

RELEVANT INFORMATION

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

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

Town and Country Planning Act 1990

Planning and Compulsory Purchase Act 2004

Cumbria and Lake District Joint Structure Plan

Copeland Local Plan 2001-2016 – Adopted June 2006

Lake District National Park Local Plan – Adopted May 1998

Cumbria Car Parking Guidelines

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

In particular:

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

Department for Communities and Local Government (DCLG):-

Planning Policy Guidance Notes and Planning Policy Statements

Development Control Policy Notes

Design Bulletins

STANDARD CONDITIONS

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

Outline Consent

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

Reserved Matters Consent

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

Full Consent

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

PLANNING PANEL AGENDA – 22 MAY 2013

SCHEDULE OF APPLICATIONS – CBC

		PAGE
Item 1	4/13/2026/OF1 Installation of 500kw wind turbine, with ancillary development including temporary access tracks & crane pads. Land to south west of Fairladies Farm, Outrigg Road, St Bees	1
Item 2	4/13/2061/OF1 Erection of wind turbine 45.5 metres to blade tip height & associated metering units Drigg Moorside Farm, Drigg, Holmrook	14
Item 3	4/13/2071/OF1 Installation of single endurance turbine on 24m mast (34.2m to blade tip) Marlborough Hall Farm, Egremont	32
Item 4	4/13/2091/OF1 Erection of a single wind turbine 45.5m to blade tip, two associated metering units & access track Land near Yeorton Hall Farm, Haile, Egremont	43
Item 5	4/13/2103/OF1 Erection of 40 no. dwellings & associated infrastructure Land at site of former Rhodia Offices, High Road, Whitehaven	48
Item 6	4/13/2106/OF1 Make permanent 4 temporary boreholes & installation of a pipeline between the boreholes, Ennerdale Water Treatment Works etc & associated infrastructure Between Gulley Flatts & Ennerdale Water	63
Item 7	4/13/2125/OF1 Erection of one wind turbine (up to a maximum height of 77m to blade tip) & associated infrastructure Land at Castlerigg Farm, Moorsby Parks, Whitehaven	67

Item 8	4/13/2145/0F1 Installation of a single 500kw wind turbine (with a maximum height of 66 metres to blade tip), associated infrastructure & new access track Land near Bonny Farm, Moresby Parks, Whitehaven	70
--------	---	----

<u>SCHEDULE OF DELEGATED DECISIONS</u>	73
--	----

ITEM NO: 1.

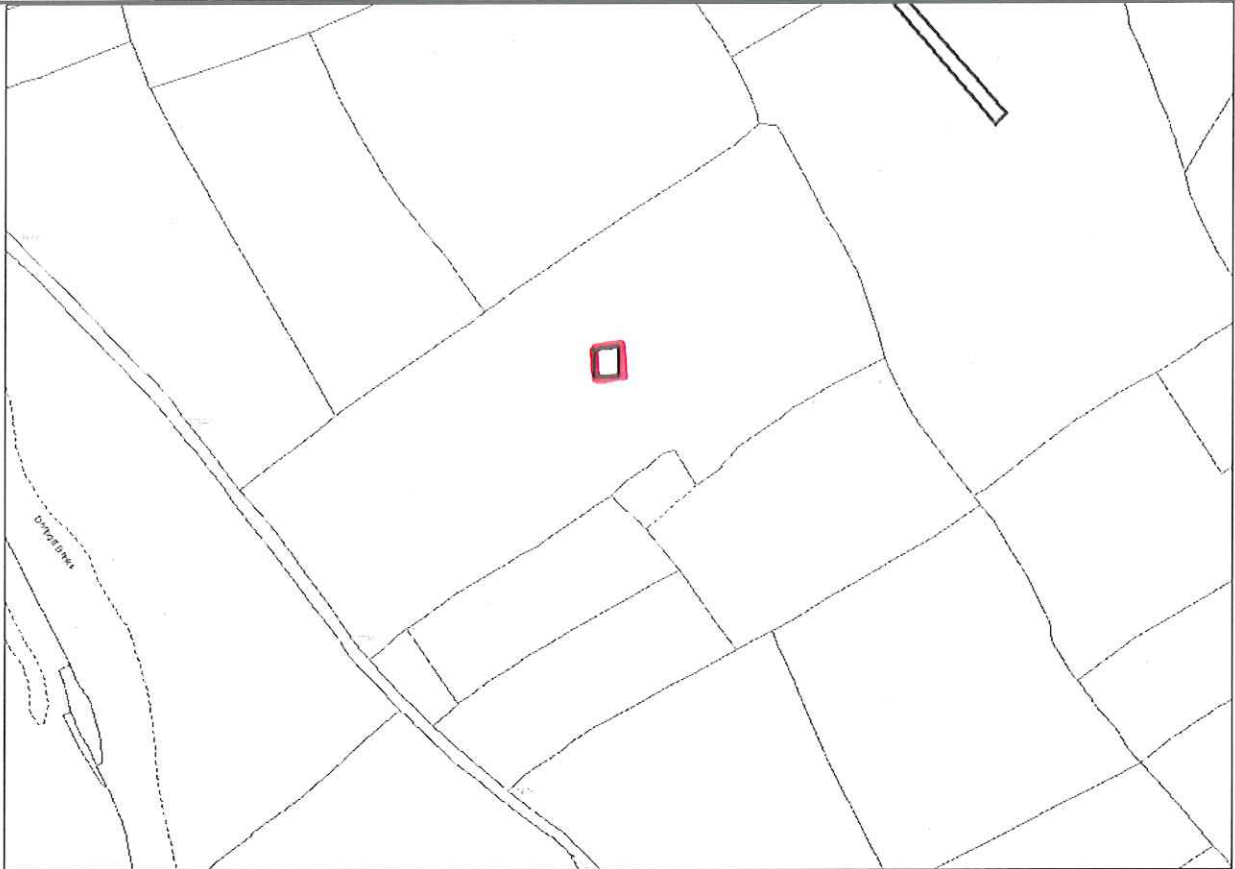


To: PLANNING PANEL

Development Control Section

Date of Meeting: 22/05/2013

Application Number:	4/13/2026/OF1
Application Type:	Full : CBC
Applicant:	Mr J Clark
Application Address:	LAND TO SOUTH WEST OF FAIRLADIES FARM, OUTRIGG ROAD, EGREMONT
Proposal	INSTALLATION OF A 500KW WIND TURBINE, WITH ANCILLARY DEVELOPMENT INCLUDING TEMPORARY ACCESS TRACKS AND CRANE PADS
Parish:	St. Bees
Recommendation Summary:	Refuse



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

Introduction

It was agreed at the Planning Panel of 27 March 2013 that Members would visit the site in order to fully appraise all the relevant and material planning considerations the application raises prior to its determination. The site visit took place on Wednesday 3 April 2013. The application has since been held in abeyance awaiting comments from the Council's Scientific Officer in specific response to local concerns raised regarding noise.

This proposal relates to an elevated greenfield site in open countryside comprising an agricultural field some 220m to the north of Egremont Road, St Bees and some 400m to the south west of the applicants farm holding at Fairladies Farm, Outrigg, near St Bees.

Access to the site would be via the adjacent Egremont Road, off an existing field access. A new 4m wide temporary hard core track some 250m in length will be required in this location for the construction phase.

