

PLANNING PANEL AGENDA – 17 JULY 2013

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SCHEDULE OF DELEGATED DECISIONS

STANDARD CONDITIONS

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

Outline Consent

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

Reserved Matters Consent

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

Full Consent

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

RELEVANT INFORMATION

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

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

Town and Country Planning Act 1990

Planning and Compulsory Purchase Act 2004

Cumbria and Lake District Joint Structure Plan

Copeland Local Plan 2001-2016 - adopted June 2006

Lake District National Park Local Plan - Adopted May 1998

Cumbria Car Parking Guidelines

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

In particular:

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

Department for Communities and Local Government (DCLG):-

Planning Policy Guidance Notes and Planning Policy Statements

Development Control Policy Notes

Design Bulletins

ITEM NO: 1.

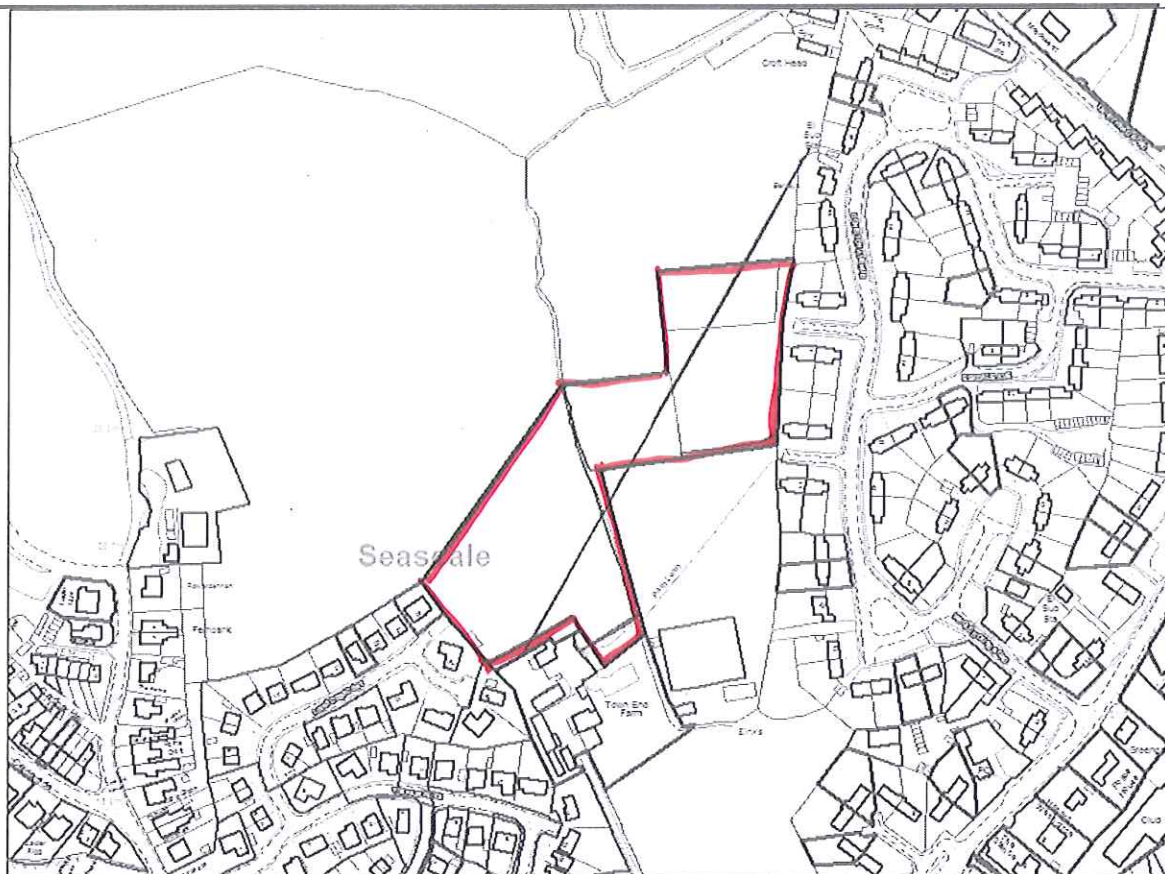


To: PLANNING PANEL

Development Control Section

Date of Meeting: 17/07/2013

Application Number:	4/11/2568/0F1
Application Type:	Full : CBC
Applicant:	Persimmon Homes Lancashire
Application Address:	LAND OFF LINKS CRESCENT, SEASCALE
Proposal	ERECTION OF 33 NO. DWELLINGS AND ASSOCIATED INFRASTRUCTURE
Parish:	Seascale
Recommendation Summary:	Approve Subject to Section 106 Agreement



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Introduction

A major application originally for the erection of 63 dwellings and associated infrastructure on a 1.9 ha greenfield site on the northern edge of Seascale was received in November 2011. In view of its local significance and the fact it was located outside the development boundary for the village, as designated in the adopted Copeland Local Plan, Members undertook a site visit in December 2011.

The application has since been held in abeyance at the bequest of the applicants to enable negotiations to take place with the Borough and Parish Councils. This has now resulted in the submission of amended plans proposing a scaled down version of the scheme for 33 houses on just part of the site.

The Amended Proposal

The revised application now comprises 33 dwellings on a 0.96ha site.

To the east the site abuts greenfield land, part of which is a community recreational area, with Town End Farm located to the south. It is bounded to the north by Seascale Golf Course, and to the west by the residential estate the 'Fairways', where it adjoins Links Crescent.

A mix of dwelling types are proposed. These comprise 3 x 2 bedroom houses, 14 x 3 bedroom houses and 16 x 4 bedroom houses in the form of predominantly two and three storey detached and semi-detached delivered via 9 different house types. Within this mix 7 affordable dwellings (4 x 3 bed units and 3 x 2 bed units) are intended which accounts for 20 % of the housing total.

The application is accompanied by a Planning Statement, Flood Risk Assessment, Ecological Assessment, a Transport Statement and a tree survey.

Consultations

Seascale Parish Council. Object to the amended scheme for the following reasons:

- The whole area is outside the settlement boundary.
- Sole access through the Fairways would create extra traffic at the existing hazardous junction of The Banks and Gosforth Road. The traffic survey undertaken by Cumbria Highways in July 2012 clearly demonstrated the already heavy use of Gosforth Road by existing vehicles.
- Concern that amenities such as the health centre and the school would not be able to absorb the probable increase in the population.
- Proposal is for development which is out of proportion to the village.
- Area is liable to flooding and it would make flooding in surrounding open spaces and properties worse because of the proposal to raise the level of the area to be built on. The incidents of flooding in Summer 2012 directly affected the proposed site. Houses on the Fairways were flooded and the pumping of surface and foul water back into The Fairways system failed.
- Consideration of such a development is premature and must be held over until investigations to identify and resolve drainage issues are completed.

Flood and Coastal Defence Engineer. Has concerns and advises we consult with the County Council.

Local Flood Management Team, Cumbria County Council. Awaited.

Rights of Way Officer, Cumbria County Council. Requests further information to establish where the existing footpath would go in terms of the layout and the proposed line of the diversion. Update to be provided verbally to the Panel.

Housing Services Manager. Agrees that 20% of the site for an affordable discounted rate of 80% is acceptable but that the definition of affordability must be met for them to be genuinely affordable i.e. must meet the needs of eligible households including availability at a cost low enough for them to afford, determined with regard to local incomes and local

house prices. Also must include provision for them to remain at an affordable price for future eligible households. Satisfied that this could be controlled either before the application is determined or via a suitable condition / agreement.

Highway Authority, Cumbria County Council. Raises no objection to the amendment subject to conditions and recommends improvements to the existing public footpath which cuts through part of the site which can be a condition of the development. However do raise the issue regarding the reduced level of parking provision on the site.

Historic Environment Officer, Cumbria County Council. Recommends that an archaeological evaluation and a scheme of archaeological recording be undertaken and that the development be subject to pre-commencement conditions covering this element.

Consultant Arboriculturalist. Concludes that none of the trees within the site pose a significant constraint to the proposals. A landscaping scheme would be beneficial advises that this could be attached as a condition.

Senior Planning Policy Officer. Comments to the effect that the site is outside the settlement boundary and there are other sites within it which are sequentially preferable. This along with issues surrounding flooding, genuine affordability, and exceptional need would indicate that the proposal does not sit favourably in terms of the existing Copeland Local Plan policies.

The emerging local plan, acknowledges that the site is also outside the settlement boundary **but** this plan introduces more flexibility in that it identifies a need for additional land in a number of settlements (with some sites adjacent to the settlement boundary) via the Site Allocations process. Desk top work to produce the draft SHLAA (evidence for the Site Allocations process) indicates that this site could be a deliverable site within the first five years of the emerging local plan. However, there are other sites within the settlement boundary in Seascale which could make them sequentially preferable. It is also recognised that proposals on some of the sites will need to be determined before allocations can be made to ensure delivery of housing in the borough.

ONR. No comments received.

Environment Agency – Note that the scheme has been designed in such a way as to accommodate the existing watercourse and protect existing wildlife. The site plan shows the water course as being culverted which would normally be opposed. However, they would raise no objections providing a condition in this instance is imposed requiring a scheme to be agreed for any bridges crossing being of the clear span type.

United Utilities. No objection:

- The site is drained on a separate system.
- Also will not permit highway drainage into the public sewer system.
- Will only allow a maximum discharge foul flow rate of 3 l/s from the site into manhole NY03019201 and request that this be secured by condition.
- Land drainage and subsoil drainage is not be connected to the public sewer system.

Neighbour Representations

Extensive neighbour consultations have been undertaken in relation to this application. Some 67 letters of objection were received in relation to the original scheme for 63 dwellings. Re-consultation on the amendment has led to a further 21 letters being generated. Collective grounds of objection raised include:

- Site is green field and outside the settlement boundary
- Development is not in the Parish Plan.
- Will increase surface water run-off. Area is liable to flooding. Recent floods have shown the present infrastructure is inadequate two properties on The Fairways were flooded and Town End Farm. This needs to be thoroughly investigated. A new drainage system with adequate capacity for the increased flow will be required.
- Question whether the existing drains and village sewerage plant could cope with the additional effluent.
- Sole access via 'The Fairways' would create extra traffic and increase congestion at the junction of The Banks and Gosforth Road. Would mean at least 33 more cars using the junction and there is already a problem regarding parking adjacent to the junction for Parish Hall functions. Will create highway safety problems for issues for local children.
- Question the need for housing here. More suitable land for housing elsewhere in the village near the village school.
- The site is very close to a major nuclear site which is planned to expand – this goes against the Weightman Report on Fukushima. Advice that NMP Ltd, NDA and OCNS be consulted.
- Advise that the County Archaeologist be consulted as there is indication of pre Roman field systems on the site.
- Require bungalows within the development.
- Query whether local services such as the Health Centre, school etc.. could cope with the increased demand.
- No demand for new houses as evidenced by the large number of unsold properties on the estate and in the village.
- Point out that if it is linked to nuclear new build – this will be based on modular buildings and will require minimal personnel to build and run the facility - there is unlikely to be a significant influx of workers.
- There are slow worms on the site.
- Assurance that Coniston Avenue will not be used for construction traffic as part of it is only single width.
- Development is out of proportion to the village.
- Town End Farm is home to bats and owls and the land is used by birds of prey.
- Concern properties on The Fairways would become overlooked.

Planning Policy

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

National Planning Policy Framework

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

The NPPF identifies three dimensions to sustainable development; economic, social and environmental. It defines an economic role as contributing to building a strong, responsive and competitive economy by ensuring that sufficient land of the right type is available in the right places and at the right time. A social role is defined as supporting strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of the present and future generations. An environmental role is defined as contributing to protecting and enhancing our natural, built and historic environment.

In terms of housing, paragraph 47 encourages Local Planning Authorities to provide market and affordable housing to meet evidenced needs. Paragraph 50 requires Local Planning Authorities to deliver a wide choice of high quality homes to meet the needs and demands of the community.

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

Paragraph 60 recognises that it is proper to promote or reinforce local distinctiveness and paragraph 61 requires planning decisions to address the connections between people and places and the integration of new development into the natural, built and historic environment.

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

Policy Summary for Decision Making

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

management is a material consideration in determining planning applications and reaffirms that the planning system remains plan led - requiring that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

It initially allowed full weight to be given to relevant local plan policies adopted since 2004 for a limited period of 12 months even if there was a limited degree of conflict with it. The Copeland Local Plan 2001-2016, adopted in 2006, fell into this category. **For determining applications post March 2013 the NPPF states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. In respect of assessing this application key Policies DEV 1, DEV 3, DEV 4 DEV 5, HSG 1, HSG 2 HSG 5 and ENV 16 are considered compatible and consistent with the NPPF.**

It should also be noted that in the absence of an up to date adopted local plan that the NPPF's policy guidance can take precedence. It could be argued that this applies in this case as we are in effect in the 'interim period' whereby the existing Copeland Local Plan policies are out of date and the ones in the emerging local plan have yet to be formally adopted. In such circumstances the **NPPF states that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits** when assessed against this policy framework or specific policies in the framework which indicate development should be restricted.

Copeland Local Plan 2001-2016

The adopted Copeland Local Plan seeks to achieve sustainable forms of development, as required under the overarching policy of the Plan, **Policy DEV 1. Policy DEV 3** designates Seascale as being a Local Centre where small scale development which helps to sustain local services, meets local needs and supports rural businesses will be supported. **Policy DEV 4** sets a preference for the development of brown field sites within the development boundary but does accept the uses of greenfield sites if these are not forthcoming.

Policy DEV 5 only permits certain types of development outside settlement boundaries such as for local needs housing, essential agricultural or forestry workers, replacement dwellings and leisure or tourism related. That is where there genuine exceptional circumstances prevail. The proposal is outside the current development boundary and would be classed as development in open countryside. It also does not appear to meet any of the criteria listed in the policy that would constitute the essential overriding need discussed in paragraph 3.1.8.

Policy DEV 6 sets out the sustainable design principles which all new development should adopt.

Policy HSG 4 permits housing redevelopment within settlement boundaries. The site is located outside the development boundary of the village whereas other potential sites within the boundary could meet the criteria of DEV 4.

Policy HSG 5 only permits housing outside the settlement boundary where it can be demonstrated that it meets exceptional circumstances arising from local social and economic conditions. Where this criterion is fulfilled the development must comply with the sequential test set out in Policy DEV 4. As submitted the proposal does not meet the exceptional circumstances required by this policy to enable the application to be supported as development in open countryside.

Policy HSG 8 sets out the design criteria for all new housing within the Borough. Amongst other things, it advocates certain separation distances between dwellings, including a minimum of 21.0m between face elevations containing habitable room windows.

HSG 10 Affordable Housing. Sets out the requirements for affordable housing provision within housing schemes.

ENV 10 Protection of Trees. Aims to protect trees on development sites

Policy ENV 12 seeks to secure landscaping within new developments.

Policy ENV 16 outlines the sequential approach to flood risk together with a requirement for a flood risk assessment.

Policy Summary

The Local Plan 2001-16 identifies an allocated site within Seascale, which together with current permissions could provide approximately 20 dwellings. There is also land within the settlement boundary that could be sequentially preferable to the proposed site. This, along with the concerns around flood risk that may still require clarification and the lack of affordable housing provision and any exceptional need being met would mean that the proposal as it currently stands should be refused if considered solely against policies in the Local Plan 2001-16.

Emerging Local Planning Policies

The Core Strategy and Development Management Policies DPD which will replace most of the Policies in the Local Plan 2001-16 is now at an advanced stage of production, following a Public Examination in April.

