

PLANNING PANEL AGENDA – 21 JANUARY 2015

	PAGE
<u>SCHEDULE OF APPLICATIONS</u>	
Item 1	1
4/14/2251/0F1	
One Wind Turbine with tip height of 45m	
Petersburgh Farm, Beckerment	
Item 2	17
4/14/2409/0F1	
Change of Use from Police Station to Residential	
Hostel, Internal Alterations	
Egremont Police Station, Main Street, Egremont	
Item 3	30
4/14/2432/001	
Outline application for the erection of Eight No. Detached	
& Semi Detached Dwellings	
Agricultural Field adjacent to Church Street, Cleator	
Item 4	41
4/14/2475/0F1	
Proposed siting of 1 x 36.6m high Wind Turbine	
Land to South of Green Lonning, St Bees	
Item 5	49
4/14/2487/0F1	
Installation of Single Wind Turbine 48.01m to Tip Height	
New Access Track & Associated Infrastructure	
Land near Cobble Hall, Cleator	
Item 6	56
4/14/2502/0F1	
Erection of a Single Wind Turbine with a Tip Height	
Of 48.0m	
Land South of Boonwood Farm, Distington	
<u>SCHEDULE OF DELEGATED DECISIONS</u>	63

ITEM NO: 1.

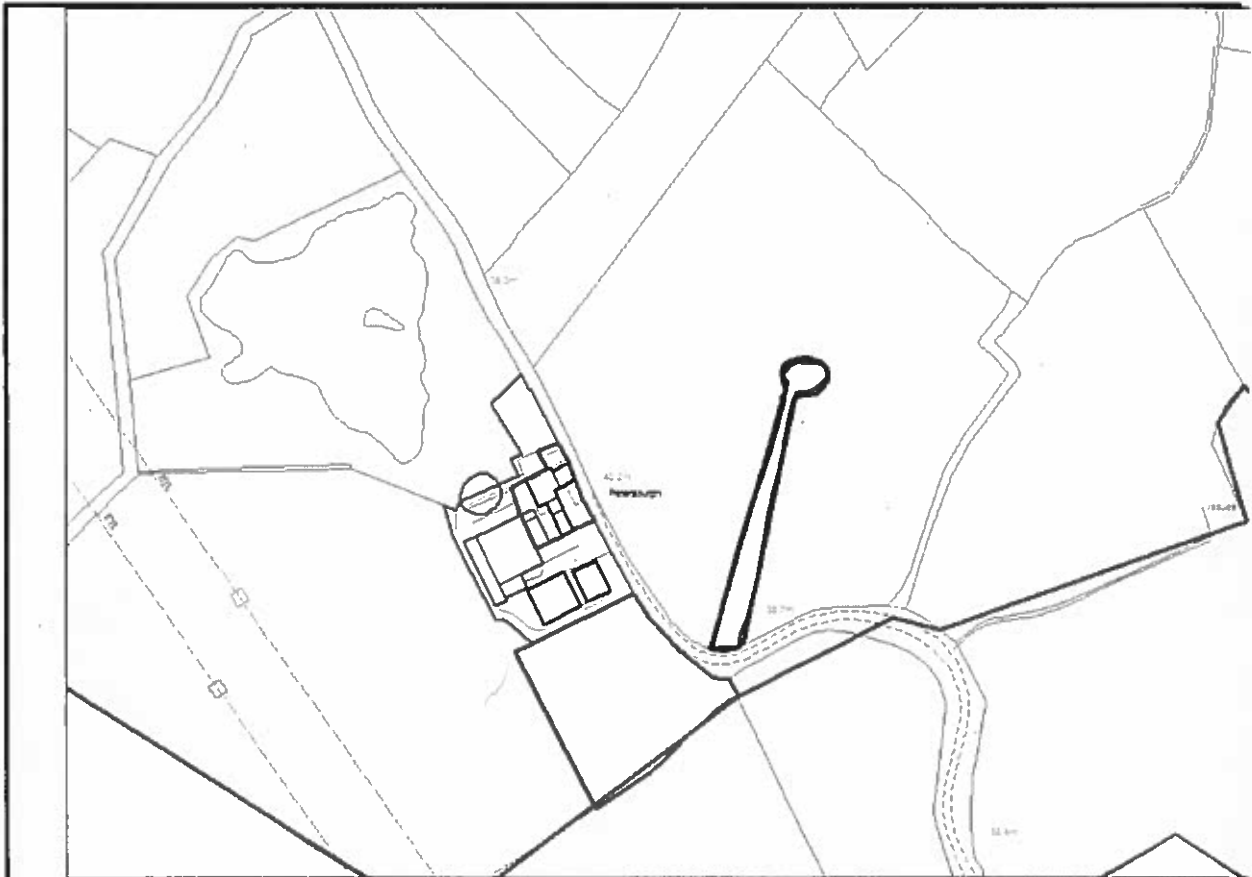


To: PLANNING PANEL

Development Control Section

Date of Meeting: 21/01/2015

Application Number:	4/14/2251/OF1
Application Type:	Full : CBC
Applicant:	Mr S Sherwen
Application Address:	PETERSBURGH FARM, BECKERMET
Proposal	PROPOSED SITING OF 1 x 30M HIGH (HUB) ENDURANCE WIND TURBINE WITH A TIP HEIGHT OF 45.0M
Parish:	Beckermest with Thornhill
Recommendation Summary:	Approve (commence within 3 years)



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

Introduction

This application was reported to the 10 December 2014 Planning Panel with a recommendation to approve subject to conditions. Contrary to officer recommendation however Members were minded to refuse the application on the grounds that it represented a visually overly dominant feature in the landscape within proximity to the village of Beckermest, contrary to local Plan policy.

In accordance with the Council's Planning Code of Conduct the final decision on the application is deferred to this meeting.

The report below remains unaltered from the previous meeting.

Site Location

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

Proposal

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

This application is accompanied by a:

Design and Access Statement

Photomontages

Community Consultation Responses

Noise Study

Technical Details

Consultations

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

In particular:

Question whether the grid reference is correct.

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

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

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

Requested a statement be provided about blade safety.

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

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

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

Egremont Town Council

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

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

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

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

Lowside Quarter - all members object to the proposal. The reasons for objection are listed below:

LANDSCAPE

The proposal will have severe visual impact on the adjacent area of Outstanding Natural Beauty and its wider setting, including long range views from within.

AMENITY & ENJOYMENT OF HOMES

The turbine will be a dominating and degrading view from numerous properties.

POTENTIAL NOISE and SHADOW FLICKER

Noise and shadow flicker will again affect a number of local home owners within the surrounding area.

BIRDS, BATS & WILDLIFE

There is evidence that the impact on the local wildlife can be significant. It has been suggested that the deer population will desert the area due to subsonic noise. The turbines are known to kill bats and birds, especially large soaring birds. As the buzzard population is increasing along with many other species, which are on the decline elsewhere, it is important to protect instead of lose them to wind turbines.

In addition to the reasons for objecting to this proposal in its own right, the Council members believe approval of such will set a most dangerous precedent.

Scientific Officer - Raised initial concerns regarding the potential for noise and shadow flicker given the proximity of the turbine to the parent farm, Petersburg Farm, which is only circa 130m away. Following the provision of further information he is now satisfied that flicker and noise can be adequately controlled by a detailed noise condition.

Highway Authority – No objections to the proposal subject to adequate works to enable access off the highway onto the field by a HGV and requests this is covered by an appropriate condition.

MOD - No objections.

RSPB – No comments.

NATS – No objections

Neighbour/ Other Representations

21 letters of objection have been received, the majority from local residents of Beckermat.

Collectively they express concern on the following grounds:

- Will obscure and severely impact on many Beckermat and Braystones residents panoramic and uninterrupted views of the Wasdale fells and Black Coombe.
- Will be a huge negative visual impact for local residents.
- One objector`s home is only 300m NE of the proposed site and it will devastate their views.
- Will devalue residential property.
- Turbine would be visible from wider afield and many unexpected places.
- Would have an effect on the landscape.
- It is in an elevated position.
- Any gains for the developer could not outweigh the negative visual impact for all who

enjoy fabulous views for miles around this area.

- We support nuclear new build and accept Sellafield but do not want every development here. Nuclear new build supports the whole community whereas the turbine does not.
- Have enough of these turbines in the area.
- Need to halt the spread of these turbines for profit. Renewable energy advantages are not proportional to the detrimental effect on our unique and beautiful landscape.
- Beckermet is one of the few remaining places in West Cumbria not overlooked by turbines. If approved will set a precedent and village could take on a similar appearance to Flimby.
- It is a profit making scheme and not an essential low cost renewable energy source for the working farm.
- Effect on local wildlife especially local barn owls, bats and starlings which use local Nursery Wood and Petersburgh Pond. Site is within 500m of a SSSI at St Bridget's Church in Beckermet.
- Use of solar panels on the farm buildings roof would be less obtrusive.
- Potential for shadow flicker.
- Noise Study is over 15 years old and out of date. It tells the layman nothing. Turbines cause health issues such as sleep disturbance and this turbine is only some 300 yards from houses. UK Noise Association recommends they should not be sited within 1 mile of houses. 45db is not an acceptable level of noise at night.
- Will undermine the enjoyment of walkers in the area.
- Effect on local public footpath which runs close to the turbine.
- No wider community benefits have been indicated.
- They are uneconomic and inefficient producers of electricity.
- Not enough detailed information in the submission - lack of a scaled sectional drawing.
- Submission has basic errors.

Planning Policy

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

National Planning Policy Framework

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

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

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

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

Renewable Energy

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

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

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

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

Conserving and Enhancing the Natural Environment

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

Planning Practice Guidance

On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource. This was accompanied by a Written Ministerial Statement which includes a list of the previous planning practice guidance documents cancelled when the site was launched.

The accompanying Ministerial Statement confirms that this incorporates the guidance on renewable energy (including heritage and amenity) published during last summer and making it clearer in relation to solar farms, that visual impact is a particular factor for consideration. As a result the Planning Practice Guidance for Renewable and Low Carbon Energy of July 2013 is cancelled.

This is a concise document which is useful for assessing proposals for renewable energies, in particular it emphasises that the following need to be taken into consideration:

- The need for renewable or low carbon energy does not automatically override environmental protections;
- Cumulative impacts require particular attention, especially the increasing impact that wind turbines and large scale solar farms can have on landscape and local amenity as the number of turbines and solar arrays in an area increases;

- Local topography is an important factor in assessing whether wind turbines and large scale solar farms could have a damaging effect on landscape and recognise that the impact can be as great in predominately flat landscapes as in hilly or mountainous areas;
- Great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting;
- Proposals in National Parks and Areas of Outstanding Natural Beauty, and in areas close to them where there could be an adverse impact on the protected area, will need careful consideration;
- Protecting local amenity is an important consideration which should be given proper weight in planning decisions.

Copeland Local Plan 2013-2028

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

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

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

Core Strategy:

Policy ST1 Strategic Development Principles,

Policy ST2 Spatial Development Strategy

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

Development Management Policies DPD

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

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

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

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

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

Cumbria Wind Energy Supplementary Planning Document

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

Cumbria Landscape Character Assessment

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

distinctiveness.