The Proposal

It is proposed to erect one single 500 kW turbine on the site with a hub height of 40m. The three bladed turbine would have a blade diameter of 52m with an overall ground to tip height of 66m. It would be pale grey in colour and be anchored on a reinforced concrete foundation measuring 9m by 9m and 1.6m in depth. At the foot of the turbine a crane pad would be located measuring 16m by 20m in area.

The turbine would be connected to the local grid via an underground cable leading to a transformer situated within an existing farm building. The cabling would be laid in a trench some 1.1m deep by 0.61m wide.

The application is accompanied by:

- A Design and Access Statement.
- An Environmental Appraisal which incorporates impact assessments of the proposal in respect of land use and tourism, visual impact, noise, shadow flicker, ecology, geology, hydrogeology and hydrology, cultural heritage, aviation, electromagnetic interference, traffic, transport and highway issues.
- Technical information.

Planning History

The recent planning history relating to this farm holding is relevant. The applicants currently own and operate two 11 kW micro wind turbines which are situated some 350m (nearest turbine) to the north east nearer the farm building group. These are twin bladed turbines each set on an 18m high lattice galvanised steel tower mid grey in colour with a ground to tip height of 24.5m. They were originally refused by the Planning Panel in March 2011 and then allowed on appeal (4/11/2033/OF1 refers). In view of their proximity to the application site the issue of potential cumulative impact will need to be taken into consideration.

Consultations

St Bees Parish Council - strongly oppose the application. Are of the view that the proposed turbine is of an industrial scale and is completely inappropriate in this rural location.

It is within a landscape of county importance and would be clearly visible from St Bees Head and the Heritage Coast. There are already two smaller turbines close to this location and they would be dwarfed by this structure and the impact would have a seriously detrimental effect on the character of the area. Concern that it also might affect transmitters in the area. Point out that the Council is not opposed in principle to small scale wind turbines in appropriate locations where they provide power for domestic or farm buildings without creating a significant visual impact. The Council does not believe that the area is an appropriate location for generation on an industrial scale.

Highway Authority -- no objections subject to conditions requiring a traffic management plan before development commences and controlling the state of vehicles leaving the site during construction phase.

Civil Aviation Authority -- raise no comments.

Scientific Officer, Environmental Health: Raises no objection providing that any permission granted is appropriately conditioned to control any noise from the turbine. Whilst he acknowledges that a noise assessment was carried out no details of the inputs to the model were given which made it difficult to verify the results. Though he is satisfied after checking the technical details of the turbine that his predictions are similar. These indicate levels at the nearest non associated property could be up to 37dBA so consider it appropriate to condition on this basis.

Neighbour Representations

In view of the sensitive nature of the application and its proximity to St Bees village extensive neighbour consultations have been undertaken together with the publishing of an advert in the local press.

The proposal has raised considerable local interest and to date 67 letters of objection and 1 letter of support have been received.

The letter of support cited no specific grounds.

The letters of objection cited the following summarised grounds:

- Unacceptable visual impact on immediate and wider views. It will clearly be visible from a long distance including the National Park. In particular it will diminish the splendid view from South Head and St Bees Beach.
- Effect on the designated landscape of County Importance.
- Visual impact on Listed Grade 1 Priory in St Bees from distant views.
- Negative effect on the local economy. Only people benefiting are the landowners. The small community the wind turbines are thrust upon are the losers. Will generate no employment in the area.
- Noise and vibration affecting nearby residents. Prevailing wind is south westerly so many people will be affected by noise.
- Viability of wind power.
- Will adversely affect neighbours enjoyment of their property.
- Proximity to residences with the nearest dwelling being only 65km away. Data in application is misleading states that the nearest residence is 0.98km. Should be a 2km exclusion zone.
- Some of the illustrations in the application are misleading.
- Highway safety issues from construction transport. The local roads are narrow and not suitable and it will cause congestion.
- Precedent
- Continued development of onshore turbines will adversely affect the area.
- Effect on bats and owls.
- Effect on skylarks habitat and breeding grounds.
- Size of turbine is out of proportion to the needs of the local farm which already benefits from two operational turbines. Income has no connection with agricultural needs.
- It is an alien structure in a rural environment.

- Will deter visitors to the area.
- Will dramatically alter the landscape character.
- Will impact on nearby St Bees Heritage Coast and St Bees Conservation Area.
- Flicker will cause a distraction to road users.
- Electromagnetic interference - will affect local TV reception.
- Will affect local horse riders.
- No adequate consultation by the developers.
- Will reduce local house prices.
- Contrary to local plan policy EGY 1.
- Effect on children's health on Fairladies Estate nearby from noise and local Sellafield workers.
- Figures for energy output and savings on pollution are not convincing.
- Will impact on Wainwright's Coast to Coast Walk at St Bees Head.
- They are inefficient at energy production.
- Concern it's not had an environmental assessment.

Planning Policy

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

National Planning Policy Framework

The National Planning Policy Framework (NPPF), which came into effect (March 2012), sets out the Government's planning policies and how these are to be applied. It introduces a presumption in favour of sustainable development and emphasises that the purpose of the planning system is to contribute to the achievement of this and revokes the majority of the current Planning Policy Statements / Guidance Documents, including PPS 22 'Renewable Energy', though it should be noted that the Companion Guide to PPS 22 is still in force and is relevant in so far that it advises how to evaluate renewable energy applications in order to arrive at an objective view and that landscape and visual effects should be assessed on a case by case basis.

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

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

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

The NPPF usefully elaborates on the Government's interpretation of what is meant by sustainable development. It identifies three dimensions to sustainable development, namely economic, social and environmental. The environmental role is defined in paragraph 7 as contributing to protecting and enhancing our natural built and historic environment; and as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution and mitigate and adapt to climate change including moving to a low carbon economy.

Paragraph 8 confirms that these three roles should not be taken in isolation because they are mutually dependent.

Renewable Energy

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

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

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

- reducing emissions in greenhouse gases.
- supporting the delivery of renewables. (Paragraph 93 refers)

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

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

Conserving and Enhancing the Natural Environment

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

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

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

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

Paragraph 123 clarifies that planning decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development but does recognise that it is appropriate to secure mitigation through the use of planning conditions to overcome these impacts. It also seeks to afford protection of areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.

Copeland Local Plan 2001-2016

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

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

Policy ENV 6: Landscapes of County Importance Protects these designated areas from inappropriate change and where development is permitted special regard will be paid to the design, scale and siting.

Policy ENV 7: Heritage Coast - This identifies and protects the St Bees Heritage Coast from inappropriate development . Only new agricultural development or that designed to improve public access will be permitted.

Policy ENV 8: Views from and to the Heritage Coast. Advocates that careful regard be had for these views when considering development proposals in the vicinity.

Policy ENV 14: Development in the Coastal Zone. This seeks to protect the undeveloped coast and ensure development which requires a coastal location is sited within the developed part of the coast of Whitehaven, Sellafield, Seascale and Millom.

Policy ENV15: Undeveloped Coast. Identifies development exceptions for these areas.

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

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

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

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

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

Emerging Local Plan

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

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

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

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

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

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

ENV 2 Coastal Management - advocates sensitive management to retain the character of the developed and undeveloped coast.

ENV 5 Protecting and Enhancing the Borough's Landscapes - introduces careful control for these areas to protect them from inappropriate development.

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

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

DM 26 landscaping - sets out a requirement for new developments to consider landscape improvements and expands and strengthens ENV 5 as regards protecting and enhancing the Borough's landscapes.

Cumbria Wind Energy Supplementary Planning Document

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

Summary of Policy Context

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

Assessment.

