposal</b>	LOFT CONVERSION WITH FRONT & REAR DORMER WINDOWS

<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	12 July 2012
<b>Dispatch Date</b>	12 July 2012
<b>Parish</b>	Cleator Moor

<b>Application Number</b>	4/12/2269/0F1
<b>Applicant</b>	Woodhouse Farm Landscapes Ltd
<b>Location</b>	FORMER WHEATSHEAF INN, 29 BIRKS ROAD, CLEATOR MOOR
<b>Proposal</b>	CHANGE OF USE FROM PUBLIC HOUSE TO PROVIDE ADDITIONAL LIVING ACCOMMODATION (FLAT) ON GROUND FLOOR
<b>Decision</b>	Approve
<b>Decision Date</b>	12 July 2012
<b>Dispatch Date</b>	12 July 2012
<b>Parish</b>	Cleator Moor

<b>Application Number</b>	4/12/2270/0F1
<b>Applicant</b>	Mr D Brown
<b>Location</b>	4 FOU MART HILL, FRIZINGTON
<b>Proposal</b>	TWO STOREY SIDE EXTENSION & ERECTION OF DETACHED GARAGE
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	12 July 2012
<b>Dispatch Date</b>	12 July 2012
<b>Parish</b>	Arlecdon and Frizington

<b>Application Number</b>	4/12/2271/0F1
<b>Applicant</b>	Mr S Green
<b>Location</b>	45 MARKET PLACE, WHITEHAVEN
<b>Proposal</b>	CONVERT UPPER FLOORS TO A SINGLE SELF CONTAINED, TWO BEDROOMED DWELLING & REPLACEMENT OF EXISTING SHOPFRONT TO PROVIDE SEPARATE ACCESS TO SHOP & DWELLING
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	24 July 2012
<b>Dispatch Date</b>	24 July 2012
<b>Parish</b>	Whitehaven

<b>Application Number</b>	4/12/2272/0A1
<b>Applicant</b>	Tesco Stores Limited
<b>Location</b>	TESCO STORE, BRANSTY ROW, NORTH SHORE, WHITEHAVEN
<b>Proposal</b>	REPLACEMENT SIGNAGE (RE-SUBMISSION)
<b>Decision</b>	Approve
<b>Decision Date</b>	12 July 2012
<b>Dispatch Date</b>	12 July 2012
<b>Parish</b>	Whitehaven

<b>Application Number</b>	4/12/2276/0F1
<b>Applicant</b>	Mr C Peet
<b>Location</b>	3 MEADOW VIEW, EGREMONT
<b>Proposal</b>	TWO STOREY REAR EXTENSION & DEMOLITION OF EXISTING GARAGE & ERECTION OF NEW GARAGE
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	12 July 2012

<b>Dispatch Date</b>	12 July 2012
<b>Parish</b>	Egremont

<b>Application Number</b>	4/12/2277/0F1
<b>Applicant</b>	Mr I McIntyre
<b>Location</b>	COTE CLOSE FARM, EGREMONT
<b>Proposal</b>	SINGLE STOREY EXTENSION TO PROVIDE GAMES ROOM & FITNESS AREA
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	12 July 2012
<b>Dispatch Date</b>	12 July 2012
<b>Parish</b>	Egremont

<b>Application Number</b>	4/12/2280/0F1
<b>Applicant</b>	Mr J Antins
<b>Location</b>	5 ELLERBECK BARNS, EGREMONT
<b>Proposal</b>	CHANGE OF USE FROM RESIDENTIAL TO BED & BREAKFAST
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	23 July 2012
<b>Dispatch Date</b>	23 July 2012
<b>Parish</b>	St. Bees

<b>Application Number</b>	4/12/2283/0F1
<b>Applicant</b>	Mr and Mrs George
<b>Location</b>	25 WOODBANK, EGREMONT
<b>Proposal</b>	BAY WINDOW & PORCH CANOPY TO FRONT
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	23 July 2012
<b>Dispatch Date</b>	23 July 2012
<b>Parish</b>	Egremont

<b>Application Number</b>	4/12/2284/0F1
<b>Applicant</b>	Mr J McCracken
<b>Location</b>	THE LODGE, SANDWITH, WHITEHAVEN
<b>Proposal</b>	CHANGE OF USE TO FORM EXTENSION OF DOMESTIC CURTILAGE AND ERECTION OF DETACHED GARAGE
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	24 July 2012
<b>Dispatch Date</b>	24 July 2012
<b>Parish</b>	Whitehaven

<b>Application Number</b>	4/12/2285/0F1
<b>Applicant</b>	Mr S Mahaffy
<b>Location</b>	14 PARK DRIVE, MIDGEY, WHITEHAVEN
<b>Proposal</b>	SINGLE STOREY EXTENSION TO SIDE AND REAR
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	24 July 2012
<b>Dispatch Date</b>	24 July 2012
<b>Parish</b>	Whitehaven

<b>Application Number</b>	4/12/2286/0F1
<b>Applicant</b>	Mr and Mrs R Fowler
<b>Location</b>	6 GRIZEDALE CLOSE, CLEATOR MOOR
<b>Proposal</b>	TWO STOREY EXTENSION
<b>Decision</b>	Approve (commence within 3 years)

<b>Decision Date</b>	24 July 2012
<b>Dispatch Date</b>	24 July 2012
<b>Parish</b>	Cleator Moor

<b>Application Number</b>	4/12/2287/0F1
<b>Applicant</b>	Mr D Mullinder
<b>Location</b>	17 BOOKWELL, EGREMONT
<b>Proposal</b>	ERECTION OF SINGLE STOREY EXTENSION
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	24 July 2012
<b>Dispatch Date</b>	24 July 2012
<b>Parish</b>	Egremont

<b>Application Number</b>	4/12/2290/0F1
<b>Applicant</b>	Mr S J Lightfoot
<b>Location</b>	5 EARLS ROAD, BRANSTY, WHITEHAVEN
<b>Proposal</b>	TWO STOREY EXTENSION TO SIDE & SINGLE STOREY EXTENSION TO REAR
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	1 August 2012
<b>Dispatch Date</b>	1 August 2012
<b>Parish</b>	Whitehaven

<b>Application Number</b>	4/12/2291/0F1
<b>Applicant</b>	Raemore Developments Ltd
<b>Location</b>	THE CASTLE INN, COMMON END, DISTINGTON
<b>Proposal</b>	CONVERSION OF FORMER PUBLIC HOUSE INTO TWO DWELLINGS & CONSTRUCTION OF TWO SEMI-DETACHED BUNGALOWS & ASSOCIATED PARKING
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	3 August 2012
<b>Dispatch Date</b>	3 August 2012
<b>Parish</b>	Distington

<b>Application Number</b>	4/12/2292/0F1
<b>Applicant</b>	Mr J McKnight
<b>Location</b>	1 BANKEND VIEW, BIGRIGG, EGREMONT
<b>Proposal</b>	CHANGE OF USE FROM OPEN SPACE & ACCESS FOOTPATH TO EXTENSION OF PRIVATE GARDEN & RELOCATION OF FOOTPATH TO ACCESS 2, 3 & 4 BANK END VIEW
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	26 July 2012
<b>Dispatch Date</b>	26 July 2012
<b>Parish</b>	Egremont

<b>Application Number</b>	4/12/2293/0F1
<b>Applicant</b>	Mr K and Mrs J Case
<b>Location</b>	BANKFIELD BUNGALOW, KIRKSANTON, MILLOM
<b>Proposal</b>	BARN CONVERSION WITH SINGLE STOREY EXTENSION TO NNE ELEVATION; SECOND STOREY EXTENSION TO SSW ELEVATION & SINGLE STOREY DETACHED DOUBLE GARAGE
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	2 August 2012
<b>Dispatch Date</b>	2 August 2012

<b>Parish</b>	Whicham
<b>Application Number</b>	4/12/2295/0F1
<b>Applicant</b>	Mr and Mrs C Hunter
<b>Location</b>	MELROSE, COMMON END, DISTINGTON
<b>Proposal</b>	SINGLE STOREY REAR EXTENSION, SIDE EXTENSION INCORPORATING BASEMENT & ROOF CONVERSION WITH DORMER WINDOWS
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	1 August 2012
<b>Dispatch Date</b>	1 August 2012
<b>Parish</b>	Distington

<b>Application Number</b>	4/12/2296/0F1
<b>Applicant</b>	Mr D & Mrs V Pater
<b>Location</b>	41 NORBECK PARK, CLEATOR MOOR
<b>Proposal</b>	TWO STOREY DOMESTIC EXTENSION
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	31 July 2012
<b>Dispatch Date</b>	31 July 2012
<b>Parish</b>	Cleator Moor

<b>Application Number</b>	4/12/2300/0F1
<b>Applicant</b>	Mr and Mrs Law
<b>Location</b>	LUTWIDGE ARMS HOTEL, HOLMROOK
<b>Proposal</b>	ERECTION OF ORANGERY EXTENSION TO EXISTING DINING ROOM & DEMOLITION OF EXISTING PORCH AND ERECTION OF NEW
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	6 August 2012
<b>Dispatch Date</b>	6 August 2012
<b>Parish</b>	Drigg & Carleton

<b>Application Number</b>	4/12/2303/0F1
<b>Applicant</b>	Mr and Mrs P Downton
<b>Location</b>	33 ASHLEY WAY, EGREMONT
<b>Proposal</b>	REMOVE EXISTING GARAGE & ERECTION OF SINGLE STOREY EXTENSION
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	24 July 2012
<b>Dispatch Date</b>	24 July 2012
<b>Parish</b>	Egremont

<b>Application Number</b>	4/12/2304/0F1
<b>Applicant</b>	Mr N Coker
<b>Location</b>	HALLSENA BARN, HALLSENA, HOLMROOK
<b>Proposal</b>	PROPOSED OUTBUILDING CONSISTING GARAGE, BOAT SHED & WORKSHOP
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	6 August 2012
<b>Dispatch Date</b>	6 August 2012
<b>Parish</b>	Gosforth

<b>Application Number</b>	4/12/2338/0F1
<b>Applicant</b>	P P Richardson & Partners
<b>Location</b>	FLEMING HALL, GOSFORTH, SEASCALE



<b>Proposal</b>	NOTICE OF INTENTION TO ROOF OVER DISUSED SILAGE PIT
<b>Decision</b>	Approve Notice of Intention
<b>Decision Date</b>	26 July 2012
<b>Dispatch Date</b>	26 July 2012
<b>Parish</b>	Gosforth