Assessment

The Design and Access Statement together with the rest of the submission sets out the particular need for the development in this case and that the proposed wind turbine development is compliant with local and national policy, with the benefits of the scheme in terms of providing a renewable energy source and the long term environmental benefits it brings outweighing any potential impacts, particularly in respect of shadow flicker, noise, electromagnetic interference, proximity to airports and flight paths, ecology, archaeology, heritage assets and installation and access as summarised below and which is not disputed:

Shadow flicker - whilst this initially was a concern the only property that has the potential to be affected is the applicants own and he has the power to control and shut down the turbine if this ever became an issue. There are no other properties in the vicinity likely to be affected.

Noise - It accepted that noise limits are within acceptable limits for non-associated properties, the nearest being circa 430m away. The parent property however is arguably within tolerable limits but our Scientific Officer is now satisfied, following the submission of additional information, that it is potentially borderline and that an appropriate noise condition would provide sufficient controls.

Electromagnetic Interference - The turbine switch gear complies with the relevant UK standards and as a result this is unlikely to be an issue. Digital TV network remains unaffected.

Proximity to Flight Paths/ Airports - Nearest commercial airport is at Carlisle and private one at Millom some distance away at 65km and 40km respectively. It is considered the proposal will have no impact on flight paths or airports.

Ecology - The nearest protected site is the SSSI at Low Church Wood some 750m away to the south west. Others are 2.4km and 3km away respectively. All of which are likely to be unaffected. Any ecological impact is thus likely to be associated with loss of habitat or important foraging ground and it is not considered that there would be no direct loss of either. Collision risk and disturbance displacement are likely to be the two main predominant effects. However in view of the fact this is only a single turbine and its scale these risks are likely to be minimal.

Archaeology - This is not an area known for its archaeological significance.

Heritage Assets - There are no known heritage assets by way of listed buildings or scheduled ancient monuments in the vicinity, with the nearest being Beckermeth Conservation Area situated at over 450m away.

Installation and Access - Given that the application is for one turbine only the works to install it are likely to be limited and it is envisaged that this would take up to a maximum of 2 months. A construction and traffic management plan would be a condition if the application is supported.

Landscape Impact - The Wind Energy SPD and Cumbria Landscape Character Guidance and Toolkit, identify the site as falling within the area zoned as 'low farmland' comprising a well maintained working landscape. It advocates that any large scale wind energy schemes in such locations should be carefully controlled. The characteristic topography is undulating where views are sometimes wide and long distance whilst attractive are unspectacular.

The area in which the turbine is to be situated itself is relatively level rising and becomes undulating to the north and north west towards Beckermeth. It does not benefit from any sensitive designations. Also of note it's the rather dominant industrial backdrop to the south east of Sellafield. In view of this the impact on the character of the landscape from the turbine is unlikely to be significant.

Visual Impact

The key issue this application raises is arguably that of visual impact. The majority of the objections collectively cite this as their main ground. Whilst the turbine at 45m in overall height (ground to tip) will be visible the assessment has to be made as to whether this is likely to have an overly significant impact on any neighbouring residential amenity. It has been established that the nearest non associated residences are over 430m away with no direct outlook from their property to the turbine it is unlikely this will be so significant to justify refusing the application. As previously mentioned only the parent farm is likely to be more affected. As regards views from the village the intervening topography helps to mitigate any medium distance impact. The Landscape and Visual Impact Assessment (LVIA) submitted with the application demonstrates that whilst the turbine will be visible it will not serve to dominate views especially to the south and south west where it will be absorbed by the industrial backdrop of Sellafield.

Cumulative Impact

There are no other turbines in the vicinity that would have any real visual interaction with the proposal and this is therefore likely to be negligible.

Benefits

Against the backdrop of potential impacts it is also important in the overall planning balance to consider the potential wider benefits of the scheme.

Farm Diversification, Renewable Energy Generation & Reduction in Carbon Emissions

It is envisaged that the turbine will satisfy the energy demands of the farm by providing a source of renewable energy that would allow the farm business to operate in a more environmentally and financially sustainable manner. It is stressed that the thrust of the application is based on climate change mitigation. It will also help achieve national renewable energy targets and result in significant carbon savings for the farm.

Conclusion

To arrive at a decision in respect of this application it is important to consider:

- Potential Impacts including visual impact and the fact that the landscape does not benefit from any special designation or quality.
- Potential benefits of the scheme.
- Negative feedback received from some Members of the local community.

Taking the above into account it is considered in a landscape devoid of any sensitive designations, either on site or in the vicinity, that the visual and other impacts as detailed above would not in this instance outweigh the wider benefits of generating renewable energy. It is also considered that any impacts can be addressed via appropriate mitigation and as such the proposed turbine is considered to be compliant with Copeland Local Plan Policies ER2 and DM2 and the guidance contained in both the NPPF and Planning Practice Guidance 2014.

Recommendation:-

Approve, subject to the following conditions:

Conditions

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

Reason

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

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

Design and Access Statement by Earthmill, March 2014, received 12 June 2014.

Community Consultation Responses, received 12 June 2014.

Noise Study of Norwin 29-33/225kW Wind Turbine, by Norwin, received 12 June 2014.

Endurance Wind Power, Technical Data, received 12 June 2014.

Photomontage for Planning Application, by Earthmill, received 12 June 2014.

Site Location Plan, scale 1:2500, received 12 June 2014.

Reason

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

3. 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 any turbine ceases to be operational for a continuous period of 6 months it shall be dismantled and removed from the site and that part of the site 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.

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, or 45dB $L_{A90,10min}$ at the curtilage of financially involved properties, 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 competent and qualified person to measure and assess by a method approved by the LPA, whether noise emissions from the turbine meet the specified level. The assessment shall commence within 21 days of the notification and the LPA shall be notified in writing of the results, in accordance with the approved method, within 60 days of the notification.

If the assessment requested by the LPA demonstrates that the specified level is being exceeded, the operator of the turbine shall take immediate steps to reduce the noise emissions from the turbine to, or below, the specified level and ensure that the turbine is not in breach of the preceding condition. The operator shall provide written confirmation of the reduced noise levels to the LPA within a time period to be agreed with the LPA. In the event that it is not possible to achieve the specified noise level with mitigation within a reasonable time period, then the operation of the turbine shall cease.

Reason

To protect neighbouring properties from noise pollution and to safeguard the amenities of the locality.

6. The whole of the temporary vehicular access area within the highway boundary shall be constructed to the specification of the Local Highways Authority. No cables shall be installed within the highway until a route and installation specification has been agreed, details of which shall be submitted to and approved in writing by the Local Planning Authority before development commences.

Reason: In the interests of road safety and adequacy of construction.

INFORMATIVE: Highway Works

Note: No works can be undertaken within the Highway (including verge area) until the developer has obtained a Highways Act 1980, Section 184 Streetworks licence.

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.

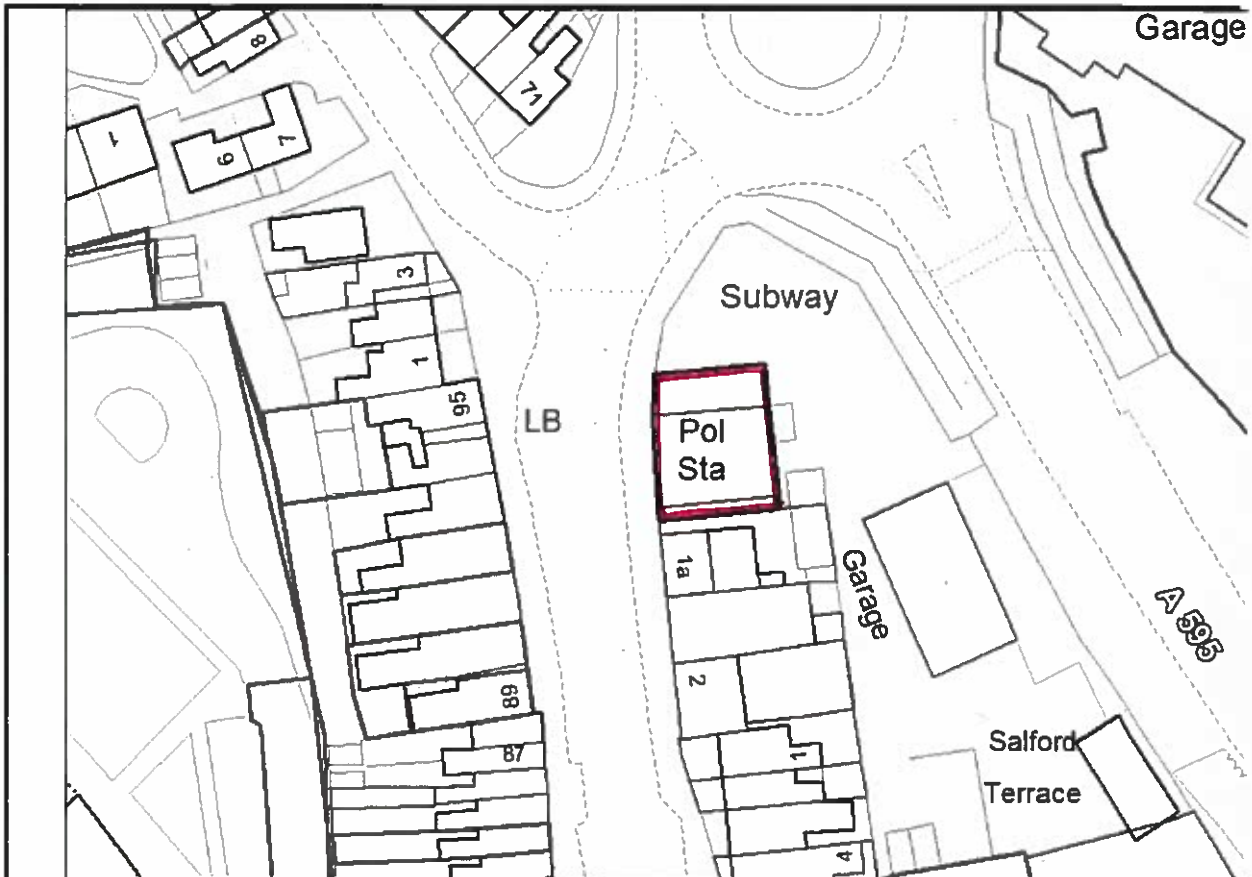


To: PLANNING PANEL

Development Control Section

Date of Meeting: 21/01/2015

Application Number:	4/14/2409/OF1
Application Type:	Full : CBC
Applicant:	Time to Change (West Cumbria)
Application Address:	EGREMONT POLICE STATION, 1 MAIN STREET, EGREMONT
Proposal	CHANGE OF USE FROM POLICE STATION TO RESIDENTIAL HOSTEL ACCOMMODATION, INTERNAL ALTERATIONS AND FORMATION OF SOME NEW WINDOW OPENINGS
Parish:	Egremont
Recommendation Summary:	Approve (commence within 3 years)



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

Introduction

This application was deferred by Members at the last Planning Panel on 10 December 2014 for more information on the background to the proposal, including the need for the facility from the Council's perspective as well as details as to how it is to be managed, prior to making a decision. It was considered that this would then enable them to fully assess potential community impacts of the proposal given its proximity to residential and commercial properties.

Addendum

Following the request for more information the following response has now been received from the Council's Housing Services Manager and Senior Options Advisor for Members to take account of in reaching a decision. This affirms the Council's position and explains the background to the proposal:

Copeland Borough Council's Housing Services Department would like to give its support to the above application and project, led by the Community Interest Company Time to Change (West Cumbria).