The Environmental Appraisal submitted in support of the application puts forward the case that the proposed wind turbine development is consistent with local and national policy insofar that its beneficial effects outweigh the negative effects demonstrated in respect of potential impacts on landscape and visual effects, noise, shadow flicker, ecology, hydrology, hydrogeology and geology, cultural heritage, aviation, electromagnetic interference, transport and highway issues including decommissioning. The findings and any issues they may raise are summarised below:

Noise

The results of the assessment show that there are no non associated noise sensitive properties likely to be affected by noise levels that are equal to or above 43dBA. The applicants own farm is within this range but this is considered to be acceptable as he has a financial interest in the development. The closest non associated properties are situated along Egremont and Nethertown Roads at the southern edge of St Bees. Here noise levels are identified as being in the region of 37dBA which affects some 24 properties are within the range levels advised. Consequently noise from the operation of this turbine is not expected to cause any significant effects. This is a view endorsed by our Scientific Officer providing that any permission is appropriately conditioned to control any potential noise arising from the turbine.

Shadow Flicker

There are 6 non-associated residential properties identified located on Egremont Road where shadow flicker has a potential to occur for 0-30 hours per year. However this level of occurrence is considered to be within acceptable limits and is only likely to cause minimal impact. A 500m stretch of Egremont Road is also anticipated to be affected but such a short stretch is considered to be negligible.

Ecology

The land immediately surrounding the application site is used as agricultural land and that use will continue as the construction footprint will be limited and will not result in any loss to trees or hedgerows on site. In terms of designated sites the nearest is St Bees Head SSSI which is some 820m away however the report indicates that there are no records of any statutory protected species in any of the areas adjacent and that any are unlikely to be affected from the SSSI given its distance away.. A site walkover has also been undertaken in order to establish the optimal siting and to ensure adequate separation from adjacent hedges for foraging and breeding birds / bats. Potential impact on ecology is therefore considered to be low.

Hydrology, Hydrogeology & Geology

This assessment considers the impacts on the water environment including drainage and flood risk. It concluded that issues associated with hydrology and hydrogeology are relatively minor. The potential risk of pollution to watercourses, groundwater and private water sources within or near the site is also minimal. It is recognised that there is potential for water pollution to occur from construction activities and that there could also be a potential increase in surface water run off but adequate mitigation measures are proposed to minimise this which are considered acceptable.

Cultural Heritage

According to the study undertaken it would appear that the St Bees Conservation Area and the listed buildings identified are unlikely to be affected by the development given their distance from the site. The result concluded that the risk to cultural heritage is minimal. It is noted that the Grade 1 listed Priory in St Bees, some 1.5km distant from the proposal had been omitted from the assessment. However due to the distance it is away the turbine it is unlikely to have an adverse impact on views from and including this important listed building and will not impact on its immediate setting.

Aviation

The appraisal concludes that it is unlikely that there would be an impact on aviation. However consultation responses from NATS, MOD and NERL in relation to this application are still outstanding.

Electromagnetic Interference

It is unlikely from the research undertaken that any communication links of TV reception would be adversely affected.

Transport and Highway Issues

As regards transporting the turbine component parts it is intended that the proposed route would be via road from the Port of Liverpool using the M6, the A590 and the A595 to St Thomas Cross then via local road network to site.

In terms of construction this is estimated as involving some 56 vehicle movements over a construction period of five weeks which will have an impact on the local road network but one which is not so significant for the temporary period estimated. After that one trip will be made every 6 months by car/van for maintenance plus one crane every 10 years which is considered insignificant.

It should be noted that the Highway Authority would require a pre-commencement traffic management plan to control construction traffic should the application be supported.

Decommissioning

This is detailed in the report. After the lifespan of the turbine it is estimated that decommissioning would take some 6 weeks to implement.

Whilst it has been demonstrated in the accompanying appraisal that these potential effects are unlikely to cause any significant demonstrable harm that is not considered the case for the potential effect of the turbine on the character and appearance of the landscape and visual impact which is considered below:

Landscape Impact

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

Cumbria Landscape Guidance and Toolkit, March 2012, identifies the site and surrounding land as 'Coastal Sandstone' this is the exposed coastal edge comprising sandstone cliffs, rolling hills and plateaus, moving to more intimate farmland inland and at St Bees there is the distinctive tall sandstone cliffs at St Bees Head and a distinctive plateau like area. The open character of the landscape here offers wide and uninterrupted views across to the sea and along the coast and inland. It states that the object here is to manage, enhance and restore the landscape. It advises that further large scale developments such as wind energy be discouraged in prominent coastal locations.

The site in particular benefits from special designation as an area of County Landscape Importance. These are significant areas of important landscape within the Borough where development should not threaten or detract from its distinctive characteristics. It is also within proximity of the Heritage Coast at St Bees and the undeveloped coast both of which are protected from inappropriate development along with views from and to it. Policies ENV 6, ENV 7, ENV 8 and ENV 14 of the Copeland Local Plan which carry considerable weight specifically refer. All these designations collectively identify and strengthen the areas unique and distinctive landscape character which it is considered of utmost importance to conserve and protect. As a consequence it is considered that the introduction of such a tall vertical structure, some 66m in height in such a sensitive and elevated location, sitting on a contour some 90m AOD would constitute an alien and intrusive feature which

would be overly prominent on the landscape and result in its material harm, contrary to criterion 2 of Policy EGY 1 of the Copeland Local Plan.

Cumulative Impact

It is noted that there are other vertical features in the landscape the nearest significant ones comprising two 24.5m high turbines, some 350m and 380m to the north east. These are much smaller and as opposed to complementing the turbine it is considered they would serve to accentuate its prominence on the landscape.

On the wider landscape there are two 34.2m high turbines further inland, situated to the east of the site at Whangs Farm at just over 1km away to the east along with some electricity pylons that need to be taken into account however the effect of these in view of their distance from the site is not considered to be significant.

Visual Impact

As regards visual impact it is considered that the moving rotors from the blade sweep and rotor diameter of 52m would draw the eye and attract attention particularly from users of the adjacent minor road network. A factor which would serve to reinforce and accentuate its adverse visual impact and prominence on the skyline both from immediate and wider views.

Also being sited close to the edge of the village, some 450m and 550m to the northwest from nearest residential properties situated on Egremont Road and Nethertown Road, and some 650m distant from the elevated residential estate of Fairladies would render the siting of a turbine of this scale intrusive to local views and residential amenity.

As raised in the previous section the potential impact of this proposal on wider uninterrupted views to, from and along the coast generally as well as those from and to St Bee Head Heritage Coast is considered to be significant.

It is therefore considered that the siting of a single large turbine, 66m in height, in such a prominent elevated setting, close to the village of St Bees and the undeveloped heritage coast would have an unacceptable adverse visual impact on the immediate locality and in a wider context contrary to criterion 1 of Policy EGY 1 of the Copeland Local Plan.

Potential Benefits

In order to arrive at a balanced assessment however, it is important to take into account the wider benefits of the scheme in terms of renewable energy generation and its low carbon output.

Renewable Energy Generation

It is proposed that the wind turbine will have a generating capacity of 500kw which would generate on average as much electricity as is consumed by approximately 280 homes per annum. This is a reasonable quantity from a single renewable resource which would make a contribution towards meeting the Governments targets for renewable energy generation.

Low Carbon Energy Source.