The Policies in the Core Strategy and Development Management Policies DPD are a material consideration when determining planning applications. Once the Inspector has issued his report following the Examination then greater weight can be attached to these policies, particularly given the limited scale of objection to the Strategy and its consistency with up to date national policy guidance. The document is currently due to be adopted in September 2013.

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

Policy ST2 sets a spatial development strategy whereby development should be guided to the principal settlement and other centres and sustain rural services and facilities. Affirms that Seascale will continue to be designated as a Local Centre and suggests that the village could accommodate growth of between 50 and 100 additional homes up to 2027. It also continues the use of settlement boundaries to manage development within settlements. It does also acknowledge the Council may need to consider allocating sites that are currently outside, but adjacent to, the existing settlement boundary in a number of settlements including Seascale. Any such land will be identified through the SHLAA and Site Allocations process.

Policy ST4 outlines the approach to securing developer contributions for relevant infrastructure, including affordable housing.

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

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

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

Policy DM10 requires new development to be of a high standard of design to enable the fostering of 'quality places'. In doing so development should respond positively to the character of the site and 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 DM12 sets out specific design standards for new residential development, including the need to retain appropriate separations distances.

ENV1 and DM24 – reiterate the approach to flood risk outlined in Policy ENV16 of the Local Plan 2001-16.

Policy Summary

The Core Strategy and Development Management Policies DPD also considers the site to be outside of the existing settlement boundary, but acknowledges the need to identify additional land in a number of settlements, with some sites adjacent to the existing settlement boundary, through the Site Allocations process.

It is intended that all potential development sites will be considered through the Strategic Housing Land Availability Assessment (SHLAA) and Site Allocations process. The Draft SHLAA will be the subject of public consultation over the summer, with consultation due to begin later this month.

Desktop work to produce the Draft SHLAA suggests that the site proposed here could be a deliverable site within the first five years of the new Local Plan. However, some of the other sites being considered at Seascale are within the existing settlement boundary and/or brownfield sites, which could make them sequentially preferable to the site being considered here. All of the sites should be given proper consideration in a comparative process to be fair to all members of the local community and to ensure that the best development location(s) in Seascale are found. Feedback from the consultation will help us to ascertain whether this is the case.

Whilst noting the above, there is also the recognition that proposals on some of the sites will need to be determined before allocations can be made to ensure the delivery of housing in the borough.

Assessment /General Policy Summary

It should be noted that whilst the Copeland Local Plan is an historic document which can be afforded increasingly less weight in the light of national policy it will shortly be superseded by the emerging local plan. It remains a tool to support the assessment of proposed development and in the determination of applications for planning permission. The relevant policies are broadly compatible and consistent with the NPPF and until the Inspector's Report into the Core Strategy and Development Management Policies of the emerging local plan is received still carries some weight. This has to be carefully balanced against the weight which can now be given now to the emerging local plan as well as the guidance contained in the NPPF. Recent case law relating to development across the country indicates that the 2001-2016 local plan policies, although unsupportive of the proposal will not provide adequate basis to justify refusal to grant planning permission.

On the ground Policies DEV 5 and HSG 5 are the key Copeland Local Plan Policies which are relevant to the assessment of this application. Both only permit development outside the settlement boundaries where there are genuine exceptional grounds. No such grounds have been put forward to support this application. In terms of benefits the applicants have

offered 7 affordable units which are identified in 'The Copeland Strategic Housing Market Assessment' (2011) as needed in Seascale. These are at 20% below market value i.e. at sub market value which in itself does not constitute **genuine affordable housing in perpetuity**. Arguably though, it is considered that this could be suitably addressed via an appropriately worded S106 to accompany an approval should permission be granted. More latterly they have also offered a commuted sum payment for the enhancement of public open space with the Parish Council which would take place out with the planning process.

As it stands the reduced proposal remains an unallocated site outside of the settlement boundary in the Copeland Local Plan 2001-16 and as such would be considered as development in the open countryside.

The emerging policies within the Core Strategy and Development Management Policies document will require additional pieces of land to be allocated to support the aspirations of the borough to 2027. Ideally deliberation over sites needed to deliver these aspirations should be secured through a Site Allocations process. Determination of this application is premature to this process, but it is not considered that determination should be delayed further. The applicant is keen to have the application determined and of course could exercise an option to appeal against non-determination. It is recognised that it may be necessary to include sites outside the settlement boundaries in order to ensure that land allocations relate to development that is deliverable. At this stage sites which may be within the settlement boundary, and apparently sequentially preferable to the application site may not be deliverable within the timeframe of the emerging local plan. Government policy in promoting an agenda for growth has generally been interpreted as tipping the balance in favour of development which is deliverable, as long as it is sustainable, and avoids unacceptable harm to other material considerations, even if policy requirements cannot be met.

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

There are also concerns, specifically consideration of the strategic infrastructure needs associated with the proposed development, such as potential open space and education requirements which have yet to be satisfactorily addressed.

Again, against this concern is the need to balance the argument with the requirements of the NPPF during the current interim period i.e. without formally adopted and up to date local plan policies. This engenders a more flexible approach to decision making advocating a presumption in favour of granting planning permission unless there are significant adverse impacts that would outweigh the benefits or were it is not in accordance with the specific policies of the NPPF.

Weight to be given to the Local Plan 2001-16 and the Core Strategy and Development Management Policies document

The Local Plan 2001-16 remains a significant part of the borough's development plan until it is replaced by policies and allocations in the new Local Plan (the Local Development Framework). The first part of the Local Development Framework (the Core Strategy and Development Management Policies document) is nearing completion, and the weight attached to it increases the closer it is to adoption.

The end of the Public Examination of the document is near, with the Inspector's Report expected in the next couple of weeks. Once the Inspector's Report is received we will know what amendments the Council is required to make before the Core Strategy and Development Management Policies document can be adopted as a sound plan. **This will then tip the balance strongly in favour the Core Strategy and Development Management Policies document when attributing weight to the respective local planning policies which has built in greater flexibility when identifying potential new sites.**

It is expected that the Core Strategy and Development Management Policies document will be adopted in September 2013.

Conclusion

It is reiterated that the site remains outside both the current Copeland Local Plan settlement boundary (Policy DEV 4) and the proposed settlement boundary in the emerging local plan and that the developer has not provided any additional information which demonstrates a justifiable exceptional case in terms of community benefit as requested, apart from affordable units and a commuted sum payment in respect of the Parish controlled public open space.

There are also concerns around the apparent lack of genuine affordable housing within the scheme, with only discounted open market housing offered though it is accepted that this could be addressed via a S106.

'The Response on Flood Risk Concerns' report by the applicant is acknowledged and a response from Cumbria County Council on local flood risk pertaining to this area is outstanding. There is no indication in this context that the applicant's position on how flood risk concerns can be managed is unacceptable or flawed.

The above dialogue has demonstrated clear tensions between historic local plan policy, emerging policy and national guidance. Whilst the development may have some credibility in this context, the developer does not provide anything to demonstrate how this development is of benefit other than increasing consistency with the agenda for growth. The determination of this is based on a finely balanced argument with the impacts and benefits of the scheme needing to be carefully considered against a complex policy backdrop.

It is concluded however that appraisal of decisions elsewhere and review of the particular circumstances of the site should prompt a recommendation to members that the application is approved.

Recommendation:-

Approve subject to a S106 governing 'affordable housing in perpetuity' and the following conditions:

Conditions

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason

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

2. Permission shall relate to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them:-

Amended Location Plan, drwg no JB/LC-SC/LP, scale 1:1250, received on 14 February 2013.

Amended Planning Layout, drwg no JB/PL1/LC-SC Rev A, scale 1:500, received on 14 February 2013.

Amended Penshaw House Type, Lancashire Elevations, scale 1:100, received on 14 February 2013.

Amended Roseberry House Type, Lancashire Elevations, scale 1:100, received on 14

February 2013.

Amended Rufford House Type, Lancashire Elevations, scale 1:100, received on 14 February 2013.

Amended Runswick House Type, Lancashire Elevations, scale 1:100, received on 14 February 2013.

Amended Souter House Type, Lancashire Elevations, scale 1:100, received on 14 February 2013.

Amended Penrose House Type, Lancashire Elevations, scale 1:100, received on 14 February 2013.

Amended Cherryburn House Type, Lancashire Elevations, scale 1:100, received on 14 February 2013.

Amended Hanbury House Type, Lancashire Elevations, scale 1:100, received on 14 February 2013.

Amended Hatfield House Type, Lancashire Elevations, scale 1:100, received on 14 February 2013.

Amended 1.8m High Timber Screen Fence, drwg no SDF05, scale 1:20, received on 14 February 2013.

Amended Plot Divisional Fence, drwg no SDF11-08, scale 1:20, received on 14 February 2013.

Amended 1.8m High Brick Screen Wall Detail, drwg no SDW08, scale 1:20, received on 14 February 2013.

Ecological Survey and Assessment, by ERAP Ltd Consultant Ecologists, dated October 2011, received on 21 November 2011.

Results of Reptile Survey and Mitigation Strategy, by ERAP Ltd Consultant Ecologists, dated February 2013 received on 14 February 2013.

Flood Risk Assessment, by Less Roxburgh Ltd Consulting Engineers, Report no 5400/RI, Rev A 08.11.11, dated October 2011, received on 21 November 2011.

Seascale: Response on Flood Risk Concerns 5400/3, by Lees Roxburgh Ltd Consulting Engineers, dated 11 February 2013, received 14 February 2013.

Stage 1 Road Safety Audit, February 2011, by Urban Vision, received 15 December 2011.

Proposed Development Site Tree Survey, by Campbell Logue MSc Forestry, dated 28 November 2011, received on 21 November 2011.

Proposed Residential Development Links Crescent, Seascale, Final for Planning, Transport Statement, by WYG Transport Planning, Report No A045104/DG1, dated November 2011, received 21 November 2011.

Reason

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

3. No development shall commence within the site until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

The written scheme of investigation shall include the following components:

- i) An archaeological evaluation
- ii) An archaeological recording programme the scope of which will be dependant upon the results of the evaluation.

Reason

To afford reasonable opportunity for an examination to be made to determine the existence of any remains of archaeological interest within the site and for the preservation, examination or recording of such remains.

- 4. Where the results of the programme of archaeological work referred to in the above condition make it appropriate, there shall be carried out within two years of the completion of that programme on site, or within such timescale as agreed in writing by the Local Planning Authority, an archaeological post-excavation assessment and analysis, the preparation of a site archive ready for deposition at a store, the completion of an archive report, and the preparation and submission of a report of the results for publication in a suitable specialist journal.

Reason

To ensure that a permanent and accessible record by the public is made of the archaeological remains which have been disturbed by the development.

- 5. Before development commences full details of the surface water drainage scheme, including attenuation measures and flow discharge rates, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be completed and become operational before the development is brought into use and shall be so maintained thereafter.

Reason

To ensure a satisfactory scheme of surface water disposal from the site.

- 6. The maximum foul drainage flow discharge rate from the site to drain into manhole no NY03019201 shall be 3 l/s.

Reason

To ensure a satisfactory foul drainage scheme serving the site.

7. Before development commences details of all bridges proposed on the site shall be submitted to and approved in writing by the Local Planning Authority. The bridges shall be constructed as detailed in the approved scheme and so maintained thereafter.

Reason

The use of clear –spanning bridges will maintain the river corridor and allow the movement of both the river and associated wildlife.

8. No development shall take place until full details of the hard landscaping works have been submitted to and approved in writing by the Local Planning Authority. These works shall include hard surfacing, means of enclosure, finished levels or contours etc. Landscaping shall be carried out in accordance with the approved details and so maintained thereafter.

Reason

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

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

Reason

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

10. No development shall take place until a schedule of landscape maintenance has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details for its implementation. Development shall be carried out in accordance with the approved schedule and maintained as such thereafter.

Reason

To ensure the implementation of a satisfactory landscaping scheme.

11. The development shall implement all of the mitigation, enhancement, long term management and monitoring measures set out in the Results of Reptile Survey and Mitigation Strategy Report, prepared by ERAP Ltd Consultant Ecologists dated February 2013 and submitted as part of the amended planning application.

Reasons

To protect the protected species evident on the site.

12. The carriageway, footways, footpaths, cycleways etc shall be designed, constructed, drained and lit to a standard suitable for adoption and in this respect further details, including longitudinal / cross sections, shall be submitted to and approved in writing by the Local Planning Authority before work commences on site. No work shall be commenced until a full specification has been approved. Any works so approved shall be constructed before the development is complete.

Reason

To ensure a minimum standard of construction in the interests of highway safety.

13. No dwellings or buildings or structures shall be commenced until the access roads, as approved, are defined by kerbs and sub base construction.

Reason

To ensure that the access roads are defined and laid out at an early stage in the interests of highway safety.

14. No dwellings shall be occupied until the estate road, including footways and cycleways to serve such dwellings, has been constructed in all respects to base course level and street lighting where it is to form part of the estate road has been provided and brought into full operational use.

Reason

In the interests of highway safety.

15. Development shall not commence until details of the diversion, links and surfacing of Footpath No 426003 have been submitted to and approved in writing by the Local Planning Authority. The approved works shall be implemented and completed before any dwelling is occupied and shall be so maintained thereafter.

Reason

In the interests of highway safety.

16. Before development commences details of land reserved for the parking of vehicles engaged in construction operations associated with the development hereby approved, shall be submitted to and approved in writing by the Local Planning Authority. The land, including vehicular access thereto, shall be provided in accordance with the details so approved and kept available for this purpose at all times until the completion of the construction works.

Reason

The carrying out of this development without the provision of these facilities during construction is likely to lead to inconvenience and danger to road users.

INFORMATIVES

United Utilities have requested that the site be drained on a separate system with foul drainage only connected into the foul sewer in order to ensure a satisfactory drainage scheme.

The applicant / developer should ensure that measures are taken to prevent surface water discharging onto or off the highway to the satisfaction of the Highway Authority.

Statement

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

ITEM NO: 2.



To: PLANNING PANEL

Development Control Section

Date of Meeting: 17/07/2013

Application Number:	4/13/2055/001
Application Type:	Outline : CBC
Applicant:	Mr P Middlemas
Application Address:	LAND ADJACENT TO THE SWANG, GOSFORTH ROAD, SEASCALE
Proposal	OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT (RESUBMISSION)
Parish:	Seascale
Recommendation Summary:	Approve in Outline (commence within 3 years)



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INTRODUCTION

This application relates to an area of agricultural land located along Gosforth Road in Seascale. The site covers an area of 0.58ha and is currently used as a paddock.

The site is flanked by a small group of residential properties to the northeast, the village school to the southwest and open fields to the northwest. It fronts directly onto Gosforth Road.

Members visited the site in July 2012 to consider an identical application, which was subsequently withdrawn (4/12/2281/001 refers).

PROPOSAL

Planning permission is again sought, in outline, for a residential development on the site.

The application is accompanied by a site location plan, block plan and design and access statement. Whilst submitted in outline it is indicated that development would comprise 14 no. dwellings, 4 of which would be affordable.

The submitted block plan indicates a new access being created towards the southeastern corner of the site onto Gosforth Road. The proposed access shows the creation of visibility splays either side suggesting partial removal of the existing boundary hedge.

The application indicates the incorporation of a sustainable drainage system.

CONSULTATION RESPONSES

Highways Authority

Raise no objections from a highway point of view subject to conditions which require roads and footways to be constructed to an adoptable standard, the timing of the works to be controlled, the provision of adequate visibility splays and the submission of a plan indicating land reserved for vehicles engaged in construction operations.

They confirm that a speed survey has been produced and the application as shown on the indicative plan submitted with this outline application is now acceptable. The applicant has shown that an acceptable access can be created and that the site will provide a footway for the entire site frontage as well as a pedestrian crossing point to the footway on the opposite side of the road.