There has been a historical need and demand for supported accommodation in the Borough. Unlike neighbouring boroughs and other similar local authorities across the country, Copeland does not have access to such a valuable supported accommodation resource for single homeless groups.

Members of the Planning Panel will be aware that the Council's Homelessness Strategy and its accompanying action plan makes a commitment "to ensure that every homeless person in Copeland is offered suitable solutions to resolve their homelessness" and to ensure that sufficient accommodation is available to homeless people in Copeland. It recognises there is a lack of accommodation based services for single homeless people over the age of 25. Coupled with the Council's Corporate Plan and its mission statement to be an effective Council that works with partners and communities to arrange services for residents in Copeland, the project is an excellent example of one that will assist the Council to deliver one of its priority statutory services.

We support the project for the following reasons:

- Copeland is no different to other areas, homelessness is and remains a challenge for a number of households. Agencies, support services and voluntary organisations work on a continuous basis to prevent and relieve homelessness and support those who are experiencing it.
- The project supports the overall delivery of the Homelessness Strategy and its five objectives to: Reduce levels of homelessness in Copeland; Prioritise the prevention of homelessness; Ensure sufficient accommodation is available for homeless people in Copeland; Ensure sufficient support is available to tackle homelessness and; Ensure satisfactory resources are available for tackling homelessness.

- We welcome the commitment to prioritise support for ex-military servicemen and women. Anecdotal evidence shows that a number of clients have historically served in the armed forces and for a number of reasons not been able to sustain secure accommodation. Both Government and the National Homelessness Advice Service identify that local authorities like Copeland Borough Council have a role to prevent homelessness amongst this group and ensure service personnel are not disadvantaged as a result.
- Prevention of homelessness is the Council's priority. Homelessness has a devastating impact on the lives of those it affects so where we can prevent it we will. This is important for all households but especially single homeless households who are entitled to limited support under the homeless legislation used by Councils. The project will greatly enhance the homelessness prevention tools available to the Council.
- When individuals/households do become homeless and prevention/relief has not succeeded, the Council works within a complex legal framework when determining which households in the Borough it owes a housing duty toward. Only those meeting stringent legislative criteria are owed the duty. For example between April 2013 and April 2014, only 31 households were owed a housing duty. This leaves many, especially single homeless people, in vulnerable housing situations with limited support. The project would help to address this.
- Fortunately, the Copeland Borough has a very low number of rough sleepers. However this does not mean that homelessness is not an issue. A significant number of households are vulnerably and insecurely housed, sofa surfing and/or relying on family or friends to accommodate them informally. Between April 2013 and April 2014, 62% of Housing Options Team clients were seeking help with finding secure accommodation. It should be noted that Council emergency temporary accommodation is only available to households which meet a 'priority need' threshold.
- The project will support the implementation and delivery of wider national and local strategies and initiatives to reduce homelessness including the No Second Night Out and Making Every Contact Count programmes.

Homeless Link highlights that since 2010, the number of accommodation services available has fallen by 13%, however demand continues. The charity calls for essential investment in its latest annual review Support for Single Homeless People. At a time when many areas are seeing cuts to supported accommodation projects and services such as the one proposed, the project bucks current trends. The project will offer a real lifeline and opportunity to many of those facing the threat of homelessness in Copeland when they most need it.

Members are urged to support the planning application. The resulting project will provide a much needed and long awaited resource which tackles and reduces homelessness and supports some of the most vulnerable people in Copeland.

The applicants have also taken the opportunity to submit additional information in support of their application. A copy is appended to this report for Members' consideration.

Other than this introduction and addendum the report below remains unaltered from the previous Planning Panel. There have been no further consultation responses or written representations received since the report was prepared.

Location

This application relates to the former police station fronting on Egremont Main Street at the western edge of the town centre. Situated within the Conservation Area this is a prominent large detached Victorian sandstone building with adjoining curtilage to the west. It is flanked to the east by an existing commercial premises/ shop with living accommodation above, to the west and north it shares an access with an existing garage repair business and car parking area located to the rear.

Proposal

Permission is sought to convert this redundant building to a residential hostel. Internal works are proposed which will create 11 single sized bedrooms all with en-suite facilities one of which will be accessible. In addition there will be a lounge / dining room, kitchen, office/interview room as well as a laundry and plant room. 8 bedrooms will be located on the first floor with 3 on the ground floor with the remainder of the accommodation. In order to facilitate the internal alterations some minor external works are proposed including the insertion of 6 new window openings on the eastern side elevation and 1 on the rear elevation. A former doorway on the front elevation will also be altered to form a window and a new set of patio doors will be inserted on the western elevation to serve the kitchen / dining area. Due to potential for overlooking on the eastern elevation it is the intention that all these windows will be obscure glazed.

Pedestrian access will be via the existing ramped access to the eastern side leading from the main street. Vehicular access will be via the existing access to the east which also serves the garage business to the rear. Parking will be provided adjacent in the form of 5 spaces, one of which will be accessible.

Use

A supporting case has been submitted with the application to explain the proposed use of the building. It is the intention that the building will be run as a hostel providing accommodation for homeless people and primarily supporting local ex service personnel who may be having difficulty adjusting to civilian life. In terms of operation the applicant is keen to point out that it will be manned by staff 24/7, residents will be vetted and there will be a no alcohol or drugs policy.

Consultations

Egremont Town Council – no objection.

Highway Authority – no objection subject to an appropriate condition governing windows opening out onto the highway.

Scientific Officer – no objection but recommends an asbestos survey be undertaken prior to any alteration works.

Housing Manager – supports the proposal.

Copeland Disability Forum – support the application and welcome the provision of an accessible bedroom and WC facility. Advise that an accessible bay be provided in the car park.

Neighbours

To date 6 letters of objection have been received from immediate neighbours who express concern on the following collective grounds:

- Question whether there is any evidence / statistics regarding the exact number of ex service personnel who are homeless and waiting to be re-homed.
- Consider this will just soften the blow of reality and it will be used for drug users, alcoholics, ex-convicts and people with a violent past. I.e. it will become an alcohol and drug recovery hostel.
- Will not necessarily be used for ex service personnel.

- Main Street location is not appropriate – Egremont needs positive revitalization not the negative effect a hostel will bring.
- It will become a blight and a detriment to the town affecting trade and property values.
- It is too close to the school and puts children and older people in the vicinity at risk
- Questions the meaning of `clean` people and how this will be managed.
- Potential for anti-social behaviour
- Concern that the ex-service personnel will be suffering from post-traumatic stress syndrome which could increase risk in the community.
- Will adversely affect neighbouring businesses in particular the shop next door and the garage at the rear.
- Increased risk of mugging / rape
- Increased insurance premium due to break-ins and damage.
- No current security / CCTV
- Adjacent garage business has large amounts of cash handling putting them at risk
- Local staff at garage will be in fear of their lives/ well-being. Also safety concerns for young female employees at the nearby hairdressers who access the yard.
- Potential for intimidation of garage customers and resultant loss of them.
- Increase in local crime rate, including theft from parked cars at the garage, local businesses and houses. Arson attacks.
- Garage customers will be afraid to drop their cars off at night / early morning.
- Potential for new windows to overlook neighbouring residential yard.
- Concern for visiting grandchildrens safety.
- Will increase neighbouring residents perception of fear
- The access and parking agreement with the police was cancelled and is not available to this property.
- Closing off the front door will put pressure on the use of the yard.
- Concern that it will be accessible to a wide range of people not just locals as only need to demonstrate a local connection.

- Concern that the Company who will run the hostel is amateurish in its approach which is not reassuring for local residents.

In response to the concerns raised the following comments are provided by the applicants which serves to explain and clarify the proposal:

- The applicant, Time to Change West Cumbria, is a group that is trying to provide a facility that will accommodate ex service personnel as well as non-priority homeless.
- There is a definite need to support ex service personnel and they will have priority.
- It will provide a fully supported environment staffed 24 hours a day with no alcohol or drugs allowed.
- Will be a training / accommodation facility and it is hoped it will become a valued community resource.
- Provide support and accommodation for some of the 284 people who have approached the Council Homeless Department in 2014. Of these 20% were ex-service personnel. Envisage that this target group will make up the largest percentage of residents.
- A referral service will be operated from recognised agencies which will ensure all residents are vetted.
- There will be stringent house rules to ensure the project is run at a high standard.
- Acknowledge the community concerns re criminal and anti-social behaviour but assure us that they have put in place procedures to prevent this. They do not envisage this to be an issue.

Planning Policy

National Planning Policy

The National Planning Policy Framework (NPPF) sets out planning guidelines at a national level. 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 this as supporting strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of the present and future generations and creating a high quality environment with accessible local services that reflect community needs and support its health, social and cultural well-being.

Core Planning Principle Paragraph 17 encourages the re-use of existing resources including the conversion of existing buildings. Advocates supporting local strategies to improve

health social and cultural well-being and delivering sufficient community and cultural facilities and services to meet local needs.

Paragraph 23 in relation to ensuring the vitality of town centres acknowledges that where town centres are in decline we should plan positively for their future and encourage economic activity.

Paragraph 50 Delivering a wide choice of quality homes. It advocates the creation of sustainable inclusive and mixed communities. In particular recognises that in order to achieve this we should plan for a mix of accommodation based on amongst others the needs of different groups in the community and implies this includes provision for homeless and vulnerable people.

Paragraph 69: Promoting Healthy Communities states that we should be aiming to achieve places which promote safe and accessible environments where crime and disorder and the fear of crime do not undermine the quality of life or community cohesion.

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

Planning Practice Guidance

On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource. This was accompanied by a Written Ministerial Statement which includes a list of the previous planning practice guidance documents cancelled when the site was launched.

The guidance in this document endorses the advice contained in the National Planning Policy Framework.

Copeland Local Plan 2013-2028

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

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

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

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

Policy ST1 of the Core strategy sets out the fundamental principles that will achieve sustainable development. Among other things it supports development that provides or contributes to the Boroughs social and community infrastructure to ensure that everyone has good access to services. In terms of environmental sustainability it advocates the reuse of existing buildings.

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

Policy ER7 Roles and Functions of Key Service Centres etc. Sets out the strategic approach towards development in town centres.

Policy ER9 Key Service Centres , Local centres and other smaller centres. Promotes the vitality and viability of these centres.

Policy SS3– Housing Needs, Mix and Affordability. A v) Supports the provision of housing for specific groups where there is a housing need.

Policy SS4 -Community, Cultural Facilities and Services. Protects the range of services and facilities serving the Boroughs communities.

Policy ENV 4 Heritage Assets This seeks to protect conservation areas.

Development Management Policies

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

Policy DM14 Residential Establishments. This supports changes of use to residential institutions including hostels subject to the following criteria being met:

- They are of a scale, design and materials appropriate to the area.
- Any alterations or external features are of a scale, design and material which retain the character of the building and are compatible with its surroundings.
- Provision of off street parking in accordance with parking standards.
- Extensions , alterations or associated works do not create amenity problems for occupiers of adjacent properties.

Policy DM27 Built Heritage and Archaeology. Sets out the approach towards development which affects heritage assets including conservation areas. Supports proposal which will protect, conserve and enhance the character and appearance of them.

Assessment

From a planning point of view the main issue to consider is whether the proposal constitutes an acceptable use in this location and whether any resultant impact on neighbouring amenity can be adequately addressed via appropriate mitigation.