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

Conclusion

On balance taking the above into account it is important now to weigh up the wider benefits of the scheme in terms of renewable energy generation against any potential harm it could have in terms of its visual effect and the impact on the character and appearance of the landscape. *In this context it is reiterated that the NPPF only advocates approval of renewable energy schemes where its impacts are or can be made acceptable. It also affords great weight to the protection and conservation of designated landscapes.* In my opinion the adverse impacts of the scheme are so significant in this instance that they cannot be avoided via mitigation and as a result outweigh any potential benefits. In my opinion the proposed siting of a large turbine in such a prominent and visually sensitive setting in open countryside close to the village of St Bees would have a materially harmful effect on the character and appearance of the landscape contrary to Policy EGY1 and ENV 6, ENV 7, ENV 8 and ENV 14 of the Copeland Local Plan 2001-2016 (Saved Policies June 2009) and the guidance contained in the National Planning Policy Framework.

Recommendation:-

Refuse

Reason for Decision

The proposed siting of one large turbine, some 66m high, would introduce an isolated and prominent feature, incongruous in its surroundings, which would have an adverse visual and materially harmful effect on the character of the surrounding sensitive landscape, which is designated as a 'Landscape of County Importance' and is within close proximity of the undeveloped St Bees Heritage Coast, contrary to Policies EGY 1, EGY 2, ENV 6, ENV 7, ENV 8 and ENV 14 of the Copeland Local Plan 2001-2016 (Saved Policies June 2009) and the guidance contained in the National Planning Policy Framework.

ITEM NO: 2.

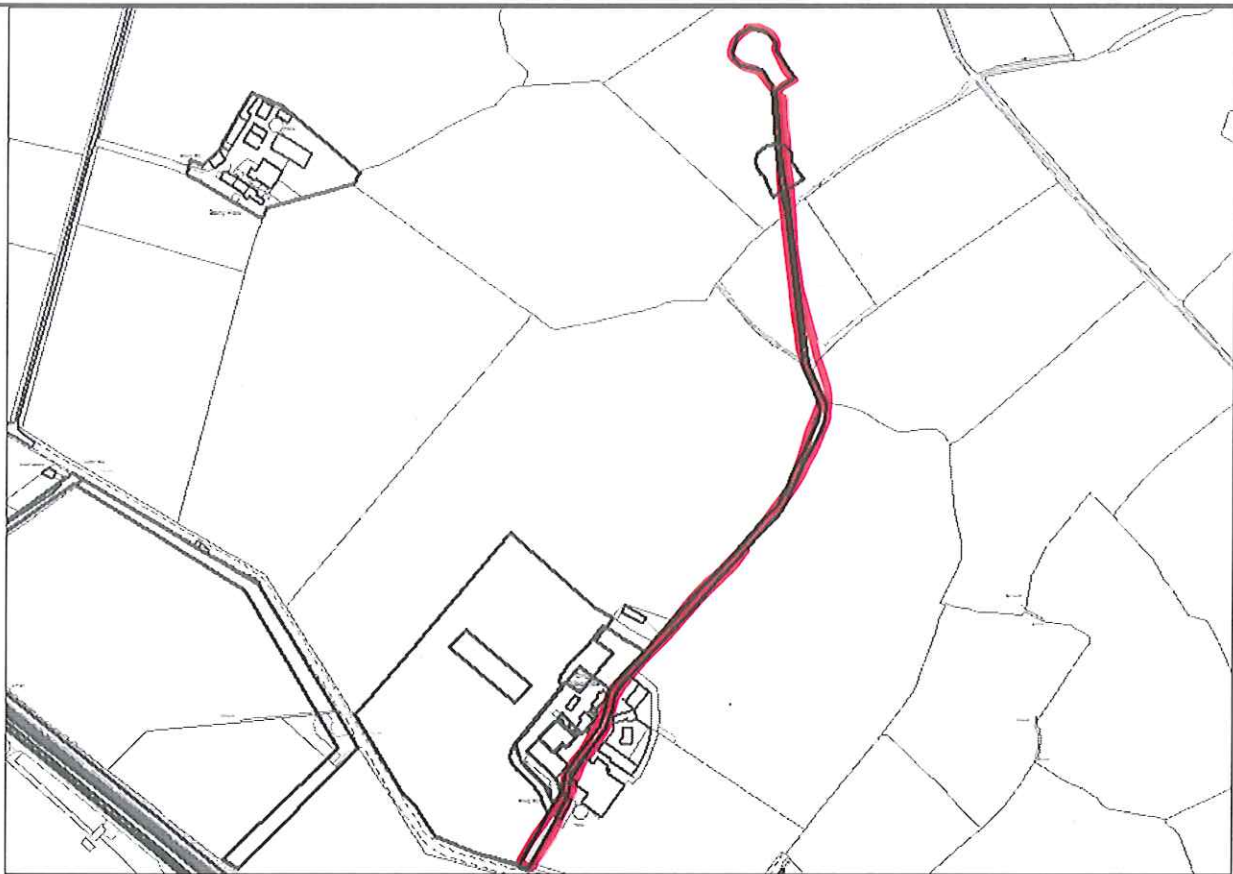


To: PLANNING PANEL

Development Control Section

Date of Meeting: 22/05/2013

Application Number:	4/13/2061/OF1
Application Type:	Full : CBC
Applicant:	Mr S Shepherd
Application Address:	DRIGG MOORSIDE FARM, DRIGG, HOLMROOK
Proposal	ERECTION OF WIND TURBINE 45.5 METRES TO BLADE TIP HEIGHT AND ASSOCIATED METERING UNITS
Parish:	Drigg and Carleton
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

It was agreed at the Planning Panel of 27 March 2013 that Members would visit the site in order to fully appraise all the relevant and material planning considerations the application raises prior to determination. The site visit took place on Wednesday 3 April 2013. The application has since been held in abeyance to allow the Lake District National Park Authority additional time to provide a consultation response, particularly as the site lies within 2km of the National Park and the setting of it and its special qualities (views in and out) could be affected by the proposal.

This application relates to a greenfield site some 500m to the immediate north of Drigg Moorside Farm which is situated off the B5344 between Seascale and Drigg. The location takes advantage of a natural hollow / depression in the field and is completely surrounded by agricultural land. Access to the site would be via the farms existing access off the B5344 which runs through the farmyard and for some 310m to the rear. A new 4m wide track of 220m in length would then be required across fields to access the site.

The Proposal

Permission is sought for the erection of a single 400kW wind turbine on the site. This would be situated on a tapered single pole pale matt grey in colour with a hub height of 28.6m. The turbine would be three bladed with a blade diameter of 34m making a total ground to tip height of 45.5m. It would be fixed onto the ground via an 8m square base some 1.4m in depth.

Adjacent to the turbine would be situated a switch room and metering unit each 3.05m in length and 2.95m in width with an overall flat roof height of 2.44m. It would also be accompanied by an assembly platform and crane platform 35m in width by 30m in length.

The turbine would be connected to the local grid via underground ducting laid along the existing and proposed access roads.

The application is accompanied by a:

Design and Access Statement.

Planning Statement and Environmental Report which incorporates assessments of the impact of the proposal in respect of ecology, noise, landscape and visual, aviation and communications, shadow flicker, transport and access, cultural heritage and archaeology, decommissioning and reinstatement.

Extended Phase 1 Habitat Survey

Assessment of Environmental Noise.

Technical Information.