United Utilities

Have no objection to the proposed development providing a specific condition is included in any planning permission granted relating to surface water and foul drainage.

Seascale Parish Council

Object. Since the original planning application in June 2012 Cumbria County Council have undertaken a traffic survey. At traffic counter 18 on Gosforth Road, 64.7% of traffic was shown to be exceeding the speed limit. The Parish Council would again like to highlight potentially increased danger at an already hazardous point.

The Parish Council also understands that there is a 50m exclusion zone around the school's wind turbine, which means at present it has always had to cease operating at times when

the pupils are working or playing outside in the school grounds. Part of the development site falls within this 50m exclusion zone.

Planning Policy Team

Although the site is greenfield, it is within the settlement boundary and therefore the principle of housing development here is acceptable in policy terms. There is just one undeveloped brownfield site in Seascale and this already has permission for housing.

At a density of 30 per hectare, the site could accommodate approximately 18 dwellings and it is appropriate to negotiate a number of affordable units based on the level of affordable housing need in the Seascale area and the capacity of the site to deliver this. According to the Copeland 2011 SHMA there is a need for 19 additional affordable homes, of various types, per annum in the West Lakes area.

The 'Copeland PPG17 Study & Leisure Strategy – Open Space Assessment' revealed that there is a shortage of allotments, outdoor sports facilities and parks/gardens in Seascale and this may be another area where developer contribution may be appropriate.

Environment Agency

Confirm that they have no comments to make.

Office of Nuclear Regulation

ONR do not comment on outline planning applications as these could be subject to change. If a formal application is received ONR will consult Emergency Planners at Cumbria County Council for their views on incorporating the development into the offsite emergency plan for Sellafield.

Cumbria County Council Emergency Planning

No comments received.

Other

Five letters of objection have been received from neighbour property owners. Collectively, they raise the following concerns:-

1. Access and traffic. The new access onto an already hazardous road where the 30mph speed limit is not adhered too will create more of a danger. There is a dip in the road and there have already been several accidents along this stretch of the road.
2. An application to create an access along this road to serve the adjacent wind turbine has already been rejected. Surely the same argument must apply here.
3. Overlooking, visual intrusion and impact on views.

4. The development site falls within the exclusion zone of the school wind turbine.
5. Flooding occurred during 2012 and there are concerns that the existing sewage and surface water drainage systems are not adequate and a new development would place greater strain on them.
6. The development would be out of keeping with current residential properties which are single storey or of an older age.
7. The hedge along the site frontage should not be removed as there is already limited greenery and trees within Seascale.
8. There are restrictive covenants on the land.

PLANNING POLICY

National Planning Policy

The National Planning Policy Framework (NPPF) sets out the planning guidelines at a national level and includes a presumption in favour of sustainable development. The NPPF outlines that the purpose of the planning system is to contribute to the achievement of sustainable development. It identifies a social role as one of the three dimensions to sustainable development. It defines a social role as supporting strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of the present and future generations. Good design and high standards of residential amenity are also advocated.

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.

Paragraph 58 clarifies that planning decisions should aim to ensure that developments will function well and add to the overall quality of the area; establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live and respond to local character and reflect the identity of local surroundings and materials.

Paragraph 61 requires planning decisions to address the connections between people and places and the integration of new development into the natural, built and historic environment.

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 2001-2016

The adopted Copeland Local Plan 2001-2016 seeks to achieve sustainable forms of development, as required under the overarching policy of the Plan, Policy DEV 1. Policy DEV 3 designates Seascale as being one of the Boroughs Local Centres where small scale development which helps to sustain local services, meets local needs and supports rural businesses will be permitted. Policy DEV 4 of the adopted Copeland Local Plan 2001-2016 sets a preference for the development of brown field sites within the development boundary.

Policy DEV 6 sets out the sustainable design principles which all new development should adopt.

Policy HSG 4 permits housing redevelopment within settlement boundaries.

Policy ENV 12 seeks to secure landscaping within new developments.

Policy ENV 16 will not permit development where there is an unacceptable risk to flooding.

Emerging Local Planning Policies

The Core Strategy and Development Management Policies DPD which will replace most of the Policies in the Local Plan 2001-16 is now at an advanced stage of production, following a Public Examination in April.

The Policies in the Core Strategy and Development Management Policies DPD are a material consideration when determining planning applications. Once the Inspector has issued his report following the Examination then greater weight can be attached to these policies, particularly given the limited scale of objection to the Strategy and its consistency with up to date national policy guidance. The document is currently due to be adopted in August 2013.

Policy ST1 of the Core Strategy sets out the fundamental principles that will achieve sustainable development. Among other things it seeks to ensure that development creates a residential offer which meets the needs and aspirations of the Boroughs housing markets and is focused on previously developed land away from greenfield sites.

Policy ST2 sets a spatial development strategy whereby development should be guided to the principle settlement and other centres and sustain rural services and facilities.

Policy ST4C requires development to provide or contribute to the provision of facilities, infrastructure, services and other environmental and social requirements.

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.

ASSESSMENT

Whilst not specifically allocated for housing the site occupies a prominent position along Gosforth Road and falls within the development boundary for Seascale, one of the Boroughs local centres where small scale development will be permitted. The village offers a variety of local services and is served by a range of public transport nodes, including local bus and rail services. Although this is a greenfield site, there is actually only one recognised brownfield site within the village and this already has permission for a residential development. On this basis, the principle of developing this site for residential purposes is acceptable.

The application does however, raise the following issues.

Access and traffic

The creation of a new access onto Gosforth Road and the potential increase in traffic generated by the development are by far the greatest concerns raised locally both from neighbouring property owners and the Parish Council. The lack of a detailed speed survey a year ago resulted in the previous application being withdrawn. This has now been carried out and the Highways Authority are satisfied that an appropriate access with sufficient visibility can be achieved albeit with removal of the existing hedgerow.

Reference is made to a previous proposal for a new access along Gosforth Road which was refused. An application was submitted to Cumbria County Council in November 2010 by Seascale Primary School for a field access further southwest along Gosforth Road to be used to serve the wind turbine. This comprised a simple gated opening, with no visibility splays, sight lines etc and was subsequently withdrawn in December of the same year (4/10/9013/OF2 refers).

Flooding/drainage

The site falls within Flood Zone 1 and the Environment Agency have not objected to the proposal.

It is indicated within the application that surface water from the site would be managed by some form of SUDs (Sustainable Urban Drainage system) and United Utilities have confirmed they have no objection to the development of this site for residential purposes.

Layout and design

The application seeks outline planning permission to establish the 'principle' of development on the site. Consequently, matters relating to layout and design, together with landscaping and open space would be the subject of a separate application. It is at this detailed planning stage that such matters can be assessed.

Wind turbine

As regards the wind turbine, the applicant's agent has held discussions with the Head Teacher from the adjacent Primary School regarding the wind turbine. The Head Teacher has advised that the school operate a 20 metre exclusion zone around the turbine. Although part of the far western corner of the site falls within this exclusion zone this does not render the site undevelopable and will have to be taken into account at the detailed planning stage when assessing the layout.

CONCLUSION

Overall this is considered to be an acceptable site for residential development which is located within the designated development boundary for Seascale.

Recommendation:-

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:-
 - Proposed Block Plan, drawing no. 2012.533.02A Rev A, received on 16 April 2013.
 - Site Location Plan, drawing no. 2012.533.LP, received on 11 February 2013.
 - Design and Access Statement, prepared by Alan B Freeman Ltd, ref: 2012.533.A&D(2)

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. The development shall not commence until visibility splays providing clear visibility of 2.4metres by 60 metres to the south west and 2.4m by 130 m to the north east, measured down the centre of the access road and the nearside channel line of the major road have been provided at the junction of the access road with the county highway. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be planted or be permitted to grown within the visibility splay which obstruct the visibility splays. The visibility splays shall be constructed before general development of the site commences so that construction traffic is safeguarded.

Reason

In the interests of highway safety.

5. The carriageway and footways shall be designed, constructed, drained and lit to a standard suitable for adoption and in this respect further details, including longitudinal/cross sections, shall be submitted to the Local Planning Authority for approval before work commences on site. No work shall be commenced until a full specification has been approved. These details shall be in accordance with the standards laid down in the current Cumbria Design Guide. Any works so approved shall be constructed before the development is complete.

Reason

To ensure a minimum standard of construction in the interests of highway safety.

6. The footway adjacent to Gosforth Road shall be designed, constructed, drained and lit to a standard suitable for adoption and in this respect further details, including longitudinal/cross sections, shall be submitted to the Local Planning Authority for approval before work commences on site. No work shall be commenced until a full specification has been approved. These details shall be in accordance with the standards laid down in the current Cumbria Design Guid and shall link conveniently to the nearest existing footway. Any works so approved shall be constructed before the any dwelling hereby permitted is occupied.

Reason

To ensure a minimum standard of construction in the interests of highway safety.

7. Before any development takes place, a plan shall be submitted for the prior approval of the local planning authority reserving adequate land for the parking of vehicles engaged in construction operations associated with the development hereby approved, and that land, including vehicular access thereto, shall be used for or be kept available for these purposes at all times until completion of the construction works.

Reason

The carrying out of this development without the provision of these facilities during the construction work is likely to lead to inconvenience and danger to road users.

8. Prior to 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 from the site discharging into the SUDs. 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, 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 the provision of a satisfactory drainage scheme.

Informative

A water main crosses the site and United Utilities will not permit development in close proximity to it as they require access for operating and maintaining it. This should be taken into account in the final site layout, or a diversion will be necessary, which will be at the applicant's expense.

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: 3.

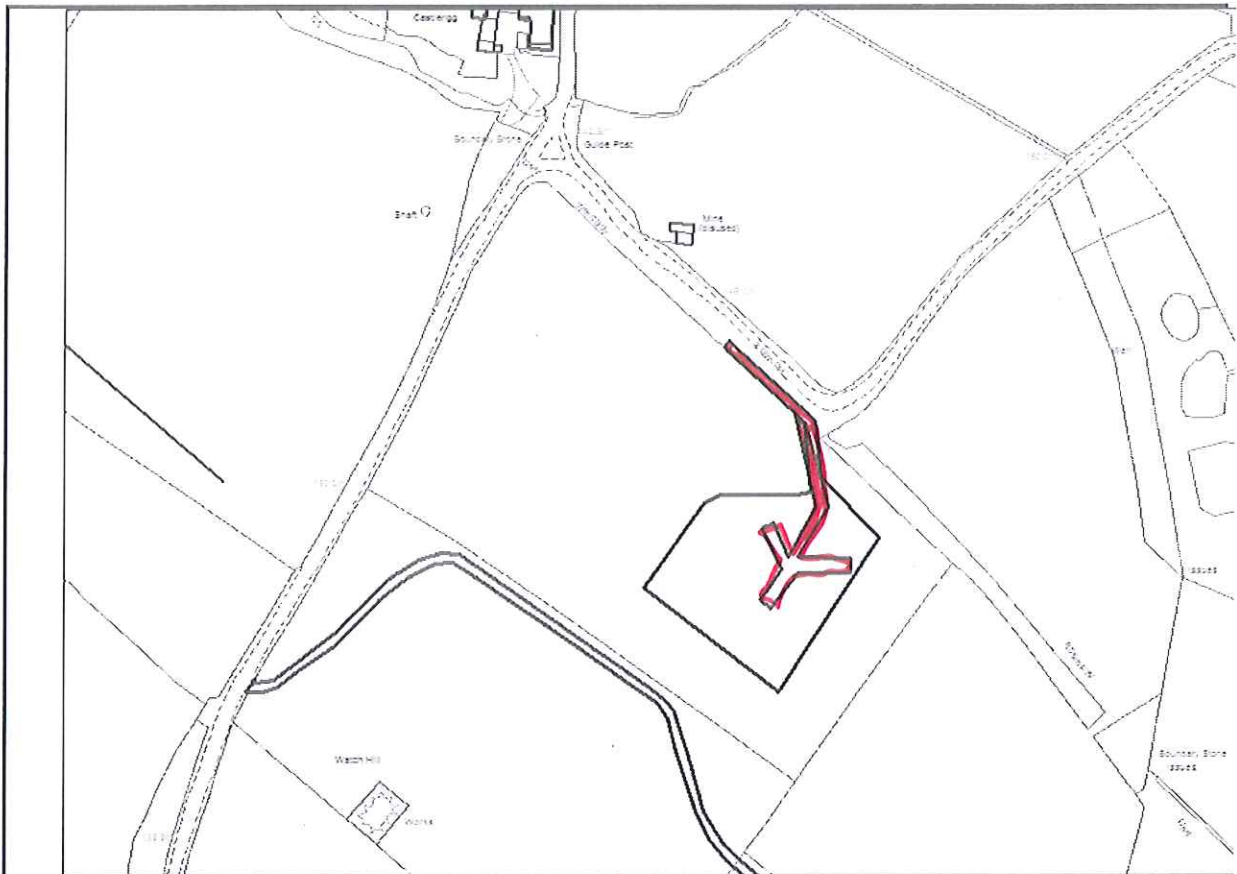


To: PLANNING PANEL

Development Control Section

Date of Meeting: 17/07/2013

Application Number:	4/13/2125/0F1
Application Type:	Full : CBC
Applicant:	Mr D Harper
Application Address:	LAND AT CASTLERIGG FARM, MORESBY PARKS, WHITEHAVEN
Proposal	ERECTION OF ONE WIND TURBINE (UP TO A MAXIMUM HEIGHT OF 77M TO BLADE TIP) AND ASSOCIATED INFRASTRUCTURE INCLUDING: TURBINE FOUNDATION, CRANE HARD-STANDING, SUBSTATION, ELECTRICAL CABINET, NEW ACCESS TRACK AND UNDERGROUND CABLING
Parish:	Moresby
Recommendation Summary:	Refuse



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INTRODUCTION

This application relates to an open area of land which lies in an elevated position to the south east of Castlerigg Farm. The farm lies approximately 0.7 km to the north of Low Moresby.

Members deferred this application at the Planning Panel on 22 May 2013 to enable them to visit the site. The site visit took place on 03 July 2013.

PROPOSAL

Planning permission is sought for the erection of a single 500 kw wind turbine which is to be sited approximately 350 metres to the south east of the farm complex. The turbine will have

a hub height of 50 metres and a total blade tip of 77 metres. It is proposed that the turbine will be retained on the site for a maximum period of 25 years.

A cabinet is to be sited at the base of the turbine to house the related electrical equipment. This will cover a floor area of approximately 15 sq. metres and will extend up to a maximum height of 3 metres.

A crane pad is to be constructed at the base of the turbine to facilitate the erection of the turbine. A substation is to be constructed adjacent to this area of hardstanding which will cover a floor area of approximately 16 sq. metres and extend up to a maximum height of 3.2 metres.

Access to the turbine is to be achieved using an existing farm gate which is to be upgraded to provide enhanced visibility splays. A new track is to be constructed from this access to the proposed turbine. This will cover a distance of 95 metres and will be surfaced with crushed stone.

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

The applicant's agent has set out that the turbine will provide an additional source of income for 25 year period which will safeguard the future of the applicant's farm. It will also contribute towards the UK renewable energy targets.

The application is accompanied by the following:-

- A site location plan
- An elevation plan of the turbine and associated substation
- A design and access statement
- A supporting statement
- A landscape and visual impact assessment including photomontages
- A noise impact assessment
- An ecology and ornithology assessment
- An archaeology and cultural heritage statement
- An aviation impact assessment
- A traffic management plan

PLANNING POLICY

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

National Planning Policy Framework

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

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

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

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

The NPPF constitutes guidance for local planning authorities and in respect of development control is a material consideration in determining planning applications. It does not change the status of the development plan and the planning system remains plan led - requiring that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

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

Renewable Energy

As regards renewable energy developments it states that we should:

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

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

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

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

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

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

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

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

1. That there would be no significant adverse visual effects.
2. That there would be no significant adverse effects on landscape or townscape character and distinctiveness.
3. That there would be no adverse impact on biodiversity.