It is acknowledged that there is community concern regarding the localised potential impact of the proposed use of the building as a hostel especially in respect of an increase in anti-social behaviour and the perception/fear of this, particularly in relation to immediate neighbouring businesses and residential properties directly opposite across the street and an immediate neighbouring flat. The applicant in response seeks to reassure that this will be minimal and that the facility will be well managed.

The potential impact of overlooking and loss of privacy, particularly in relation to the neighbouring property to the east which is a commercial premises with a residential flat above and an accompanying yard, can largely be overcome by the use of obscure glazing in the proposed new windows. It should be noted that whilst there is an existing pedestrian access on this side there is no actual access to the building.

However, what cannot be mitigated against is the local perception and fear of crime / antisocial behaviour this application has raised. The only satisfactory way this can be addressed is by effectively managing the facility and demonstrating this to the community over a period of time which is out with planning control.

Conclusion

The assessment of this application is finely balanced. It is the view however taking into account the above, that the conversion of this building in the conservation area represents an acceptable town centre use and one which will secure the economic future of this vacant building which accords with the adopted Copeland Local Plan 2013-2028 and the advice contained in the NPPF and Planning Practice Guidance.

Whilst it is noted that there may be community impacts it is considered that these can be satisfactorily addressed by the mitigation measures outlined and effective management of the facility.

Recommendation:-

Approve, subject to 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 Block Plan, scale 1:500, received 20 November 2014.

Amended Location Plan, scale 1:1250, received 20 November 2014.

Amended Proposed Plans, dwg no 3965/02/Rev F, received 20 November 2014.

Amended Plan, Proposed Elevations, dwg no 3965/03/Rev B, received 20 November 2014.

Design and Access Statement and supporting documentation by Day Cummings Ltd, received 24 September 2014.

Reason

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

3. New ground floor windows and doors abutting the highway shall be of a type which cannot open outwards into the highway and shall be so retained thereafter.

Reason

To minimise possible danger to highway users in the interests of highway safety.

4. All the windows on the eastern elevation of the building shall be glazed with obscure glass and thereafter be permanently retained as such.

Reason

To safeguard the amenities of occupiers of neighbouring properties.

INFORMATIVE from Highway Authority

As the doorway on the front elevation is to be removed then the footway surfacing will need to be re-instated with paving slabs of the same size and standard as those for the existing footway.

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: 3.

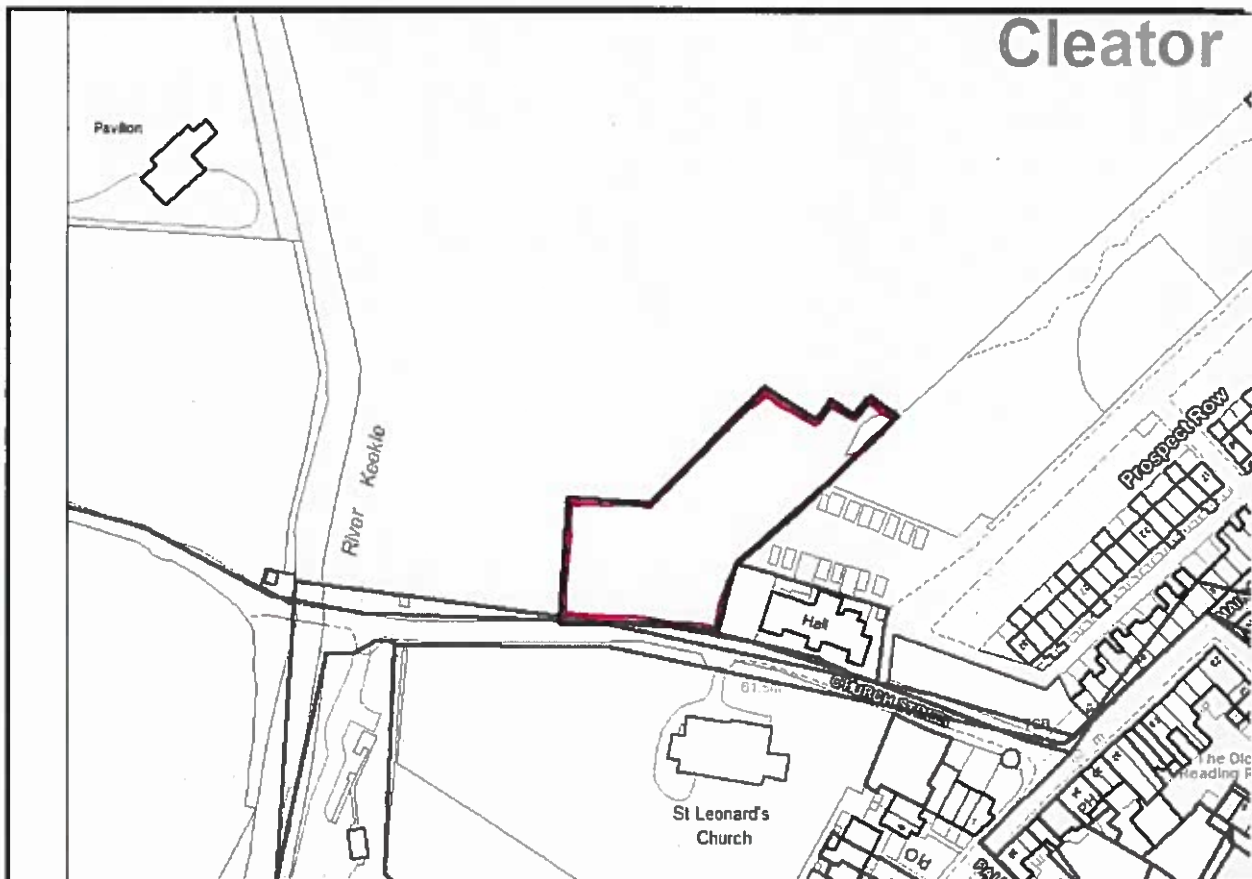


To: PLANNING PANEL

Development Control Section

Date of Meeting: 21/01/2015

Application Number:	4/14/2432/001
Application Type:	Outline : CBC
Applicant:	Mr W Agnew
Application Address:	AGRICULTURAL FIELD ADJACENT TO CHURCH STREET, CLEATOR
Proposal	OUTLINE APPLICATION FOR THE ERECTION OF EIGHT NO. DETACHED AND SEMI-DETACHED 3 & 4 BEDROOMED DWELLINGS
Parish:	Cleator Moor
Recommendation Summary:	Approve in Outline (commence within 3 years)



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

INTRODUCTION

This application relates to a greenfield site which lies adjacent to Church Street in Cleator. The site is near to the road junction with the A5086 from Church Street, which continues on past the site only to the Cleator Cricket Club, football pitch, a single dwelling and the United Utilities water treatment compound. It adjoins agricultural land to the north and east, a garage site to the south and is opposite St. Leonards Church on Church Street to the west, and is located centrally within the linear settlement of Cleator. The site covers 0.40 hectares and is currently in use for agricultural purposes.

PROPOSAL

Outline planning permission is sought for the erection of 8 dwellings. The application seeks to establish the principle of developing the site for residential purposes only, with all

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

Although in outline form an indicative site layout plan has been submitted with the application which details a central access road into the site which five properties would be accessed from, but with three properties fronting onto Church Street. The dwellings would be in the form of detached and semi-detached properties.

CONSULTATION RESPONSES

Cleator Moor Town Council

- Members were concerned about the loss of agricultural land and greenfield site.
- It was noted the land is not listed for development in the Local Plan.
- Members were concerned that the open vista from Prospect Row will be diminished if this application is approved and the character of the area will be altered forever. In addition the approval of this application is likely to open the way for future development of this area, thereby destroying the open countryside.
- Further concerns on safety grounds regarding the access road from Church Street to this development were highlighted as problems already exist with traffic and parked vehicles in this area.
- Access from Church Street onto Main Street is also difficult, with the potential for accidents increasing with the higher volume of cars.

Cumbria County Council Highways

No objections to the application subject to conditions.

United Utilities

No objections to the application subject to conditions.

Other

2 letters of objection have been received from the residents of properties on Prospect Row, whose concerns raised can be summarised as follows:-

- It is outside of the settlement boundary
- It is near to a busy road junction
- The increased traffic will cause problems
- Adverse impacts on residential amenity including loss of a view
- It will have an adverse visual impact on the locality

In addition an objection has been received from the St. Leonards Church PCC (Parochial Church Council). They have concerns regarding parking and access, highway safety and additional traffic, utilities pipes on the site, flooding issues and the land being outside of the settlement boundary.

PLANNING POLICY

National Planning Policy

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

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

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

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

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

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

The NPPF requires proposals to be determined in accordance with the development plan unless material considerations determine otherwise. It allows full weight to be given to relevant local plan policies until March 2013.

Copeland Local Plan 2013-2016

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

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

Policy ST1 of the Core strategy sets out the fundamental principles that will achieve sustainable development. Among other things it seeks to ensure that development creates a 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. It lists Cleator as one of the Local Centres where appropriately scaled development will be permitted to sustain services and facilities for local communities.

The settlement hierarchy in the context of the Local Plan as set out in figure 3.2 suggests that housing should be within the defined physical limits although it does acknowledge the possibility of small extensions to sites on the edge of settlements.

The Core Strategy also acknowledges that the Council will review settlement boundaries and notes the intention to consider Cleator (north side) for review, stressing that the land which may be involved is identified in the SHLAA.

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

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

Policy SS3 requires developers to demonstrate the provision of a balanced mix of housing types. It sets out that development proposals should be assessed according to how they meet identified needs and aspirations of housing need as set out in the SHMA. Cleator and the other settlements within the north of the Borough are listed as being suitable for executive and high quality family housing.

Policy SS5 promotes the provision and access to open space and green infrastructure.

Locality

The Core Strategy identifies six groups of communities as "Localities" which are identified as distinctive functional areas having their own particular issues and needs. Cleator is located within the North East locality and is identified as suitable for high end market housing.

Development Management Policies

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

Policy 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.

Policy DM24 seeks to ensure that new development is not at unacceptable risk of flooding and appropriate mitigation measures should be provided where necessary.

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

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

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. Within the initial Draft site allocations plans, the site proposed here was considered a deliverable site within the first five years of the new Local Plan. However, some of the other sites being considered at Cleator 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 Cleator are found. The consultation period on the preferred options document relating to SHLAA sites has just been put out to public consultation for a 10 week period. This site is listed as a possible housing allocation.

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

This application relates to a small residential development on greenfield land outside the development boundary for Cleator and as such, this proposal raises a number of planning issues.

It should be noted that whilst the Copeland Local Plan 2001 – 2016 has been superseded by not only the National policy but also the Copeland Local Plan 2013 – 2018, the policies

regarding boundaries are still relevant. Therefore until such time as the settlement boundaries are updated in the current Local Plan, Policy DEV 4 remains relevant to the determination of this application. This confirms that, whilst adjoining, the site is outside of the settlement boundary for Cleator.

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

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

It is recognised that it may be necessary to include sites outside the settlement boundaries in order to ensure that land allocations relate to development that is deliverable. Government policy in promoting an agenda for growth has generally been interpreted as tipping the balance in favour of development which is deliverable, as long as it is sustainable, and avoids unacceptable harm to other material considerations, even if policy requirements cannot be met.

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

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

In this case the small scale nature of the proposed development is also taken into consideration when determining this proposal.