Planning History

The recent planning history relating to this application is relevant. A planning application for a larger single wind turbine, 79.6m ground to tip in height, situated some 40m to the south west of this proposal was considered by Planning Panel in May last year (4/12/2120/0F1 refers) and because an appeal against non-determination had been lodged with the Planning Inspectorate the Panel were only able to issue a 'minded to refuse' decision on the application on the following grounds:

'The proposed siting of one large turbine, some 79.6m high, would introduce an isolated and prominent feature, incongruous in its surroundings, which would have an adverse visual and materially harmful effect on the character and appearance of the surrounding landscape including the Lake District National Park. Also there has been insufficient information provided to demonstrate that there is unlikely to be a potential noise nuisance to residential properties in the vicinity. The proposed development is therefore deemed to be contrary to Policies EGY1 and EGY2 of the adopted Copeland Local Plan 2001-2016 (Saved Policies June 2009) and the guidance contained in the National Planning Policy Framework.'

This deemed refusal was then upheld on appeal with the Inspector appointed by the Secretary of State concluding that the proposed turbine would cause substantial harm to the landscape and visual amenity.

In view of this the applicants have now reviewed the matter and it has resulted in this application for a smaller wind turbine, at a ground to tip height of 45.5m (as opposed to 79.6m), on a lower part of the field.

It should be noted that reference is also made in the applicants supporting case to a recent approval for a single wind turbine at Bailey Ground, a farm situated on the edge of the nearby settlement of Seascale, the site for which is some 1.1km distant from the current application site. This permission for a 39m (ground to tip) high turbine was granted in May last year (4/12/2173/0F1 refers) but has yet to be implemented.

Consultations

Drigg and Carleton Parish Council – object to the erection of a wind turbine of this size and in this location. It will have a significant adverse visual impact both in the near vicinity and over a much wider area of the locality. It will be visible from and intrude on landscapes and views of exceptional natural beauty. Does not meet the criteria 1 & 2 of Policy EGY 1 of the Copeland Local Plan and should be refused. Considerable adverse reactions have been received by the Parish Council from within the parish and neighbouring areas. Concern that the photographic images submitted do not adequately reflect the visual impact that will result and request a site visit – which has been acceded to.

Seascale Parish Council - object. The Council recognises that the applicant has gone some way in mitigating the effects of the erection of a wind turbine based on the previous application. However, consider that these do not adequately counter the detrimental effects; continuing significance of size of the proposed turbine, its proposed location close to the boundary between Seascale & Drigg & Carleton parishes, visual blight, the continuing question of interference with the TV mast at Peel Place, the potentially detrimental impact on migration patterns of geese and other birds, detrimental impact on local residents from flicker particularly on residents who are affected by conditions such as epilepsy. Consider the proposal will have a negative impact on residents of Seascale parish.

Gosforth & Ponsonby Parish Council – unanimously support Drigg and Carleton Parish Council in its opposition to this application.

Muncaster Parish Council – object on the grounds that it is contrary to existing and emerging local plan policy, in particular DEV 5 and EGY 1 of the Copeland Local Plan. Consider the landscape is already under development pressure and sensitive to change and that a large white turbine would clearly be intrusive and an uncharacteristic feature of the landscape in direct contravention of this policy. As part of the energy coast we already have large off shore wind farms clearly visible which will contribute significantly to renewable energy. Question the need and contribution of one lone turbine on shore in such a prominent position and if allowed may set a precedent for more in this unique landscape.

MOD – no objection to the proposal. If permission is granted request to be advised of construction details and timescale.

NATS Safeguarding – raise no safeguarding objection to the proposal as it does not conflict with their criteria for the management of en route air traffic.

Arquiva (responsible for providing and protecting ITV and BBC transmission network) - no objection.

Civil Aviation Authority – raise no relevant comments.

Lake District National Park Authority – expressed concern at the previous proposal for a 79.6m single turbine on the basis of likely visual impact on views from and of the National Park and the effect this could have on its special qualities. Having undertaken a similar assessment for this application for a turbine significantly smaller at 45.5m blade tip height they conclude that the visual effects are considerably reduced.

Whilst the turbine would be clearly visible from locations within the National Park and intrusive in some views of it, consider the reduced scale does not have the visual prominence to affect landscape change to the same degree and that the special qualities of the National Park landscape in this area are robust enough to assimilate this development without significant adverse effects. Just being able to see a development from the National Park is not sufficient to trigger an objection but that there must be demonstrable harm to the special qualities which are not considered to be present in this case in the location and at the scale proposed.

Scientific Officer, Environmental Health – Contrary to the previous application no objection is now raised to the turbine on noise grounds. Satisfied that it meets the simplified ETSU-R-97 assessment and that it should meet a flat 35dB noise limit at all sensitive receptors, but requests a specific condition which seeks to control any potential noise nuisance. Shadow flicker should not be an issue as all properties in the vicinity are over 10 blade diameters (340m) from the proposed site.

Neighbour and other Representations

Due to the previous planning history associated with this application extensive neighbour consultations have been undertaken and an advert placed in the local press.

To date 122 letters of objection have been received and 44 in support.

Collective grounds of objection cited include:

- Visual impact - a smaller turbine will still be visually detrimental to the area and will affect panoramic and wider views in and out of the National Park. Will be very conspicuous and have a highly negative impact on the character of the landscape. The proposed reduction in scale does not make any material change and is contrary to EGY 1 of the Copeland Local Plan.
- No need for any on shore turbines taking into account the massive expansion of off shore wind farms and the proposal to build a new nuclear power station at Sellafield.
- Against local plan policy EGY 1 and EGY 2 and the National Planning Policy Framework.
- Random development – this type of random development with turbines dotted all over the countryside does not represent a consistent planning policy. They should be restricted to specific zones and the local authority has a duty to protect the countryside for the benefit of all.

- Drigg is a rural community with most properties being limited to two and three storeys in height and it is incongruous to place a tall pseudo industrial structure in the middle of such a setting.
- Inappropriate industrial development. The size and capacity of the turbine makes it clear that it is not just to supplement power to the farm but is an industrial unit intended to supply the national grid. This is confirmed in the application where there are only cables proposed to the local grid connection and non to the farm.
- Constant comparison to the turbine approved at Bailey Ground is misleading as this is for a 30m high turbine to directly power a local business.
- Effect on tourism. Not appropriate for a tourist area with two SSSI's and a National Park adjacent. Noted that the applicants run a successful camp site on the farm and this development is likely to have an impact on them.
- There is no economic argument unless the taxpayer funded grants and subsidies are taken into account.
- Will affect local property values.
- Will set a precedent. If this is allowed it would be difficult to prevent others being erected.
- Cumulative Effects of nearby planning applications - area is already blighted by Drigg Dump and Sellafield. The proposed site is very close to Drigg Low Level Waste Repository. This has been developing over the years with higher structures erected which are very visible in the surrounding community. The proposed wind turbine would further increase this negative impact.
- Noise. There is a possibility of disturbance from both low frequency noise and aerodynamic modulation for homes. Significant noise has been experienced by nearby residents from the smaller turbine erected at Seascale Primary School. Fear that a much larger turbine would cause greater noise pollution and affect residents of Stubble Green. Also could affect wildlife.
- Electromagnetic disturbance – affecting TV and mobile phone reception.
- Flicker effect on local residents especially those with certain health conditions such as migraine/ epilepsy.
- Proximity to homes – the turbine is too close to houses and will spoil the amenity of homes and gardens, especially at Stubble Green. Many Countries recommend a 2km exclusion zone.
- Impact on local wildlife – in respect of flight paths and on the ground, bats and barn owls. Hallsenna Moor nearby is a national nature reserve and ancient woodland and the Drigg Sand Dunes are an SSSI support a Black Headed Gull and Natterjack toad population. Questions the need for an EIA.