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

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

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

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

Emerging Local Plan

The Local Development Frameworks Core Strategy and Development Management Policies DPD which will replace the policies in the Copeland Local Plan, is now at a more advanced stage of production. The public examination into the document took place in April this year and the Inspectors report is due in July. It is the intention that this will be adopted in September 2013.

In the meantime it is acknowledged that the NPPF is critical to development management decisions and that local plan policy can only be considered relevant where it is considered consistent with it.

The following Policies of the new document are considered relevant, whilst it is acknowledged they are a material consideration in determining planning applications they should be afforded little weight at present until the Inspector has issued his report into the public examination, when it is anticipated greater weight can be attached:

ST1 Strategic Development Principles -- sets out the fundamental principles to guide development in the Borough.

ST2 Spatial Development Strategy - outlines the overall spatial and regeneration strategy for the Borough including energy developments.

ER2 Planning for the Renewable Energy Sector – supports and encourages new renewable energy generation in appropriate locations which maximise renewable resources and minimise environmental and amenity impacts.

DM2 Renewable Energy Development in the Borough – sets out the criteria for renewable energy development / generation to minimise any potential impacts.

DM11 Sustainable Development Standards - aims to ensure that new development achieves high standards of sustainability.

Cumbria Wind Energy Supplementary Planning Document (SPD)

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

CONSULTATION RESPONSES

Moresby Parish Council

Object due to the scale and prominence of the proposed turbine and its proximity to the existing wind farm at Pica and the previously approved turbine at Watch Hill which is likely to have a significant landscape and visual impact and an unacceptable wider cumulative impact within the landscape. They also have concerns about the impact on the visual amenity of nearby settlement of Moresby Parks. They do not consider that any benefits from the turbine will outweigh the detrimental impact on the proposal.

Highways Control Officer

Following consideration of the submitted Traffic Management Plan which outlines the routing for the delivery of the turbine to the site I have no objections in principle although the details of the access and improvement works still need to be agreed once delivery dates are known. This can be covered by suitably worded planning conditions.

Environmental Health Officer

The site is approximately 450 metres from the nearest residential properties West Croft and High Farm. Based on the sound power level given in the noise assessment both the noise assessment and my calculations indicate that the noise levels from the turbine will remain below 35 dBA at West Croft and High Farm so it appears that the proposed development meets with the simplified ETSU-R-97 guidance and a flat noise level condition which sets a maximum noise level at the two affected properties should be attached to any planning permission.

Natural England

Natural England does not object to the development provided that it is carried out in strict accordance with the details of the application as submitted. However we have some concerns which need to be addressed.

We note that the proposed turbine would impact on the field directly to the south (centred at GR 300303, 521064), the majority of which (3.3ha) has been set aside as hen harrier compensatory foraging habitat for the Commongate/Low Moresby turbine. This turbine is located 350m to the south-east of this proposal and impacts on foraging habitat on Distington Moss within a 300m buffer. Consequently to ensure no net loss of foraging habitat for hen harrier this mitigation area for the Commongate/Low Moresby turbine that falls within the 300m buffer of the proposed turbine, would need to be transferred to another suitable site nearby. Currently this area of land is being managed to provide a wide buffer of rough grassland suitable for small mammals and a core of wild bird mix or a sacrificial crop which will provide suitable habitat for small birds.

We also advise that, should the proposal be granted permission, the construction of the turbine needs to take place outside of the wintering period when the hen harriers use this

area. Therefore a window of April – September would be the most suitable time for construction.

RSPB

The RSPB reiterate the comments raised by Natural England to ensure no net loss of foraging habitat for hen harriers. We also agree with Natural England's comments that, should the proposal be granted permission, the construction of the turbine needs to take place outside of the wintering period when the hen harriers use this area. However given the window of April – September appears to be the most suitable time for construction, we would recommend that a Breeding Bird Survey is undertaken in line with Natural England's Standing Advice Species Sheet

Coal Authority

The site does not fall within the high risk area. As it falls within the low risk area the applicant should be issued with Coal Authority Standing Advice.

Historic Environment Officer

No objections

MOD

No objections provided that the turbine is fitted with omni-directional aviation lighting at the highest practicable point.

NATS

No objections. The proposed development does not conflict with our safeguarding criteria.

FORCE

Object on the grounds of scale, adverse visual and cumulative impact, adverse impact on residential amenity due to noise and adverse impacts on recreation and users of the local

footpath network. They consider the impact has been understated, especially the impact on views into and out of the Lake District national Park

Other

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

- the turbine will be a dominant structure which will have an adverse visual impact on the character and appearance of the local area including the National Park
- the turbine will add another vertical structure into the landscape and will be seen with other existing turbines resulting in an adverse cumulative impact
- the turbines will have adverse impacts on residential properties, especially on the occupants of the nearest property West Croft in terms of noise, vibration and shadow flicker. This property is already significantly affected by the existing wind farm at Fairfield Farm
- The turbines will have no benefit to the local area
- The turbine will have an adverse impact on tourism and the economy of the area
- There has not been any community consultation on this proposal
- The local roads are not adequate for a large construction project
- The turbine raises potential impacts to low flying aircraft
- Adverse impact on the local wildlife population within the valley
- This proposal will set a precedent for other turbines within the area
- The need for a turbine on this site is questioned given the small amount of energy that it will produce

11 letters of support have also been received which make the following points:-

- The turbine will provide environmental benefits
- It will contribute to national energy targets
- The visual impact of a single turbine would be acceptable
- The other turbines within the area have become accepted
- It would have a beneficial effect on sustaining the farm by providing additional income

ASSESSMENT

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

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

worded conditions attached to any planning permission which would set a maximum noise level at the nearest properties.

- 2) Shadow Flicker: The accompanying assessment concludes that any shadow impacts will be limited to a distance extending up to 10 rotor diameters of the turbine and within 130 degrees either side of north. Whilst this will potentially only affect the two nearest properties of West Croft and High Farm any potential impact will be below the threshold set out by guidance of below 30 hours per year and 30 minutes per day. A condition could be attached to any permission which would require mitigation measures to be implemented in the event of any complaint with regards to shadow flicker.
- 3) Transport and Access. Access to the site already exists and the Highway Authority raises no objections to the proposal. The submitted Transport Management Plan seeks to control highways issues. Whilst construction would increase traffic movements to the site this would only be temporary and operational traffic will be insignificant.
- 4) Heritage and Archaeology. There are no conservation areas, ancient monuments or listed buildings likely to be affected in the vicinity.

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

Landscape, Visual and Cumulative Impacts

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

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

The Cumbria Landscape Character Guidance and Toolkit (March 2011) identifies the land in the vicinity as “Character Area 9a “Open Moorland”. The guidance acknowledges that these are high open landscapes although they are less remote due to its managed appearance and past uses. Despite the row of pylons it retains large expansive views of the Lakeland fells which provide a dramatic backdrop to the landscape. The open character and expansive views across moorland and higher farmed areas are sensitive to large scale infrastructure development that could obscure or significantly interrupt the views.

The vision for this area is that this landscape will be enhanced through restoration and enrichment creating a harmonious balance between the moorlands and woodlands and mining and agricultural features. Semi-natural grassland will be conserved and enhanced, fragmented patterns of rough moorland will be repaired, areas of blanket bog will be restored and semi-derelict pastoral fields will be allowed to revert back to moorland. Degraded areas and neglected sections of landscape will be restored back to their former beauty through the creation of new landscape features including woodland, wetland and strengthened hedgerow patterns.

The guidance stresses that the siting of development on prominent edges of the plateau should be avoided. It also stresses that the siting of large scale wind energy and other vertical structures such as telecommunications masts, pylons and overhead transmission lines in open and prominent areas where it could degrade the open and expansive character should be avoided. They should be sited to prevent visual clutter with existing pylons. In order to minimise the adverse effects of tall and vertical structures such as pylons and turbines it advises careful siting and managing the numbers of turbines to prevent them becoming a dominant feature in the landscape.

This proposal is for a tall structure, some 77 metres in overall height which would be consistent with the size of turbines at the adjoining Fairfield wind farm at Pica. It would be sited in a prominent and elevated location which is open to views from both the immediate and wider locality.

There are already turbines within this landscape. The proposed turbine will be located in close proximity to the existing Fairfield wind farm and the previously approved turbine at Watch Hill. The proposed turbines at Weddicar Rigg are also currently subject to an appeal. The site will also have intervisibility with the more distant Lowca wind farm to the west and the other turbine development both on shore and off shore within this part of West Cumbria.

The presence of another turbine would add to the cumulative impacts of the existing and approved turbines in the landscape. The Wind Energy SPD identifies this landscape as having a moderate capacity to accommodate up to a small group of 3-5 turbines. This threshold has already been exceeded by the presence of the wind farm at Fairfield and the approved turbine at Watch Hill.

The erection of an additional turbine on this site would result in turbines becoming a very noticeable element in a high proportion of views. Consequently it would become a landscape where turbines would become a defining characteristic of its character. On this basis it is considered that the threshold of capacity of the landscape to accommodate additional wind turbines of this scale has been exceeded.

Impacts on Protected Species

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

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

It is proposed that 3.3. hectares of land under the applicants control would be set aside outside a 300 metre buffer zone around the turbine. Crop on these areas of land will be chosen to be the most beneficial for the management of the hen harriers. This mitigation proposal could be secured by appropriately worded conditions attached to any planning permission.

Both Natural England and the RSPB have indicated that these mitigation measures are acceptable and are sufficient to overcome their original concerns about the potential impact of the turbine on the wintering habitat of the hen harriers. On this basis the proposal is considered to be consistent with Policies ENV 4 and ENV 5 of the adopted Local Plan.

Benefits

Against the backdrop of potential impacts it is also necessary to consider the potential wider benefits of the scheme which in this particular case are identified as:

Farm diversification

The turbine will help the farm to diversify and provide an additional income for a 25 year period which will help to secure its future.

Renewable Energy Generation

The proposed turbine will provide 1,773,000 kWh of electricity per year which is enough to power approximately 435 homes.

Reduction of Carbon Emissions

This would reduce the UK carbon emissions by approximately 930 tonnes of CO2 equivalent per year which will help to contribute to local and national emission reduction targets and help to tackle climate change.

Community Benefit

The applicant has agreed to make a single payment of £10,000 within 30 days of the turbine being commissioned for use at a cause/project that is to be decided by the community.

CONCLUSION

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

Recommendation:-

Refuse

Reason for Refusal

The proposed turbine due to its scale, prominence and proximity to the existing wind farm at Fairfield Farm and the approved turbine at Watch Hill is likely to have a significant landscape and visual impact and also an unacceptable wider cumulative impact within the landscape when seen in context with existing and approved wind turbines. The degree of harm is of a scale and character which prevents it being offset by the likely scale of benefits and it is concluded that the adverse effects of the proposal significantly and demonstrably

outweigh the benefits of the proposal. As a consequence the proposal is considered to be contrary to Policies EGY 1 and EGY 2 of the adopted Copeland Local Plan 2001-2016 and the provisions of the National Planning Policy Framework.

Statement

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

ITEM NO: 4.

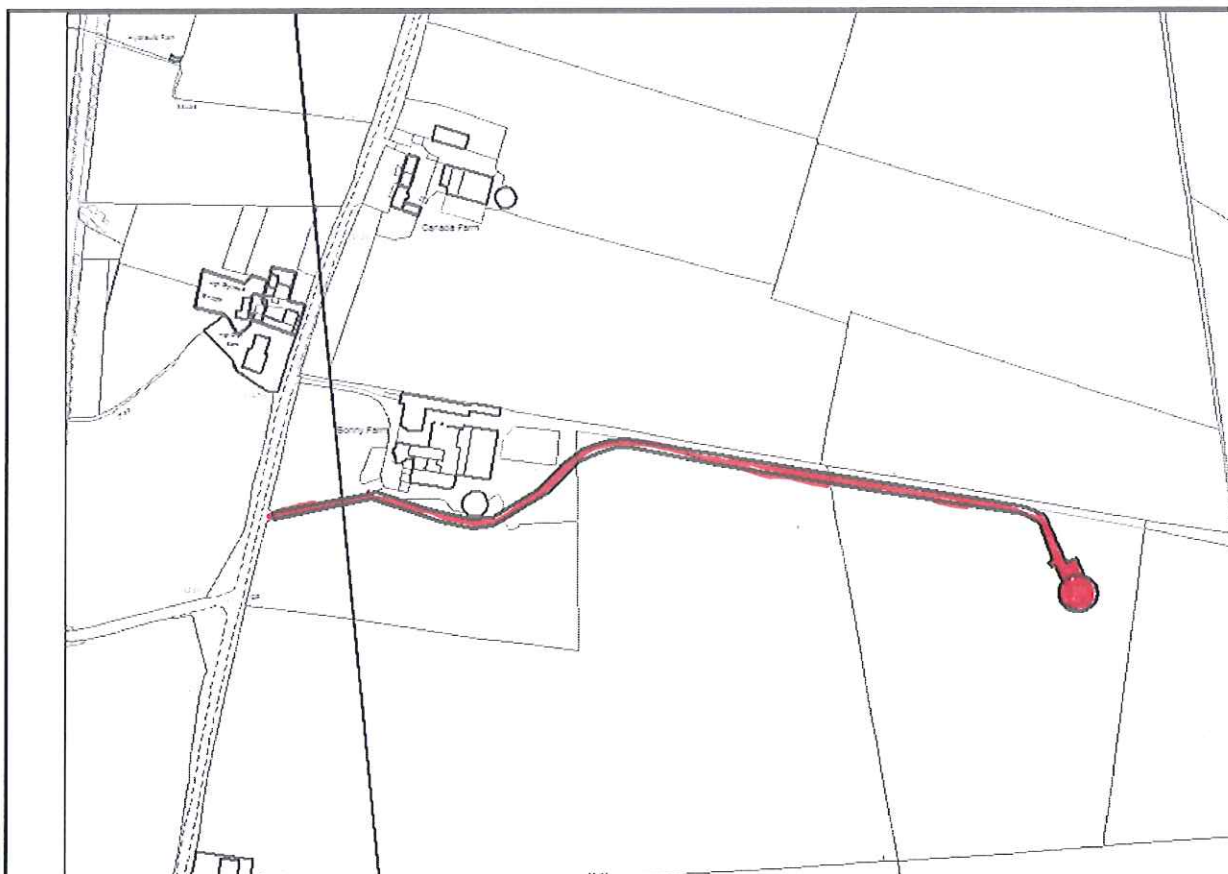


To: PLANNING PANEL

Development Control Section

Date of Meeting: 17/07/2013

Application Number:	4/13/2145/OF1
Application Type:	Full : CBC
Applicant:	Mr C Stamper
Application Address:	LAND NEAR BONNY FARM, MORESBY PARKS, WHITEHAVEN
Proposal	INSTALLATION OF A SINGLE 500KW WIND TURBINE (WITH A MAXIMUM HEIGHT OF 66 METRES TO BLADE TIP), ASSOCIATED INFRASTRUCTURE AND NEW ACCESS TRACK
Parish:	Moresby
Recommendation Summary:	Refuse



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INTRODUCTION

This application relates to an open area of land which lies in an elevated position to the east of Bonny Farm, an agricultural holding comprising 40 hectares of land. The farm complex lies approximately 600 metres to the north east of Moresby Parks.