With regards to the letters of objection and the comments from the Town Council, it is firstly noted that Cumbria Highways have raised no objections to the proposed development, and most comments received relate to traffic/access and parking issues. The loss of a view is not a material planning consideration.

CONCLUSION

It is reiterated that the site remains outside the Copeland Local Plan 2001 – 2016 settlement boundary (Policy DEV 4) for Cleator and the proposed settlement boundary in the new local plan have not yet been reviewed, and that the preferred options for residential

developments is currently open for consultation responses. However, this site is identified as a possible housing allocation.

Therefore, on balance of the above policies and the submitted details it is concluded that this proposal for a small scale residential development should be supported.

Recommendation:-

Approve

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:-

- Location Plan Scale 1:2500 Drawing No 21340-OS1 Rev A received by the Local Planning Authority on 13 October 2014.
- Proposed Site Layout Scale 1:1000@A1 Drawing No 21340-1100 Rev C received by the Local Planning Authority on 13 October 2014.
- Proposed Detailed Site Layout Plan Scale 1:200@A1 Drawing No 21340-1101 Rev C received by the Local Planning Authority on 13 October 2014.
- Site Analysis Plan Scale 1:1000@A1 Drawing No 21340-1000 Rev B received by the Local Planning Authority on 13 October 2014.
- Design and Access Statement by Nicholson Nairn received by the Local Planning Authority on 13 October 2014.

Reason

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

4. The estate roads (and improvements to Church St. adjacent to the site), shall be designed, constructed, drained and lit to with the standards laid down in the current Cumbria Design Guide; and in this respect the first Reserved Matters application shall include full engineering details of such works. No work shall be commenced until a full specification has been approved; all such works so approved shall be constructed before the development is regarded as complete.

Reason

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

5. The access and associated improvement works to Church St. shall be substantially met before any development takes place. A plan shall be submitted with the first Reserved Matters Application, reserving adequate land for site offices & stores, the parking and turning of plant/vehicles engaged in construction operations associated with the development hereby approved; such land, including vehicular access thereto, shall be used for or be kept available for these purposes, until completion of the construction works.

Reason

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

6. Details shall be submitted with the Reserved Matters Applications showing the provision within each plot for which approval is being sought, for the parking of vehicles (commensurate with the Cumbria Parking Standards). No dwelling will be occupied until such approved facilities have been constructed. They shall be kept available for these purposes at all times thereafter and shall not be altered/used for any other purpose unless so approved by the Local Planning Authority.

Reason

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

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

Reason

To ensure a satisfactory drainage system.

8. Prior to the commencement of development, a scheme for surface water and foul water drainage (inclusive of how the scheme shall be maintained and managed after completion) shall be submitted to and approved in writing by the Local Planning Authority. The drainage scheme submitted for approval shall be in accordance with the principles set out in the planning application proposing surface water runoff discharging into the soil infiltration system. No part of the development shall be occupied until the drainage scheme has been constructed in accordance with the approved details. For the avoidance of doubt, neither surface water, nor land drainage, nor highway drainage shall connect into the public sewerage system (directly or indirectly). The development shall be completed, maintained and managed in accordance with the approved details.

Reason

To ensure a satisfactory drainage system.

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

Reason

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

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>>

A public sewer crosses this site and United Utilities will not permit building over it. An access strip is required at a width of 7 metres, 3.5 metres either side of the centre line of the sewer which is in accordance with the minimum distances specified in the current issue of "Sewers for Adoption", for maintenance or replacement. Deep rooted shrubs and trees should not be planted in the vicinity of the public sewer and overflow systems.

Statement:

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

ITEM NO: 4.

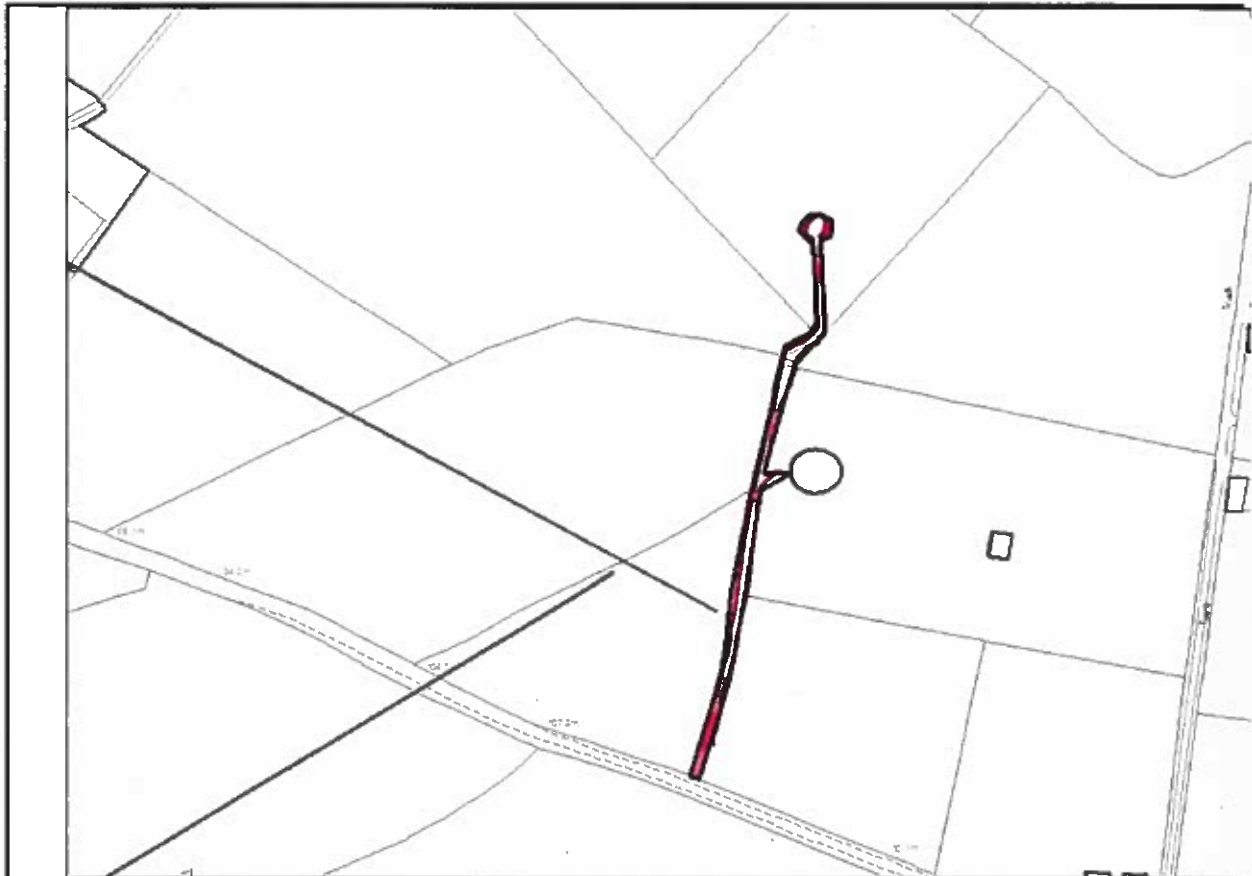


To: PLANNING PANEL

Development Control Section

Date of Meeting: 21/01/2015

Application Number:	4/14/2475/0F1
Application Type:	Full : CBC
Applicant:	Mr C Park
Application Address:	LAND TO SOUTH OF GREEN LONNING, ST BEES (GRID: E297915 N511733)
Proposal	PROPOSED SITING OF 1 x 24.8M HIGH (HUB) WIND TURBINE WITH A TIP HEIGHT OF 36.6M
Parish:	St. Bees
Recommendation Summary:	Site Visit



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

Site Location

This proposal relates to an elevated green field site in open countryside some 450m to the east of St Bees village. It is flanked by the same and forms part of an active agricultural holding which extends to the north and west of the site and includes an agricultural building in an adjoining field some 377m to the south.

There are two non-associated dwellings situated within the vicinity of the site comprising 'Green Lonning House', the nearest at some 260m distant, and 'Fairladies Farm', a bungalow, some 386m to the south.

Proposal

It is proposed to erect one three bladed turbine on a single tapered tower matt pale grey in colour 24.8m high to hub. It would have a rotor diameter of 23.5m with an overall ground to tip height of 36.6m.

It would be situated on a concrete foundation some 9.2 square metres in area and 2 m in depth. Connection to the local grid would be via underground cabling.

Vehicular access to the site would be off the adjacent Outrigg Road, along an existing agricultural track and then across fields for a distance of approximately 75m. The latter would be temporary via the use of reinforced sheeting for the duration of the construction period.

The application is accompanied by:

Design and Access Statement.

Wind Turbine Noise Performance Test & Acoustic Data.

Technical Information

Additional Supporting Information for Visual and Landscape Impact Assessment including Photomontages.

Planning History

The planning history relating to adjacent sites is relevant to this application. Planning permission was originally granted in 2012 for a single twin bladed lattice tower type turbine, some 24.8m in overall height on a site within the farm holding to the south east (4/12/2199/0f1 refers). This was not implemented and a subsequent application for a taller turbine, 34.5m ground to tip height, on a nearby site some 150m away, which replaced that permission was approved and secured by a S106 Agreement (4/13/2240/0F1 refers). This turbine has now been erected and is operational.

This application therefore seeks consent for a second turbine on the holding which at 36.6m high is 2.1 metres higher than the existing neighbouring one.

Also to take into account is the two existing lattice twin bladed turbines at Fairladies Farm, just over 0.5km away (nearest point) to the west. These are circa 24m in overall height and were allowed on appeal in August 2011 (4/11/2033/0F1 refers).

Consultation Responses

It is still relatively early in the application process and allowing for the intervening holiday period only a few consultation responses have been received to date.

St Bees Parish Council – comments awaited

Highway Authority - no objection subject to submission of a traffic management plan and controls over dust/ debris emissions affecting the highway during construction which can be covered by appropriate conditions.

Historic Environment Officer - no objections.

Scientific Officer – comments awaited.

Arquiva – Have concerns that the proposed location of the turbine is on top of a hill, around 100m higher than the existing terrestrial television relay broadcast site at St Bees site (NGR 296700 511500). This is around 1.2km away on a bearing of 80°. The television relay mast at St Bees site is important to the terrestrial television network they solely operate, as it provides localised digital television coverage to many hundred homes. The operation of the television mast at St. Bees is totally reliant on a signal being received from the main television broadcasting site at Whitehaven UHF (NGR 299218 512370). A rebroadcast

antenna (RBL) on the mast at St Bees, on a bearing of 71°, receives a signal from the main television broadcast site at Whitehaven. The transmission path of the signal between the sites at Whitehaven to St Bees is directional. Whilst the proposed turbine is not in a position to interfere with this direct RBL path between the two sites, it *could produce a reflected signal that would be problematic to the operation of the RBL.*

To protect the terrestrial television network in the wider public interest, they urge that a planning condition be imposed as an appropriate mitigation measure which requires the applicant to demonstrate that there is no interference affecting the network.

No neighbour/ other responses have been received to date.

Planning Policy

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

National Planning Policy Framework

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

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

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

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

Renewable Energy

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

- Support the transition to a low carbon future in a changing climate - including encouraging the use of renewable resources by the development for example of renewable energy.
- Contribute to preserving and enhancing the natural environment and reducing

pollution.

- Encourage the effective use of land by reusing previously developed 'brown field' land.
- Promote mixed use developments and encourage multiple benefits from its use.
- Conserve heritage assets in a manner appropriate to their significance.
- Actively manage patterns of growth.
- Take account of and support local strategies to improve health, social and cultural well-being to meet local needs.

▪ Core Principle 10 of this approach 'Meeting the Challenge of Climate Change, flooding & Coastal Change' recognises that planning can play a key role in reducing emissions in greenhouse gases and supporting the delivery of renewables. (Paragraph 93 refers)

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

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

Conserving and Enhancing the Natural Environment

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

Planning Practice Guidance

On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource. This was accompanied by a [Written Ministerial Statement](#) which includes a [list of the previous planning practice guidance documents cancelled](#) when the site was launched.

The accompanying Ministerial Statement confirms that this incorporates the guidance on renewable energy (including heritage and amenity) published during last summer and making it clearer in relation to solar farms, that visual impact is a particular factor for consideration. As a result the Planning Practice Guidance for Renewable and Low Carbon Energy of July 2013 is cancelled.

This is a concise document which is useful for assessing proposals for renewable energies, in particular it emphasises that the following need to be taken into consideration:

- The need for renewable or low carbon energy does not automatically override environmental protections;
- Cumulative impacts require particular attention, especially the increasing impact that wind turbines and large scale solar farms can have on landscape and local amenity as the

number of turbines and solar arrays in an area increases;

- Local topography is an important factor in assessing whether wind turbines and large scale solar farms could have a damaging effect on landscape and recognise that the impact can be as great in predominately flat landscapes as in hilly or mountainous areas;

- Great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting;

- Proposals in National Parks and Areas of Outstanding Natural Beauty, and in areas close to them where there could be an adverse impact on the protected area, will need careful consideration;

- Protecting local amenity is an important consideration which should be given proper weight in planning decisions.

Copeland Local Plan 2013-2028

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

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

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

Core Strategy:

Policy ST1 Strategic Development Principles,

Policy ST2 Spatial Development Strategy

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

Development Management Policies DPD

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

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

- A Proposals should be developed with the Borough's community and key stakeholders in accordance with the Council's current adopted approach to stakeholder involvement.

- B. There would be no unacceptable adverse visual effects.
- C. There would be no unacceptable adverse effects on landscape or townscape character and distinctiveness.
- D. There would be no unacceptable impacts on biodiversity or geo-diversity.
- E. The proposals would not cause an unacceptable harm to features of nature or heritage conservation importance.
- F. There are no unacceptable impacts of noise, odour, dust, fumes, light or other nuisance likely to affect nearby residents and other adjoining land users.
- G. Any waste arising as a result of the development will be minimised and managed appropriately.
- H. Provision is made in proposals for the removal and site restoration at the end of the operating life of the installation.

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

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

Cumbria Wind Energy Supplementary Planning Document

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

Cumbria Landscape Character Assessment

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

Assessment

In view of the setting of this proposed turbine, within a sensitive landscape, its proximity to nearby residences and potential cumulative impact given the presence of other turbines within the immediate vicinity, it is recommended that Members take the opportunity to visit the site to appraise all material planning considerations before determining the application.

Recommendation:-

Site visit.

ITEM NO: 5.

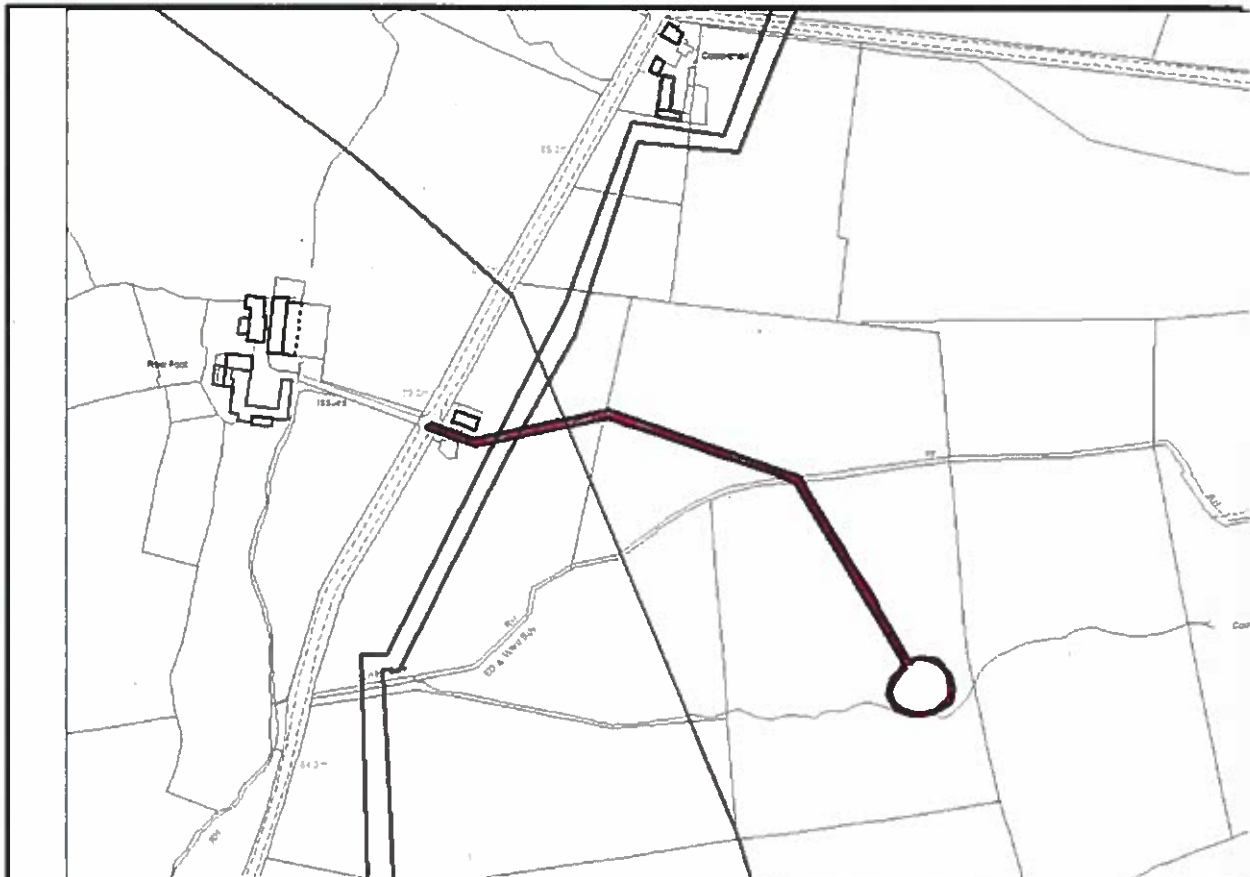


To: PLANNING PANEL

Development Control Section

Date of Meeting: 21/01/2015

Application Number:	4/14/2487/0F1
Application Type:	Full : CBC
Applicant:	Mr D Spedding
Application Address:	LAND NEAR COBBLE HALL FARM, CLEATOR (GRID REF: E302130 N512147)
Proposal	INSTALLATION OF A SINGLE WIND TURBINE (48.01M TO TIP HEIGHT), NEW ACCESS TRACK AND ASSOCIATED INFRASTRUCTURE
Parish:	Cleator Moor, Egremont
Recommendation Summary:	Site Visit



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

Site Location

This application relates to an elevated green field site in open countryside situated some 345m south east of the parent farm Cobblehall, near Egremont. It is surrounded by farmland and flanked to the east by the majestic backdrop of Dent Fell. The nearest settlement is Egremont approximately 1.5km to the west, Bigrigg lies to the northwest circa 2.05km away and Cleator Moor some 2 km to the north.

Whilst the parent farm is the nearest dwelling, the closest non associated dwellings are situated at Row Foot Farm 337m to the northwest along with neighbouring Nook Farm some 537m away. Dent Cottage is located 382m to the north east.

Proposal

It is proposed to erect one three bladed wind turbine on a single tapered tower finished in a pale matt grey at a height of 30.52m to the hub with an overall ground to tip height of 48.01m. It should be noted that only a restriction on maximum height is sought to allow flexibility in the choice of turbine type.

It would be fixed onto a concrete foundation some 9.2m by 9.2m in area. A cable trench run of some 190m would be required to connect the turbine to the local grid.

Vehicular access would be off the adjacent unclassified road via an existing agricultural access. A temporary access would then be required across the fields to the site of some 300m in length for the construction period.

The application is accompanied by:

- Planning Statement incorporating a Design and Access Statement.
- Ecological Impact Assessment.
- Landscape and Visual Impact Assessment incorporating photo montages.
- Noise Impact Assessment and Shadow Flicker Assessment.
- Technical Details.

Planning History

Of relevance to the proposal is a pending application for a single turbine of the same height at nearby Cobra Castle, some 640m away to the south east. (4/14/2375/OF1 refers).

Consultations

Cleator Moor Town Council - Object, it is not in keeping with the surroundings and the visual impact will irretrievably damage the character of the area. It would cause a vertical intrusion against the backdrop of Dent Fell. Request a site visit and the opportunity to speak to the Planning Panel.

Egremont Town Council - Strongly object. It will visually dominate the town and surrounding areas. The visual intrusion on nearby residents and the landscape as a whole is not acceptable. It will be an environmental disaster if approved.

MOD - no objection.

Scientific Officer – comments awaited.

Lake District National Park - comments awaited.

Highway Authority – comments awaited.

Neighbours and Others

52 letters of objection have been received to date. Collective grounds of concern include:

- Visual impact.
- Potential precedent.
- Impact on high valued local rural landscape.
- Impact on wildlife.

Planning Policy

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

National Planning Policy Framework

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

contribute to the achievement of this.

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

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

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

Renewable Energy

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

Support the transition to a low carbon future in a changing climate - including encouraging the use of renewable resources by the development for example of renewable energy.

Contribute to preserving and enhancing the natural environment and reducing pollution.

Encourage the effective use of land by reusing previously developed 'brown field' land.

Promote mixed use developments and encourage multiple benefits from its use.

Conserve heritage assets in a manner appropriate to their significance.

Actively manage patterns of growth.

Take account of and support local strategies to improve health, social and cultural well-being to meet local needs.

Core Principle 10 of this approach 'Meeting the Challenge of Climate Change, flooding & Coastal Change' recognises that planning can play a key role in reducing emissions in greenhouse gases and supporting the delivery of renewables. (Paragraph 93 refers)

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

Not require overall need for the energy development to be demonstrated recognising that even small scale projects provide a valuable contribution to cutting greenhouse gas emissions and

Approve the application (unless material considerations indicate otherwise) if its impacts are or can be made acceptable.

Conserving and Enhancing the Natural Environment

Core Planning Principle 11 recognises that planning should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes (Paragraph

109 refers) It also specifically stresses that we should maintain the character of the undeveloped coast, protecting and enhancing its distinctive landscapes (Paragraph 114 refers).

Planning Practice Guidance

On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource. This was accompanied by a Written Ministerial Statement which includes a list of the previous planning practice guidance documents cancelled when the site was launched.

The accompanying Ministerial Statement confirms that this incorporates the guidance on renewable energy (including heritage and amenity) published during last summer and making it clearer in relation to solar farms, that visual impact is a particular factor for consideration. As a result the Planning Practice Guidance for Renewable and Low Carbon Energy of July 2013 is cancelled.

This is a concise document which is useful for assessing proposals for renewable energies, in particular it emphasises that the following need to be taken into consideration:

The need for renewable or low carbon energy does not automatically override environmental protections;

Cumulative impacts require particular attention, especially the increasing impact that wind turbines and large scale solar farms can have on landscape and local amenity as the number of turbines and solar arrays in an area increases;

Local topography is an important factor in assessing whether wind turbines and large scale solar farms could have a damaging effect on landscape and recognise that the impact can be as great in predominately flat landscapes as in hilly or mountainous areas;

Great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting;

Proposals in National Parks and Areas of Outstanding Natural Beauty, and in areas close to them where there could be an adverse impact on the protected area, will need careful consideration;

Protecting local amenity is an important consideration which should be given proper weight in planning decisions.

Copeland Local Plan 2013-2028

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

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

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

Core Strategy:

Policy ST1 Strategic Development Principles,

Policy ST2 Spatial Development Strategy

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

Development Management Policies DPD

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

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

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

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

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

Cumbria Wind Energy Supplementary Planning Document

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

Cumbria Landscape Character Assessment

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

Assessment

In view of the sensitive location of this application, the local community interest it is generating, and the Town Councils' concerns and request, it is recommended that Members agree to visit the site to fully appraise all the material planning issues the application raises prior to determination.

Recommendation:-

Site visit

ITEM NO: 6.

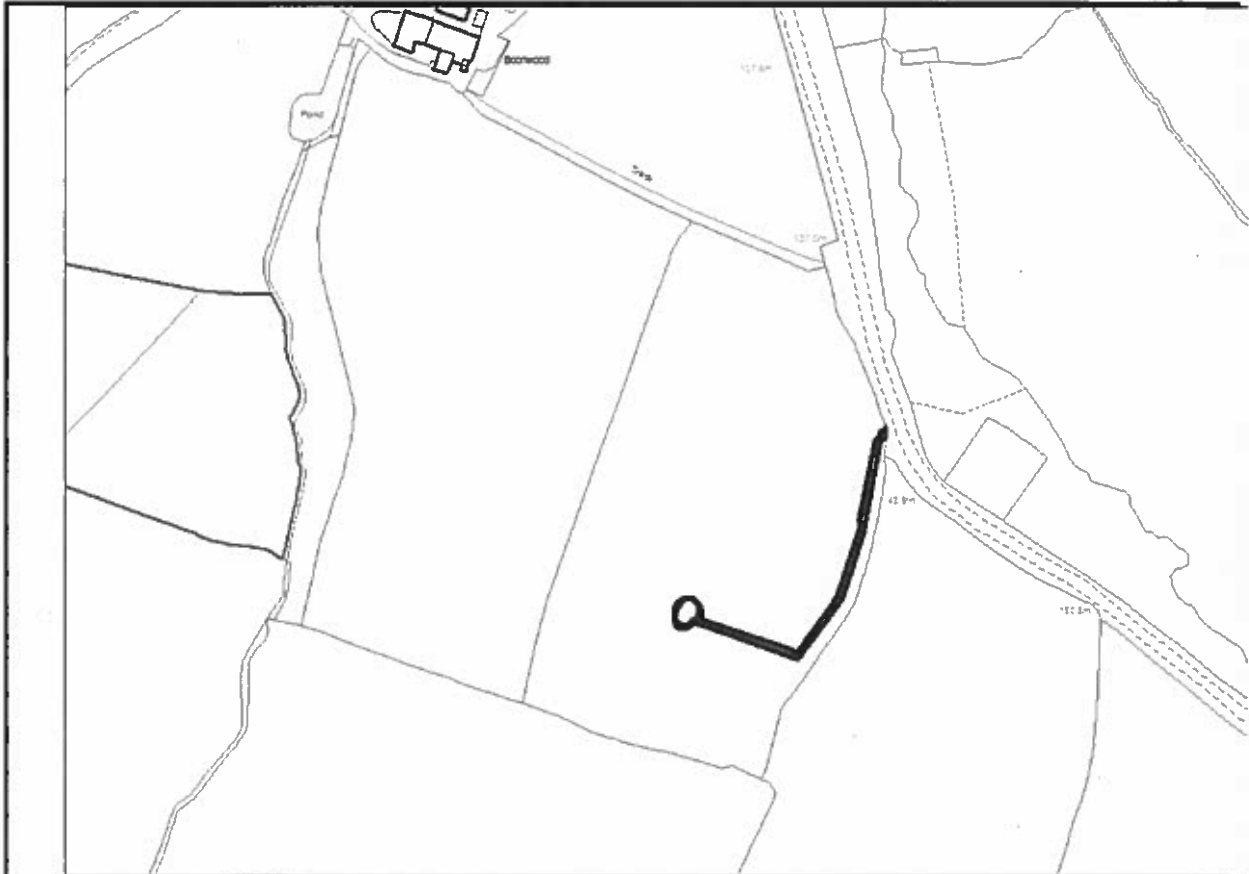


To: PLANNING PANEL

Development Control Section

Date of Meeting: 21/01/2015

Application Number:	4/14/2502/0F1
Application Type:	Full : CBC
Applicant:	Mr D Christopherson
Application Address:	LAND TO SOUTH OF BOONWOOD FARM, DISTINGTON
Proposal	ERECTION OF A SINGLE 30M HUB WIND TURBINE WITH A TIP HEIGHT OF 48.01M
Parish:	Distington
Recommendation Summary:	Site Visit



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

INTRODUCTION

This application relates to an open area of agricultural land which lies to the south of Boonwood Farm. The farm lies approximately 1.5 km to the south of Distington and 1.1 km from Pica. The land forms part of a large agricultural holding.

PROPOSAL

Planning permission is sought for the erection of a single wind turbine which is to be sited approximately 300 metres to the south of the farm complex. The turbine will have a hub height of 30.0 metres and a total blade tip of 48.01 metres. It is proposed that the turbine will be retained on the site for the duration of its operational lifespan, which is 25 -30 years.

The agricultural unit is a small scale sheep and poultry farm, comprising 23 acres and is family run.

The application states that it is seeking permission for the single turbine and associated development, however no details have been submitted regarding any building or hardstanding required on site and grid connection point. It is anticipated that it will produce 550,000 Kwh of electricity per annum.

Access to the turbine is to be achieved using an existing field access from the unclassified road between Distington and Pica. An existing track is to possibly be upgraded and extended from this access to the proposed turbine. This will cover a total distance of 200metres and will be surfaced with crushed stone.

The application is accompanied by the following:-

- A site location plan
- An elevation plan of the turbine
- A planning statement incorporating a design and access statement
- A landscape and visual impact assessment including photomontages
- A community consultation document
- A noise 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) (March 2012), sets out the Governments planning policies and how these are to be applied. It introduces a presumption in favour of sustainable development and emphasises that the purpose of the planning system is to contribute to the achievement of this.

The NPPF constitutes guidance for local planning authorities and in respect of development control is a material consideration in determining planning applications and reaffirms that the planning system remains plan led requiring that applications for planning permission be determined in accordance with the development plan unless material considerations

indicate otherwise, unless the plan is out of date or not consistent with the NPPF.

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

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

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

- Support the transition to a low carbon future in a changing climate - including encouraging the use of renewable resources by the development for example of renewable energy.

- Contribute to preserving and enhancing the natural environment and reducing pollution.

- Encourage the effective use of land by reusing previously developed 'brown field' land.

- Promote mixed use developments and encourage multiple benefits from its use.

- Conserve heritage assets in a manner appropriate to their significance.

- Actively manage patterns of growth.

- Take account of and support local strategies to improve health, social and cultural well-being to meet local needs.

Core Principle 10 of this approach 'Meeting the Challenge of Climate Change, flooding & Coastal Change' recognises that planning can play a key role in reducing emissions in greenhouse gases and supporting the delivery of renewables. (Paragraph 93 refers)

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

- Not require overall need for the energy development to be demonstrated recognising that even small scale projects provide a valuable contribution to cutting greenhouse gas emissions and

- Approve the application (unless material considerations indicate otherwise) if its impacts are or can be made acceptable.

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).

Planning Practice Guidance

On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource. This was accompanied by a Written Ministerial Statement which includes a list of the previous planning practice guidance

documents cancelled when the site was launched.

The accompanying Ministerial Statement confirms that this incorporates the guidance on renewable energy (including heritage and amenity) published during last summer and making it clearer in relation to solar farms, that visual impact is a particular factor for consideration. As a result the Planning Practice Guidance for Renewable and Low Carbon Energy of July 2013 is cancelled.

This is a concise document which is useful for assessing proposals for renewable energies, in particular it emphasises that the following need to be taken into consideration:

The need for renewable or low carbon energy does not automatically override environmental protections;

Cumulative impacts require particular attention, especially the increasing impact that wind turbines and large scale solar farms can have on landscape and local amenity as the number of turbines and solar arrays in an area increases;

Local topography is an important factor in assessing whether wind turbines and large scale solar farms could have a damaging effect on landscape and recognise that the impact can be as great in predominately flat landscapes as in hilly or mountainous areas;

Great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting;

Proposals in National Parks and Areas of Outstanding Natural Beauty, and in areas close to them where there could be an adverse impact on the protected area, will need careful consideration;

Protecting local amenity is an important consideration which should be given proper weight in planning decisions.

Copeland Local Plan 2013-2028

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

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

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

Policy ST1 Strategic Development Principles,

Policy ST2 Spatial Development Strategy

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

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

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

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

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

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

Cumbria Wind Energy Supplementary Planning Document

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

Cumbria Landscape Character Assessment

This county wide landscape assessment was compiled by Cumbria County Council in 2011.

Importantly it provides baseline information that can be used when making decisions on future land use and management. It identifies and assesses landscape types and provides a strategic framework which includes visions and objectives for future landscapes and guidelines to protect, manage and plan changes to maintain and enhance landscape distinctiveness.

ASSESSMENT

As this application relates to a prominent site within open countryside in close proximity to both the existing Fairfield wind farm at Pica and also other wind turbine sites within the locality 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

Date From 02/12/2014



Date To 12/01/2015



View Report

1 of 6 100% Find | Next

Select a format Export

List of Delegated Decisions

Selection Criteria:

From Date: 02/12/2014

To Date: 12/01/2015

Printed Date: Tuesday, January 13, 2015

Printed Time: 10:26 AM

Application Number	4/14/2331/OF1
Applicant	Mr and Mrs D Coyle
Location	THE BEACHCOMBER CLUB, PARTON, WHITEHAVEN
Proposal	CHANGE OF USE FROM LICENCED CLUB TO TWO DWELLINGS
Decision	Approve (commence within 3 years)
Decision Date	14 October 2014
Dispatch Date	15 December 2014
Parish	Parton

Application Number	4/14/2356/OF1
Applicant	C W & D E Bushby
Location	WATSON HILL FARM, EGREMONT
Proposal	ERECT CATTLE CUBICLE/AUTOMATED MILKING BUILDING WITH UNDER FLOOR SLURRY STORE
Decision	Approve (commence within 3 years)
Decision Date	8 December 2014
Dispatch Date	15 December 2014
Parish	Egremont

Application Number	4/14/2376/OF1
Applicant	Lakeland Building Design
Location	GLOBE HOTEL, 84 MAIN STREET, DISTINGTON
Proposal	CONVERSION OF FORMER PUBLIC HOUSE TO PROVIDE THREE DWELLING UNITS TOGETHER WITH NEW VEHICULAR ACCESS.
Decision	Approve (commence within 3 years)
Decision Date	20 November 2014
Dispatch Date	15 December 2014
Parish	Distington

Application Number	4/14/2382/OF1
Applicant	Wasdale Mountain Rescue Team
Location	LAND NEAR LONGLANDS FARM, BOONWOOD, GOSFORTH, SEASCALE
Proposal	NEW BUILDING TO HOUSE RESCUE TEAM BASE
Decision	Approve (commence within 3 years)
Decision Date	11 December 2014
Dispatch Date	11 December 2014
Parish	Gosforth

Application Number	4/14/2383/OF1
Applicant	Kells ARLFC
Location	SITE OF FORMER PUBLIC CONVENIENCE, WELFARE GROUND, KELLS, WHITEHAVEN
Proposal	PLACEMENT OF AN ISO STORAGE CONTAINER FOR STORAGE OF GRASS CUTTING & TRAINING EQUIPMENT ETC
Decision	Approve (commence within 3 years)
Decision Date	18 November 2014
Dispatch Date	15 December 2014
Parish	Whitehaven

Application Number	4/14/2389/OL1
Applicant	Mr T Teasdale
Location	1 INKERMAN TERRACE, WHITEHAVEN

Proposal	LISTED BUILDING CONSENT FOR SINGLE STOREY REAR EXTENSION AND ALTERATIONS; NEW INTERNAL FIREPLACE; REPLACEMENT RAINWATER GOODS & REPLACEMENT SIDE ELEVATION WINDOWS
Decision	Approve Listed Building Consent (start within 3yr)
Decision Date	21 November 2014
Dispatch Date	19 December 2014
Parish	Whitehaven

Application Number	4/14/2423/0F1
Applicant	Mr C Robinson
Location	PLOTS 1 & 1A, FORMER WHITE SCHOOL, KELLS, WHITEHAVEN (1 COLLIERS WAY)
Proposal	ERECTION OF PAIR OF SEMI DETACHED HOUSES
Decision	Approve (commence within 3 years)
Decision Date	15 December 2014
Dispatch Date	19 December 2014
Parish	Whitehaven

Application Number	4/14/2424/0F1
Applicant	Mr P McQuirk
Location	LAND AT NEW MONKWRAY, HENSINGHAM, WHITEHAVEN
Proposal	ERECTION OF AGRICULTURAL BUILDING FOR STORAGE OF AGRICULTURAL MACHINERY AND CROP AND HOUSING OF LIVESTOCK
Decision	Approve (commence within 3 years)
Decision Date	15 December 2014
Dispatch Date	19 December 2014
Parish	Whitehaven

Application Number	4/14/2431/0F1
Applicant	LLWR Ltd
Location	PELHAM HOUSE, PELHAM DRIVE, CALDERBRIDGE, SEASCALE
Proposal	EXTENSION OF EXISTING CAR PARK TO PROVIDE AN ADDITIONAL 42 CAR PARKING SPACES
Decision	Approve (commence within 3 years)
Decision Date	18 December 2014
Dispatch Date	19 December 2014
Parish	Ponsonby

Application Number	4/14/2433/0F1
Applicant	Mrs M Messenger
Location	FIELD AT SUMMERGROVE, SOUTH EAST OF OVEREND SPORTS STADIUM, WHITEHAVEN
Proposal	ERECTION OF AGRICULTURAL BUILDING
Decision	Approve (commence within 3 years)
Decision Date	3 December 2014
Dispatch Date	10 December 2014
Parish	Weddicar

Application Number	4/14/2435/0F1
Applicant	Mr C and Mrs B Powell
Location	25 LOWTHER ROAD, MILLOM
Proposal	DEMOLISH EXISTING GARAGE AND CONSTRUCT SINGLE STOREY EXTENSION (KITCHEN, UTILITY & WORKROOM)

Decision	Approve (commence within 3 years)
Decision Date	4 December 2014
Dispatch Date	9 December 2014
Parish	Millom

Application Number	4/14/2440/OF1
Applicant	Mr G Groves
Location	HILLTOPS, THE HILL, MILLOM
Proposal	RE-ROOFING OF EXISTING GARAGE AND PROVISION OF ENTRANCE PORCH TO FRONT ELEVATION
Decision	Approve (commence within 3 years)
Decision Date	3 December 2014
Dispatch Date	15 December 2014
Parish	Millom Without

Application Number	4/14/2441/OF1
Applicant	Mr P Crooks
Location	11 INKERMAN TERRACE, WHITEHAVEN
Proposal	ERECTION OF DOUBLE GARAGE TO REAR OF PREMISES
Decision	Approve (commence within 3 years)
Decision Date	10 December 2014
Dispatch Date	15 December 2014
Parish	Whitehaven

Application Number	4/14/2443/OF1
Applicant	Mr and Mrs D Bainbridge
Location	GLEN COTTAGE, LITTLE MILL, EGREMONT
Proposal	ERECTION OF AN ATTACHED GARAGE
Decision	Approve (commence within 3 years)
Decision Date	8 December 2014
Dispatch Date	15 December 2014
Parish	Egremont

Application Number	4/14/2444/TPO
Applicant	Home Group (Landscape)
Location	LAND AT 34/35 EHEN COURT ROAD, EGREMONT
Proposal	CROWN REDUCTION & THINNING OF TWO SYCAMORE TREES PROTECTED BY A TREE PRESERVATION ORDER
Decision	TREE PRESERVATION REFUSE
Decision Date	9 December 2014
Dispatch Date	12 December 2014
Parish	Egremont

Application Number	4/14/2445/OF1
Applicant	Mr G Wright
Location	BARN AT CANADA FARM, MORESBY PARKS, WHITEHAVEN
Proposal	PRIOR APPROVAL OF PROPOSED CHANGE OF USE OF AGRICULTURAL BUILDING TO TWO DWELLING HOUSES
Decision	Approve
Decision Date	5 December 2014
Dispatch Date	10 December 2014
Parish	Moresby

Application Number	4/14/2448/OF1
Applicant	First Choice Move

Location	71 MAIN STREET, DISTINGTON
Proposal	CHANGE OF USE OF GROUND FLOOR FROM RESIDENTIAL TO ESTATE AGENTS (RETROSPECTIVE)
Decision	Approve (commence within 3 years)
Decision Date	10 December 2014
Dispatch Date	15 December 2014
Parish	Distington

Application Number	4/14/2451/OA1
Applicant	Mr F Wilson Harrison
Location	CROSTHWAITE HALL, ROSEMARY LANE, WHITEHAVEN
Proposal	ADVERTISEMENT CONSENT FOR DISPLAY OF NON-ILLUMINATED ALUMINIUM SIGN
Decision	Approve Advertisement Consent
Decision Date	3 December 2014
Dispatch Date	8 December 2014
Parish	Whitehaven

Application Number	4/14/2455/OF1
Applicant	Miss G Bitcon
Location	76 CENTRAL ROAD, KELLS, WHITEHAVEN
Proposal	EXTENSION TO ORIGINAL RAISED PATIO AND WALL AT REAR
Decision	Approve
Decision Date	15 December 2014
Dispatch Date	19 December 2014
Parish	Whitehaven

Application Number	4/14/2457/OL1
Applicant	Mr P Coan
Location	91 SCOTCH STREET, WHITEHAVEN
Proposal	LISTED BUILDING CONSENT FOR A SINGLE REPLACEMENT WINDOW
Decision	Approve Listed Building Consent (start within 3yr)
Decision Date	8 December 2014
Dispatch Date	15 December 2014
Parish	Whitehaven

Application Number	4/14/2458/OF1
Applicant	Mr B Spencer
Location	DUB HALL, ARLECDON, FRIZINGTON
Proposal	ROOF OVER MUCK MIDDEN
Decision	Approve (commence within 3 years)
Decision Date	10 December 2014
Dispatch Date	15 December 2014
Parish	Arlecdon and Frizington

Application Number	4/14/2460/OF1
Applicant	Mr Nicolae G Gigoianu
Location	THE VAGABOND, 1 MARLBOROUGH STREET, WHITEHAVEN
Proposal	INSTALLATION OF FLUE ON ROOF FOR PIZZA OVEN
Decision	Approve (commence within 3 years)
Decision Date	2 January 2015
Dispatch Date	7 January 2015
Parish	Whitehaven

Application Number	4/14/2462/TPO
Applicant	Mr D Miller
Location	2 LINGMELL WOOD, SEASCALE
Proposal	PRUNING OF TWO POPLAR AND TWO MAPLE TREES PROTECTED BY A TREE PRESERVATION ORDER
Decision	TREE PRESERVATION APPROVE
Decision Date	9 December 2014
Dispatch Date	12 December 2014
Parish	Seascale

Application Number	4/14/2469/OF1
Applicant	Mr B Warr
Location	18 EAGLES WAY, MORESBY PARKS, WHITEHAVEN
Proposal	ERECTION OF SOLID ROOF CONSERVATORY EXTENSION TO FRONT
Decision	Approve (commence within 3 years)
Decision Date	2 January 2015
Dispatch Date	7 January 2015
Parish	Moresby

Application Number	4/14/2472/OL1
Applicant	Hawthorn Estates Ltd
Location	OLD TOWN HALL, 60-61 DUKE STREET, WHITEHAVEN
Proposal	PROPOSED INSTALLATION OF BIRD PROOF SPIKES AND ROOF NETTING AND REMOVAL OF REDUNDANT VENTILATION TURRET FROM ROOF (LISTED BUILDING CONSENT)
Decision	Approve Listed Building Consent (start within 3yr)
Decision Date	5 January 2015
Dispatch Date	8 January 2015
Parish	Whitehaven

Application Number	4/14/2476/OF1
Applicant	Mr J Smith
Location	4 FALCON COURT, IRISH STREET, WHITEHAVEN
Proposal	INSTALLATION OF A CONSORT COMPOSITE MAGNUM 2 DOOR TO ENTRANCE
Decision	Approve (commence within 3 years)
Decision Date	6 January 2015
Dispatch Date	12 January 2015
Parish	Whitehaven

Application Number	4/14/2484/OA1
Applicant	Hawthorn Estates Ltd
Location	OLD TOWN HALL, 60-61 DUKE STREET, WHITEHAVEN
Proposal	ADVERTISEMENT CONSENT FOR TWO FREESTANDING SIGNS AND ONE FIXED PLAQUE
Decision	Approve Advertisement Consent
Decision Date	5 January 2015
Dispatch Date	8 January 2015
Parish	Whitehaven

Application Number	4/14/2485/OL1
Applicant	Hawthorn Estates Ltd
Location	OLD TOWN HALL, 60-61 DUKE STREET, WHITEHAVEN

Proposal	LISTED BUILDING CONSENT FOR MINOR ALTERATIONS TO INTERNAL LAYOUT, PROVISION OF CCTV CAMERAS AND INSTALLATION OF VENTS
Decision	Approve Listed Building Consent (start within 3yr)
Decision Date	8 January 2015
Dispatch Date	8 January 2015
Parish	Whitehaven

Application Number	4/14/2488/HPAE
Applicant	Ms H James
Location	88 CONISTON PARK, CLEATOR MOOR
Proposal	PRIOR NOTIFICATION FOR ALTERATION AND EXTENSION OF GARAGE
Decision	Permitted Development
Decision Date	7 January 2015
Dispatch Date	7 January 2015
Parish	Cleator Moor