- No benefit to the community and concern that active consultation with the community has not taken place. No additional local jobs would be provided and neither would the area benefit from the manufacture of the turbine. It is for the applicants own financial advantage.
- Photomontages submitted are misleading and not representative of the area.
- There is no viable decommissioning plan. Request a bond be paid by the developer to secure this if approved.
- Highway Safety – the B5344 Drigg to Seascale Road is busy and the turbine would be a distraction to users.
- Cumulative impact – with the turbine approved at Bailey Ground taken into account.
- The turbine is too close to power lines.
- Risk to human safety due to blade failure and ice throw.
- Wind turbines are inefficient producers of electricity producing often below 10% capacity for more than a third of the time and is unsustainable without subsidy.
- Effect on local bridleway network in the vicinity especially for horse riders, at the nearest point it is only 60m away from bridleway no 405010.
- Environmental Impact - work involved in constructing the turbine would be damaging to the area given the amount of excavation and concreting that would be required for the foundations, transporting of the component parts and associated dust and heavy traffic disturbance.

Collective grounds of support cited include:

- Good location. Contrary to many people's beliefs it will not be too obtrusive in this location and will have minimal visual impact on the community and properties at Stubble Green. It has been reduced in height by almost half the size of the previous application and will be placed further down the hill in an area which will make it look even smaller.
- Due to the distance from dwellings it will have minimal noise impact.
- After its life span it will be dismantled and recycled leaving no trace and waste.
- Will help in the fight against climate change.
- Need to support alternatives to the nuclear industry.
- Will help us reach our renewable energy targets.
- Help the country produce its own energy – sustainable green energy. By erecting wind turbines it will sustain it and not destroy any views.
- There is good wind speed in the area.

- Turbines are appealing to the eye. They soon become part of the landscape and enhance rather than detract from the views/ natural beauty of the area.
- Many people find them therapeutic and peaceful.
- Will make camping on the adjacent site a more greener and healthier experience and encourage local tourism.
- Easy access from the Main Road.
- Easy grid connection on site.
- We should take turbines on board until a viable alternative is found. Nuclear new build is not progressing at the speed required to sustain the demands of the increasing market.
- Other projects in the area have already been approved. Aware a wind turbine of a similar size has had planning permission in Seascale and cannot see a reason why one at Drigg should not also be approved.
- Supporting renewable energy will help protect our environment and create a cleaner future for our children and grandchildren.
- If we do not allow the erection of such turbines we are leaving ourselves extremely vulnerable to a shortage of power in the future. It is one of the only green energy sources left –it generates no omissions and is most beneficial as a source of power.
- Will help keep the farm environmentally friendly by reducing its carbon footprint.
- Will aid sustainability and enable the applicants business to progress.
- Will support farm diversification.
- Will produce sustainable green energy.
- Will not destroy or affect views -point out that we already have tall chimneys and towers at Sellafield.

Ravenglass Village Forum - although this application is for a smaller turbine believe their objections to the previous application still apply. Strongly object on the grounds of visual intrusion, effect on Ravenglass village, precedent, commercial gain, damage to ancient peatland of nearby Hallsenna Moor and is contrary to existing and emerging local plan policy.

Friends of Cumbria's Rural Environment (FORCE) – object for the following reasons:

- Unacceptable change to landscape character, impacting the Lake District National Park and surrounding countryside.
- Understating of visual impacts on high sensitivity receptors which cannot be mitigated.
- Inadequate consideration of effects on wildlife.
- Lack of benefits of the scheme.

- Incompatibility with local and national planning policy.
- Inappropriate size and scale of the proposed development.

Friends of Eden, Lakeland & Lunesdale Scenery (FELLS) – object on the following grounds:

- A turbine 45m high is entirely out of scale in a landscape with very few vertical structures. Will introduce an alien feature visible over a wider area.
- The site is some 2km from the National Park boundary and will clearly be visible from elevated ground within it. This will have an adverse impact on the setting of the National Park. The Structure Plan states that a turbine of this height is significantly taller than would be accepted in a designated area -the National Park, which is supported in the Cumbria Wind Energy SPD. This is a medium sized turbine.
- Core Principle of the NPPF states that planning should 'take account of different roles and character of different areas, promoting the vitality of our main urban areas, protecting the green belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it.'
- NPPF still has a requirement for impacts to be weighed against benefits. The scheme has no obvious benefits to the community, either financially or in community terms.
- It has been their experience that developers of small to medium sized turbines significantly overstate the likely electricity output (and thus carbon savings). Although Local Authorities do not have to be concerned with the absolute quantity of electricity generated but have to weigh benefits against dis benefits and the exaggeration of benefits can distort the planning balance.
- Although the reduction in height might slightly reduce the impact the electricity output will also be reduced. For that reason the planning balance will not be significantly different.

Planning Policy

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

National Planning Policy Framework

The National Planning Policy Framework (NPPF), which came into effect (March 2012), sets out the Government's planning policies and how these are to be applied. It introduces a presumption in favour of sustainable development and emphasises that the purpose of the planning system is to contribute to the achievement of this and revokes the majority of the current Planning Policy Statements / Guidance Documents, including PPS 22 'Renewable Energy', though it should be noted that the Companion Guide to PPS 22 is still in force and is relevant in so far that it advises how to evaluate renewable energy applications in order to arrive at an objective view and that landscape and visual effects should be assessed on a case by case basis

It constitutes guidance for local planning authorities and in respect of development control is a material consideration in determining planning applications and reaffirms that the planning system

remains plan led - requiring that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

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

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

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

Renewable Energy

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

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

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

- reducing emissions in greenhouse gases.
- supporting the delivery of renewables. (Paragraph 93 refers)

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

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

Conserving and Enhancing the Natural Environment

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

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

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

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

Paragraph 123 clarifies that planning decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development but does recognise that it is appropriate to secure mitigation through the use of planning conditions to overcome these impacts. It also seeks to afford protection of areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.

Copeland Local Plan 2001-2016

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

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

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

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

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

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

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

Emerging Local Plan

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

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

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

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

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

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

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

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

Cumbria Wind Energy Supplementary Planning Document

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

Summary of Policy Context

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

Assessment

The Planning Statement and Environmental Report submitted in support of the application puts forward the case that the proposed wind turbine development is consistent with local and national policy insofar that its beneficial effects significantly outweigh the negligible effects demonstrated in respect of potential impacts on ecology, landscape and visual effects, noise, aviation, shadow flicker, transport and access, cultural heritage and archaeology and decommissioning. The application however does raise a number of issues on these and other grounds which are considered below:

Landscape Impact

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

Cumbria Landscape Guidance and Toolkit, March 2012, identifies the site and land as 'low farmland' - a traditional working farmed landscape generally large scale and open, where views can be wide and long distance to the fells and sea and have an expansive feeling. It recognises that open and uninterrupted views to the Solway Firth and Lakeland Fells are sensitive to tall infrastructure development and advises that large scale wind energy development be carefully sited and designed to prevent the landscape becoming an energy landscape and that prominent locations should be avoided and appropriate mitigation undertaken.

It has to be acknowledged that whilst the previous application for a larger scale turbine was in a prominent elevated location, this application proposes a revised siting taking advantage of a natural hollow in the field. This, together with a reduction in height from 79.6m to 45.5m comprises significant mitigation to reduce its impact in this landscape. This is a view which is supported by the Lake National Park Authority in their consultation response whom now consider that the reduced scale of the turbine does not have the same visual prominence to adversely affect views in and out of the Park. Whilst it will be visible in the landscape it will not be overly prominent now to cause any demonstrable harm and is now considered to comply with criterion 2 of Policy EGY 1 of the Copeland Local Plan.

Visual Impact

The siting of one single medium sized turbine, at 45.5m high, in this open countryside location is not considered to have an adverse visual impact on immediate and wider views. Although part of the backdrop to the site is the panorama of Lakeland fells particularly when viewed from the west it is considered that at this scale although the turbine will be visible it will more readily be assimilated into the landscape and not be overly prominent or incongruous.

As regards immediate views there are two properties in the immediate vicinity apart from the applicants farm, these are sited at some 460m and 350m away respectively. Views from the former will be mitigated by the existing topography whilst in respect of the latter the siting is oblique again partly mitigated by topography and the fact that there are no windows directly looking out towards the site.

Cumulative Impact

The only other turbine in the vicinity whose potential presence could be taken into account is that of the single turbine at Bailey Ground, Seascale, approved in May last year. This has yet to be erected. At 39m (ground to tip) it is similar in height to the one proposed. However, given that it is only one and that it is sited some 1.1km away to the northwest it is unlikely to present any potential adverse cumulative impact.

Ecology

The initial Extended Phase 1 Survey carried out for the original application has been reviewed for this submission. Apart from some recalculation of separation distances to hedgerows it is contended that the original survey still offers an accurate portrayal of the site's ecology. In particular it transpires that the site does not support any statutory or non-statutory ecologically important sites but that there were a number within 5km. Comments have been made regarding the potential effect on birds, bats, the local SSSI's including Hallsenna Moor, the nearest at some 500m away to the north east and Drigg Coast, approximately 1km to the south west. However, the survey has revealed that the site is not considered to be of any value to over wintering birds. It also did not support any protected species and adequate separation distances can be achieved from nearby hedges to minimise any effect on potential feeding and breeding areas for bats and birds. As a result it is considered that the development will not significantly impact on the ecology of the area which is accepted. Any mitigation measures advised in the report can be secured by an appropriately worded condition.

Noise

From an operational point of view, the noise assessment shows that the turbine meets the simplified ETSU-R-97 assessment at eight properties identified as sensitive receptors. It found that wind speed dependent noise emission levels would be acceptable here and would remain within a flat limit of 35dB(A). The highest predicted noise level of 31dB(A) is recorded at Stony How, the nearest property to the site at some 350m distant which is acceptable. Although concerns have been raised regarding noise it is unlikely that would have any adverse impact on the nearest sensitive properties, let alone those further away. A view our Scientific Officer concurs with subject to an appropriate condition designed to safeguard neighbouring properties and prevent noise pollution.

Shadow Flicker

This is not considered to be an issue with this application. The Scientific Officer confirms that the nearest properties are a sufficient distance away not to be adversely affected. As such it is considered that the proposal complies with established guidelines.

Aviation /Communications /Electromagnetic Disturbance

This has been raised as a local concern however consultation responses from Arqiva who is responsible for providing the BBC and ITV transmission network and protecting its microwave network, the MOD and NATS indicate that the proposal is unlikely to have any impact on these services in the area.

Transport and Access

Access to the site will be via the existing farm off the adjacent B5344 and farm track for the most part with a new 220m section beyond which raises no highway issues. Whilst there would be an increase in local traffic during the construction phase it is expected that this will be minor and for a temporary period only. Thereafter operational traffic will be insignificant.

Tourism and the Local Economy

There is no evidence to suggest that the proposal would have any significant impact on tourism in the area or the local economy.

Heritage and Archaeology

The scheme would not impinge on any known heritage assets. There are no conservation areas or ancient monuments likely to be affected in the immediate vicinity, the nearest conservation areas being in Egremont and Beckermeth. As regards listed buildings there are 9 identified in the Gosforth, Seascale and Holmrook area, the nearest of these being 1km away, and as such it is unlikely that the turbine would impact on them or their settings.

Decommissioning & Reinstatement

Turbines are temporary by nature, having a lifespan of 20-25 years normally restricted by condition. The supporting documentation details how decommissioning would be undertaken and the land reinstated. It is appropriate that this would be controlled by an appropriate condition.

Potential Benefits

Against the backdrop of potential impacts it is also important to consider the potential wider benefits of the scheme which are identified below.

Renewable Energy Generation

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

Low Carbon Energy Source

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

Whilst it should be noted that need for the scheme cannot be taken into account it is stressed that the applicant is anxious to develop a sustainable renewable energy project on the farm both to reduce his financial overheads and to contribute to the reduction of his carbon footprint.

Conclusion

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

- The effect of the proposal on the character and appearance of the landscape as well as its visual impact.
- Whether any identified harmful effects significantly outweigh the renewable energy benefits
- Whether the revised proposal significantly overcomes the grounds for refusal of the previous submission which was dismissed on appeal.

Taking into account the above and the reduced scale/ height of the turbine it is considered that its presence in the landscape would not be unduly prominent in this location, given the mitigation provided by the revised siting in a natural hollow, which will help screen part of the turbine from immediate and wider views thereby reducing its impact further.

On balance now have to weigh up the benefits of generating renewable energy in this location from the turbine against any potential harm it could have on the character and appearance of the landscape, its visual impact and amenity. I would reiterate that the NPPF reminds us that in arriving at decisions *that small scale projects such as this can make a valuable contribution to cutting greenhouse emissions, and that planning applications for renewable energy should be approved if its impacts are or can be made acceptable.* In my opinion the proposed wider renewable energy benefits of the revised proposal now outweigh the adverse impacts most of which have been reasonably mitigated as demonstrated by the turbines reduction in height and relocation. For these aforementioned reasons, I now consider that this revised application reasonably overcomes the previous grounds of refusal. Although the proposal would introduce a relatively tall structure into part of the landscape where there are no others comparable, it is the view that its scale and appearance would not unduly detract from it and it would not be an overly dominant or intrusive feature on the landscape compliant with Policies EGY 1 and EGY 2 and the guidance contained in the NPPF.

Recommendation:-

Approve

Conditions

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

Reason

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

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

Design and Access Statement, J. Harley Planning Consultations, dated January 2013, received 15 February 2013.

Planning Statement and Environmental Report, J. Harley Planning Consultations, January 2013, received 15 February 2013.

Site Location Plan, drwg no T196-PLAN-LOC2, scale 1:5000, received 15 February 2013.

Site Layout, drwg no T196-PLAN-LAY, scale 1:500, received 15 February 2013.

Site Location, drwg no T196-PLAN-LOC1, scale 1:2500, received 15 February 2013.

Wind Turbine Elevations, scale 1:200, received 15 February 2013.

Switch Room and HIV Metering Unit Detail, drwg no T-SPEC-DETAIL1, scale 1:50, received 15 February 2013.

Reason

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

3. 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 lawfully existing at the time of this consent at wind speeds up to and including $10ms^{-1}$ at 10m height. Any measurement shall be made at a height of 1.2m and at a minimum distance of 3.5m from any façade or acoustically reflective surface.

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

Reason

To ensure the protection of residential amenity from potential noise pollution.

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

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

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

Reason

To ensure the protection of residential amenity from noise pollution.

5. 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.

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

Reason

To ensure that possible dereliction and unsightliness is avoided.

Reason for Decision

The siting of one 45.5m high wind turbine in this location, to the east of Drigg Moorside Farm, Drigg, is on balance considered to represent an acceptable form of wind energy development in accordance with Policies EGY 1 and EGY 2 of the Copeland Local Plan 2001-2016 (Saved Policies June 2009) and the guidance contained in the National Planning Policy Framework.

ITEM NO: 3.

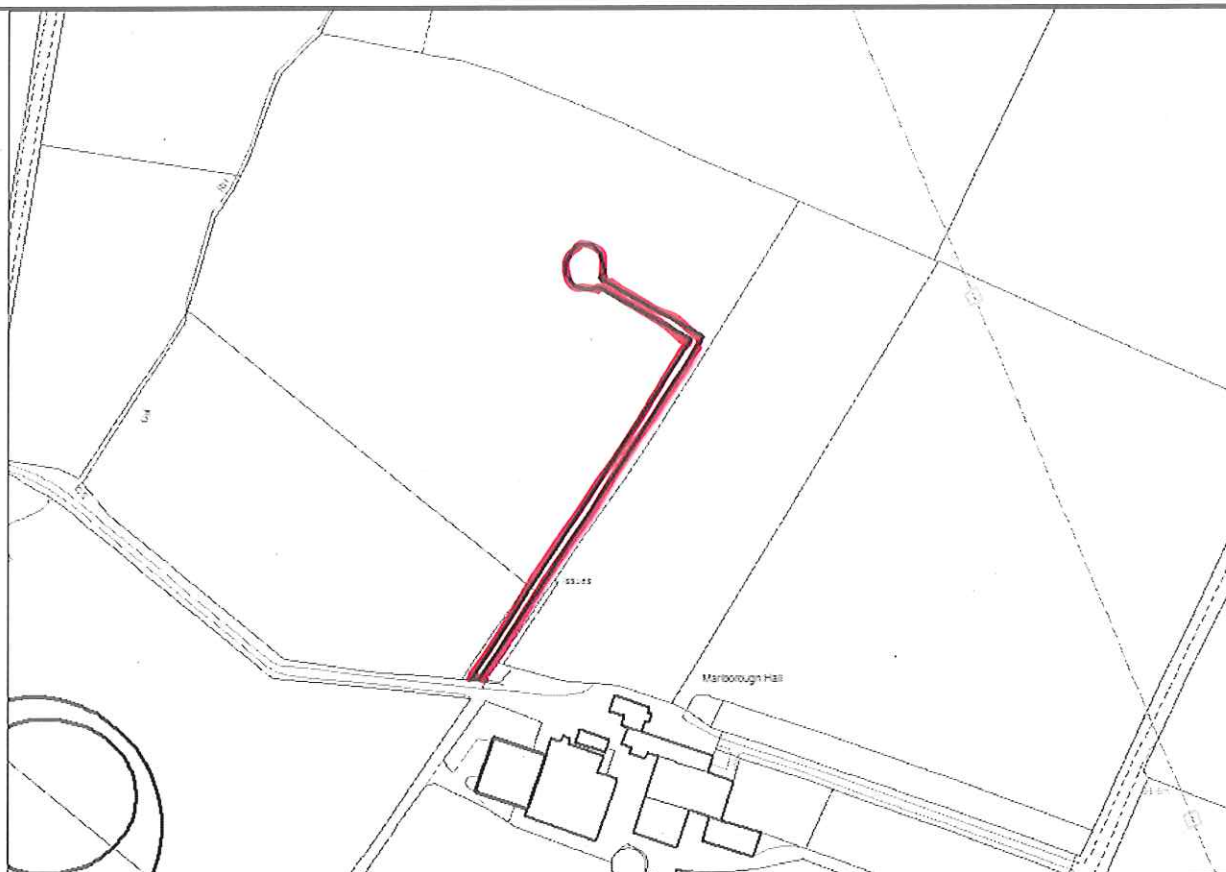


To: PLANNING PANEL

Development Control Section

Date of Meeting: 22/05/2013

Application Number:	4/13/2071/OF1
Application Type:	Full : CBC
Applicant:	Mr A Walker
Application Address:	MARLBOROUGH HALL FARM, EGREMONT
Proposal	INSTALLATION OF SINGLE ENDURANCE TURBINE ON 24M MAST (34.2M TO BLADE TIP)
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 relates to an area of elevated agricultural land which lies approximately 1km west of Egremont. The site sits 290 metres south of the B5345 which runs between Egremont and St Bees and approximately 190 metres north of the main farmstead at Marlborough Hall Farm.

In accordance with established procedures a decision on this application was deferred at the last meeting as Members indicated that they were minded to refuse the proposal contrary to Officer recommendation.

There are a line of substantial electricity pylons to the immediate east of the site running in a north to southeast direction. To the northeast is Whangs Farm where two 34 metre high wind turbines are in operation (4/11/2534/OF1 refers).

THE PROPOSAL

Planning permission is sought to erect a single 50kw wind turbine towards the north-eastern corner of the field. The turbine is to have three blades which will be supported on a 24 metre high monopole tower. The blades will have a diameter of 19.2 metres, giving an overall height to blade tip of 34.2 metres. Externally the turbine will be finished in an off white matt colour.

The turbine will be positioned on a 6 metre square concrete base which will also house a small equipment cabinet measuring 1.36m in width by 2.25m in height. The turbine is to be connected to the Grid by a cable which will run underground to the farm.

A new cable run would extend underground to the farm steading to connect to the Grid.

For the most part access to the turbine can be achieved via the existing road network and existing farm tracks. The final 150 metres will require a new crushed stone track to be laid across the field.

The application is accompanied by:

- A Design & Access Statement
- A Noise Analysis
- A Landscape and Visual Impact Assessment
- A Planning Support Statement which covers biodiversity, radar and communications, shadow flicker, noise, grid connection and EIA.

The site location is justified in the applicants supporting case on the basis that residential amenity, as a result of shadow flicker and noise, biodiversity and radar and communications are likely to be unaffected. It is also suggested that the turbine is unlikely to significantly change the landscape character as the site is not unduly prominent in the wider landscape and is already disrupted somewhat by pylons and turbines. They consider that any limited landscape impact would be outweighed by the economic and environmental benefits of producing clean renewable energy.

Furthermore it is stated that the turbine would be sited some 350 metres away from the nearest non-associated residential property 'Moorleys' which in itself sits within a natural depression in the land and has a main outlook away from the turbine's position.

CONSULTATION RESPONSES

The Highways Authority

Raise no objections subject to standard conditions relating to construction and traffic management being attached to any subsequent grant of planning permission.

Environmental Health Officer

Confirms that as the nearest property is approximately 350m away the development would meet the ETSU-R-97 guidelines regarding noise. Therefore he has no objection to the turbine on noise grounds, subject to a suitable noise condition. He also confirms that shadow flicker is unlikely to be an issue as all properties are over 10 blade diameters from the proposed site.

Egremont Town Council

No objections.

Other

A single letter of support has been received from the occupier of a nearby residential property (Moorclose).

PLANNING POLICY

National Planning Policy Framework

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

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

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

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

Paragraph 14 outlines that a presumption in favour of sustainable development is at the heart of the NPPF and this should be taken as a golden thread running through both plan making and decision taking. For decision taking this means, unless material considerations indicate otherwise, approving development proposals that accord with the development plan without delay.

Paragraph 17 defines a list of 12 core land use planning principles that should underpin decision taking. Core Principle 10 of this approach 'