

PP 160714
Item 6

PLANNING PANEL AGENDA – 16 JULY 2014

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ITEM NO: 1.

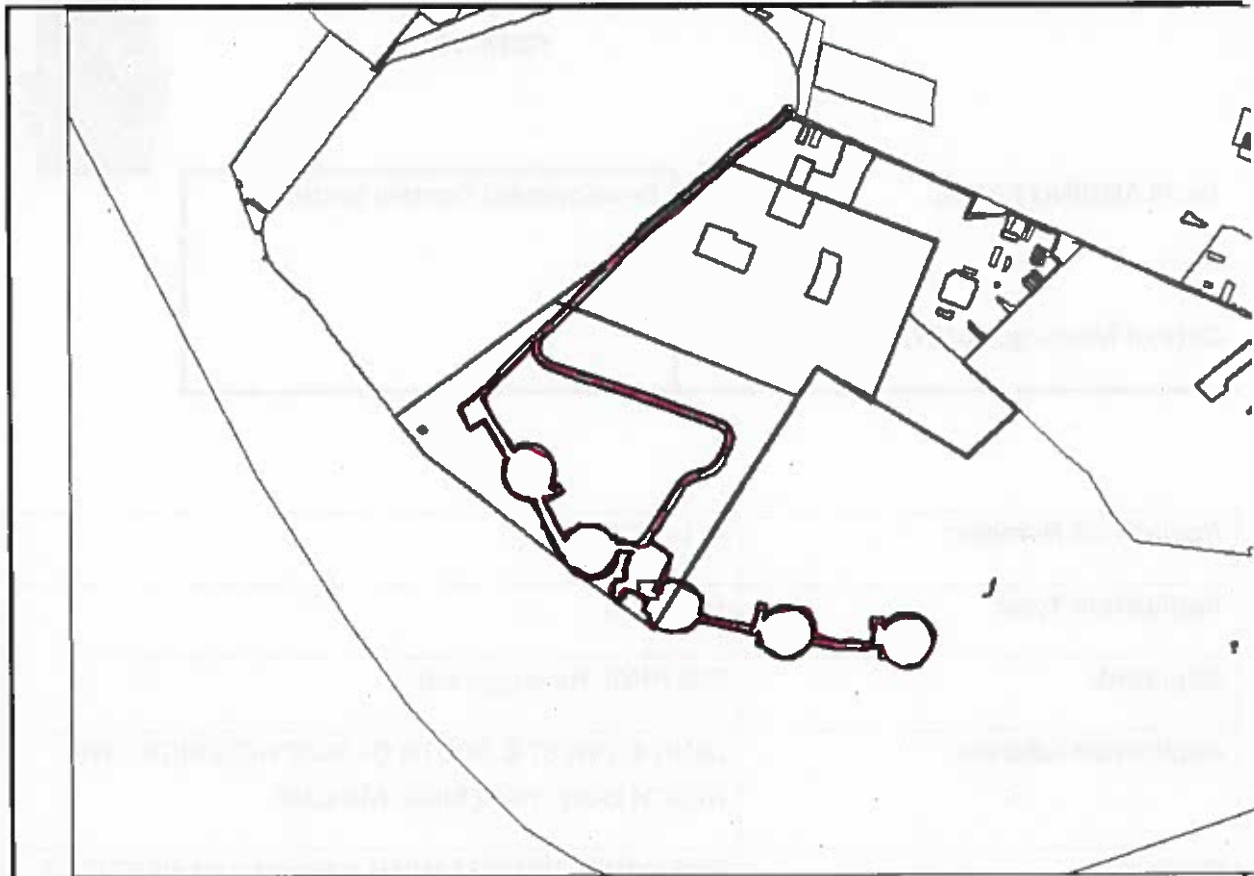


To: PLANNING PANEL

Development Control Section

Date of Meeting: 16/07/2014

Application Number:	4/12/2251/OF1
Application Type:	Full : CBC
Applicant:	PFR (HMP Haverigg) Ltd
Application Address:	LAND TO WEST & SOUTH OF HMP HAVERIGG, OFF NORTH LANE, HAVERIGG, MILLOM
Proposal	FIVE WIND TURBINES WITH A MAXIMUM HEIGHT OF 120.5 METRES, NEW ACCESS TRACK, ALTERATIONS TO EXISTING, TEMPORARY CONSTRUCTION COMPOUND, HARDSTANDINGS, CONTROL BUILDINGS & SUBSTATION, CABLING, MET. MAST, SETTLEMENT PONDS & ASSOCIATED WORKS
Parish:	Whicham, Millom
Recommendation Summary:	Approve (subject to Section 106 Agreement)



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Introduction

The proposal is for the development of a commercial wind farm and relates to a 9.9ha site forming part of the coastal plain to the immediate west of the HMP Prison at Haverigg. It forms part of a former airfield which is now grassed over and is adjacent to the existing wind farm, comprising 8 turbines, situated to the north (known as Haverigg II & III). To the south and west the site is bounded by an extensive area of sand dunes, a designated SSSI, as well as farmland.

A Member site visit took place on Wednesday 4 July 2012 and the application has since been held in abeyance to address a number of complex issues it raises and in particular the ornithological implications, including the provision of an Assessment of Likely Significant Effects (ALSE) and the subsequent compilation of an Appropriate Assessment (AA). This is a requirement under the Habitat Regulations 2012 due to the sites proximity to the Duddon

Estuary SPA/RAMSAR/SSSI. The application is now at the stage where it can be considered for a decision.

Proposal

In detail the scheme, which would be operational for a 25 year period, would comprise the following physical elements:

- Erection of 5 single tower 3 blade turbines with a maximum ground to tip height of 120.5 metres, each to have a generating capacity of up to 3 MW and to be sited within a 20 metres micro siting allowance area.
- Each turbine would be situated on a circular foundation slab 21 metres in diameter and some 2 metres in depth.
- Construction of crane pads at each turbine location some 35 metres by 18 metres – a permanent area of hardstanding to be used during construction as a crane platform and thereafter for maintenance. (normally twice a year)
- A permanent meteorological mast at a height of 80 metres on a slender lattice tower and situated on a reinforced concrete foundation 9.1 metres by 9.1 metres. This will replace the existing temporary mast on the site and is required to monitor the performance of the turbines.
- A combined control building and substation, some 15 metres by 5 metres and 5.7 metres high to the ridge, enabling the generated electricity to be exported to the local distribution network.
- Temporary contractors compound measuring 50 metres by 50 metres.
- Underground cables linking the turbines to the control building and substation and to the connection point in North Lane. This will involve digging out cable trenches 1 metre in depth and between 400mm to 1200mm in width which will run adjacent to the site roads and the western site boundary.
- Creation of water drainage settlement ponds.
- High security site fencing and gates.
- Access will be off North Lane via existing network of tracks formerly set down for the airfield and creation of new ones within the site, typically these will be 3 metres in width (5 metres during the construction phase). Where it passes through part of the prison a security fence to match the current perimeter fencing will be installed together with three security gates. Existing tracks amount to some 7,405 square metres and new ones 9.335 square metres. It is envisaged that the new tracks will be unpaved and finished with local quarry material.

The application is accompanied by:

- Environmental Statement,
- Design and Access Statement,

- Planning Statement,
- National Planning Policy Framework Statement
- Statement of Community Involvement.
- Detailed Layout and Elevation plans of the turbines, their siting and associated infrastructure.
- Non-Technical Summary of the Environmental Statement.

Independent environmental consultants were commissioned to appraise the landscape and visual impacts of the proposed development on our behalf.

Consultations

In view of the nature of this application extensive statutory consultations have been undertaken and the following responses have been received:

Millom Town Council - object due to the poor infrastructure for access to the site, height of the proposed turbines and visual impact.

Whicham Parish Council – no objection to the siting of the turbines but would prefer that the height of the turbines be no greater than that of the existing turbines in that area.

Millom Without Parish Council – do not support the application for the following reasons:

- The turbines proposed are over 100m high and therefore visible from a much greater distance.
- There has been a proliferation of such developments in the locality over recent years and are apprehensive that further development would have a negative impact on the natural beauty of the area.

Environment Agency

No objection. They advise that Natural England be consulted as an ALSE (Assessment of Likely Significant Effects) will be required due to the sites proximity to the Duddon Estuary SSSI and the Morecambe Bay SAC/SPA. Also point out that where culverts are required for access they should be oversized boxed culverts and the length of the crossing should be kept to a minimum.

Natural England

Final consultation response on the Appropriate Assessment is awaited.

Initial interim response originally requested further information regarding ornithology, in particular disturbance displacement and natterjack toad mitigation, enhancement and management. This was provided and it was also drawn to our attention that as the competent authority for the application we were required to undertake an Assessment of Likely Significant Effects (ALSE) under the Habitat Regulations 2012. An external consultant ecologist was engaged on our behalf to carry this out.

A further interim response was received from Natural England on the Habitats Regulations Assessment Report and the Ornithological Habitat Enhancement and Management Strategy provided by the applicants as additional information to inform the ALSE. This confirmed that both were useful documents with the former identifying the bird species affected and the latter providing reassurance that further suitable habitat is to be provided to enhance the ecological value of the area.

The ALSE was completed in December 2012 and concluded that the proposed development may have a significant effect alone on the interest features of the Duddon Estuary SPA/ Ramsar Site (i.e. aggregations of non-breeding birds and waterfowl assemblage) However, it was found that it was unlikely to have a significant effect on natterjack toads providing all the mitigation/enhancement measures are implemented and on in-combination with other plans / projects in the area. As a consequence an Appropriate Assessment (AA) was required to be produced to further assess the impact on non-breeding birds etc..

The AA document is in its final stages and should be complete with re-consultation having taken place with Natural England and the RSPB, as required, by the time the application is reported to the Planning Panel. A verbal update will be provided.

RSPB

Initially they sent a holding response raising concerns that there is little or no information on the disturbance displacement impact of the proposed wind turbines especially on golden plover, curlew or lapwing. This information was subsequently provided and informed the compilation of the ALSE and the AA.

More recently they have expressed concern, despite negotiations and further feedback, that the chosen location for the enhancement site is wrong and request that a more suitable nearby location be identified. It is this particular element that has taken time to address with the applicants undertaking further investigations to convince RSPB of the suitability of the chosen Enhancement Site. Whilst confirmation of this will be required in writing in the form of a formal consultation response on the AA, we are satisfied from discussions that

agreement has been reached with the RSPB to the extent the application can be progressed to a decision. A verbal update will be provided at the Planning Panel.

Defence Infrastructure Organisation (MOD)

No objection but requests that the turbines are fitted with 25 candela omnidirectional red or infrared lighting with an optimised flash pattern of 60 flashes per minute of 200ms to 500ms duration, at the highest practicable point. This requirement could be covered by an appropriate condition. This is in the interests of air safety.

Cable & Wireless Worldwide

No objection.

Civil Aviation Authority

No objection.

Historic Environment Officer, Cumbria County Council

Comment to the effect that the proposed development lies in an area of some archaeological potential as prehistoric stone scatters have been found in the vicinity. It is considered likely that archaeological remains survive on the site and that these would be disturbed by the proposed development. He agrees with the Environmental Statement that the ground works be subject to a programme of archaeological investigation and recording in advance of construction and secured by a condition.

English Heritage

Do not consider that the proposed development will have any significant impact on nationally important heritage assets or their settings. It will be sited next to a modern prison complex and two existing wind farms which already intrude to a limited extent into views from a number of the designated heritage assets.

However, they do not consider that the addition of five further turbines will have a significant cumulative impact on the setting of these heritage assets. The most sensitive settings are those of the group of scheduled ancient monuments on Great Knott, which appear to have been sited to enjoy wide views over Morecambe Bay. Whilst the proposed new turbines will be visible from these their grouping with the

existing turbines and the prison will limit the additional impact on the setting of the scheduled monuments.

Scientific Officer, CBC

With regards to the noise assessment satisfied that the ETSU-R-97 guidance has been followed properly and the report indicates that operational noise of the turbines would be below the background noise derived limits at the sensitive properties. Did have some concerns initial concerns as follows:

- The predicted noise levels from the turbines are based upon the Enercon E82 2.3 MW as at the time of the report the final turbines had not been determined. Because of this there is the potential for the eventual turbines to have a higher sound power level and breach the noise limits.
- The property at 59 Bank Head is the closest to the proposed turbines (620m) and also the one that appears to be at greatest risk of the ETSU noise limit being exceeded. According to Table 12 of Appendix 8 the predicted noise levels at the property are only 0.2 dBA below the limit for a 6 and 7 m/s wind speed. This gives very little headroom and could easily be exceeded, especially if more powerful turbines were used. Noise level predictions and noise limit exceedances should be recalculated, or at least re-evaluated, using the technical data from whatever turbines are eventually used.

Apart from noise it appears that there could be significant impact from shadow flicker, as such an investigation plan and potential mitigation to deal with shadow flicker problems should be produced for approval. It has the potential to be a fairly significant problem at a number of properties, however the applicants do give a commitment to shut down the turbines during times when shadow flicker could occur at the properties at Bank Head and as such agrees a condition requiring the turbines to shut down during these periods be applied should permission be granted.

As regards noise, the noise limits given in Table 1 & 2 have been derived from the background noise monitoring undertaken by Hoare Lea Acoustics as part of the EIA/ES, as the noise assessment was completed in line with the ETSU-R-97 guidelines has no objection to these noise limits being used in conditions if permission is granted. Also the rest of the conditions also seem reasonable and follow good practice.

Queries the status of the residential accommodation at the prison which is potentially closer to the turbines but as the prison will directly benefit from the development these are viewed as associated properties and discounted from the assessment.

Planning Policy, CBC

It is the opinion of the Planning Policy team that, whilst the Council is generally supportive of renewable energy development, in this particular case, the proposal would bring about significant adverse visual effect. The wind turbines already operating on the former airfield are significantly smaller than those proposed for this site so it would be very difficult for the new turbines to blend into the existing development. On this basis, the application should be refused.

Further comments were provided early this year in response to the further environmental information (FEI) submitted to complement the landscape and visual impact assessment and residential amenity assessment. It is pointed out that since the first response was provided the Copeland Local Plan 2013-2028 has been formally adopted and is now the basis for determining planning applications.

The further information submitted by the applicant assesses the Cumulative Visual effects to verify potential significant cumulative effects from four viewpoint locations.

The assessments findings conclude that the cumulative impacts on View point 2 (Bank head /North lane Junction), Viewpoint 3 (West edge of Haverigg) and viewpoint 12 (Haverigg Dunes) are considered to be significant in EIA terms during operation with only Viewpoint 1 (Stoup Dub) considered not to be significant in EIA terms.

Therefore the original comments provided by planning policy in June 2012 remain relevant that the proposed additional turbines in this location would have a significant visual impact on the identified receptors.

Section 5.0 further examines the residential amenity impacts within bank head from each of the properties on the southern boundary of the Bank Head estate. In summary the potential effects upon residential amenity on H1 (No71 Bank Head), H4 (No69 Bank Head, representing no's 67, 68, 69 and 70), H10 (No63 bank head, representing no's 63, 64, 65 and 66), H12 (no61 Bank Head, representing no's 59,60, 61 and 62) and H15 (No 58 Bank Head, representing no's 57 & 58) conclude that the effect was considered to be significant in EIA terms during operation.

Only one of the assessed properties (H2 No 72 Bank Head) was the effect considered not to be significant in EIA terms during operation. Therefore this assessment reinforces the feelings that the proposed additional turbines would have an unacceptable visual impact on identified properties within the Bank Head estate.

The opinion expressed in the report "that the dwelling would not become an undesirable place in which to live" is a subjective view and we would reiterate the view that the construction of larger additional turbines in this case should be resisted due to the negative impacts on the receptors close to the proposed Windfarm.

In summary, the feeling remains that the proposed additional turbines in this location would cause unacceptable visual impact on the identified receptors. This impact could be mitigated to some extent if the proposed wind turbines were reduced in size to be more consistent with the existing turbines (Haverigg II & III).

Friends of the Lake District (FLD)

FLD have concerns over the impact of the construction of major wind farm in this location. In particular, they are concerned as to the visual impact upon users of the Cumbria Coastal Way. The applicant's Zone of Visual Influence diagram illustrates that the turbines will be clearly visible across the great majority of the coastal footpath which skirts the Duddon Estuary. It is key to note in this respect that much of the footpath falls within 6km of the site, wherein the Cumbria Wind Energy SPD states that turbines will be a 'prominent, key element of the landscape' (Appendix 2.4, p 117). The views across the estuary towards the backdrop of the Lake District fells are recognised in the above guidance as a key characteristic, which would be sensitive to the introduction of turbines.

The development would also be clearly visible from Black Coombe, which again lies within a 6km radius, to the north. We are therefore concerned as to the impact of the development upon the Lake District National Park.

The cumulative impact of this development and the proposed Lanthwaite wind farm (see comments submitted in regard to application 4/12/2182/OF1) are a significant concern, given the sensitivities highlighted above.

It is FLD's view that the proposed development would contravene the relevant planning policies, and should therefore be refused.

Lake District National Park

No comments received.

Spatial Planning Team, Cumbria County Council

The Officers report to the County Councils Development Control and Regulation Committee of 25 July 2012 recommended no strategic objection subject to ensuring that:

- The applicant makes a financial contribution of £35,000 for the maintenance work to the local network of public rights of way which will be necessary as a result of the proposed development (see Appendix 1);

- It seeks to encourage the applicant to move the proposed location of Turbine WTG5 elsewhere in the application site in order to increase the distance of the turbine from Haws Lane Public Right of Way. If it cannot be relocated, Copeland Borough Council should include a condition which does not allow the micro-siting of Turbine WTG5, in order to maintain the current separation distance between the turbine and Haws Lane Public Right of Way (see Appendix 1);
- Other issues such as shadow flicker, noise, radar and telecommunications, in addition to the issues considered in this report, are fully taken into account;
- The issues raised regarding the historic environment are addressed through appropriate planning conditions, as set out in the report (see paragraphs 4.36-4.37 and Appendix 2);
- The applicant has fully considered and mitigated for any adverse biodiversity effects associated with the development (see paragraphs 4.38-4.44); and
- A planning condition is attached to any permission which obligates the applicant to remove the concrete foundations (see paragraph 4.49).

However, following debate the County Council's Committee resolved that an objection be raised to this proposed development. Overall, their Members felt that the proposal would be contrary to Policy R44 of the Cumbria and Lake District Joint Structure Plan. They felt that it would have a harmful visual impact locally and also cumulatively due to the existing onshore and offshore wind energy schemes in the locality. They felt that the local area has reached capacity for wind development and that it would be unfair to subject the local residents to further wind development.

Request if Copeland Borough Council decides to approve this application, a financial contribution and conditions should be attached covering relevant highway works and works relating to the public footpath at Haws Lane.

Highway Authority, Cumbria County Council –

The proposed development is considered broadly acceptable by the Highway Authority, subject to a number of conditions being attached to any permission which may be granted by the Local Planning Authority.

The applicant has stated within the submission that abnormal loads associated with the construction stage will travel from Millom Docks to the site and such movements will be subject to a travel management plan which will need to be agreed by the Local Planning Authority.

The applicant has also stated that "the turbine components will be landed at Borwick Rails quayside and the route then goes through Millom and onto the A5093, before turning into Haverigg and then onto North Lane to the site entrance. The studies undertaken have shown that no off-site highway works are required to allow the delivery of the abnormal

loads required for the construction of the proposed wind turbines". As the Highways Authority, Cumbria County Council would need to be convinced of the validity of this statement. Should planning permission be granted, the routing and survey should be conditioned.

Rights of Way Officer, Cumbria County Council

Concerned that the proposed location of WTG5 would be within the fall zone of public footpath 415033 (Haws Lane) and should be relocated.

The proposed location of turbine WTG5 is located 50m away from the public footpath 415033 (Haws Lane). When the size of the blade is taken into account (39m), there is a clearance of 11m between the turbine blade and the public footpath. Whilst there is no statutory minimum separation distance between wind turbines and public rights of way, turbine blades should not oversail public rights of way. It is recommended that Copeland Borough Council negotiates with the applicant to assess if the turbine can be moved elsewhere in the proposal site to maximise the separation distance between the turbine and Haws Lane.

The Cumbria Wind Energy Supplementary Planning Document (adopted by Copeland Borough Council in 2007), states that "for public rights of way, care should be taken to ensure an adequate distance is provided between them and the turbines. Fall over distance is often considered an appropriate distance, but consultation with the Local Planning Authority should be carried out to determine what is most appropriate in any scheme". If any alternative location on the application cannot be found for the turbine, it is recommended that Copeland Borough Council do not allow micro-siting of the turbine in order to maintain the current separation distance.

The applicant makes reference to the public rights of way neighbouring the site and the effect on them during the operational life of the wind farm, stating that: "*during the operational life of the site there is likely to be some adverse effects on users of some public rights including public footpath (415033) that runs adjacent to the south east boundary along Haws Lane*". The Highways Engineer notes that there would also be disruption of FP416064 (North Lane). This identified disruption would be unacceptable without proper mitigation, and it is recommended that the applicant contribute towards the improvement of the public right of way network in the vicinity of the site. It is recommended that an amount of £35,000 is requested from the applicant for this purpose. The justification for this amount is included in below.

Justification for the £35,000 contribution to the maintenance of the local public right of way network

It is estimated that the cost of repairing parts of FP415013 and FP415033 would be around £35,000. A detailed costing has not been calculated at this stage, but from previous similar schemes it is estimated that it would be £50 per metre to dig out a trench and resurface with stone plus £5,000 for repairs to ditches and culverts along the path. All of the Haws Lane track which forms these two footpaths is within 1km of the turbines, and so would

experience the significant adverse effects detailed in the submitted Planning Statement (paragraph 5.37 page 35/36 as copied below):

The assessment concluded that users of footpaths beyond approximately 1km would generally experience effects that range from slight adverse to moderate adverse which are considered to be not significant. Footpaths within this range however experience effects ranging from considerable/moderate adverse to considerable adverse which are considered to be significant. Users of long distance routes within the study area would travel directly past the site and therefore the effects would range from slight adverse to considerable adverse which is considered to be significant. One area of access land at Silecroft would experience a considerable/moderate adverse effect which is considered significant. All of the other areas of access land would experience a slight adverse to moderate adverse effect which is considered not significant.

As the Planning Statement has highlighted these adverse effects would justify a financial contribution to ameliorate them.

In response to this issue the applicant's agent states that the separation distance between wind turbine 5 and the public right of way on Haws Lane is adequate and compliant with Government guidance. Whilst the turbine cannot be moved further away due to a telecommunications link to the north it is suggested that a planning condition be applied on micro-siting to ensure that the 20m micro-siting distance for wind turbine 5 is restricted so that the current 50m separation distance is maintained.

National Trust

The proposal is for a significant development that will have a range of impacts. However, from the Trust's perspective the main aspects that it has considered are the implications in terms of landscape/visual impacts in the context of its particular responsibility to care for Sandscale Haws, a National Nature Reserve, which is also part of the Duddon Estuary Ramsar site, Special Protection Area and Special Area of Conservation, and also a Site of Special Scientific Interest.

Given the importance of Sandscale Haws as a significant visitor attraction it is our considered opinion that as part of the viewpoint analysis an assessment should be prepared from this location. This should include the provision of both a wireframe diagram and a photomontage showing existing and proposed turbines.

It is noted that no mitigation is proposed in respect of the adverse visual effects that would be experienced from Sandscale Haws.

It is particularly disappointing that a photomontage has not been prepared in order to assess the impacts of the proposals as seen from Sandscale Haws. It is noted that Sandscale is one of the most popular visitor locations on the Cumbria coast and is the closest point

across the Duddon Estuary from the proposed turbines. The alternative viewpoint information that has been prepared is of some assistance in assessing impacts, but from points that are noticeably further away.

Generally the submitted documentation fails to understand the full range of significances of Sandscale Haws, in particular its valued and considerable role as a place of public recreation. As a consequence the assessments put forward are flawed and do not recognise the significant nature of the visual impacts that would result.

These concerns are exacerbated when the cumulative impacts of other existing and potential wind farm developments are taken into account.

It is considered that the proposed development would result in detrimental impacts per se and these would adversely affect the enjoyment of the many visitors to Sandscale Haws each year, along with that of those using the footpaths across the property.

There are no specific proposals put forward by the applicant that would mitigate or ameliorate these impacts.

It is requested that the **significant adverse impacts identified** are taken into account in the overall assessment of the proposed development – including the absence of any mitigation measures.

In the context of relevant national and local planning policy it is not considered that the identified adverse impacts at Sandscale Haws are of themselves such as to indicate that in this instance the benefits of the renewable energy that would be produced would be outweighed by those impacts alone. However, they should be taken into account as part of the overall cumulative assessment of the positive and adverse impacts of the proposed development in reaching a decision. In that respect it is noted that the Trust considers that the applicant has given insufficient weight to the adverse impacts at Sandscale Haws.

In response to the National Trust's concerns regarding the potential impact on Sandscale Haws further assessment has been carried out by the applicants and further environmental information has been submitted which includes a visual assessment from an additional viewpoint location at Sandscale Haws including the provision of a photomontage. This acknowledges that the nearest turbine would be located some 5.97km away and that although their presence would introduce a new element into the landscape within the panoramic views it would not represent a prominent change in the view when seen alongside the existing turbines and would form part of the existing diverse panoramic. This would constitute a low magnitude of change and result in a moderate adverse visual effect which is not considered to be significant.

Neighbour/ Other Representations

To date some 93 letters of have been received mainly from residents in the area. Collective grounds of concern raised include:

- Impact on views, will dominate the shoreline. If the Langthwaite Farm application is approved the small community of Bank Head will be surrounded by turbines.
- Will affect Barrow
- Effect on property values.
- Adverse effect on nearby resident`s views/ life styles especially on the Bank Head Estate.
- Cumulative effect as the coastline will be saturated with wind turbines.
- Concern the construction work will affect the stability of the ground in the area.
- Noise and disturbance/ disruption from construction and operation.
- Concern over why they have to be white in colour.
- Impact on Lake District National Park
- Vibration,
- Impact on sea defences.
- Impact on wildlife and the SSSI, as this is a sensitive site.
- Effect of the turbines on migratory birds.
- Concern that the meteorological mast was erected before planning permission was granted.
- Unreliable energy source,
- Poor access and infrastructure leading to the site for construction traffic, for example the road is not wide enough for double the amount of HGV`s.
- Major disturbance from burying of the cables from the turbines the full length of Coombe View and North Lane.
- No need for the additional electricity generated round here.
- Concern that the 3 narrow bridges on route will not be able to withstand the loads proposed.
- Only intending to repair North Lane not resurface it.
- Will require extra security around the prison during construction.
- Question the need for a wind farm here.
- Potential impact on adjacent residents of using existing speed humps at Poolside.
- Will not provide long term employment for the area,
- They are not the way forward, other countries are stopping subsidies for them due to the high cost. They are not cost effective.
- Queries the effect on climate change and whether this is substantiated. We are past an inter-glacial period and at some point the earth will slip back to a full ice age whereupon wind turbines and solar power will be useless to supply the amount of power needed.
- Carbon footprints associated with the manufacture, haulage, and installation is immense.

- Potential for localised flooding to occur as the site is prone to flooding particularly in autumn and winter.
- North Lane has not got the capacity to cope with the proposed 2000 lorry journeys. Residents pay an annual fee to the Ministry of Justice for the upkeep of North Lane.
- Concern also about the amount of CO2 the lorries will emit and the potential health risk to residents.
- Concern that the construction traffic coming through the village will conflict with school dropping off and collection times.
- Concerns re the increase in traffic and safety for local children on North Lane.
- The Bank Head community of 75 houses has no community facilities it is the expectation that the community fund benefit will be used for the Millom area and not Bank Head.
- Do not object to the turbines per se just the siting of them here – put them out to sea there are many there already just off the Haverigg coast.
- Damage to the landscape and visual amenity of Haverigg Haws
- Object specifically to the location of the two turbines sited nearest to Haverigg which will have a particular adverse impact on visual amenity looking towards the dunes.
- The development should be contained within the existing footprint of the prison/airfield as the linear development of turbines encroaching towards Haverigg is unnecessary and damaging.
- Adverse effect on tourism, need to leave the countryside vistas particularly the special ones such as this if we are to continue to have a long term viable tourist industry in Haverigg.
- Concern that access via North Lane and Coombe View will be used and point out that there is no right of way up North Lane and past Coombe View as this is a private road. Only access is via Haws Lane.
- Concerns re traffic load and volume passing near to residents properties during construction and the effect of vibration resulting in structural damage on them – request a building survey report.
- Concern from a neighbouring farmer who requires 24 hour access be maintained to his land to allow feed and livestock wagons through.
- It will be impossible to construct the settlement ponds where they are proposed due to the location of the two turbines with drains and gutter.
- Specific concern from a neighbouring land owner over promises made and the lack of communication by the applicants.
- Potential effect on horses who occupy neighbouring land – one turbine will be uncomfortably close.
- Will set a precedent for further turbines in the area.
- Those residents or land owners directly affected will not benefit in any way.
- Existing wind farm causes a variable degree of amplitude modulation depending on wind direction which is more noticeable at night. Concerns that this will be

exacerbated by the proposed extension and increase in scale and proximity to homes over the existing.

- Nearest dwellings are only some 635m away which is too close and unacceptable.
- Potential conflict between the emergency services access requirements and heavy construction traffic.

Haverigg Residents Association

Object on the grounds of loss of visual amenity:

- The size of the turbines at 120m high, are far too large and would dominate our village.
- Will mean that we will have wind turbines surrounding the village, we have enough turbines now and do not want any more.
- Fears that the tourist trade will suffer as these turbines will fill the last remaining gap in the skyline viewed from the holiday village:

And the impact of construction traffic on the roads around Haverigg:

- Consider the routes chosen are unsuitable due to the rural nature of the roads.
- The Construction Traffic Transport Assessment is incomplete having insufficient data regarding heavy goods vehicle routing and abnormal loads, have compiled their own risk assessments to share with the Highway Authority. They initially asked that this is made available to members of the Planning Panel and requested that Members make a site visit to consider the problems set out in their assessment.

In addition it should be noted that 42 postcards in support of the proposal have been received.

In response to the objections / concerns raised the following comments are offered:

The issues of landscape, visual impact and cumulative impact as well as the ornithological implications, ecology and noise / flicker are addressed in the assessment section.

As regards access rights these are not material planning considerations, though it transpires that these are available on behalf of HMP Prison and will be obtained for the applicants via

the Secretary of State for Justice. Other non-material planning considerations included effect on property values.

In terms of the effect of heavy construction traffic on neighbouring residents properties the applicants have provided some comfort insofar as they have written to all likely affected residents and assured them that prior to on site works they will survey North Lane including buried services and properties. They will ensure that the structure and surface of North Lane is sufficient to minimise the potential for any damage to occur to properties and buried services by construction traffic. If prior surveys of the road surface and services suggest that pre-construction works are required to protect property and services, then they will ensure this is done. Although a private road they expect that it will be a requirement of any planning permission that inspections and works are undertaken with the full approval of Cumbria County Council and clearly set out in the Traffic Management Plan. Once the construction phase has been completed, in the unlikely event that any damage to properties, services or the existing highways network (including North Lane) has been caused by construction traffic, it will be rectified.

In addition, once the construction period has finished, they undertake to resurface North Lane. Alternatively if residents using North Lane to access their properties prefer, the estimated £150,000 required to re-surface North Lane could instead be put into a fund to provide for the future maintenance of the road.

Concerns relating to noise and disturbance from construction will be covered by a construction management plan / appropriate conditions.

The objections Haverigg Residents Association raise have been taken into account and they have subsequently been informed that a site visit has already been undertaken. It is considered that the issues raised relate to the highway network and that the Highway Authority, should Members be minded to approve, have requested all-embracing conditions covering the issues raised regarding the heavy goods vehicle route, abnormal loads traffic by requiring a Construction Management Traffic Plan and Method Statement.

Planning Policy

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

National Planning Policy Framework

The National Planning Policy Framework (NPPF) (March 2012), sets out the Governments planning policies and how these are to be applied. It introduces a presumption in favour of sustainable development and emphasises that the purpose of the planning system is to

contribute to the achievement of this.

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

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

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

Renewable Energy

As regards renewable energy developments the NPPF states that we should:

- Support the transition to a low carbon future in a changing climate - including encouraging the use of renewable resources by the development for example of renewable energy.
 - Contribute to preserving and enhancing the natural environment and reducing pollution.
 - Encourage the effective use of land by reusing previously developed 'brown field' land.
 - Promote mixed use developments and encourage multiple benefits from its use.
 - Conserve heritage assets in a manner appropriate to their significance.
 - Actively manage patterns of growth.
 - Take account of and support local strategies to improve health, social and cultural well being to meet local needs.
-
- Core Principle 10 of this approach 'Meeting the Challenge of Climate Change, flooding & Coastal Change' recognises that planning can play a key role in reducing emissions in greenhouse gases and supporting the delivery of renewables. (Paragraph 93 refers)

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

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

Conserving and Enhancing the Natural Environment

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

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

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

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

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

Copeland Local Plan 2013-2028

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

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

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

Core Strategy:

Policy ST1 Strategic Development Principles,

- **Criterion A i)** supports the development of energy infrastructure in appropriate locations.
- **Criterion B i)** states that one of the Councils Strategic Development Principles is to 'encourage development that minimises carbon emissions'.
- **Criterion C i)** cites it will protect and enhance areas sites, species and features of biodiversity value, landscapes and the undeveloped coast.

Policy ST2 Spatial Development Strategy

Criterion C ii) supports renewable energy development outside defined settlement boundaries which best maximise renewable resources and which minimise environmental and amenity impacts.

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

Policy ENV2 Coastal Management supports energy generating developments that require a coastal location along the undeveloped coast provided that potential impacts on biodiversity, landscape and heritage assets are carefully assessed against benefits and where required mitigated and compensated for.

Policy ENV3 Biodiversity and Geodiversity aims to protect and enhance these interests by ensuring, amongst others, that development incorporates measures to protect and enhance any biodiversity interest.

Policy ENV5 Protecting and Enhancing the Boroughs Landscapes states that all landscapes will be protected from inappropriate change 'by ensuring that development does not threaten or detract from the distinctive characteristics of that particular area.'

Development Management Policies DPD

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

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

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

appropriately.

- H. Provision is made in proposals for the removal and site restoration at the end of the operating life of the installation.

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

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

Policy DM24 Development Proposals and Flood Risk – this seeks to ensure that development does not increase the risk of flooding elsewhere.

Policy DM25 Protecting Nature Conservation Sites, Habitats and Species – sets out the detailed approach to managing development proposals which are likely to have an effect on nature conservation sites, habitats and protected and priority species as in this case. It supports ST1 and ENV3. It states that in such circumstances the development will only be permitted if the benefits clearly outweigh the impacts and prevention, mitigation and compensation measures are provided. It requires relevant assessments be undertaken under the Habitats Regulations.

Policy DM26 Landscaping – sets out the approach for ensuring that new development protects and enhances existing landscape features.

Cumbria Wind Energy Supplementary Planning Document

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

Cumbria Landscape Character Assessment

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

Assessment

The Environmental Statement and the Planning Statement together with the rest of the submission put forward the applicant's case that the proposed wind farm development is overall compliant with local and national planning policy. They contend that where there are impacts these can be adequately mitigated or compensated for with the result that the significant benefits of the scheme, in terms of providing a renewable energy source and the long term wider environmental benefits this brings, would outweigh the limited adverse environmental effects. These impacts along with other issues the application raises are considered below:

Noise

The assessment considers noise and vibration effects from the turbines at nearest identified noise receptors (i.e. non associated habitable dwellings in the vicinity of the development) during construction and operation against accepted standards.

Construction noise – the period of construction is estimated at being 6 months and it is accepted that there may be noise that at times will be audible at the closest residential properties resulting from routine construction activities i.e. piling, deliveries etc. In order to protect residential amenity in this respect working hours and HGV deliveries can be limited and controlled via an environmental management plan covered by an appropriate planning condition. Noise during decommissioning is considered to be less than during this phase.

Operational Noise – Whilst the assessment indicates the predicted turbine noise levels vary for some of the closest receptors, it demonstrates that the required ETSU-R-97 noise limits can be met at all times and in all wind conditions.

Whilst our Scientific Officer is satisfied that the required limits can be met, he did initially express some concern re the potential for noise at the nearest residential property to the development 59, Bank Head but following further dialogue with the applicants is now satisfied any potential for exceeding the required noise limits at this property can be addressed by an appropriate condition. As a consequence it is considered that noise is unlikely to be a significant issue and that where there is potential for noise pollution there is acceptable mitigation.

Shadow Flicker

This has the potential to cause nuisance and disturbance to occupants of affected properties. The assessment undertaken was carried out on all residential properties within a distance of 820m of the proposed turbines. This indicates that there is potential for flicker from turbines 3, 4, and 5 to affect 25 residential properties. Any shadow flicker on residential properties is considered significant. The principal accepted mitigation measure for shadow flicker is to shut down the

wind turbines causing it. A control system is available which measures the intensity of sunlight occurring at a particular moment and if sufficient to cause flicker it will automatically shut down the turbine instantly until such time the effect ceases. This mitigation measure could be effectively controlled via condition and/ or an Environmental Management Plan.

Our Scientific Officer is of the view that shadow flicker could be a fairly significant problem for a number of residences but considers that the proposed mitigation is acceptable.

Traffic and Transport

The greatest vehicle generation is likely to occur during construction phase and is therefore only likely to be temporary. This will involve the delivery of some 52 abnormal loads from Millom Docks to the site via an identified route. No highway improvements have been identified within the assessment undertaken. To minimise potential disruption abnormal loads will be delivered during off peak day light hours and be escorted.

In addition to abnormal loads there will be general HGV construction traffic and this is estimated at being in the region of 2,268 movements over the construction period.

The Highway Authority in their consultation response raise no objections on the grounds of highway safety subject to the imposition of a number of conditions including the provision and implementation of a Construction Method Statement and a Construction Traffic Management Plan which are considered to provide adequate controls/ mitigation.

The neighbour notification exercise resulted in considerable local concern being raised regarding the possibility of abnormal and heavy load vehicles causing structural damage to properties adjacent on route. Accepting this may be a possibility the applicants have undertaken to provide structural surveys before and after of properties that may be affected and to remedy any damage.

There was also concern about the effect such vehicles could have on the road surface given that North Lane and Coombe View are unadopted roads. In response the applicants undertake to resurface the road on completion the provision of which can be incorporated into the traffic management plan.

Landscape and Visual

This is a key issue which warrants careful consideration.

Landscape Impact

The site forms part of an expansive low lying coastal plain, including areas of sand dunes and grassland. It is located to the west of the village of Haverigg, with

settlements of Kirksanton some 2.02km distant to the northwest, and the town of Millom to the south. To the north and north east the land form is dominated by rising land comprising the hills and mountain ranges of the Lake District National Park. Whilst it does not benefit from any national or local designations it is part of a wider landscape benefitting from wide uninterrupted views into and out of the National Park and therefore has a high degree of sensitivity. In terms of vertical structures in the existing landscape however it has to be judged against the fact it is flanked to the immediate north by the existing Haverigg II and III wind farms totalling some 8 wind turbines. Arguably the proposal could be viewed as an extension to these.

The applicants LVIA (Landscape and Visual Impact Assessment) concludes that there would be a low magnitude of change on the landscape character due to the influence that the proposed development would have on the wider character area, including the Lake District National Park, which is considered not significant

The Wind Energy SPD and the Cumbria Landscape Guidance Toolkit (March 2011) identify the type of landscape as coastal margins / sub type coastal urban fringe accepts there may be capacity for this type of development and identifies it as an area where energy infrastructure could be introduced affecting the character of the less developed parts. Advocates minimising the impact of large scale wind energy developments by careful siting in less sensitive areas and following high standards of design and landscape treatment.

Taking this into account whilst the site/ landscape may not be sensitive to turbine development the key issue here is whether it could absorb/ accommodate the relative increase in height proposed, given that Haverigg II at 66m ground to tip height, and III at 76m to tip are considerably smaller in height and scale than the proposed turbines which are 120.5m (ground to tip) in height. Such a difference in height would be noticeably significant as features in the landscape with the existing smaller turbines serving to accentuate the height of the taller ones proposed. They as a consequence would have a prominent and significant presence in this landscape. This is a view supported by our Planning Policy Team. As to whether the impact on the landscape is so significant in this location to override the wider benefits and warrant refusal is a matter that needs careful evaluation. Arguably it would result in a degree of change that would have a moderate adverse effect on the landscape but one which is not overly significant.

The LVIA undertaken on our behalf concludes that the proposed development would not have a significant effect upon the landscape fabric and that these would be localised. Whilst the proposed development would increase the influence of the turbines in the immediate vicinity of the site and the number of turbines visible resulting in a localised significant change in character, this would be in the context

of a local landscape modified by human activity. As such the extent of significant effects would be very limited.

Visual Impact

The proposed development would result in localised significant and adverse effects upon views occurring over a wide area of some 2.5km radius. In particular they would be visible from more distant viewpoints within the Lake District National Park and most notably Black Coombe where views are sensitive. Our LVIA however identifies that the change in views would be limited and as a result would not prejudice the special qualities of the Lake District National Park.

Effect on Local Views

The assessment revealed that there will be direct views of all 5 turbines from Butterflowers Caravan Park, Millom RUFC, Stoup Dub, and the public right of way over the Dunes. Turbines will be significantly higher when seen from this location. As a result there will be considerable adverse effect here. Both the applicants LVIA and Copeland's LVIA considered that as they would be sited only some 680m from the viewpoint here they would be very prominent features appearing much larger than the existing turbines further west.

There will also be considerable adverse effects on viewpoints from neighbouring public rights of way network, i.e. Haws Lane. (50m from nearest turbine) Both LVIA's consider that the visual effects on the public row network has been underestimated with the turbines being evident from many routes with significant effects occurring. Also there has been no account of the effect on the Cumbria Cycleway.

There will be moderate adverse visual impact on residents in neighbouring village of Kirksanton (2.02km from nearest turbine) Both LVIA's concluded that the proposed turbines would be conspicuous new features here and the visual effects would be significant.

The applicant's LVIA also considers there will be moderate adverse visual effects on the settlements of Silecroft and Whicham. (3.75km distant to the nearest turbine)

The key issue here to consider is that although some of the effects on local and wider views are significant it is whether they are so significant to justify refusal of the application. In this respect it should be noted that our LVIA views that the development would result in localised significant and adverse effects upon views, but that these would not extend beyond 2.5km and are unlikely to adversely affect views in and out of the National Park. It goes on to conclude that the landscape and visual effects do not weigh heavily against the scheme and that it would not be fundamentally unacceptable in landscape and visual terms.

Cumulative Impact.

Both visually and in landscape terms there would be some degree of cumulative effect arising from the proposed development when viewed in the immediate vicinity against the existing wind farms II and III at Haverigg, the existing off shore wind farms to the west and southwest and more distant wind farms across the Duddon Estuary. This would affect local views significantly from the local public row network. Again the significance of this is subjective and has to be weighed in in the overall planning balance.

Residential Amenity

One of the key issues identified is potential impact on neighbouring amenity, particularly in relation to the nearest residential estate of Bank Head and the Prison accommodation blocks. However as the latter is to gain from the proposal via energy generation they can be considered as an 'associated property' and would be excluded from any potential noise /flicker/amenity impact assessment.

Apart from the residential blocks of the Prison itself, nearest residential estate to the proposed site is the former prison estate of 'Bank Head'. This is situated some 0.55km away as measured from nearest property boundary on Bank Lane.

It is accepted that the majority of residents of Bank Head will have views south west of all the proposed turbines, with those living at the southern end having the most open and direct views. Applicant's LVIA concludes that there will be **moderate to adverse visual effects** on this area on the living conditions experienced from those properties.

The LVIA commissioned by us, however concludes that the applicants LVIA has underestimated visual effects from several viewpoints. In terms of residential amenity significant visual effects are identified upon properties at Bank Head, Haverigg and Millom.

In particular paragraph 5.1.8 of CBC's LVIA recognises that a number of properties at Bank Head are within close proximity to the turbines (i.e. less than 800m away) and that 8 have clear views of the turbines at close range with a potential significant adverse effect on their residential amenity. There will also be similar effects on the isolated property at Stoup Dub to the south. Separation distance here though is not the sole determining factor. The LVIA advises further assessment to understand the effect of this issue.

In response to this request for further assessment of the impact on residential amenity the applicants submitted 'Further Environmental Information' (FEI) in October 2012.

One of the additional viewpoint locations provided in the FEI was Bank Head in response to the amenity concerns raised in CBC's LVIA. It takes the form of a supplementary assessment and looks at the sensitivity of the location and its potential to accept changes as a result of

the development, the potential magnitude of change and the significance of effect of the scheme with agreed mitigation in place. It concludes that during operation the potential visual effects from within the southern area assessed as part of the original information submitted is consistent and remains as moderate to adverse visual effects. However, this is not necessarily a view with which we would concur and consider the potential visual effects here would be **overly significant** for which there is no appropriate mitigation. This is a significant factor which needs to be weighed in in the overall planning balance and a judgement has to be made as to whether the effect here on these properties is going to be so significant it adversely effects their day to day living standards normally expected in the said properties and, whether this alone is enough to override the environmental benefits of the scheme. This is explored further with a judgement reached in the conclusion.

Ecology and Ornithology

Another key issue application raises given the site's proximity to the Duddon Estuary SPA and RAMSAR site and the SSSI and which in terms of providing adequate mitigation has taken considerable time to address. Following consultation with English Nature an ALSE was produced. This concluded that there was potential for the proposal to have a significant effect alone on the interest features of the Duddon Estuary SPA/ Ramsar Site in terms of aggregations of non-breeding birds and waterfowl assemblage. However, it was found that it was unlikely to have a significant effect on natterjack toads providing all the mitigation/enhancement measures are implemented. As a consequence an Appropriate Assessment (AA) was required to be produced to further assess the impact on non-breeding birds etc. The final version of which is expected shortly.

Hydrology

This assesses of the potential effect of the proposal on the surface water quality, flood risk, drainage and water use. The site is in flood zone 1 and therefore of minimal risk from flooding though it is recognised there may be localised surface water drainage issues as raised from local knowledge by some of the objectors. A number of mitigation measures will be implemented during construction, operation and decommissioning which will avoid and reduce potential effects and these would be incorporated into the environmental management plan. As a result no significant adverse effects of this nature are expected to occur as a result of the development. A view which is not disputed.

Ground Conditions

The EIA assesses the potential impacts of the development on ground conditions, land use and hydrogeological resources. The geology underlying the site is Sherwood Sandstone with overlying superficial deposits. Made ground associated

with the former airfield may contain contamination hotspots. It is proposed that a baseline geoenvironmental assessment report, ground investigation report and unexploded Ordnance desk study will be undertaken and could be required by an appropriate condition.

Socio economic

In terms of potential employment opportunities it is recognised that the development offers the possibility of providing a source of local labour, goods and services which could benefit the local economy. The construction, operation and decommissioning element of the project is likely to generate some local economy benefits through employment expenditure and supply chain effects. Whilst specialists will be brought in from further afield many of the construction jobs for example will be suitable for local labour.

Cultural Heritage and Archaeology

The assessment concluded that there would be a slight adverse effect on scheduled ancient monuments at Great Knott and Hodbarrow Beacon and that there would be a non-significant effect on the listed buildings of Holy Trinity Church and St Georges Church in Millom. The potential for archaeological deposits on the site has been confirmed by the County's Archaeologist and a programme of archaeological recording is recommended which could be covered by condition. As a result and with the mitigation proposed it is considered that the proposal would not adversely impact on the historic environment.

Electromagnetic Production and Interference

Whilst there may be minor issues arising from consultation with relevant bodies it is considered that adequate mitigation will be available to satisfactorily address them. Consultation responses however to the relevant bodies have indicated that such impacts are unlikely.

Aviation

This is unlikely to be an issue as no objections have been raised from the statutory consultees in this respect.

Proximity to Footpaths and Bridleways

There is some concern as detailed in the Public Rights of Way (ROW) Officer's response that wind turbine 5 would be situated quite close, at only some 50m away, to the existing public footpath at Haws Lane. As noted and discussed in detail in the ROW Officer's response there is no statutory separation distance requirement for the siting of turbines in such locations. Consider however that providing the micro siting allowance was removed for this particular turbine by condition that this would be acceptable mitigation.

Benefits

National policy requires that the wider environmental and economic benefits of renewable energy projects are given significant weight. These are identified as follows:

Renewable Energy Generation / Reduction in Carbon Footprint

The proposed development, assuming an installed capacity of 15MW, will enable the generation of an estimated 32.85 GWh of renewable electricity per year. This is estimated as being the equivalent to the amount of electricity used annually by some 7,360 average households. It equates to approximately 14,126 tonnes of carbon dioxide emissions per year which will displace/ offset the electricity provided by fossil fuels and will bring subsequent environmental benefits by reducing the carbon footprint.

It will contribute towards achieving renewable energy targets. The proposal will also support national energy policy which has an aspiration to generate 30% of the UK's electricity from renewable sources by 2020.

The development will contribute towards cutting emissions that are contributing to climate change.

Local Benefits

The scheme will help HMP Haverigg by providing a significant proportion of its electricity requirements and thus help with the cost of running the prison, with the excess being fed into the national grid.

Local Electricity Infrastructure Improvements

The scope and requirement to improve the local electricity infrastructure to accommodate the scheme will result in a local grid upgrade with Millom and area benefitting.

Conclusion

This is a complex application which requires a balanced judgement to be made between the potential identified impacts of the scheme and the likely benefits. It is therefore important to consider the following competing considerations/ outstanding issues that would not necessarily be satisfactorily addressed by proposed mitigation:

- The effect of the proposal on residential amenity of nearby residents and in particular those residing on the Bank Head Estate and the isolated property Stoup Dub.

Against:

- Potential benefits of the scheme.

And whether this is a particularly harmful effect which significantly outweighs the renewable energy benefits / environmental benefits.

Also to be factored in is the fact that there has been considerable negative community feedback on the proposal including objections from the local Parish Council.

In the overall planning balance it is important to weigh up the benefits of generating renewable energy in this location from the turbines against any potential harm identified. In this instance the EIA, subsequent further environmental information submitted and the AA undertaken have demonstrated that the ecological and ornithological issues arising from the proposal can now be reasonably addressed by the compensatory and mitigation measures proposed making their impacts more acceptable. In addition, with the arguably the exception of residential amenity, all the other potential impacts can now be acceptably minimised.

Against the above, considerable weight should therefore be attached to the wider community benefits that would result from the renewable energy generation and reduction in greenhouse gas emissions from the proposal.

It is reiterated that there is strong national policy support in the NPPF for such schemes and **this stresses that such schemes should be approved if its impacts are or can be made acceptable.**

However, the more recent Ministerial Statement of June 2013 and the subsequent policy guidance on renewable energy clearly state that the wider benefits of the scheme do not automatically override environmental protection. In particular they highlight the consideration of landscape impacts in assessing renewable energy proposals, and strongly advocate the use of landscape character assessments in decision making which reinforces the role and importance of the Wind Energy SPD and the Cumbria Landscape Character Toolkit. Emphasis in this report is placed on their importance. It is concluded however In terms of landscape and visual impact, one of the key issues, that whilst the proposal would result in the presence of 13 turbines in this landscape, these would be experienced as a single development, i.e. as an extension to Haverigg II and III, with the difference in height between the two groups being apparent from some locations. As a result it is not considered that the capacity of the landscape to accommodate wind turbines would be exceeded, with the existing windfarms serving to minimise its impact.

National planning policy promotes targets for renewable energy and advocates that LPA's support proposals for renewable energy developments which do not have unacceptable impacts. Also of note is the fact that the Copeland Local Plan 2013-2028 has now been formally adopted, is consistent with the NPPF and carries significant weight in decision making. In this respect it should be noted that Criterion F of Policy DM2, one of the criteria renewable energy development has to satisfy, specifically states that `there should be no unacceptable impacts of noise, odour, dust, fumes, light or other nuisance that is likely to affect residents`. The key issue here, therefore, is whether the impact on residential amenity as identified is so severe it would adversely affect residents' day to day lives to the extent it is sufficient to justify refusal of the application. This is however difficult to quantify and a judgement has to be made. The underlying test is whether any of the dwellings

affected would become unattractive and unacceptable places to live to the extent that the permission should be refused in the wider public interest. In particular there are some 8 / 9 dwellings on the Bank Head estate with their principal rear outlooks being south / south west looking out towards wind turbine 4 and 5 ranging in distance from some 550m (nearest property no 59) to 670m. At this distance although the turbines would be perceived as dominant at this scale, they would not necessarily be overbearing thus rendering the dwellings unliveable / uninhabitable. By contrast the dwelling at Stoup Dub is only some 600m to wind turbine 5 with its principal outlook away from the turbines and as a result it is not affected to the same degree.

Taking the above into account and with all the identified mitigation measures in place to address the potential impacts it is concluded overall that there would not be any overly significant effects arising from the proposed development, and I am satisfied it has been demonstrated that the proposal is broadly compliant with national and local planning policies.

Recommendation:

That delegated authority be granted to the Head of Strategic Nuclear, Energy and Planning to approve the application subject to no further adverse comments being received as a result of consultation with Natural England and the RSPB on the Appropriate Assessment and a S106 Agreement covering:

- Provision of an area set aside for ornithological enhancement
- Financial contribution CCC seeking for ROW disturbance, amount to be agreed.
- Undertaking of `before and after` building surveys of vulnerable properties affected along the proposed transport route including along North Lane and Coombe View with compensation awarded as deemed appropriate should structural damage be found to have occurred.

And conditions covering the following, please note this list is by no means exhaustive and additional conditions may be required as a result of the further consultation:

- Approval of all the relevant plans/ documentation submitted with the application.
 - Standard condition allowing a 3 year commencement period.
-

- Restricting consent to a 25 year period.
 - Standard decommissioning conditions and the obligation to remove the concrete foundations.
 - Requirement for a Construction Method Statement and a Construction Traffic Management Plan in the interest of highway safety (and conditions regarding routing and surveying of the proposed route, control of working hours and timing of HGV deliveries)
 - Ecological mitigation measures as required by the AA.
 - Provision of an Environmental Management Plan.
 - Noise conditions including the setting of maximum decibel levels where appropriate.
 - Shadow flicker – requirement for the turbines to shut down at times when this is likely to occur.
 - Removal of micro-siting allowance for wind turbine 5 given its proximity to the public bridleway.
 - Boxing in of any culverts.
 - Archaeological recording in advance of construction.
 - Geoenvironmental Assessments and Ground Investigation Reports.
-

Statement

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

ITEM NO: 2.

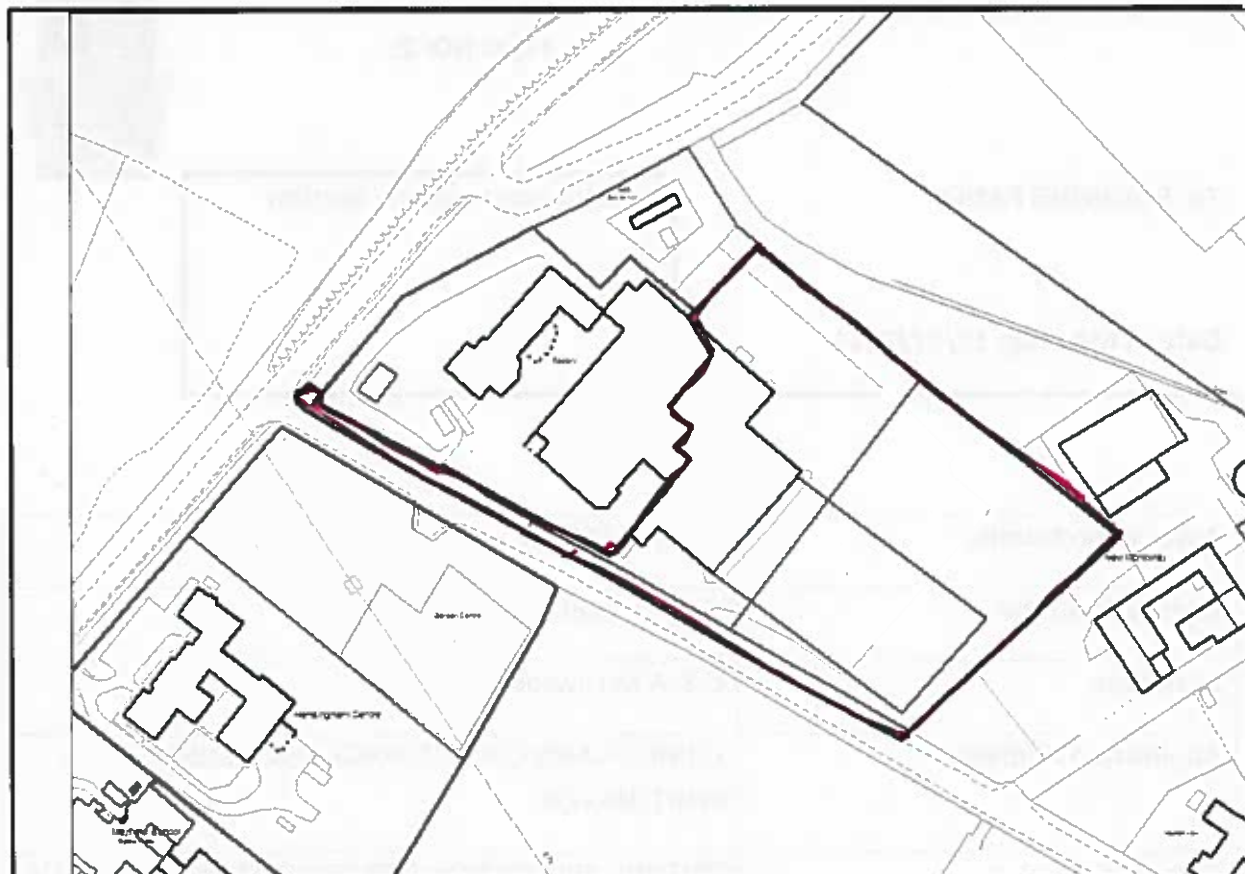


To: PLANNING PANEL

Development Control Section

Date of Meeting: 16/07/2014

Application Number:	4/14/2176/001
Application Type:	Outline : CBC
Applicant:	G & A M Lawson Ltd
Application Address:	CUMBERLAND COLD STORAGE LTD, HENSINGHAM, WHITEHAVEN
Proposal	OUTLINE APPLICATION FOR DEMOLITION OF PART OF VACANT FORMER FISH FACTORY, REMOVAL OF VEHICLE HARD STANDINGS AND SERVICE AREAS AND ERECTION OF 34 DWELLINGS WITH ASSOCIATED LANDSCAPING AND ACCESS
Parish:	Whitehaven
Recommendation Summary:	Approve (subject to Section 106 Agreement)



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INTRODUCTION

This application relates to a part brownfield site which lies to the eastern extent of the Whitehaven settlement boundary. It front onto Moresby Road to the west site boundary and has road access to the frontage onto Whelpside, which is an unclassified road between Moresby Road and Cleator Moor. The site covers 1.35 hectares with the vacant former fish processing factory occupying the majority of the site with associated surrounding hard standing areas. The operational use of the site ceased in 2011. The total site area is 2.12 hectares in size.

This application was deferred at the last meeting to enable members to visits the site prior to making a decision. The site visit took place on 09 July 2014.

PROPOSAL

Outline planning permission is sought for the erection of 34 dwellings on the site. The application seeks to establish the principle of developing the site for residential purposes and matters relating to access, layout and landscaping with other matters relating to scale and appearance reserved for subsequent approval.

A full planning application is also included within this agenda for the redevelopment of the west section of the site for a commercial development of 8 units for B1 & B2 uses (4/14//2177/OF1 refers) as part of a mixed used scheme for the site.

Although in outline form the Design and Access Statement which accompanies the application sets out the following intended design principles:-

- The part of the site proposed for residential development forms the south east portion of the site, which is generally flat with good views of the open countryside to the north.
- The development of the site would be at a density of 25 dwellings per hectare reflecting the peripheral location on the edge of the settlement.
- The scheme includes a portion of affordable housing (6 units).
- There is a varied housing mix within the proposal from 3 – 5 bedrooms and includes detached and semi-detached.

In terms of the matters to be considered for approval at this stage, firstly there is to be a new point of access from the unclassified Whelpside road to the south east of the site. The development layout will then be served by a central spine road from this access with 3 cul de sac area set around the main road. With regards to landscaping, there is a significant tree belt to the south east boundary of the site which is to be retained as part of the development. In addition there is to be supplementary planting to the north and east boundaries, with a larger planting buffer to the west of the housing site to provide some separation with the proposed commercial development area of the overall site.

They have also submitted commercial information to justify the need for the housing part of the overall development, concluding that the viability of a scheme for the site can only be possible with the inclusion of a housing element, to provide a realistic return.

The application is also accompanied by the following information:-

- Site Location Plan
- Proposed Site Plan
- Landscape Structure Plan
- Design & Access Statement
- Stage 1 Road Safety Audit
- Transport Statement
- Tree Survey Report
- Landscape Visual Appraisal
- Flood Risk Assessment

- Foul Sewage and Utilities Assessment
- Habitat and Scoping Survey
- Ground Investigation Report
- Desktop Study
- Draft S106 which relates to affordable housing provision

CONSULTATION RESPONSES

The application is currently out for consultation with a number of technical bodies and also the local residents who live in close proximity to the site. The responses received to date are listed below:-

Environment Agency

Outline planning permission could be granted providing that a condition is imposed on any permission which requires the development to be carried out in accordance with the Flood Risk Assessment (FRA) submitted with the application and a condition relating to contaminated land.

Arboricultural Consultant

No objection to the application, but has suggest that a detailed landscape scheme should be conditioned as part of any approval.

Natural England

No objections to the application

Cumbria County Council Historic Environment

Have no comments to make on the application

Cumbria County Council Education

The County Council will not be seeking a contribution to education infrastructure

Cumbria County Council Highways

No objections to the application subject to conditions

Coal Authority

No objections to the application

United Utilities

No objections to the application subject to conditions

Flood and Coastal Defence Engineer

No objections to the application

Health and Safety Executive

Do not advise against the development. However due to a section of the site being within the gas pipeline safeguarding zone, suggest that the National Grid are consulted.

National Grid

Awaiting comments regarding the application.

Senior Planning Policy Officer

The site is previously developed land that lies within the Whitehaven settlement boundary as defined on the current (2006) Proposals Map. As such, Core Strategy Policies ST1 and ST2B support the principle of development on the site. The site also lies within the Hen Harrier Protection Zone and so the proposed development will need to accord with Policy ENV3.

Whilst not strictly an employment allocation, the site's recent use (for employment) and its retention for employment uses (application 4/14/2177/0F1), at least in part, supports the objectives of Policies ER4, ER5 and ER6A.

The introduction of housing on part of the site will result in the loss of some employment land in Whitehaven. However, the applicant states that the mix is necessary for development viability to enable the redevelopment of the B1 and B2 uses. It might also be argued that allowing for a mix of employment and housing on the site meets in part Policy ER4C whilst enabling Policies ER5 and ER6 to be met.

Regarding the housing element (Ref. 4/14/2176/001), Policy SS1 requires that new development be designed and built to a high standard. Policy SS2C seeks densities of over 30 dwellings per hectare, while Policy SS2D seeks to achieve 50% of new housing on brownfield land. The proposal will help the Council to meet the requirements of Policy SS2D, but the proposed density is only approximately 25 dwellings per hectare which is lower than required in Policy SS2C. I understand that this is to reflect the edge of settlement character and enable higher value properties to be developed, thus supporting the viability of the redevelopment of the whole site (for both employment and residential uses). As such a lower density may be appropriate in this case.

Policy SS3 requires a mix of housing and the proposal provides for a mix of 3-, 4- and 5-bed properties, with six (17% of the total development) to be provided as affordable homes.

This accords with Policy SS3's requirement to deliver a range of good quality and affordable homes, as well as paragraph 5.4.5 which sets the level of affordable housing at between 15% and 25%. I would question whether the number of 5-bed properties proposed for the site is potentially a little high, and I'm not sure there would be sufficient demand for that size of property on the open market. This however is only an observation (for you to query with the applicant if you wish) and not part of the formal policy response.

Normally, the Council would seek to resist residential development on a site that has had an employment use so recently. However, the proposal for the B1 and B2 uses will improve and enhance part of the site as an employment site, and this requires an element of residential development in order to make the scheme as a whole viable.

As such, both applications really need to be considered together and it is felt that on balance the two schemes together form an acceptable proposal for the redevelopment of the former fish factory site.

Other

To date 3 letters of objection have been received from local residents from the Alma Bank/Whelpside area. The main concerns raised can be summarised as follows:-

The development of the site will vastly increase traffic flow along a road that is insufficient to take any extra traffic and car already be dangerous for road users and pedestrians.

PLANNING POLICY

National Planning Policy

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

It identifies three dimensions to sustainable development: economic, social and environmental. A social role is defined as supporting strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of the present and future generations.

Paragraph 22 stresses that planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. It goes on to say that where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.

In terms of housing, paragraph 47 encourages Local Planning Authorities to provide market and affordable housing to meet evidenced needs. Paragraph 50 requires Local Planning

Authorities to deliver a wide choice of high quality homes to meet the needs and demands of the community.

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

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.

Copeland Local Plan 2013-2016

The Local Development Framework Core Strategy and Development Management Policies DPD (known as the Copeland Local Plan 2013-2028) was recently adopted by the Council in December 2013. It now replaces the majority of the policies within the former Copeland Local Plan 2001-2016 with the exception of those policies that allocate land (which are listed in Appendix 1 of the document).

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

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

Policy ST2 sets a spatial development strategy whereby development should be guided to the principle settlement and other centres and sustain rural services and facilities. It lists Whitehaven as the principal settlement within the Borough where the largest scale development and regeneration shall be focussed.

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

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

Policy SS3 requires developers to demonstrate the provision of a balanced mix of housing types. It sets out that development proposals should be assessed according to how they meet identified needs and aspirations of housing need as set out in the SHMA. Whitehaven

is listed as being suitable for executive and high quality family housing in addition to bungalows.

Policy S55 promotes the provision and access to open space and green infrastructure.

Policy ENV 3 seeks to ensure that new development will protect and enhance biodiversity and geodiversity.

Locality

The Core Strategy identifies Whitehaven as one of six "Localities".

The Core Strategy and Housing Strategy propose that 45% of new housing development in Copeland is accommodated within Whitehaven. Rebalancing of the housing markets in Whitehaven Locality means a substantial increase in the supply of larger and more expensive homes as well as some modern affordable housing.

Development Management Policies

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

Policy DM 3 seeks to safeguard employment areas but does allow for non-employment uses subject to it being demonstrated that the site is no longer viable, there are no suitable alternatives or that the benefits significantly outweigh the loss of the employment use. It also notes that alternative uses which comprise a mix of uses will be preferable to a single residential use.

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

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

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

Policy DM22 requires all development proposals to be accessible to all users.

Policy DM25 seeks to ensure that new development protects nature conservation, habitats and protected species.

Policy DM 26 seeks to ensure that new development proposals do not have an adverse impact on the landscape of the Borough.

ASSESSMENT

This application relates to a brownfield site which lies within the designated development boundary for Whitehaven. Although this application on its own consists of a housing development, as part of the overall development it facilitates a new, more useable commercial development.

It is noted that the introduction of housing on this part of the site will result in the overall loss of some employment land in Whitehaven. However, the supporting documentation details that this mix is necessary to enable the redevelopment of the B1 and B2 section of the site in terms of viability. In addition the redeveloped B1 and B2 site will have more modern accommodation available of a more suitable size, as opposed to the current site which has remained vacant for some time and now visually appears in poor condition.

In addition the loss of the employment land should be looked at in the context of the employment space available in the area. The Employment Land review update (ELR 2012) identifies an approximate surplus of 40 hectares of employment land, and therefore the loss of 1.36 hectares should be considered in light of this figure. The land available also covers a wide range of locations and types including Whitehaven Commercial Park, Westlakes, Sneakeat Industrial Estate and other sites in Whitehaven Town Centre.

With regards to the objectors concerns, the Highways Authority has been consulted on the application and has raised no objections. In addition, the proposed use of the site under the two applications will not likely change the overall vehicular traffic due to the scale of the former fish processing use. In addition, if the application is approved, a recommended condition from the Highways Authority includes an extension to the 30mph speed limit which would address some traffic issues in relation to entering/exiting the new development.

To ensure that the two separate sites remain linked, as the justification for this housing development relates to the adjacent employment use, it is considered appropriate to formalise this by including reference in the proposed Section 106 agreement to link construction/commencement of both sites.

It is therefore recommended for approval, subject to no adverse comments being received from the outstanding consultee (National Grid) and the agreement of a Section 106 relating to the affordable housing proposed on the site.

Recommendation:-

Subject to a Section 106 agreement and no adverse comments from the Nation Grid consultation, approve in outline.

Conditions

1. The scale and appearance 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.

3. 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 1:2500@A1 Drawing No 13/07/805 – 01 received by the Local Planning Authority on 23 April 2014.
- Site Plan Scale 1:500@A1 Drawing No 13/07/805 – 02 received by the Local Planning Authority on 23 April 2014.
- Landscape Structure Plan Scale 1:500@A1 Drawing No M2367.01– 07 received by the Local Planning Authority on 23 April 2014.
- Geo Environmental Engineering Phase 1 Desktop Study Report received by the Local Planning Authority on 23 April 2014.
- Geo Environmental Engineering Phase 2 Ground Investigation Report received by the Local Planning Authority on 23 April 2014.
- Openspace Phase 1 Habitat and Scoping Survey received by the Local Planning Authority on 23 April 2014.
- Fairhurst Foul sewage and Utilities assessment received by the Local Planning

- Authority on 23 April 2014.
- Fairhurst Flood Risk Assessment received by the Local Planning Authority on 23 April 2014.
 - Barnes Walker Landscape and Visual Appraisal received by the Local Planning Authority on 23 April 2014.
 - Openspace Tree Survey Report received by the Local Planning Authority on 23 April 2014.
 - Fairhurst Transport Statement 101868/602 received by the Local Planning Authority on 23 April 2014.
 - Fairhurst Designer's Response to Stage 1 Road Safety Audit received by the Local Planning Authority on 23 April 2014.
 - Capita Road Safety Audit received by the Local Planning Authority on 23 April 2014.
 - Design and Access Statement received by the Local Planning Authority on 23 April 2014.

Reason

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

4. Prior to the commencement of development, details of the foul drainage scheme including any necessary infrastructure shall be submitted to and approved in writing by the local planning authority. Foul and surface water shall be drained on separate systems. No building shall be occupied until the approved foul drainage scheme has been completed in accordance with the approved details.
5. Prior to the commencement of development, details for surface water drainage an means of disposal, based on sustainable drainage principles and evidence of an assessment of site conditions (inclusive of how the scheme shall be maintained and managed after completion and any necessary infrastructure) shall be submitted to and approved in writing by the local planning authority. Unless otherwise agreed in writing, any discharge of surface water shall be attenuated to a maximum rate of 5 l/s for any storm event (including allowance for climate change). The scheme shall be completed, maintained and managed in accordance with the approved details.
6. Prior to the residential development commencing the Developer shall have promoted and obtained an extension of the 30mph speed restriction along the U2044 to a point east of the Monkway Farm access.

Reason

To ensure a minimum standard of access provision when the development is brought into use.

7. The estate roads (including improvements to the U2044 back to Moresby Parks Rd) shall be designed, constructed, lit and drained to a standard suitable for adoption and in this respect full engineering details shall be submitted for approval with the first Reserved Matters Application. No work other than site clearance and site investigations shall be commenced until a full design has been approved. These details shall be in accordance with the standards laid down in the current Cumbria Design Guide. All works so approved shall be constructed before the development is considered complete.

Reason

To ensure a minimum standard of access provision when the development is brought into use.

8. House accesses and, parking provision, commensurate with the Cumbria Parking Standards, shall be designed and constructed to the satisfaction of the Local Planning Authority and in this respect full engineering details, shall be submitted with the Reserved Matters Applications for the sites. No building work shall be commenced until a full approval is obtained and sufficient of the access/parking facilities shall be constructed, so construction works are accommodated clear of the roads.

Reason

To ensure a minimum standard of access provision when the development is brought into use.

9. No dwelling shall be occupied until its access and parking facilities have been completed, these facilities shall be retained capable of use at all times thereafter and shall not be removed or altered without the prior consent of the Local Planning Authority.

Reason

To ensure a minimum standard of access provision when the development is brought into use.

10. Full details of the sustainable surface water drainage system shall be submitted to the Local Planning Authority for approval. All approved works shall be implemented prior to the development being completed and shall be maintained operational thereafter.

Reason

In the interests of highway safety and environmental management.

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

Reason

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

12. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) Former Fish Factory, Moresby Road, Whitehaven - produced by Fairhurst and dated 28/03/2014 and the following mitigation measures detailed within the FRA:

Surface water discharge will be limited to 5l/s as requested by United Utilities as outlined in Section 6.2 of the Flood Risk Assessment.

As per Section 6.3 paragraph 4 of the Flood Risk Assessment, for the 100 year return period plus an allowance for climate change, it is estimated that a total volume of up to 882m³ attenuated discharge to the limit set by United Utilities. To ensure that discharge rates are controlled, a flow control device will be installed upstream of the offsite drainage connection. This could take the form of an orifice plate, 'vortex' flow control device or similar.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reasons

To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.

13. No development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1) A preliminary risk assessment which has identified:
all previous uses potential contaminants associated with those uses a conceptual model of the site indicating sources, pathways and receptors
potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason

To protect the quality of controlled waters.

Informative:

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

ITEM NO: 3.



To: PLANNING PANEL

Development Control Section

Date of Meeting: 16/07/2014

Application Number:	4/14/2177/OF1
Application Type:	Full : CBC
Applicant:	G & A M Lawson Ltd
Application Address:	CUMBERLAND COLD STORAGE LTD, HENSINGHAM, WHITEHAVEN
Proposal	DEMOLITION OF VACANT FORMER FISH FACTORY AND ERECTION OF 1,521 SQ M OF B1 AND B2 COMMERCIAL DEVELOPMENT WITH ASSOCIATED LANDSCAPING AND ACCESS
Parish:	Whitehaven
Recommendation Summary:	Approve

Further information is also available on The Coal Authority website at www.coal.decc.gov.uk

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

Statement:

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



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INTRODUCTION

This application relates to a part brownfield site which lies to the eastern extent of the Whitehaven settlement boundary. It front onto Moresby Road to the west site boundary and has road access to the frontage onto Whelpside, which is an unclassified road between Moresby Road and Cleator Moor. This site covers 0.76 hectares with the vacant former fish processing factory occupying the majority of the site with associated surrounding hard standing areas. The operational use of the site ceased in 2011. The total site area is 2.12 hectares in size.

This application was deferred at the last meeting to enable members to visit the site prior to making a decision. The site visit took place on 09 July 2014.

PROPOSAL

Full planning permission is sought for the erection of 8 commercial units on the site, which would provide 1,521 sq m of space for B1 or B2 use (business office use/light industry and general industry).

An outline planning application is also included within this agenda for the redevelopment of the east section of the site for a housing development of 34 units (4/14/2176/001 refers) as part of a mixed used scheme for the overall site.

The proposed commercial units will be set around a central access road from an existing point of access to the site. It is from the Alma Bank/Whelpside unclassified road to the south of the site, which will be separate from the access to the proposed housing development within the other planning application.

The units are of varied sizes, including single and two storey, and will be available for either lease or sale. They are of a simple design with white painted blockwork walls, dark grey metal profiled sheeting to the roof and timber windows and doors. Each unit will have dedicated parking spaces within the site and modest area of landscaping will be located around the development.

The applicants' agent has indicated that two of the proposed 8 units have been pre-let and suggests that this confirms the potential demand for such sized units whereas the existing large single factory unit remained unused for 3 years prior to this application. They have also submitted commercial information to justify the need for the housing part of the overall development, concluding that the viability of a scheme for the site can only be possible with the inclusion of a housing element, to provide a realistic return.

The application is also accompanied by the following information:-

- Site Location Plan
- Proposed Site Plan
- Detailed Unit floor plans and elevations
- Landscape Structure Plan
- Design & Access Statement
- Stage 1 Road Safety Audit
- Transport Statement
- Tree Survey Report
- Landscape Visual Appraisal
- Flood Risk Assessment
- Foul Sewage and Utilities Assessment
- Habitat and Scoping Survey
- Ground Investigation Report
- Desktop Study

CONSULTATION RESPONSES

The application is currently out for consultation with a number of technical bodies and the local residents. The responses received to date are listed below:-

Environment Agency

Planning permission could be granted providing that a condition is imposed on any permission which requires the development to be carried out in accordance with the Flood Risk Assessment (FRA) submitted with the application and a condition relating to contaminated land.

Arboricultural Consultant

No objection to the application, but has suggest that a detailed landscape scheme should be conditioned as part of any approval.

Cumbria County Council Historic Environment

Have no comments to make on the application

Cumbria County Council Highways

No objections to the application subject to conditions

Coal Authority

No objections to the application

United Utilities

No objections to the application subject to conditions

Flood and Coastal defence engineer

No objections to the application

Senior Planning Policy Officer

The site is previously developed land that lies within the Whitehaven settlement boundary as defined on the current (2006) Proposals Map. As such, Core Strategy Policies ST1 and ST2B support the principle of development on the site. The site also lies within the Hen Harrier Protection Zone and so the proposed development will need to accord with Policy ENV3.

Whilst not strictly an employment allocation, the site's recent use (for employment) and its retention for employment uses (application 4/14/2177/OF1), at least in part, supports the objectives of Policies ER4, ER5 and ER6A.

The introduction of housing on part of the site will result in the loss of some employment land in Whitehaven. However, the applicant states that the mix is necessary for development viability to enable the redevelopment of the B1 and B2 uses. It might also be argued that allowing for a mix of employment and housing on the site meets in part Policy ER4C whilst enabling Policies ER5 and ER6 to be met.

Normally, the Council would seek to resist residential development on a site that has had an employment use so recently. However, the proposal for the B1 and B2 uses will improve and enhance part of the site as an employment site, and this requires an element of residential development in order to make the scheme as a whole viable.

As such, both applications really need to be considered together and it is felt that on balance the two schemes together form an acceptable proposal for the redevelopment of the former fish factory site.

Other

To date 3 letters of objection have been received from local residents from the Alma Bank/Whelpside area. The main concerns raised can be summarised as follows:-

The development of the site will vastly increase traffic flow along a road that is insufficient to take any extra traffic and car already be dangerous for road users and pedestrians. The erection of the commercial units is unnecessary as there are empty units on the Whitehaven Commercial Park at Moresby less than a mile away.

PLANNING POLICY

National Planning Policy Framework

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

In terms of delivering sustainable development paragraphs 18, 19 and 20 are relevant and advocate this. They emphasise the commitment towards building a strong, competitive economy.

Paragraph 19 states in particular that planning should operate to encourage and support sustainable economic growth.

Paragraph 21 stresses the importance of supporting existing business sectors, facilitating investment and realises that policies should be flexible enough to accommodate needs.

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

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

Paragraph 173 seeks to ensure viability and deliverability. It clarifies that pursuing sustainable development requires careful attention to viability and costs in decision taking.

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

Copeland Local Plan 2013 - 2028

The Core Strategy and Development Management Policies DPD (now referred to as the Copeland Local Plan 2013 – 2026) which replaces most of the Policies in the Local Plan 2001-16 was adopted in December 2013.

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

Policy ST1 of the Core strategy sets out the fundamental principles that will achieve sustainable development in the Borough, including support for development proposals which develop or retain jobs in suitable locations. It advocates the reuse of brownfield land and supports the reclamation and redevelopment of vacant and derelict sites.

ST 2 Spatial Development Strategy and ST 3 Strategic Development Priorities - outline the overall spatial and regeneration strategies for the Borough. It sets a spatial development strategy whereby development should be guided to the principle settlement and other centres and sustain rural services and facilities. ST3 identifies Whitehaven as a priority for development which will provide economic growth and regeneration.

ER4: Land and Premises for Economic Development - this aims to ensure that there is an adequate supply of land in the Borough for business development and includes safeguarding employment areas.

ER5: Improving the Quality of Employment Space – this aims to ensure that good quality premises and an attractive environment for business which will help economic regeneration.

ER6: Location of Employment – advocates locating economic activity in areas where there are shared services, facilities and the potential for growth.

Development Management Policies

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

Policy DM 3 seeks to safeguard employment areas but does allow for non-employment uses subject to it being demonstrated that the site is no longer viable, there are no suitable alternatives or that the benefits significantly outweigh the loss of the employment use. It also notes that alternative uses which comprise a mix of uses will be preferable to a single residential use.

Policy DM10 requires new development to be of a high standard of design to enable the fostering of 'quality places'. In doing so development should respond positively to the character of the site and it's immediate and wider setting, paying careful attention to scale,

massing and arrangement. Likewise, development should create and maintain reasonable standards of general amenity.

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

Policy DM 26 seeks to ensure that new development proposals do not have an adverse impact on the landscape of the Borough.

ASSESSMENT

This application relates to a brownfield site which lies within the designated development boundary for Whitehaven. It forms part of an overall proposal to redevelop the former fish factory site to provide a mix of employment and housing units.

It is noted that the introduction of housing on the adjacent part of the site will result in the overall loss of some employment land in Whitehaven. However, the supporting documentation details that this mix is necessary to enable the redevelopment of the B1 and B2 section of the site in terms of viability. In addition the redeveloped B1 and B2 site will have more modern accommodation available of a more suitable size, as opposed to the current site which has remained vacant for some time and now visually appears in poor condition.

With regards to the objectors concerns, the Highways Authority has been consulted on the application and has raised no objections. In addition, the proposed use of the site under the two applications will not likely change the overall vehicular traffic due to the scale of the former fish processing use.

To ensure that the two separate sites remain linked, as the justification for the adjoining housing relates to the adjacent employment use, it is considered appropriate to formalise this by including reference in the proposed Section 106 agreement to link construction/commencement of both sites.

On the basis of the above, it is therefore recommended for approval.

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 Plan Scale 1:500@A1 Drawing No 13/07/805 – 02 received by the Local Planning Authority on 23 April 2014.
 - Plots 3 & 4 Scale 1:500@A1 Drawing No 13/07/805 – 03 b) received by the Local Planning Authority on 23 April 2014.
 - Plots 1 & 6 Scale 1:500@A1 Drawing No 13/07/805 – 04 received by the Local Planning Authority on 23 April 2014.
 - Plot 2 Scale 1:500@A1 Drawing No 13/07/805 – 05 c) received by the Local Planning Authority on 23 April 2014.
 - Plots 7 & 8 Scale 1:500@A1 Drawing No 13/07/805 – 06 received by the Local Planning Authority on 23 April 2014.
 - Plot 5 Scale 1:500@A1 Drawing No 13/07/805 – 07 received by the Local Planning Authority on 23 April 2014.
 - Plot 5 Scale 1:500@A1 Drawing No 13/07/805 – 08 received by the Local Planning Authority on 23 April 2014.
 - Landscape Structure Plan Scale 1:500@A1 Drawing No M2367.01– 07 received by the Local Planning Authority on 23 April 2014.
 - Geo Environmental Engineering Phase 1 Desktop Study Report received by the Local Planning Authority on 23 April 2014.
 - Geo Environmental Engineering Phase 2 Ground Investigation Report received by the Local Planning Authority on 23 April 2014.
 - Openspace Phase 1 Habitat and Scoping Survey received by the Local Planning Authority on 23 April 2014.
 - Fairhurst Foul sewage and Utilities assessment received by the Local Planning Authority on 23 April 2014.
 - Fairhurst Flood Risk Assessment received by the Local Planning Authority on 23 April 2014.
 - Barnes Walker Landscape and Visual Appraisal received by the Local Planning Authority on 23 April 2014.
 - Openspace Tree Survey Report received by the Local Planning Authority on 23 April 2014.
 - Fairhurst Transport Statement 101868/602 received by the Local Planning Authority on 23 April 2014.
 - Fairhurst Designer's Response to Stage 1 Road Safety Audit received by the Local Planning Authority on 23 April 2014.
 - Capita Road Safety Audit received by the Local Planning Authority on 23 April 2014.
 - Design and Access Statement received by the Local Planning Authority on 23

April 2014.

Reason

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

3. Prior to the commencement of development, details of the foul drainage scheme including any necessary infrastructure shall be submitted to and approved in writing by the local planning authority. Foul and surface water shall be drained on separate systems. No building shall be occupied until the approved foul drainage scheme has been completed in accordance with the approved details.

Reason

To ensure a satisfactory drainage system

4. Prior to the commencement of development, details for surface water drainage and means of disposal, based on sustainable drainage principles and evidence of an assessment of site conditions (inclusive of how the scheme shall be maintained and managed after completion and any necessary infrastructure) shall be submitted to and approved in writing by the local planning authority. Unless otherwise agreed in writing, any discharge of surface water shall be attenuated to a maximum rate of 5 l/s for any storm event (including allowance for climate change). The scheme shall be completed, maintained and managed in accordance with the approved details.

Reason

To ensure a satisfactory drainage system

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

Reason

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

6. The spine road shall be designed, constructed, lit and drained to a standard suitable for adoption and in this respect full engineering details shall be submitted for

approval. No work other than site clearance and site investigations shall be commenced until a full design has been approved. All works so approved shall be constructed before the development is considered complete.

Reason

To ensure a minimum standard of access provision when the development is brought into use.

7. The accesses to and parking provision for, the proposed units shall be designed and constructed to the satisfaction of the Planning Authority, commensurate with the Cumbria Parking Standards; and in this respect full engineering details, shall be submitted. No building work of any unit shall be commenced until (a) full approval(s) is/are obtained and sufficient of the access/parking facilities are constructed, so building works are accommodated clear of the 'spine road'.

Reason

To ensure a minimum standard of access provision when the development is brought into use.

8. No business unit will be occupied until its access and parking facilities have been completed, these facilities shall be retained capable of use at all times thereafter and shall not be removed or altered without the prior consent of the Local Planning Authority.

Reason

To ensure a minimum standard of access provision when the development is brought into use.

9. Full details of the sustainable surface water drainage system shall be submitted to the Local Planning Authority for approval. All approved works shall be implemented prior to the development being completed and shall be maintained operational thereafter.

Reason

In the interests of highway safety and environmental management.

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

in accordance with the approved details.

Reason

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

11. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) Former Fish Factory, Moresby Road, Whitehaven - produced by Fairhurst and dated 28/03/2014 and the following mitigation measures detailed within the FRA:

Surface water discharge will be limited to 5l/s as requested by United Utilities as outlined in Section 6.2 of the Flood Risk Assessment.

As per Section 6.3 paragraph 4 of the Flood Risk Assessment, for the 100 year return period plus an allowance for climate change, it is estimated that a total volume of up to 882m³ attenuated discharge to the limit set by United Utilities. To ensure that discharge rates are controlled, a flow control device will be installed upstream of the offsite drainage connection. This could take the form of an orifice plate, 'vortex' flow control device or similar.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reasons

To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.

12. No development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

- 1) A preliminary risk assessment which has identified:
all previous uses potential contaminants associated with those uses a conceptual model of the site indicating sources, pathways and receptors

potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason

To protect the quality of controlled waters.

Informative:

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

Further information is also available on The Coal Authority website at www.coal.decc.gov.uk

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

Statement:

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

ITEM NO: 4.

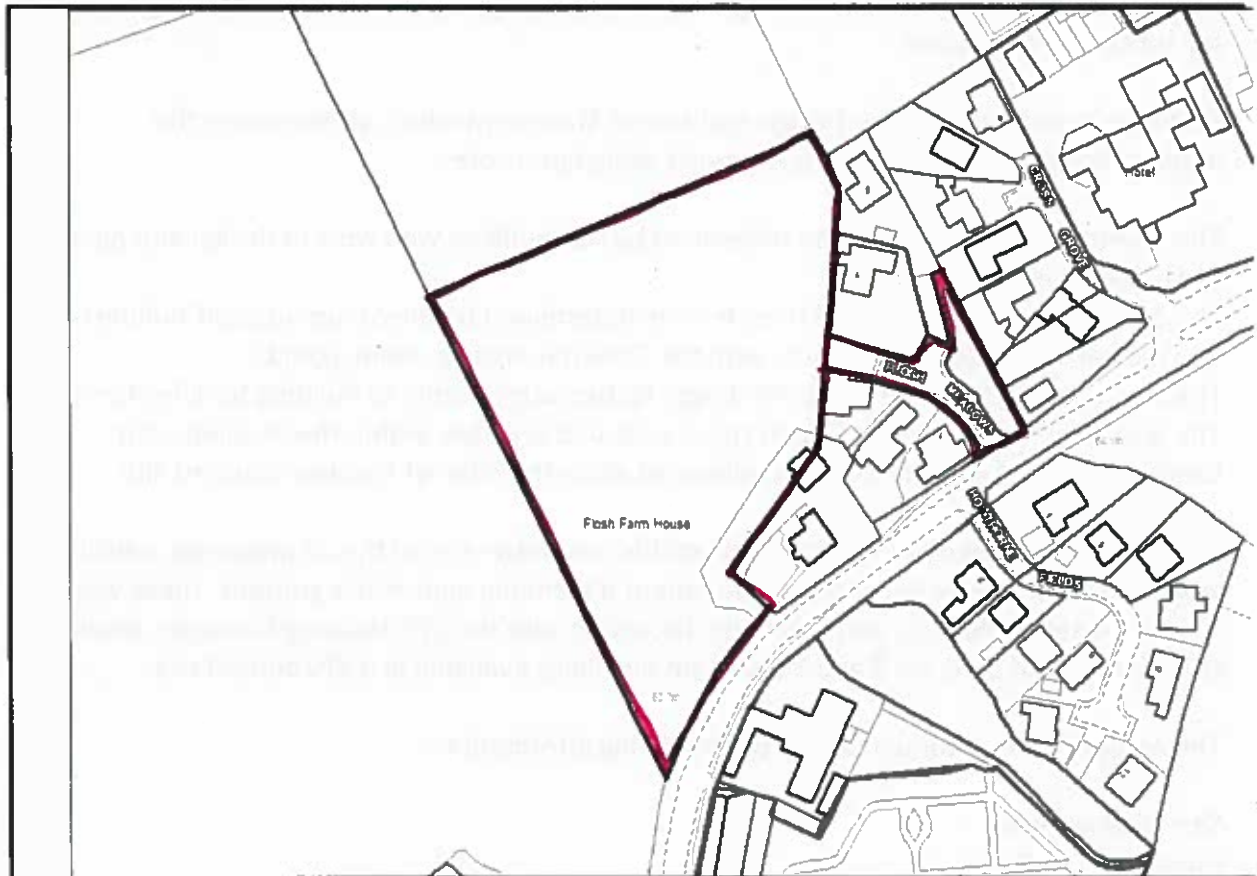


To: PLANNING PANEL

Development Control Section

Date of Meeting: 16/07/2014

Application Number:	4/14/2183/001
Application Type:	Outline : CBC
Applicant:	Lakeland Associates (Cleator) Ltd
Application Address:	LAND AT FLOSH FARM HOUSE, CLEATOR
Proposal	OUTLINE APPLICATION FOR HOUSING DEVELOPMENT
Parish:	Cleator Moor
Recommendation Summary:	Approve in Outline (commence within 3 years)



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INTRODUCTION

This application relates to a greenfield site which lies to adjacent to A5086, to the rear of the Flish Farm House and the 5 dwellings on Flish Meadows. The land is located centrally within the linear settlement of Cleator. The site covers 1.2 hectares and is currently in use for agricultural purposes.

This application was deferred at the last meeting to enable members to visits the site prior to making a decision. The site visit took place on 09 July 2014.

PROPOSAL

Outline planning permission is sought for the erection of 28 dwellings. The application seeks to establish the principle of developing the site for residential purposes and approval for the

access, with all other matters relating to layout, scale, appearance and landscaping reserved for subsequent approval.

Although in outline form the Design and Access Statement which accompanies the application sets out the following intended design principles:-

The intention for the site is to be developed by self-builders who wish to design and develop their own properties.

The housing mix on the site will therefore be determined by the occupants/self-builders.

The idea of self-build plots accords with the Governments Localism agenda.

The layout of the site will reflect the design factors attributable to Building for Life standards

The layout includes an area of open space provided centrally within the development

Landscaping will be reinforced and enhanced along the edge of the development site.

In addition, the proposal included 7 affordable properties out of the 28 proposed, which would be secured by a Section 106 agreement if planning approval is granted. These would be also be self-build plots and following discussing with the CBC Housing Manager, would take the form of plots for 2 and 3 bedroom dwellings available at a discounted sale.

The application is accompanied by the following information:-

Site Location Plan

Proposed Site Plan

Design & Access and Planning Statement

Flood Risk and Drainage Statement

Travel Plan

Transport Assessment

Ecology and Tree Report

Habitat Survey

CONSULTATION RESPONSES

The application is currently out for consultation with a number of technical bodies and also the local residents who live in close proximity to the site. The responses received to date are listed below:-

Environment Agency

Outline planning permission could be granted providing that a condition is imposed on any permission which requires the development to be carried out in accordance with the Flood Risk Assessment (FRA) submitted with the application.

Cleator Moor Town Council

No objection to the application.

Arboricultural Consultant

No objection to the application, but has suggest that a detailed landscape scheme should be conditioned as part of any approval.

Cumbria County Council Historic Environment
Have no comments to make on the application

Cumbria County Council Education
The County Council will not be seeking a contribution to education infrastructure

Cumbria County Council Highways
No objections to the application subject to conditions

United Utilities
No objections to the application subject to conditions

Senior Planning Policy Officer
The proposal is for housing on a greenfield piece of land outside the existing settlement boundary for Cleator. Core Strategy Policy ST2B says that “development will be located in the Borough’s settlements at an appropriate scale, within defined settlement boundaries”, and as such the proposal is contrary to policy.

Paragraph 3.5.15 of the Core Strategy goes on to explain that settlement boundaries may be subject to review in order to accommodate housing land identified through the Strategic Housing Land Availability Assessment (SHLAA) process that is considered to be suitable for allocation in the Site Allocations and Policies Plan, which is currently being produced. One such boundary that may be redrawn is at Cleator.

The proposed site has been submitted through the SHLAA process as a potential land allocation and the initial desktop study has suggested that it could be deliverable within the first five years following adoption of the Plan due to it being well related to the existing built form and relatively unconstrained. This does not however automatically mean that the site will be allocated in the Local Plan, and there are a number of alternative sites that are being considered for allocation in the Site Allocations and Policies Plan.

The proposal is for a housing scheme that comprises self-build plots and a proportion of affordable housing. The self-build element would appear to meet the Government’s objectives to provide more housing choice through the offer of self-build plots. It could also be argued that such housing could help meet the aspirations of Core Strategy Policies SS1 and SS3.

The proposed affordable housing provision would also meet the requirements of Policy SS3 and Paragraph 5.4.5 and go some way towards meeting the identified need for eight affordable homes per annum in Cleator (identified in the Strategic Housing Market Assessment). However, I would recommend that you seek clarification regarding the actual number of affordable homes proposed, as the application form states six while the Design and Access Statement – Planning Statement and indicative layout identify seven affordable housing plots.

The open space provision within the scheme is welcomed, and conforms with Policy SS5, although clarity around the future maintenance of any such space is needed. The production of a design code is also welcomed and should enable any homes that are built to meet the requirements of good design as required in Policies DM10-DM12.

As such, the proposal has potential merits and could be considered to be in conformity with a number of policies in the Copeland Local Plan 2013-2028: Core Strategy and Development Management Policies, if the site were to be allocated.

The proposal is on a greenfield site that is outside the current settlement boundary and therefore contrary to policy. It is, however, a site that appears to have strong potential for future allocation, although this is still to be determined. The balance at this time is to consider whether the potential benefits from the development (i.e. the affordable housing) together with the self-build housing, which is in line with the Government's aspirations, are sufficient to justify the approval of the application as an exception to policy and in advance of any allocation.

I would prefer the site and its status to be determined through the emerging Site Allocations and Policies Plan to ensure that the most appropriate and sustainable development takes place in Cleator, but feel that there is sufficient merit and alignment with adopted planning policy that a positive decision may be taken if Members wish to support the proposal at this time.

Decisions on such sites will become easier once the preferred options for the Site Allocations and Policies Plan has been approved and published for consultation, as this will begin the process of attributing weight to the Council's emerging preferences for allocation.

Other

2 letters of objection have been received from local residents, one of which is signed by the residents of three dwellings in Flish Meadows. The main concerns raised can be summarised as follows:-

- Adverse impacts on residential amenity including loss of privacy
- Development is on greenfield land whereas it should be prioritised on previously developed land
- The site lies outside the development boundary in open countryside
- It will have an adverse visual impact on the locality
- Potential increase in flood risk to the existing properties
- Increased vehicular movements and adverse impacts on highway safety
- The self-build plots will increase the development time causing additional problems for residents

5 emails have been received in support of the application, from people who would potentially like to build properties on the site.

PLANNING POLICY

National Planning Policy

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

It identifies three dimensions to sustainable development: economic, social and environmental. A social role is defined as supporting strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of the present and future generations.

In terms of housing, paragraph 47 encourages Local Planning Authorities to provide market and affordable housing to meet evidenced needs.

Paragraph 49 advises that housing applications should be considered in the context of the presumption in favour of sustainable development. It also stresses that Local Planning Authorities should be able to demonstrate a five year supply of deliverable housing sites.

Paragraph 50 requires Local Planning Authorities to deliver a wide choice of high quality homes to meet the needs and demands of the community.

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

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.

Copeland Local Plan 2013-2016

The Local Development Framework Core Strategy and Development Management Policies DPD (known as the Copeland Local Plan 2013-2028) was recently adopted by the Council in December 2013. It now replaces the majority of the policies within the former Copeland Local Plan 2001-2016 with the exception of those policies that allocate land (which are listed in Appendix 1 of the document).

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

Policy ST1 of the Core strategy sets out the fundamental principles that will achieve sustainable development. Among other things it seeks to ensure that development creates a

It should be noted that whilst the Copeland Local Plan 2001 – 2016 has been superseded by not only the National policy but also the Copeland Local Plan 2013 – 2018, the policies regarding boundaries are still relevant. Therefore until such time as the settlement boundaries are updated in the current Local Plan, Policy DEV 4 remains relevant to the determination of this application. This confirms that, whilst adjoining, the site is outside of the settlement boundary for Cleator.

In terms of benefits the applicants have offered 7 affordable units on the site. The exact terms of which will be suitably addressed via an appropriately worded S106 to accompany an approval should permission be granted. More latterly the County Council have also requested a commuted sum payment for the enhancement of school transport within the village of Cleator, following the submission of both this application and the application in outline for a residential development of 79 houses on part of the former Kangol site also in Cleator.

As it stands the proposal remains an unallocated greenfield site outside of the settlement boundary in Policy DEV 4 of the Copeland Local Plan 2001-16 and as such would be considered as development in the open countryside under Policy SS3 of the Copeland Local Plan 2013 – 2028.

However the Core Strategy and Development Management Policies document requires additional pieces of land to be allocated to support the aspirations of the borough to 2028. Ideally deliberation over sites needed to deliver these aspirations should be secured through a Site Allocations process. Determination of this application is premature to the allocation process and while this would be a preferential way of confirming the site's status, the application has been submitted it is not considered that determination should be delayed.

It is recognised that it may be necessary to include sites outside the settlement boundaries in order to ensure that land allocations relate to development that is deliverable. At this stage sites which may be within the settlement boundary, and apparently sequentially preferable to the application site may not be deliverable within the timeframe of the emerging local plan. Government policy in promoting an agenda for growth has generally been interpreted as tipping the balance in favour of development which is deliverable, as long as it is sustainable, and avoids unacceptable harm to other material considerations, even if policy requirements cannot be met.

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

This allows a more flexible approach to decision making advocating a presumption in favour of granting planning permission unless there are significant adverse impacts that would outweigh the benefits or were it is not in accordance with the specific policies of the NPPF.

CONCLUSION

It is reiterated that the site remains outside the Copeland Local Plan 2001 – 2016 settlement boundary (Policy DEV 4) and the proposed settlement boundary in the new local plan have not yet been reviewed, and that the preferred options for residential developments will not be formally identified until around the year end.

However, on balance of the above policies and the submitted details, including a contribution to affordable housing in the area which can be controlled via a S106 and conditions it is concluded that the proposal should be supported.

Recommendation:-

Subject to a Section 106 agreement, approve in outline

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.

3. 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:-

- Existing Site Plan Scale 1:500@A1 Drawing No 3828-01 received by the Local Planning Authority on 30 April 2014.
- Location Plan Scale 1:2500 Drawing No 3828-02 received by the Local Planning Authority on 30 April 2014.
- Proposed Site Plan Scale 1:500@A1 Drawing No 3828-03 received by the Local Planning Authority on 30 April 2014.
- Flood Risk and Drainage Statement by RWO Associates Ref RO/14016.2 received by the Local Planning Authority on 30 April 2014.
- Travel Plan by RWO Associates Ref PB/14016.200 received by the Local Planning Authority on 30 April 2014.
- Transport Assessment by RWO Associates Ref PB/14016.200 received by the Local Planning Authority on 30 April 2014.
- Habitat and Scoping Survey by Openspace received by the Local Planning Authority on 30 April 2014.
- Planning Statement received by the Local Planning Authority on 30 April 2014.
- Design Code by Day Cummins Ltd received by the Local Planning Authority on 30 April 2014.
- Design and Access Statement by Day Cummins Ltd received by the Local Planning Authority on 30 April 2014.

Reason

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

4. Prior to commencement of development, details for how foul and surface water shall be drained on a separate system shall be submitted to the local planning authority and approved in writing. The development shall be completed in accordance with the approved details.

Reason

To ensure a satisfactory drainage system.

5. Prior to the commencement of development, a scheme for surface water and foul water drainage (inclusive of how the scheme shall be maintained and managed after completion) shall be submitted to and approved in writing by the Local Planning Authority. The drainage scheme submitted for approval shall be in accordance with the principles set out in the planning application proposing surface water runoff

discharging into the soil infiltration system. No part of the development shall be occupied until the drainage scheme has been constructed in accordance with the approved details. For the avoidance of doubt, neither surface water, nor land drainage, nor highway drainage shall connect into the public sewerage system (directly or indirectly). The development shall be completed, maintained and managed in accordance with the approved details.

Reason

To ensure a satisfactory drainage system.

6. No development approved by this permission shall be commenced until the programmed improvements to Cleator Wastewater Treatment Works have been completed by United Utilities. No occupation of dwellings approved by this permission shall occur until December 2014 when the improvement works are complete.

Reason

To ensure a satisfactory drainage system.

7. A public sewer crosses this site and United Utilities will not permit building over it. An access strip is required at a width of 6 metres, 3 metres either side of the centre line of the sewer which is in accordance with the minimum distances specified in the current issue of "Sewers for Adoption", for maintenance or replacement. Deep rooted shrubs and trees should not be planted in the vicinity of the public sewer and overflow systems.

Reason

To ensure a satisfactory drainage system.

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

Reason

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

9. The estate roads (including improvements to the link from the A5086) shall be designed, constructed, lit and drained to a standard suitable for adoption and in this respect full engineering details shall be submitted for approval with the first Reserved Matters Application. No work other than site clearance and site investigations shall be commenced until a full design has been approved. These details shall be in accordance with the standards laid down in the current Cumbria Design Guide. All works so approved shall be constructed before the development is considered complete.

Reason

To ensure a minimum standard of access provision when the development is brought into use.

10. House accesses and, parking provision, commensurate with the Cumbria Parking Standards, shall be designed and constructed to the satisfaction of the Local Planning Authority and in this respect full engineering details, shall be submitted with the Reserved Matters Applications for the sites. No building work shall be commenced until a full approval is obtained and sufficient of the access/parking facilities shall be constructed, so construction works are accommodated clear of the roads.

Reason

To ensure a minimum standard of access provision when the development is brought into use.

11. No dwelling shall be occupied until its access and parking facilities have been completed, these facilities shall be retained capable of use at all times thereafter and shall not be removed or altered without the prior consent of the Local Planning Authority.

Reason

To ensure a minimum standard of access provision when the development is brought into use.

12. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) Proposed Residential

Development, Flosch Meadows, Cleator - produced by RWO Associates and dated April 2014 and the following mitigation measures detailed within the FRA:

1. Limiting the surface water run-off generated by the 1 in 100 year critical storm with a 30% allowance for climate change so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site as per point 5.0 of the Flood Risk Assessment.
2. Any flooding for the 100 year event with climate change will need to be stored on site to protect third party land from potential overland flows. Should flooding for the 100 year event plus climate change occur a flood routing or above ground storage drawing should be produced to demonstrate there is no risk to dwellings or third party land as per point 5.0 of the Flood Risk Assessment.
3. Identification and provision of safe route(s) into and out of the site to an appropriate safe haven as per point 5.0 of the Flood Risk Assessment.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reasons

To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to prevent flooding elsewhere to ensure safe access and egress from and to the site.

Informative:

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

Further information is also available on The Coal Authority website at www.coal.decc.gov.uk

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

List of Delegated Decisions

Selection Criteria:

From Date: 09/06/2014

To Date: 04/07/2014

Printed Date: Monday, July 07, 2014

Printed Time: 9:38 AM

Application Number	4/13/2355/0L1
Applicant	Mr S Linfoot
Location	CHAPEL HOUSE SOUTH, EGREMONT ROAD, WHITEHAVEN
Proposal	LISTED BUILDING CONSENT FOR MINOR INTERNAL AND EXTERNAL ALTERATIONS
Decision	Approve Listed Building Consent (start within 3yr)
Decision Date	23 October 2013
Dispatch Date	20 June 2014
Parish	Whitehaven

Application Number	4/14/2062/001
Applicant	Mr R Ogilvie
Location	GARDEN LAND OF 16 LOOP ROAD SOUTH, WHITEHAVEN
Proposal	OUTLINE APPLICATION FOR ONE 2 STOREY DETACHED DWELLING AND GARAGE
Decision	Approve (commence within 3 years)
Decision Date	19 May 2014
Dispatch Date	20 June 2014
Parish	Whitehaven

Application Number	4/14/2064/0F1
Applicant	Mrs B Mahovic
Location	UNIT 3 & PART OF UNIT 2 TANGIER BUILDINGS, TANGIER STREET, WHITEHAVEN
Proposal	CHANGE OF USE OF UNIT 3 (FORMERLY AN OFF LICENCE) AND PART OF UNIT 2 (FORMERLY A RESTAURANT KITCHEN) INTO A5 USE, WITH ASSOCIATED EXTRACT FACILITIES
Decision	Approve (commence within 3 years)
Decision Date	16 June 2014
Dispatch Date	20 June 2014
Parish	Whitehaven

Application Number	4/14/2078/0F1
Applicant	Mr and Mrs M Fletcher
Location	HIGH LOWSCALES, MILLOM
Proposal	CONVERT LARGE BARN TO 3 NO. FREEHOLD HOLIDAY LET APARTMENTS; WITH GYM AREA, RECREATION AREAS, PARKING, LANDSCAPING AND NEW SEPTIC TANK
Decision	Approve (commence within 3 years)
Decision Date	2 July 2014
Dispatch Date	4 July 2014
Parish	Millom Without

Application Number	4/14/2080/0F1
Applicant	Mr T Dorgan
Location	SHIP LAUNCH INN, 68 NORTH ROAD, EGREMONT
Proposal	CHANGE OF USE FROM DRINKING ESTABLISHMENT (A4) TO DWELLINGHOUSE (C3)
Decision	Approve (commence within 3 years)
Decision Date	11 June 2014
Dispatch Date	16 June 2014
Parish	Egremont

Application Number	4/14/2082/OF1
Applicant	Mr I Savage
Location	NORTH VILLA, DRIGG ROAD, SEASCALE
Proposal	DOUBLE GARAGE AND STORE
Decision	Approve (commence within 3 years)
Decision Date	11 June 2014
Dispatch Date	16 June 2014
Parish	Seascale

Application Number	4/14/2087/OF1
Applicant	Mrs K M Mawson
Location	SILVERDALE, GOSFORTH, SEASCALE
Proposal	LAWFUL DEVELOPMENT CERTIFICATE FOR AN EXISTING USE FOR A RESIDENCE WITHOUT RESTRICTION OF OCCUPANCY
Decision	Approve
Decision Date	11 June 2014
Dispatch Date	16 June 2014
Parish	Gosforth

Application Number	4/14/2088/OF1
Applicant	Mr A Lowrey
Location	CRAKESDALE, BLACK LING, EGREMONT
Proposal	LAWFUL DEVELOPMENT CERTIFICATE FOR AN EXISTING USE OF UNRESTRICTED RESIDENTIAL PROPERTY
Decision	Approve (commence within 3 years)
Decision Date	11 June 2014
Dispatch Date	16 June 2014
Parish	Lowside Quarter

Application Number	4/14/2108/OF1
Applicant	Mrs Ross
Location	42 BANK HEAD, HAVERIGG, MILLOM
Proposal	SINGLE STOREY FRONT PORCH EXTENSION
Decision	Approve (commence within 3 years)
Decision Date	11 June 2014
Dispatch Date	16 June 2014
Parish	Millom

Application Number	4/14/2113/OF1
Applicant	Sellafield Ltd
Location	SELLAFIELD, SEASCALE
Proposal	VARIATION OF CONDITION 2 OF PLANNING PERMISSION 4/04/2259/0 (PRODUCT & RESIDUE STORE)
Decision	Approve amendment of condition
Decision Date	2 July 2014
Dispatch Date	2 July 2014
Parish	Beckermet with Thornhill

Application Number	4/14/2117/OF1
Applicant	Mr M Fletcher
Location	HIGH LOWSCALES, MILLOM
Proposal	CONVERT EXISTING STABLES/BARN TO GYM ON FIRST FLOOR; SEATING AREA, GAMES ROOM & WATER TREATMENT PLANT ON GROUND FLOOR & HARDSTANDING FOR LPG GAS TANK

Decision	Approve (commence within 3 years)
Decision Date	4 July 2014
Dispatch Date	4 July 2014
Parish	Millom Without

Application Number	4/14/2128/0F1
Applicant	E Granford
Location	LEEWARD, DRIGG, HOLMROOK
Proposal	SINGLE STOREY EXTENSION AND LOFT CONVERSION WITH DORMERS
Decision	Withdrawn
Decision Date	20 June 2014
Dispatch Date	20 June 2014
Parish	Drigg and Carleton

Application Number	4/14/2140/0F1
Applicant	Wyndhaven
Location	UNITS 1, 2 & 5, FORMER POLICE STATION, STATION ROAD, MILLOM
Proposal	ALTERATIONS TO PROPOSED EXTERNAL WORKS OF PLANNING PERMISSION 4/13/2065/0F1, COMPRISING LAYOUT OF PARKING SPACES, YARD/GARDEN AREAS & FENCING
Decision	Approve
Decision Date	2 July 2014
Dispatch Date	4 July 2014
Parish	Millom

Application Number	4/14/2146/0F1
Applicant	Mr L Scott
Location	ROCKLEA, NANNYCATCH ROAD, WATH BROW, CLEATOR
Proposal	CHANGE OF USE FROM RESIDENTIAL TO COMMERCIAL BOARDING KENNELS AND CATTERY PLUS RESIDENCE
Decision	Approve (commence within 3 years)
Decision Date	30 May 2014
Dispatch Date	13 June 2014
Parish	Cleator Moor

Application Number	4/14/2155/0F1
Applicant	Mr S Irving
Location	LAND TO REAR OF MAIN STREET, SOUTH OF STEELBANK FARM, FRIZINGTON
Proposal	ERECTION OF GARAGE
Decision	Approve (commence within 3 years)
Decision Date	11 June 2014
Dispatch Date	16 June 2014
Parish	Arlecdon and Frizington

Application Number	4/14/2156/0F1
Applicant	Mr K Masson
Location	THE ROWAN TREE, HOLMROOK
Proposal	TWO STOREY (DORMER) EXTENSION TO WEST/SOUTH ELEVATION
Decision	Withdrawn
Decision Date	11 June 2014
Dispatch Date	11 June 2014

Parish	Drigg and Carleton
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Application Number	4/14/2158/ON1
Applicant	Mrs J Poultney
Location	WINSCALE BARN, CARLETON, EGREMONT
Proposal	ERECTION OF TRACTOR AND AGRICULTURAL IMPLEMENT STORAGE BUILDING (NOTICE OF INTENTION)
Decision	Withdrawn
Decision Date	16 June 2014
Dispatch Date	16 June 2014
Parish	Haile

Application Number	4/14/2159/OF1
Applicant	Mr B Tallentire
Location	33 THORNTON ROAD, WHITEHAVEN
Proposal	REAR SINGLE STOREY EXTENSION TO PROVIDE BEDROOM AND SHOWER ROOM; INTERNAL ALTERATIONS AND NEW RAMPED ACCESS
Decision	Approve (commence within 3 years)
Decision Date	28 May 2014
Dispatch Date	12 June 2014
Parish	Whitehaven

Application Number	4/14/2161/OL1
Applicant	Home Group (North West)
Location	54 & 55 CHURCH STREET, WHITEHAVEN
Proposal	LISTED BUILDING CONSENT FOR RENDERING OF REAR ELEVATION; REPLACEMENT OF 4 WINDOWS ON REAR ELEVATION & INSTALL NEW SECTIONS OF METAL GUTTER (TO REAR OF 54)
Decision	Approve Listed Building Consent (start within 3yr)
Decision Date	4 June 2014
Dispatch Date	16 June 2014
Parish	Whitehaven

Application Number	4/14/2166/OF1
Applicant	St James Catholic Primary School
Location	ST JAMES RC SCHOOL, LONSDALE ROAD, MILLOM
Proposal	EXTENSION TO FORM A NEW YEAR 2 CLASSROOM AND REMODELLED KS1 TOILETS
Decision	Approve (commence within 3 years)
Decision Date	11 June 2014
Dispatch Date	20 June 2014
Parish	Millom

Application Number	4/14/2167/OF1
Applicant	Roewood Construction
Location	BARDYWELL LANE, WEST STRAND, WHITEHAVEN
Proposal	VARIATION OF CONDITION 5 OF PLANNING PERMISSION 4/11/2159/OF1 (OFF STREET PARKING)
Decision	Approve (commence within 3 years)
Decision Date	9 June 2014
Dispatch Date	12 June 2014
Parish	Whitehaven

Application Number	4/14/2168/OF1
Applicant	Mr I Kirk
Location	48 LOWTHER ROAD, MILLOM
Proposal	ERECT TWO STOREY EXTENSION TO SIDE AND ERECT SINGLE STOREY EXTENSION TO REAR
Decision	Approve (commence within 3 years)
Decision Date	21 May 2014
Dispatch Date	20 June 2014
Parish	Millom

Application Number	4/14/2169/OL1
Applicant	Mrs C Wilson
Location	3 FOXHOUSES ROAD, WHITEHAVEN
Proposal	LISTED BUILDING CONSENT FOR CONVERSION FROM 6 FLATS BACK INTO SINGLE RESIDENTIAL DWELLING
Decision	Approve Listed Building Consent (start within 3yr)
Decision Date	5 June 2014
Dispatch Date	16 June 2014
Parish	Whitehaven

Application Number	4/14/2170/OF1
Applicant	Mr D Rogan
Location	FERN COTTAGE, BREWERY BROW, PARTON, WHITEHAVEN
Proposal	REMOVE EXISTING CONSERVATORY AND ERECT SUNROOM; REPLACE GREENHOUSE WITH CONSERVATORY
Decision	Approve (commence within 3 years)
Decision Date	21 May 2014
Dispatch Date	20 June 2014
Parish	Parton

Application Number	4/14/2172/OF1
Applicant	Mr D Harper
Location	LAND AT CASTLERIGG FARM, MORESBY PARKS, WHITEHAVEN
Proposal	RELOCATION OF APPROX 40M OF ACCESS TRACK AND ASSOCIATED GRID CONNECTION ROUTE TO FACILITATE DEVELOPMENT UNDER PLANNING REF NO. 4/13/2125/OF1
Decision	Approve (commence within 3 years)
Decision Date	28 May 2014
Dispatch Date	20 June 2014
Parish	Moresby

Application Number	4/14/2173/OF1
Applicant	Mr J Brough
Location	FIELD 2454, NEAR TOWNHEAD FARM, NETHERTOWN
Proposal	ERECTION OF EXTENSION TO OPEN SILAGE STORE
Decision	Approve (commence within 3 years)
Decision Date	11 June 2014
Dispatch Date	20 June 2014
Parish	Lowside Quarter

Application Number	4/14/2174/OF1
Applicant	Mr L Simmons

Location	18 ENNERDALE VIEW, DISTINGTON
Proposal	TWO STOREY SIDE EXTENSION
Decision	Approve (commence within 3 years)
Decision Date	21 May 2014
Dispatch Date	20 June 2014
Parish	Distington

Application Number	4/14/2175/OF1
Applicant	Sellafield Limited
Location	SELLAFIELD SITE, SELLAFIELD, SEASCALE
Proposal	6 NEW OFFSITE WELLS FOR MONITORING GROUNDWATER
Decision	Approve (commence within 3 years)
Decision Date	19 June 2014
Dispatch Date	20 June 2014
Parish	Beckermest with Thornhill

Application Number	4/14/2180/OF1
Applicant	Kells Development Group
Location	PLOT 25, COLLIERS WAY, KELLS, WHITEHAVEN
Proposal	REMOVAL OF CONDITIONS 3 AND 4 OF PLANNING PERMISSION 4/13/2322/OF1 (PAIR OF SEMI DETACHED 3 BEDROOMED HOUSES, GARAGES AND PARKING)
Decision	Approve (commence within 3 years)
Decision Date	11 June 2014
Dispatch Date	20 June 2014
Parish	Whitehaven

Application Number	4/14/2181/OF1
Applicant	Mr C Hartley
Location	STONEY HOWE, DRIGG
Proposal	ERECT PORTAL FRAME ROOF OVER EXISTING CATTLE FEEDING YARD
Decision	Approve (commence within 3 years)
Decision Date	11 June 2014
Dispatch Date	20 June 2014
Parish	Drigg and Carleton

Application Number	4/14/2182/OF1
Applicant	St Beghs Catholic Junior School
Location	ST BEGHS CATHOLIC JUNIOR SCHOOL, COACH ROAD, WHITEHAVEN
Proposal	EXTENSION TO THE EXISTING SCHOOL TO FORM A NURTURE ROOM
Decision	Approve (commence within 3 years)
Decision Date	4 June 2014
Dispatch Date	20 June 2014
Parish	Whitehaven

Application Number	4/14/2187/OF1
Applicant	Rider Levett Bucknall
Location	BLACKSMITHS ARMS, 44 SPRINGFIELD ROAD, BIGRIGG, EGREMONT
Proposal	PRIOR NOTIFICATION FOR CHANGE OF USE OF FIRST FLOOR RESTAURANT TO COMMERCIAL USE
Decision	Approve

Decision Date	18 June 2014
Dispatch Date	2 July 2014
Parish	Egremont

Application Number	4/14/2188/OF1
Applicant	Mr and Mrs A Drinkwater
Location	16 RED BECK PARK, CLEATOR MOOR
Proposal	REMOVAL OF GARAGE, ERECTION OF GARAGE AND EXTENSION TO KITCHEN
Decision	Approve (commence within 3 years)
Decision Date	11 June 2014
Dispatch Date	26 June 2014
Parish	Cleator Moor

Application Number	4/14/2189/OF1
Applicant	Cleator Moor Celtic FC
Location	CLEATOR MOOR CELTIC FC, BIRKS ROAD, CLEATOR MOOR
Proposal	ERECTION OF A SEATING GRANDSTAND ADJACENT TO CHANGING ROOM COMPLEX
Decision	Approve (commence within 3 years)
Decision Date	9 June 2014
Dispatch Date	20 June 2014
Parish	Cleator Moor

Application Number	4/14/2193/OF1
Applicant	Miss J Ling
Location	11 DENT ROAD, MORESBY PARKS, WHITEHAVEN
Proposal	TWO STOREY EXTENSION (FIRST FLOOR - BEDROOMS, GROUND FLOOR - LOUNGE, STORE & SHOWER ROOM)
Decision	Withdrawn
Decision Date	16 June 2014
Dispatch Date	16 June 2014
Parish	Moresby

Application Number	4/14/2195/0A1
Applicant	Tesco Stores Ltd
Location	TESCO SUPERMARKET, BRANSTY ROW, WHITEHAVEN
Proposal	IDENTIFYING AND DIRECTIONAL SIGNAGE TO CUSTOMER CLICK AND COLLECT PICK UP LOCATION
Decision	Approve Advertisement Consent
Decision Date	18 June 2014
Dispatch Date	20 June 2014
Parish	Whitehaven

Application Number	4/14/2196/OF1
Applicant	Cumbria Partnership NHS Foundation Trust
Location	MILLOM COMMUNITY HOSPITAL, LAPSTONE ROAD, MILLOM
Proposal	CONVERSION OF EXISTING GARAGING/STORAGE SPACE INTO NEW TREATMENT ROOM
Decision	Approve (commence within 3 years)
Decision Date	11 June 2014
Dispatch Date	20 June 2014
Parish	Millom

Application Number	4/14/2197/HPAE
Applicant	Mr W McGlennon
Location	OVERDALE BARN, LINETHWAITE, MOOR ROW
Proposal	PRIOR NOTIFICATION FOR REAR CONSERVATORY
Decision	Permitted Development
Decision Date	11 June 2014
Dispatch Date	11 June 2014
Parish	St. Bees

Application Number	4/14/2198/OF1
Applicant	Mr T Carr
Location	STATION HOUSE, BECKERMET
Proposal	REMOVE CONSERVATORY & REBUILD WITH UTILITY ROOM AND ALSO DEMOLISH SMALL BATHROOM & OUTHOUSE & REPLACE WITH BATHROOM AND STUDY
Decision	Withdrawn
Decision Date	2 July 2014
Dispatch Date	2 July 2014
Parish	Beckermet with Thornhill

Application Number	4/14/2199/OF1
Applicant	Mr and Mrs Hurton
Location	18 WORDSWORTH ROAD, WHITEHAVEN
Proposal	TWO STOREY GARAGE AND BEDROOM EXTENSION
Decision	Approve (commence within 3 years)
Decision Date	23 June 2014
Dispatch Date	4 July 2014
Parish	Whitehaven

Application Number	4/14/2200/OF1
Applicant	Mr S Bramley
Location	94 BRANSTY ROAD, BRANSTY, WHITEHAVEN
Proposal	PLACEMENT OF A TEMPORARY 20 FOOT ISO FREIGHT CONTAINER TO FRONT OF PROPERTY
Decision	Approve (commence within 3 years)
Decision Date	11 June 2014
Dispatch Date	20 June 2014
Parish	Whitehaven

Application Number	4/14/2201/OF1
Applicant	Mr and Mrs D Brooks
Location	PANOPE, DRIGG, HOLMROOK
Proposal	ALTERATIONS AND EXTENSION TO EXISTING DWELLING INCLUDING REMOVAL OF EXISTING ATTACHED GARAGE/STORAGE BUILDING
Decision	Approve (commence within 3 years)
Decision Date	23 June 2014
Dispatch Date	4 July 2014
Parish	Drigg and Carleton

Application Number	4/14/2204/OF1
Applicant	Mr A Haycocks
Location	1 BOWNESS ROAD, MILLOM
Proposal	ERECTION OF PORCH AND CANOPY TO FRONT ELEVATION
Decision	Approve (commence within 3 years)

Decision Date	23 June 2014
Dispatch Date	4 July 2014
Parish	Millom

Application Number	4/14/2209/OF1
Applicant	Miss E O'Neill
Location	8 HILLCREST AVENUE, HILLCREST, WHITEHAVEN
Proposal	ERECTION OF TWO STOREY SIDE EXTENSION, SINGLE STOREY REAR EXTENSION AND RE-NEW ROOF TO MAIN HOUSE.
Decision	Approve (commence within 3 years)
Decision Date	23 June 2014
Dispatch Date	4 July 2014
Parish	Whitehaven

Application Number	4/14/2211/OF1
Applicant	Mr J Robinson
Location	STONEACRE COTTAGE, ROTHERSYKE, EGREMONT
Proposal	SMALL EXTENSION TO MAKE UTILITY ROOM TO COMBINE KITCHEN AND GARAGE
Decision	Approve (commence within 3 years)
Decision Date	23 June 2014
Dispatch Date	4 July 2014
Parish	Lowside Quarter