This application was deferred at the Planning Panel on 22 May 2013 to allow Members to visit the site. The site visit took place on 03 July 2013.

PROPOSAL

Planning permission is sought for the erection of a single 500 kw wind turbine which is to be sited approximately 450 metres to the east of the farm complex. The turbine will have a hub

height of 40 metres and a total blade tip of 66 metres. A transformer kiosk will be housed within a small kiosk near to the base of the tower. The kiosk will cover a floor area of approximately 25 sq. metres and will extend up to a maximum height of 2.7 metres.

Access to the turbine is to be achieved by extending an existing track which serves the farm complex. This track is to be upgraded to allow the construction and maintenance equipment to access the site. A crane pad is proposed at the base of the turbine to facilitate the erection of the turbine.

The existing entrance is to be modified to ensure that the vehicles that will be used to deliver the components of the turbine on to the site can be accommodated and also to enhance visibility at the junction between the track and the minor road which runs north from Moresby Parks to Distington.

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

The applicant's agent has outlined that the turbine will provide additional income to the farm holding. It will also help to reduce the output of carbon from the farm which will help to demonstrate compliance with the sustainable code of practice.

The application is accompanied by the following:-

- A site location plan
- An elevation plan of the turbine
- A design and access statement
- A planning statement
- A landscape and visual impact assessment including photomontages
- A noise impact assessment
- A shadow flicker assessment
- An ecology and ornithology assessment
- A transport statement
- An archaeology and heritage assessment
- An aviation impact assessment

PLANNING POLICY

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

National Planning Policy Framework

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

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

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

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

The NPPF constitutes guidance for local planning authorities and in respect of development control is a material consideration in determining planning applications. It does not change the status of the development plan and the planning system remains plan led - requiring that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

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

Renewable Energy

As regards renewable energy developments it states that we should:

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

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

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

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

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

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

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

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

1. That there would be no significant adverse visual effects.
2. That there would be no significant adverse effects on landscape or townscape character and distinctiveness.
3. That there would be no adverse impact on biodiversity.

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

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

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

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

Emerging Local Plan

The Local Development Frameworks Core Strategy and Development Management Policies DPD which will replace the policies in the Copeland Local Plan, is now at a more advanced stage of production. The public examination into the document took place in April this year and the Inspectors report is due in July. It is the intention that this will be adopted in September 2013.

In the meantime it is acknowledged that the NPPF is critical to development management decisions and that local plan policy can only be considered relevant where it is considered consistent with it.

The following Policies of the new document are considered relevant, whilst it is acknowledged they are a material consideration in determining planning applications they should be afforded little weight at present until the Inspector has issued his report into the public examination, when it is anticipated greater weight can be attached:

ST1 Strategic Development Principles - sets out the fundamental principles to guide development in the Borough.

ST2 Spatial Development Strategy - outlines the overall spatial and regeneration strategy for the Borough including energy developments.

ER2 Planning for the Renewable Energy Sector – supports and encourages new renewable energy generation in appropriate locations which maximise renewable resources and minimise environmental and amenity impacts.

DM2 Renewable Energy Development in the Borough – sets out the criteria for renewable energy development / generation to minimise any potential impacts.

DM11 Sustainable Development Standards - aims to ensure that new development achieves high standards of sustainability.

Cumbria Wind Energy Supplementary Planning Document (SPD)

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

CONSULTATION RESPONSES

Moresby Parish Council

Object due to the scale and prominence of the proposed turbine and its proximity to the existing wind farm at Pica and the previously approved turbine at Watch Hill which is likely to have a significant landscape and visual impact and an unacceptable wider cumulative impact within the landscape. They also have concerns about the impact on the visual amenity of the nearby settlement of Moresby Parks. They do not consider that any benefits from the turbine will outweigh the detrimental impacts of the proposal.

Highways Control Officer

No objections from a highway perspective subject to conditions which limit the amount of mud and debris on the public highway and also the provision of a Traffic Management Plan which requires all highway works to be completed to an approved standard.

MOD Safeguarding

No objections but in the interests of air safety the turbine shall be fitted with omni-directional red lighting or infrared aviation lighting at the highest practicable point.

NATS

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria.

Natural England

The applicants proposed hen harrier mitigation/enhancement plan is appropriate to ensure that there will be no net negative impact on hen harriers in the area and that in all likelihood the impact would be net positive.

The crop will be managed for hen harrier prey species for the lifetime of the wind turbine.

RSPB

The mitigation/enhancement plan that has been put forward and agreed with Natural England is acceptable to the RSPB and considered appropriate in this instance.

Other

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

- the turbine will be a dominant structure which will have an adverse visual impact on the character and appearance of the local area including the National Park
- the presence of other turbines within the locality will result in an unacceptable cumulative impact

- the turbine will have adverse impacts on the amenities of the occupiers of residential properties in terms of noise, vibration and shadow flicker
- The turbine will have no benefit to the local area
- The turbine will have an adverse impact on tourism and the economy of the area
- There has not been any community consultation on this proposal
- The local roads are not adequate for a large construction project and this proposal raises highway safety implications
- The turbine raises potential impacts to low flying aircraft
- The turbine will have an adverse impact on the local wildlife population within the valley
- This proposal will set a precedent for other turbines within the area.

ASSESSMENT

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

- 1 Noise: The supporting case contends that any noise arising from the turbine in operation would be below the recommended level and would have no impact on surrounding properties. The separation between the turbine and the nearest residential property is 525 metres. Given this separation distance it is considered that any noise issues can be adequately dealt with by the use of appropriately worded conditions attached to any planning permission which would set a maximum noise level at the nearest properties.
- 2 Shadow Flicker: The accompanying assessment concludes that no additional shadow impacts will affect the adjoining houses as they all fall outside the assessment area of 10 x the rotor diameter of the turbine (520 metres).
- 3 Transport and Access. Access to the site already exists and the Highway Authority raises no objections to the proposal. Whilst construction would increase traffic movements to the site this would only be temporary. Operational traffic will be insignificant. These issues can be adequately covered by a condition which requires a Traffic Management Plan to be agreed before development commences.
- 4 Heritage and Archaeology. There are no conservation areas, ancient monuments or listed buildings likely to be affected in the vicinity.

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

Landscape, Visual and Cumulative Impacts

The site comprises an elevated green field location which is open in character and has extensive views across moorland and higher farmland to the east and the West Cumbrian coast to the west. It lies in close proximity to Moresby Parks.

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

The Cumbria Landscape Character Guidance and Toolkit (March 2011) identifies the land in the vicinity as "Character Area 9a "Open Moorland". The guidance acknowledges that these are high open landscapes although they are less remote due to its managed appearance and past uses. Despite the row of pylons it retains large expansive views of the Lakeland fells which provide a dramatic backdrop to the landscape. The open character and expansive views across moorland and higher farmed areas are sensitive to large scale infrastructure development that could obscure or significantly interrupt the views.

The vision for this area is that this landscape will be enhanced through restoration and enrichment creating a harmonious balance between the moorlands and woodlands and mining and agricultural features. Semi-natural grassland will be conserved and enhanced, fragmented patterns of rough moorland will be repaired, areas of blanket bog will be restored and semi-derelict pastoral fields will be allowed to revert back to moorland. Degraded areas and neglected sections of landscape will be restored back to their former beauty through the creation of new landscape features including woodland, wetland and strengthened hedgerow patterns.

The guidance stresses large scale wind energy infrastructure developments and other vertical structures such as, communication masts, pylons or overhead transmission lines could erode the open and remote character of the landscape and reduce the nature conservation interest.

The guidance stresses that the siting of development on prominent edges of the plateau should be avoided. It also stresses that the siting of large scale wind energy and other

vertical structures such as telecommunications masts, pylons and overhead transmission lines in open and prominent areas where it could degrade the open and expansive character should be avoided. They should be sited to prevent visual clutter with existing pylons. It also advises to minimise adverse effects of tall and vertical structures such as pylons and turbines through careful siting and managing the numbers of turbines to prevent them becoming a dominant feature in the landscape.

This proposal is for a tall structure, some 66 metres in overall height, in a prominent and elevated location which is open to views from both the immediate and wider locality.

There are already turbines within the landscape. The proposed turbine will be located in close proximity to the existing Fairfield wind farm and the previously approved turbine at Watch Hill. The proposed turbines at Weddicar Rigg are also subject to an appeal. The site will also have intervisibility with the more distant Lowca wind farm to the west and the other turbine development both on shore and off shore within this part of West Cumbria.

The presence of another turbine would add to cumulative impacts of existing and approved turbines in the landscape. The Wind Energy SPD identifies this landscape as having a moderate capacity to accommodate up to a small group of 3-5 turbines. This threshold has already been exceeded by the presence of the wind farm at Fairfield and the approved turbine at Watch Hill.

The erection of an additional turbine on this site would result in turbines becoming a very noticeable element in a high proportion of views. Consequently it would become a landscape where turbines would become a defining characteristic of its character. On this basis it is considered that the threshold of capacity of the landscape to accommodate wind turbines of this scale has been exceeded.

Impacts on Protected Species

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

Following detailed discussions with Natural England and the RSPB the applicants have submitted a mitigation/enhancement plan which has been agreed by all parties. This will ensure that there will be no net impact on hen harriers within the area. This plan involves setting aside an area of land which will be specifically managed in a manner which will encourage hen harriers. This includes growing crops that are attractive to prey for the hen harrier.

On this basis this proposal is in compliance with Policies ENV 4 and ENV 5 of the adopted Local Plan.

Benefits

Against the backdrop of potential impacts it is also necessary to consider the potential wider benefits of the scheme which in this particular case are identified as:

Farm Diversification

The turbine would provide an additional income for a 25 year period which would help to secure the future of the farm.

Renewable Energy Generation

The applicants have set out that the proposed turbine could provide up to 1,773,000 kWh of electricity per year which is the equivalent to the amount of energy used annually by 420 households.

Reduction of Carbon Emissions

The applicants claim that the turbine could displace approximately 848 tonnes of carbon dioxide emissions per year. This will help the applicant to demonstrate that he has complied with the sustainable farming code of practice that is now commonplace requirement in attracting and retaining key contracts with supermarkets.

Community benefit

The applicant has agreed to provide a community benefit scheme linked to this proposal if permission is granted. The applicant will make a financial contribution to Moresby School in order to assist with funding of a multi- use games area and the construction of an access road.

CONCLUSION

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

Recommendation:-

Refuse

Reason for Refusal

The proposed turbine due to its scale, prominence and proximity to the existing wind farm at Fairfield Farm and the approved turbine at Watch Hill is likely to have a significant landscape and visual impact and also an unacceptable wider cumulative impact within the landscape when seen in context with existing and approved wind turbines. The degree of harm is of a scale and character which prevents it being offset by the likely scale of benefits and it is concluded that the adverse effects of the proposal significantly and demonstrably outweigh the benefits of the proposal. As a consequence the proposal is considered to be contrary to Policies EGY 1 and EGY 2 of the adopted Copeland Local Plan 2001-2016 and the provisions of the National Planning Policy Framework.

Statement

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

ITEM NO: 5.

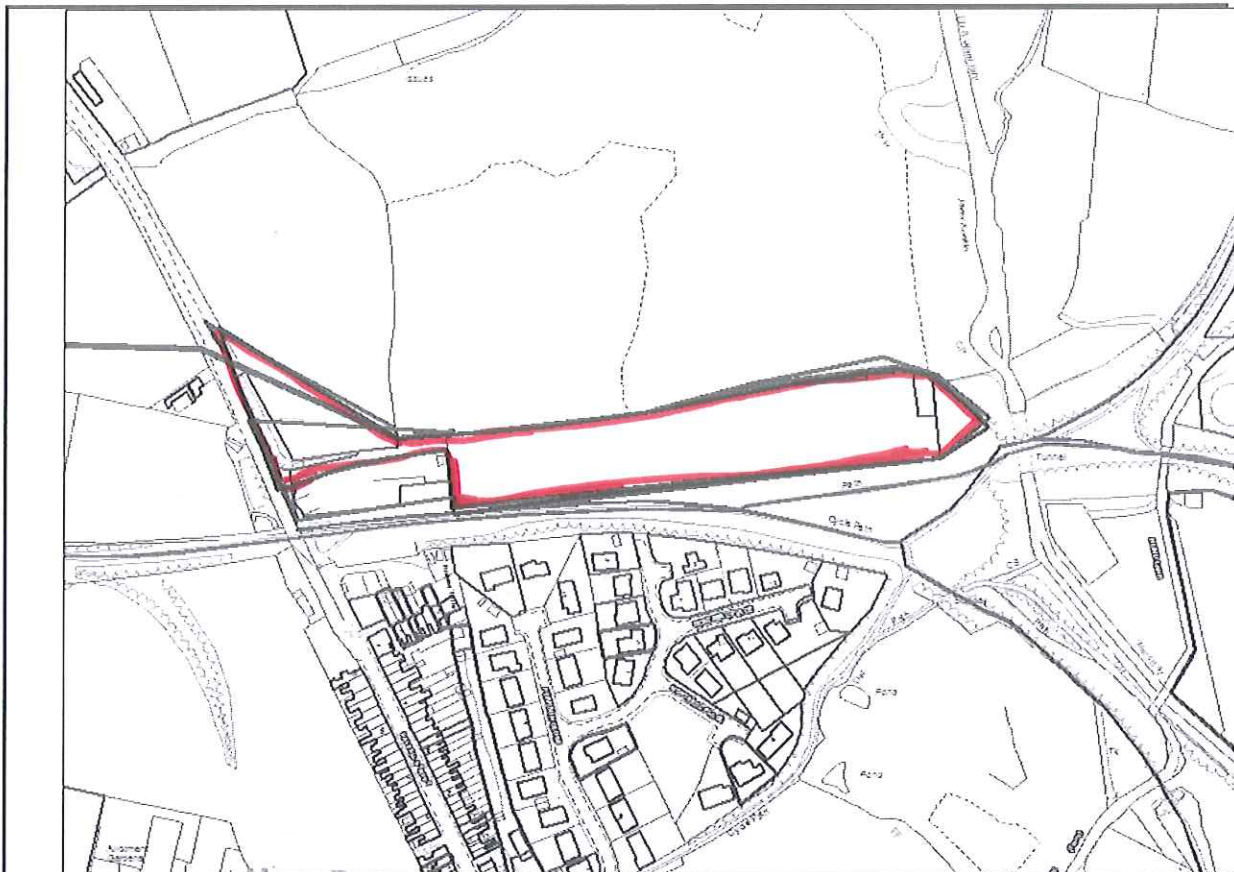


To: PLANNING PANEL

Development Control Section

Date of Meeting: 17/07/2013

Application Number:	4/13/2146/OR1
Application Type:	Reserved Matter : CBC
Applicant:	Kirkbride Homes (NW) Ltd
Application Address:	STATION YARD, MOOR ROW
Proposal	RESERVED MATTERS APPLICATION FOR ROAD AND PLOT LAYOUT
Parish:	Egremont
Recommendation Summary:	Approve Reserved Matters



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Introduction

This application relates to a linear area of land some 1.58 ha in size, situated on the northern edge of the village of Moor Row. Formerly used to house a fencing business and now vacant, it is flanked by the C2C Cycleway / public footpath to the south, which runs along the route of the former railway line, and agricultural land to the north and east. To the west it adjoins an existing storage depot and fronts onto C4003 Moor Row to Galemire Road.

Vehicle access would be off the aforementioned classified road and comprises a new junction on greenfield some 30m to the north of the existing access serving the site. This is in order to achieve the required visibility splay for a development of this size.

The Proposal

Outline planning permission for the erection of 37 dwellings was originally approved in June 2010 subject to conditions under reference 4/10/2165/001. This application seeks reserved matters approval for the road and plot layout for some 33 dwellings.

Whilst a mix of dwelling types are shown it should be noted that they are indicative only and that consent at this stage is sought for the road and plot layout only. A further application would be required for the detailed house types.

The route of the standard 5.550m wide road, with a footpath either side, runs from the access point with the C4003 road in an easterly direction with plots fronting onto it on either side. It leads to a 14m wide turning head just over midway and then forms a shared driveway some 4.8m in width serving the remaining 11 plots. Although the linear nature of the site restricts the options for the road layout it is more organic than the straight form which was shown on the indicative drawings accompanying the outline.

Consultation Responses

Egremont Town Council

No objection as long as Highways are satisfied that this development can be accommodated without any undue risk by creating access onto a busy narrow road.

Flood and Coastal Defence Engineer

Notes the presence of an existing functioning culvert under the proposed route of the new road and informs that this must be allowed to function unhindered at all times. If any work is needed to be undertaken then a flood defence consent would be required from Cumbria County Council.

Highway Authority

Had some initial concerns. No objection to the latest amended plan which increases the width of the turning head and enables provision of a footway between plots 3 and 10 in compliance with the Cumbria Design Guide.

Neighbour Representations

A letter has been received from the owner of an adjoining parcel of land to the west of the site which is currently used as a storage depot. They express concern that their access was deleted on the initial submission and no access was shown off the new road. Also point out the existence of a culvert running under the new road which serves their site.

In response to these concerns the layout has since been amended to take account of neighbouring access rights and the existence of the culvert is acknowledged.

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. It defines an economic role as contributing to building a strong, responsive and competitive economy by ensuring that sufficient land of the right type is available in the right places and at the right time. A social role is defined as supporting strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of the present and future generations. An environmental role is defined as contributing to protecting and enhancing our natural, built and historic environment.

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

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

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

Paragraph 60 recognises that it is proper to promote or reinforce local distinctiveness and paragraph 61 requires planning decisions to address the connections between people and places and the integration of new development into the natural, built and historic environment.

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

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

Copeland Local Plan 2001-2016

The adopted Copeland Local Plan seeks to achieve sustainable forms of development, as required under the overarching policy of the Plan, Policy DEV 1. Policy DEV 2 designates Whitehaven as being one of the four key service centres where development should be focussed. Policy DEV 4 sets a preference for the development of brown field sites within the development boundary.

Policy DEV 6 sets out the sustainable design principles which all new development should adopt.

Policy HSG 4 permits housing redevelopment within settlement boundaries.

Policy HSG 8 sets out the design criteria for all new housing within the Borough. Amongst other things, it advocates certain separation distances between dwellings, including a minimum of 21.0m between face elevations containing habitable room windows.

Policy EMP3 identifies the site as part of the wider Former Marchon Employment Opportunity Site. The Policy states that such areas are being investigated as to their future development potential and contribution they can make to the regeneration strategies in the Borough.

Policy EMP 7 only permits the development or change of use of land or premises currently or last in employment use provided the wider community benefits outweigh the loss of employment land and there is no current or future likely demand for the site or premises.

Policy ENV 12 seeks to secure landscaping within new developments.

Policy ENV 18 requires site investigation works and remediation to be carried out on land known to be contaminated.

Emerging Local Planning Policies

The Core Strategy and Development Management Policies DPD which will replace most of the Policies in the Local Plan 2001-16 is now at an advanced stage of production, following a Public Examination in April.

The Policies in the Core Strategy and Development Management Policies DPD are a material consideration when determining planning applications. Once the Inspector has issued his report following the Examination then greater weight can be attached to these policies, particularly given the limited scale of objection to the Strategy and its consistency with up to date national policy guidance. The document is currently due to be adopted in August 2013.

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

residential offer which meets the needs and aspirations of the Boroughs 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.

Policy ST3 sets out the strategic development priorities for the Borough which includes regeneration sites in south and central Whitehaven.

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

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

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

Policy DM3 seeks to safeguard land allocated for employment use unless the site is no longer viable for such a use; robust evidence is provided to suggest there is no suitable alternatives and in exceptional circumstances the proposal provides benefits that outweigh the loss of land for employment 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 DM12 sets out specific design standards for new residential development, including the need to retain appropriate separations distances.

Assessment

The principle of housing development on this site, within the settlement boundary of designated local centre Moor Row, has already been established by virtue of the outline consent. This application seeks the approval of the reserved matters only i.e. the detail of the road and plot layout.

Initial concerns regarding highways, separation distances and neighbour issues have now been satisfactorily addressed. It has been demonstrated via the amended layout that the scheme is now acceptable and in compliance with Policies DEV 6 and HSG 8 of the adopted Copeland Local Plan 2001-2016 and the general guidance contained in the NPPF.

Recommendation:-

Approve reserved matters.

Conditions

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

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. Permission shall relate to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them:-

Amended Plot Layout, drwg no MP(01)32 Revision H, scale 1:500, received 24 June 2013.

Design and Access Statement, by hurdrolland, ref M7554/4.1, dated 10 April 2013, received 19 April 2013.

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.

INFORMATIVE

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

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

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

Statement

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

ITEM NO: 6.

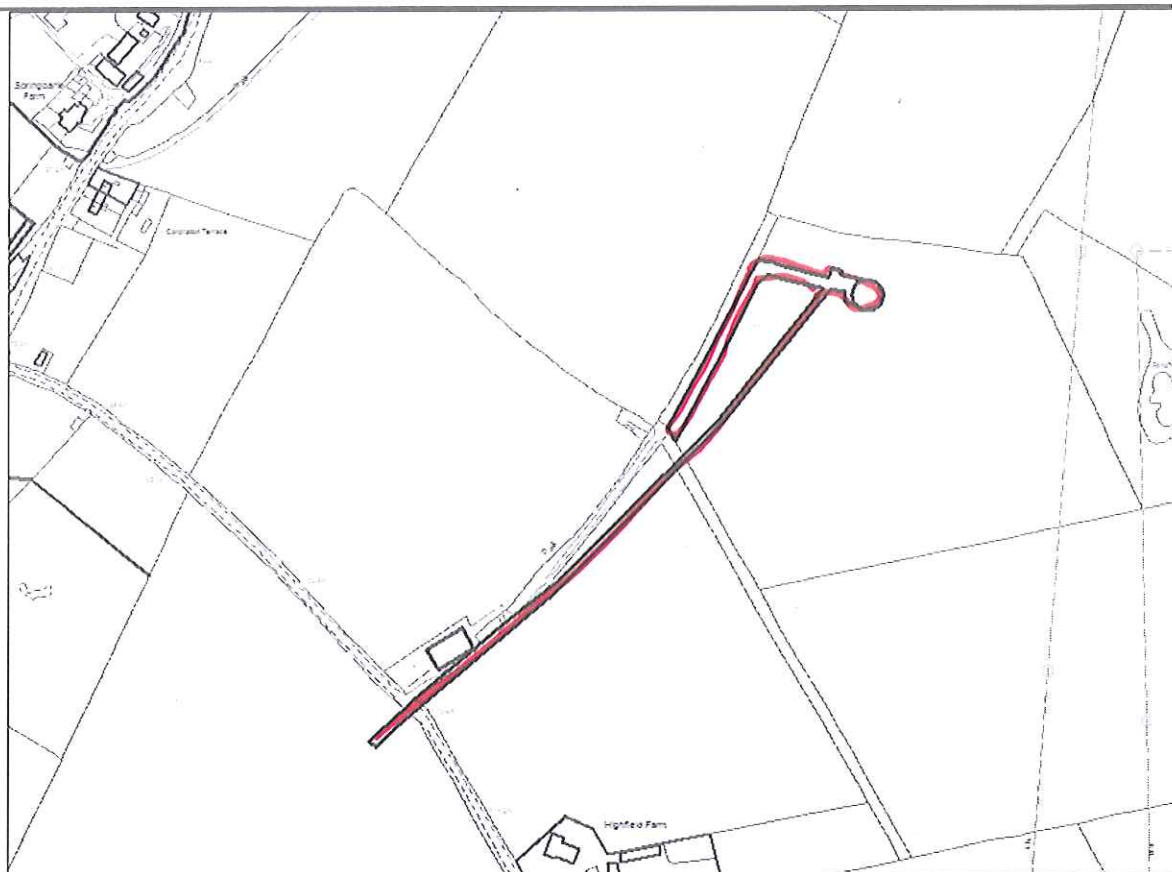


To: PLANNING PANEL

Development Control Section

Date of Meeting: 17/07/2013

Application Number:	4/13/2157/OF1
Application Type:	Full : CBC
Applicant:	Mr J L Hocking
Application Address:	LAND AT HIGHFIELD FARM, EGREMONT
Proposal	INSTALLATION OF A SINGLE 250KW WIND TURBINE (WITH A MAXIMUM HEIGHT OF 45.5 METRES TO BLADE TIP HEIGHT) AND ASSOCIATED INFRASTRUCTURE
Parish:	St. Bees
Recommendation Summary:	Approve (commence within 3 years)



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Introduction

At the last Planning Panel of 19 June 2013 Members agreed to visit this site in order to fully appraise all the relevant planning considerations this application raises prior to its determination. The site visit took place on Wednesday 3 July 2013.

This proposal relates to a greenfield site in open countryside situated between the nearest settlements of St Bees and Bigrigg, 1.9km to the south west and 1.2km to the east north east respectively. It currently forms part of an active agricultural holding known as Highfield Farm. The nearest dwelling to the site is the applicants own which forms part of the farm building group and is located to the 396m to the south of the turbine

The Proposal

Permission is sought for the erection of a single 250kW wind turbine on the site. This would be situated on a tapered tubular tower pale grey in colour with a hub height of 32m. The turbine would be three bladed with a rotor diameter of 27m giving a total ground to tip

height of 45.5m.

It would be fixed onto a 10m by 10m concrete reinforced foundation some 3.0m in depth.

Situated adjacent to the wind turbine would be a 20m by 15m hardstanding and a HV switchgear and transformer kiosk. Underground cabling would connect the turbine to the local electricity network.

Access to the development would be via the existing road network and off an existing agricultural track which runs alongside the northern field boundary. Access to the site itself is through an existing field access and involves the creation of a new 180m length of track across the field.

The application is accompanied by a:

Design and Access Statement

Environmental Report which assesses potential issues of noise, ecology and ornithology, landscape and visual impact, hydrology, hydrogeology and geology, archaeology and cultural heritage, traffic and transport and others including telecommunications, aviation, shadow flicker and grows.

Planning Supporting Statement

Technical Information

Planning History

The only associated planning history relevant to this application is the recent approval of a 15m high anemometer mast for 6 month period on the site for the purpose of assessing the wind resource in this location. (4/13/2047/0F1 refers).

Consultations

St Bees Parish Council - strongly oppose the application. Consider the turbine is very large and inappropriate in this rural location on the edge of a Landscape of County Importance. It would be sited on elevated ground making it a very prominent feature. The turbine would be clearly visible from a wide area including a number of viewpoints in and around St Bees. It is the Parish's view that there would be a significant adverse effect on the landscape, St Bees Head and the Heritage Coast. St Bees Head and the Heritage Coast are areas of regional and national importance with views across a wide area of countryside and these views should be protected from inappropriate development.

The Parish Council is not opposed in principle to small scale wind turbines in appropriate locations where they provide power for domestic or farm buildings without creating significant visual impact. However the output from a turbine of this size goes well beyond domestic requirements and the Parish Council does not believe that the area is an appropriate location for generation on this scale.

Highway Authority - no objections from a highway point of view subject to two conditions controlling the spillage of mud and debris onto the highway and request for a traffic management plan.

Defence Infrastructure Organisation DIO (MOD) – No objection to the proposal. If permission is granted asked to be consulted on the date construction starts and ends, the maximum height of construction equipment and the latitude and longitude of the turbine.

Scientific Officer - No objection subject to an appropriate condition governing noise.

NATS No safeguarding objection.

Ofcom. No comment.

Neighbour Representations -

Extensive consultations have been undertaken with local residents in the area. To date only two letters have been received. One from a neighbouring farmer who owns the access track the applicant intends to use and points out that he has no right of way over it for this purpose. Also considers that the turbine will have a ghastly effect on the surrounding area. It will be higher than other turbines in the area and on a prominent site visible to many. The second letter has been received from a resident of Drigg who expresses concern on the following grounds:

- The site may not be suitable as they have only just received permission for a 15m high anemometer mast which has yet to be erected.
- Will introduce a tall dominant structure to the landscape which does not enhance the countryside or its character.
- Contrary to Policy EGY 1 and EGY 2 and the NPPF which does not hand over the Countryside to industrialisation but recognises the landscapes beauty.
- Target of 13 GW of on shore energy by wind by 2020 will have been met 7 years early. So nationally this is not required.
- Noise estimates should be taken as invalid. Current guidance was produced in 1997 and has not been revised to allow for the larger turbines and their characteristic noise as well as the effect of vibration.
- CO2 emissions are not reduced by wind power.
- Localism Act states that peoples' opinions must be taken into account when a decision is made.
- This is an industrial application and no consultation has been carried out prior to the application which is contrary to the Localism Act.
- Who will pay for de-commissioning. This should be paid upfront to a community trust.

Planning Policy

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

National Planning Policy Framework

The National Planning Policy Framework (NPPF), which came into effect (March 2012), sets

out the Government's planning policies and how these are to be applied. It introduces a presumption in favour of sustainable development and emphasises that the purpose of the planning system is to contribute to the achievement of this and revokes the majority of the current Planning Policy Statements / Guidance Documents, including PPS 22 'Renewable Energy', though it should be noted that the Companion Guide to PPS 22 is still in force and is relevant in so far that it advises how to evaluate renewable energy applications in order to arrive at an objective view and that landscape and visual effects should be assessed on a case by case basis

It 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.

It initially allowed full weight to be given to relevant local plan policies adopted since 2004 for a limited period of 12 months even if there was a limited degree of conflict with it. The Copeland Local Plan 2001-2016, adopted in 2006, fell into this category. For determining applications post March 2013 the NPPF states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. In respect of assessing this application key Policies EGY 1 and EGY 2 of the adopted Copeland Local Plan 2001-2016 (Saved Policies June 2009) are considered compatible and compliant with the NPPF. The other Copeland Local Plan policies referenced, DEV 5 and DEV 6, are also considered generally consistent. Accordingly these policies are given substantial weight in the assessment of the application.

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 wellbeing 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.
- 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).

Paragraph 115 affords great weight to the protection and conservation of designated landscapes.

Paragraph 117 seeks to minimise impacts on biodiversity. One of the key ways of achieving this is the preservation, restoration and recreation of priority habitats, ecological networks and the protection and recovery of priority species.

Paragraph 118 advises Local Planning Authorities when determining planning applications to aim to conserve and enhance biodiversity. It outlines that planning permission should be refused if significant harm resulting from a development cannot be avoided through relocation, mitigation or compensation.

Paragraph 123 clarifies that planning decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development but

does recognise that it is appropriate to secure mitigation through the use of planning conditions to overcome these impacts. It also seeks to afford protection of areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.

Copeland Local Plan 2001-2016

Policy DEV 5: Development in the Countryside. Seeks to protect and enhance the countryside outside settlement boundaries by restricting development to certain categories including energy related development providing it accords with other plan policies.

Policy DEV 6: Sustainability in Design. Advocates high quality sustainable design in all new development in the Borough.

Key Policies EGY 1 and EGY 2 of the Local Plan are specifically relevant. The former supports renewable energy developments and sets out the criteria against which all proposals for renewable energy are to be considered. This is set out below:

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

1. That there would be no significant adverse visual effects.
2. That there would be no significant adverse effects on landscape or townscape character and distinctiveness.
3. That there would be no adverse impact on biodiversity.
4. That proposals would not cause unacceptable harm to features of local, national and international importance for nature or heritage conservation.
5. That measures are taken to mitigate any noise, smell, dust, fumes or other nuisance likely to affect nearby residents or other adjoining land users.
6. That adequate provision can be made for access, parking and any potentially adverse impacts on the highway network.
7. That any waste arising as a result of the development would be minimised and dealt with using a suitable means of disposal.
8. There would be no adverse unacceptable conflict with any existing recreational facilities and their access routes.
9. That they would not give rise to any unacceptable cumulative effects when considered against any previous extant planning approvals for renewable energy development or other existing/ approved utility infrastructure in the vicinity.

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

Emerging Local Plan

The Local Development Frameworks Core Strategy and Development Management Policies DPD which will replace the policies in the Copeland Local Plan, is now at a more advanced stage of production. The public examination into the document took place in April this year and the Inspectors report is due in August. It is the intention that this will be adopted in September 2013.

In the meantime it is acknowledged that the NPPF is critical to development management decisions and that local plan policy can only be considered relevant where it is considered consistent with it.

The following Policies of the new document are considered relevant, whilst it is acknowledged they are a material consideration in determining planning applications they should be afforded little weight at present until the Inspector has issued his report into the public examination, when it is anticipated greater weight can be attached:

ST1 Strategic Development Principles -- sets out the fundamental principles to guide development in the Borough.

ST2 Spatial Development Strategy - outlines the overall spatial and regeneration strategy for the Borough including energy developments.

ER2 Planning for the Renewable Energy Sector – supports and encourages new renewable energy generation in appropriate locations which maximise renewable resources and minimise environmental and amenity impacts.

DM2 Renewable Energy Development in the Borough – sets out the criteria for renewable energy development / generation to minimise any potential impacts.

DM11 Sustainable Development Standards - aims to ensure that new development achieves high standards of sustainability.

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.

Summary of Policy Context

The NPPF stresses that the purpose of planning is to help achieve sustainable development and sets out a favourable approach to renewable energy developments. It emphasises that any adverse impacts of development have to significantly and demonstrably outweigh any benefits to justify a refusal. Although the emerging local plan policies currently carry little weight the existing local plan key policies EGY 1 and EGY 2 are material and relevant as they are considered consistent with the NPPF and therefore carry considerable weight in determining this application.

Assessment

The Environmental Report submitted in support of the application puts forward the case that the proposed impacts of the wind turbine are acceptable with its benefits significantly outweighing any dis-benefits particularly in terms of noise, ecology and ornithology, landscape and visual impact, hydrology, hydrogeology and geology, archaeology and cultural heritage, traffic and transport as well as telecommunications, aviation, shadow flicker and public rights of way. In view of its scale and location the application does raise a number of key issues on these and other grounds which are considered below:

Noise

This is unlikely to be a prevalent issue given the distance the turbine is situated away from the nearest non associated residential property. Apart from the applicants own farm dwelling situated at 396m away the nearest properties are 1 and 2, Quarry Cottages to the south at 497 and 495m away respectively. The remainder are situated at more than 0.5km away. It is predicted that noise at these premises will not exceed the fixed lower daytime noise limit of 35dB L A90, 10 min.

Flicker

This is not considered to be an issue given that the nearest property is situated at well over 10 rotor diameters away from the turbine to be affected.

Ecology and Ornithology

An extended Phase 1 Habitat Survey was carried out the results of which are deemed not likely to impact on any habitats of conservation significance. No evidence of bat roosts were

found at the site and as the turbine will be situated more than 50m away from the nearest hedgerow which could be used as habitat or foraging ground it is unlikely it will adversely affect them. There was a suspected badger sett located approximately 100m away from the turbine location in order to protect it no excavation will occur within 30m of the outer sett.

Pre-construction surveys will be undertaken to ensure that no protected species have colonised the site since the initial survey.

Archaeology and Cultural Heritage

There were found to be no designated heritage assets within 1km of the application site.

The nearest listed building is St John's Bigrigg, (Grade II listed) which is situated some 1.4km away to the south west and as a result will only have a minor impact on its setting. Overall it is considered that there will be a negligible impact on the historic environment.

Landscape Impact

The potential effect of the proposal on the character and appearance of the surrounding landscape and its associated visual impact are key issues in assessing this application.

Cumbria Landscape Guidance and Toolkit, March 2012, identifies the site as coastal sandstone, part of the coastal edge extending from Whitehaven to Sellafield. This is characterised by coastal sandstone cliffs, rolling hills and plateaus and large open fields. It accepts that large scale wind energy development could take place here due to the exposed location and potential high wind speeds.

It is acknowledged that this proposal is for one medium sized turbine at 45.5m high (ground to tip).which would be sited on a prominent plateau to the south side of St Bees Valley. That said it would be seen as part of a group of vertical features which already dominate the landscape here comprising several large electricity pylons and the local TV transmitter within the immediate vicinity. Although it is accepted that the turbine would be seen from wide and distant views it would not be so significant a feature on the landscape but seen in context with the other vertical features which dominate this skyline.

Cumulative Impact

The nearest turbines of any significance are the two which are operational at Whangs Farm, standing at some 34.5m ground to tip. These are situated some 1.56km away to the south and given this distance it is considered that it is unlikely that there would be any adverse cumulative impact. Taking into account the presence of the existing vertical features within close proximity and similar in scale it is unlikely that the addition of one turbine would accentuate its cumulative impact.

Visual Impact

The siting of one single medium sized turbine, at 45.5m high, in this rural location, albeit against the backdrop of the neighbouring vertical features, is not considered to have a significant adverse impact on wider and immediate views. At this scale it is considered that the turbine will be more readily assimilated into the landscape and not be overly prominent or incongruous.

Decommissioning & Reinstatement

The supporting documentation details how decommissioning and reinstatement of the site would be undertaken. It is appropriate that the required detail of this would be covered by a suitable condition.

Localism Act

This is not relevant to development management decisions and should be disregarded.

Potential Benefits

Against the backdrop of potential impacts it is also necessary to consider the potential wider benefits of the scheme as advocated by the NPPF which in this particular case are identified as:

Renewable Energy Generation

It is proposed that the turbine will have a generating capacity of 400kw which according to the manufacturers guidelines is sufficient to power some 248 homes per annum with electricity. This is a reasonable quantity from a single renewable source which would make a contribution towards meeting the Governments targets for renewable energy generation.

Low Carbon Energy Source

It is recognised that this form of power is generated from a low carbon source and that even this size of scheme can make a valuable contribution to reducing the nation's greenhouse gas emissions and providing a relatively low carbon footprint.

Ministerial Statement

Reference is made to the ministerial statement of 6 June 2013. This states that detailed guidance on assessing wind turbine applications will be prepared. As of yet this is not available and in view of this it is advised that it should be given little weight in decision making.

Conclusion

In terms of assessing this application it is important to consider:-

- The effect of the proposal on the character and appearance of the landscape and its visual impact.
- Whether any identified harmful effects significantly outweigh the renewable energy benefits

Taking into account the above and the fact that the turbine will be seen as part of a group of existing vertical structures in this location it is considered that its overall presence in the landscape would not be overly or unduly prominent.

On balance it is important now to weigh up the benefits of generating renewable energy in this location from the turbine against any potential harm it could have on the key issues of character and appearance of the landscape and its visual impact. I would reiterate that the NPPF reminds us that in arriving at decisions *'that small scale projects such as this can make a valuable contribution to cutting greenhouse emissions, and that planning applications for renewable energy should be approved if its impacts are or can be made acceptable.'*

In my opinion the proposed wider renewable energy benefits of the proposal outweigh the potential adverse impacts. Although the proposal would introduce a relatively tall structure into a prominent part of the landscape, it is the view that its scale and appearance would be seen as forming part of an existing grouping of vertical structures and would not unduly detract from it. As a result it would not represent an overly dominant or intrusive feature on the landscape and as such would be compliant with Policies EGY 1 and EGY 2 and the guidance contained in the NPPF.

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:-

Design and Access Statement, by SKM for Kinetica Energy, dated 27 March 2013, received on 22 April 2013.

Planning Supporting Statement, by SKM for Kinetica Energy, dated 27 March 2013, received 22 April 2013.

Environmental Report, by SKM for Kinetica Energy, dated 27 March 2013, received 22 April 2013.

Planning Map 01, drwg no KEDWG-PL-PM01-0522, scales 1:10,000 & 1:2500, received 22 April 2013.

Planning Map 02, drwg no KEDWG-PL-PM02-0522, scales 1:500 & 1:2500, received 22 April 2013.

Planning Map 04, drwg no KEDWG-PL-PM03-0522, scales 1:10,000, received 22 April 2013.

Planning Map 03, drwg no KEDWG-T225, scale 1:250, received 22 April 2013.

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. This permission is for a period not exceeding 20 years from the date that electricity from the development is first connected into the National Grid. Within 12 months of the cessation of electricity generation at the site (or the expiry of this permission, whichever is the sooner), all development shall be removed from the site and the land restored in accordance with a scheme which shall have the prior written approval of the Local Planning Authority.

Reason

To ensure that possible dereliction and unsightliness is avoided.

4. If the turbine ceases to be operational for a continuous period of 6 months it shall be dismantled and removed from the site and the site restored in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority. The restoration scheme shall be submitted to the Local Planning Authority within two months after the expiry of the six month period and the turbine shall thereafter be removed and the site restored in accordance with the approved scheme.

Reason

To ensure that possible dereliction and unsightliness is avoided.

5. The noise emissions from the wind turbine shall not exceed a sound pressure level of 35dB $L_{A90,10min}$ at the curtilage of any dwelling not financially involved with the development and lawfully existing at the time of this consent at wind speeds up to and including $10ms^{-1}$ at 10m height. Any measurement shall be made at a height of 1.2m and at a minimum distance of 3.5m from any façade or acoustically reflective surface.

For the purpose of this condition, curtilage is defined as "the boundary of a lawfully existing domestic garden area".

And

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

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

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

Reason

To ensure the protection of residential amenity from noise pollution

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: 7.

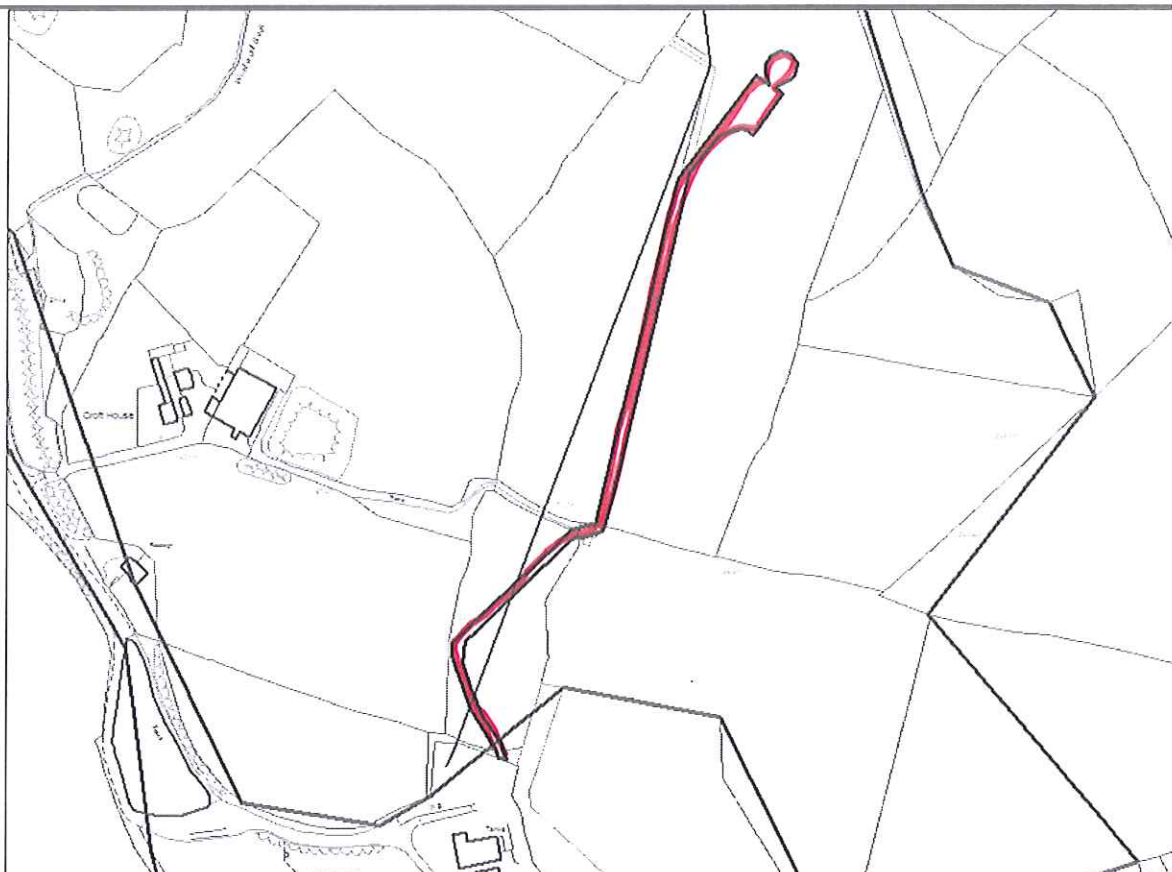


To: PLANNING PANEL

Development Control Section

Date of Meeting: 17/07/2013

Application Number:	4/13/2209/0F1
Application Type:	Full : CBC
Applicant:	Mr Finlinson
Application Address:	LAND AT WINDER, FRIZINGTON (TURBINE POSITION E305572, N517668)
Proposal	INSTALLATION OF ONE GAMESA G52 500KW WIND TURBINE OF 70M TO BLADE TIP AND ASSOCIATED INFRASTRUCTURE, INCLUDING AN ACCESS TRACK, CRANE HARDSTANDING, METER HOUSE AND FOUNDATIONS
Parish:	Lamplugh
Recommendation Summary:	Site Visit



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INTRODUCTION

This application relates to an open area of agricultural land which is associated with Windergill Farm and lies approximately 0.5 km north east of Eskett Quarry. A number of dwellings lie within 1 km of the site including the properties at Winder and Rowrah. Arlecdon lies 1.6 km to the north and Frizington 1.8 km to the west.

PROPOSAL

Planning permission is sought for the erection of a single 500 kw wind turbine which is to be sited approximately 350 metres to the north of the farm complex. The turbine will have a hub height of 44 metres and a total blade tip of 70 metres. It is proposed that the turbine will be retained on the site for a maximum period of 25 years.

A cabinet is to be sited at the base of the turbine to house the related electrical equipment. This will cover a floor area of approximately 7.5 sq metres and will extend up to a maximum height of 3 metres.

A crane pad is to be constructed at the base of the turbine to facilitate the erection of the turbine.

Access to the turbine is to be achieved from Eskett Quarry. A track is run in a northerly direction and will join onto an existing section of track which is to be upgraded as part of this proposal. The total length of track will be approximately 506 metres.

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

The applicant's agent has set out that the turbine will provide an additional source of income for 25 year period which will safeguard the future of the applicant's farm and allow it to be modernised to achieve greater efficiencies. It will also contribute towards the UK renewable energy targets.

The application is accompanied by the following:-

- A site location plan
- A site layout plan
- An elevation plan of the turbine and associated substation
- A design and access statement
- A supporting statement
- A geo environmental and mining risk assessment
- A landscape and visual impact assessment including photomontages
- A noise impact assessment
- A shadow flicker assessment
- An ecology assessment
- A habitat management plan
- An archaeology and cultural heritage statement
- An aviation impact assessment
- A traffic and transport assessment

As this application relates to a prominent site within open countryside in close proximity to Lake District National Park boundary it is recommended that Members take the opportunity to visit the site to fully appraise all of the material planning considerations before determining the application.

Recommendation:-

Site Visit

List of Delegated Decisions

Selection Criteria:

From Date: 11/06/2013

To Date: 08/07/2013

Printed Date: Tuesday, July 09, 2013

Printed Time: 1:59 PM

Application Number	4/13/2117/OF1
Applicant	Mr T Todd
Location	COPELAND, BRAYSTONES BEACH, BRAYSTONES, BECKERMET
Proposal	REPLACEMENT OF DERELICT AND DEFECTIVE DWELLING WITH NEW SINGLE STOREY DWELLING
Decision	Approve (commence within 3 years)
Decision Date	31 May 2013
Dispatch Date	28 June 2013
Parish	Lowside Quarter

Application Number	4/13/2122/OL1
Applicant	Gold Property Developments Ltd
Location	SOMERSET HOUSE, 52 DUKE STREET, WHITEHAVEN
Proposal	LISTED BUILDING CONSENT TO FORM 7 APARTMENTS (AMENDMENT TO PREVIOUSLY APPROVED SCHEME 4/12/2461/OL1)
Decision	Approve Listed Building Consent (start within 3yr)
Decision Date	12 June 2013
Dispatch Date	19 June 2013
Parish	Whitehaven

Application Number	4/13/2131/OF1
Applicant	Miss B Haywood
Location	SUNNYBANK BARN, HAILE, EGREMONT
Proposal	REVISED SCHEME FOR CONVERSION OF BARN
Decision	Approve (commence within 3 years)
Decision Date	21 June 2013
Dispatch Date	21 June 2013
Parish	Haile

Application Number	4/13/2136/OF1
Applicant	Egremont Rugby League
Location	GILLFOOT PARK, GILLFOOT, EGREMONT
Proposal	RELOCATION OF EXISTING RUGBY LEAGUE PITCH, GRANDSTAND & FLOODLIGHTS
Decision	Approve (commence within 3 years)
Decision Date	5 July 2013
Dispatch Date	8 July 2013
Parish	Egremont

Application Number	4/13/2140/OF1
Applicant	Mr T Graham
Location	34 MAIN STREET, EGREMONT
Proposal	CHANGE OF USE FROM GROUND FLOOR HAIRDRESSING SALON TO RESIDENTIAL (TO CREATE SINGLE DWELLING HOUSE)
Decision	Refuse
Decision Date	10 June 2013
Dispatch Date	11 June 2013
Parish	Egremont

Application Number	4/13/2144/OF1
Applicant	Sellafield Limited
Location	SELLAFIELD SITE, SELLAFIELD, SEASCALE
Proposal	EXTENSION TO EXISTING OFFICE ACCOMMODATION

Decision	Approve
Decision Date	13 June 2013
Dispatch Date	13 June 2013
Parish	Beckermeth with Thornhill

Application Number	4/13/2147/OR1
Applicant	Mr J Scrugham
Location	BLACK HOW FARM, CLEATOR
Proposal	RESERVED MATTERS APPLICATION FOR APPROVAL OF LAYOUT, SCALE, APPEARANCE, MEANS OF ACCESS TO THE DWELLING AND LANDSCAPING
Decision	Approve (commence within 3 years)
Decision Date	10 June 2013
Dispatch Date	14 June 2013
Parish	Cleator Moor

Application Number	4/13/2149/OF1
Applicant	Egremont Youth Partnership
Location	EGREMONT METHODIST CHURCH HALL, MAIN STREET, EGREMONT
Proposal	CHANGE OF USE TO YOUTH CENTRE/YOUTH CAFE
Decision	Approve (commence within 3 years)
Decision Date	11 June 2013
Dispatch Date	14 June 2013
Parish	Egremont

Application Number	4/13/2150/OF1
Applicant	Mr G Leece
Location	9 LOOP ROAD NORTH, WHITEHAVEN
Proposal	PROPOSED SINGLE STOREY EXTENSION TO REAR
Decision	Approve (commence within 3 years)
Decision Date	17 June 2013
Dispatch Date	17 June 2013
Parish	Whitehaven

Application Number	4/13/2154/OF1
Applicant	Mr A James
Location	27 THE CROFTS, ST BEES
Proposal	DEMOLITION OF DETACHED FLAT ROOFED SINGLE GARAGE; PROPOSED INTEGRATED GARAGE/UTILITY TO GROUND FLOOR AND PROPOSED BEDROOMS TO FIRST FLOOR
Decision	Approve (commence within 3 years)
Decision Date	10 June 2013
Dispatch Date	14 June 2013
Parish	St. Bees

Application Number	4/13/2155/OF1
Applicant	Mr I Smith
Location	3 CAIN STREET, BIGRIGG, EGREMONT
Proposal	DEMOLITION OF EXISTING GARAGE, CONSTRUCTION OF TWO STOREY EXTENSION
Decision	Approve (commence within 3 years)
Decision Date	24 June 2013
Dispatch Date	28 June 2013
Parish	Egremont

Application Number	4/13/2156/OF1
Applicant	Mr M Fletcher
Location	BARN AT HIGH LOWSCALES FARM, MILLOM
Proposal	PROPOSED CONVERSION OF EXISTING FARM STRUCTURE TO HOLIDAY LET RESIDENCE
Decision	Approve (commence within 3 years)
Decision Date	28 June 2013
Dispatch Date	3 July 2013
Parish	Millom Without

Application Number	4/13/2163/OF1
Applicant	The School Governors
Location	ST BEGHS CATHOLIC JUNIOR SCHOOL, COACH ROAD, WHITEHAVEN
Proposal	EXTENSION TO EXISTING CLASSROOM
Decision	Approve (commence within 3 years)
Decision Date	18 June 2013
Dispatch Date	19 June 2013
Parish	Whitehaven

Application Number	4/13/2164/OF1
Applicant	St Patricks Primary School
Location	ST PATRICKS PRIMARY SCHOOL, TODHOLES ROAD, CLEATOR MOOR
Proposal	NEW TIMBER FRAMED MODULAR SCHOOL CLASSROOM BUILDING WITH DISABLED ACCESS
Decision	Approve (commence within 3 years)
Decision Date	18 June 2013
Dispatch Date	21 June 2013
Parish	Cleator Moor

Application Number	4/13/2165/OF1
Applicant	Mr and Mrs T Hartley
Location	6 CUMBERLAND CLOSE, MILLOM
Proposal	TWO STOREY GABLE AND REAR EXTENSION WITH INCREASED PARKING AREA INCLUDING DEMOLITION OF EXISTING GARAGE & CONVERSION OF REAR EXTENSION
Decision	Approve (commence within 3 years)
Decision Date	24 June 2013
Dispatch Date	28 June 2013
Parish	Millom

Application Number	4/13/2168/OF1
Applicant	Mr N Thompson
Location	45 LOWTHER ROAD, MILLOM
Proposal	TWO STOREY GABLE EXTENSION WITH SINGLE STOREY GABLE LEAN-TO GARAGE AND UTILITY ROOM
Decision	Approve (commence within 3 years)
Decision Date	25 June 2013
Dispatch Date	27 June 2013
Parish	Millom

Application Number	4/13/2172/OL1
Applicant	Mrs D Semphill
Location	24 ROPER STREET, WHITEHAVEN

Proposal	LISTED BUILDING CONSENT FOR SINGLE STOREY GARAGE (RETROSPECTIVE)
Decision	Approve Listed Building Consent (start within 3yr)
Decision Date	11 June 2013
Dispatch Date	1 July 2013
Parish	Whitehaven

Application Number	4/13/2175/0F1
Applicant	Mr A Sheil
Location	9 LAYFIELD LANE, CLEATOR MOOR
Proposal	FIRST FLOOR EXTENSION ABOVE EXISTING GARAGE TO FORM EN-SUITE BEDROOM PLUS FIRST FLOOR BALCONY TO REAR OF PROPERTY
Decision	Approve (commence within 3 years)
Decision Date	27 June 2013
Dispatch Date	1 July 2013
Parish	Cleator Moor

Application Number	4/13/2176/0F1
Applicant	Mr G Martin
Location	LAND TO REAR OF EHEN BANK, EHENHALL GARDENS, CLEATOR
Proposal	ERECTION OF NEW DWELLING
Decision	Approve (commence within 3 years)
Decision Date	1 July 2013
Dispatch Date	1 July 2013
Parish	Cleator Moor

Application Number	4/13/2177/0F1
Applicant	Mr J Mackay
Location	THE OAK TREES, 35a LOOP ROAD NORTH, WHITEHAVEN
Proposal	ERECTION OF 3FT METAL TRELLIS ON TOP OF REAR WALL
Decision	Approve (commence within 3 years)
Decision Date	1 July 2013
Dispatch Date	3 July 2013
Parish	Whitehaven

Application Number	4/13/2178/0F1
Applicant	Mr Hussieyn Denli
Location	46-47 MARKET PLACE, WHITEHAVEN
Proposal	CHANGE OF USE TO A3 ON THE GROUND FLOOR WITH TWO x 2 BEDROOMED SELF-CONTAINED FLATS ON THE UPPER FLOORS WITH INTERNAL ALTERATIONS
Decision	Approve (commence within 3 years)
Decision Date	27 June 2013
Dispatch Date	3 July 2013
Parish	Whitehaven

Application Number	4/13/2179/0F1
Applicant	Mr N Donaldson
Location	EAST HOUSE, COULDERTON, EGREMONT

Proposal	DEMOLITION OF EXISTING OUTBUILDINGS, CONSTRUCTION OF NEW SINGLE STOREY PITCHED ROOF KITCHEN/UTILITY ROOM EXTENSION; RENEWAL & DIVERSION OF FOUL AND SURFACE WATER DRAINAGE; ABANDONMENT OF EXISTING SEPTIC TANK & INSTALLATION OF NEW PACKAGED SEWAGE TREATMENT PLANT
Decision	Approve (commence within 3 years)
Decision Date	26 June 2013
Dispatch Date	3 July 2013
Parish	Lowside Quarter

Application Number	4/13/2181/0F1
Applicant	Mrs C Ormerod
Location	GRAZING PLOT 5, CALDBECK ROAD, RED LONNING, WHITEHAVEN
Proposal	ERECTION OF FIELD SHELTER
Decision	Approve
Decision Date	24 June 2013
Dispatch Date	4 July 2013
Parish	Whitehaven

Application Number	4/13/2182/0F1
Applicant	Egremont Rugby League Club
Location	EGREMONT RUGBY LEAGUE CLUB, NORTH ROAD, EGREMONT
Proposal	DISABLED ACCESS RAMP
Decision	Approve (commence within 3 years)
Decision Date	3 July 2013
Dispatch Date	4 July 2013
Parish	Egremont

Application Number	4/13/2183/001
Applicant	Mr R Cloudsdale
Location	LAND ADJACENT TO 3 STATION CRESCENT, BECKERMET
Proposal	OUTLINE APPLICATION FOR ERECTION OF A TWO STOREY DWELLING
Decision	Withdrawn
Decision Date	4 July 2013
Dispatch Date	4 July 2013
Parish	Beckermest with Thornhill

Application Number	4/13/2184/0F1
Applicant	Mr S Lancaster
Location	20 LOWTHER ROAD, MILLOM
Proposal	TWO STOREY GABLE EXTENSION TO EXISTING NNE GABLE AND SINGLE STOREY SINGLE PITCH GARAGE EXTENSION TO EXISTING SSW GABLE WITH NEW HARDSTANDINGS
Decision	Approve (commence within 3 years)
Decision Date	1 July 2013
Dispatch Date	4 July 2013
Parish	Millom

Application Number	4/13/2186/0F1
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Applicant	Sunnyhill Public House
Location	SUNNYHILL PUBLIC HOUSE, VICTORIA ROAD, WHITEHAVEN
Proposal	NEW FIRE ESCAPE TO SOUTH WEST ELEVATION
Decision	Approve (commence within 3 years)
Decision Date	3 July 2013
Dispatch Date	8 July 2013
Parish	Whitehaven

Application Number	4/13/2188/0F1
Applicant	St James Catholic Primary School
Location	ST JAMES RC SCHOOL, LONSDALE ROAD, MILLOM
Proposal	EXTERNAL STORAGE CONTAINER
Decision	Approve (commence within 3 years)
Decision Date	26 June 2013
Dispatch Date	4 July 2013
Parish	Millom

Application Number	4/13/2195/0F1
Applicant	J M & A Harrison
Location	CHAROLAIS, GOSFORTH, SEASCALE
Proposal	ERECTION OF GENERAL PURPOSE AGRICULTURAL BUILDING
Decision	Approve (commence within 3 years)
Decision Date	27 June 2013
Dispatch Date	8 July 2013
Parish	Gosforth

Application Number	4/13/2196/0F1
Applicant	Millom Recreation Centre
Location	MILLOM RECREATION CENTRE, LANCASHIRE ROAD, MILLOM
Proposal	TO SITE AN ISO FREIGHT CONTAINER AT FRONT OF BUILDING FOR STORAGE OF EQUIPMENT (RENEWAL OF 4/10/2183/0)
Decision	Approve (commence within 3 years)
Decision Date	26 June 2013
Dispatch Date	8 July 2013
Parish	Millom

Application Number	4/13/2197/0F1
Applicant	Miss J Taylor
Location	61 TOWER HILL, WHITEHAVEN
Proposal	EXTENSION TO GARAGE (SINGLE STOREY) TO FORM UTILITY/TOILET & RE-ROOFING OF GARAGE
Decision	Approve (commence within 3 years)
Decision Date	1 July 2013
Dispatch Date	8 July 2013
Parish	Whitehaven

Application Number	4/13/2201/0F1
Applicant	J Shepherd & Son
Location	LAYRIGGS FARM, KIRKSANTON, MILLOM
Proposal	ERECT CATTLE LOOSEHOUSING & GENERAL PURPOSE BUILDING EXTENSION
Decision	Approve (commence within 3 years)

Decision Date	26 June 2013
Dispatch Date	8 July 2013
Parish	Whicham

Application Number	4/13/2203/0F1
Applicant	Mrs G Buchanan
Location	22 CHURCHILL DRIVE, MORESBY PARKS, WHITEHAVEN
Proposal	SINGLE STOREY REAR EXTENSION
Decision	Approve (commence within 3 years)
Decision Date	2 July 2013
Dispatch Date	8 July 2013
Parish	Moresby

Application Number	4/13/9003/0F2
Applicant	Sellafield Ltd
Location	SELLAFIELD LTD, SEASCALE
Proposal	MODULAR SUB-CHANGEROOM
Decision	No Objection
Decision Date	4 July 2013
Dispatch Date	4 July 2013
Parish	Beckermest with Thornhill

Application Number	4/13/9004/0F2
Applicant	United Utilities Waters plc
Location	JUNCTION BETWEEN CROW PARK WAY AND THE A595, MOOR ROW
Proposal	ERECTION OF PUMPING STATION KIOSK AND ASSOCIATED WORKS INCLUDING REPROFILING
Decision	No Objection
Decision Date	4 July 2013
Dispatch Date	4 July 2013
Parish	Egremont

Application Number	4/13/9006/0F2
Applicant	Mr P Atkinson
Location	MOOR ROW COMMUNITY PRIMARY SCHOOL, MOOR ROW
Proposal	ERECTION OF FENCING ON TOP OF ORIGINAL STONE PLAYGROUND WALL TO AN OVERALL HEIGHT OF 3M
Decision	No Objection
Decision Date	3 July 2013
Dispatch Date	3 July 2013
Parish	Egremont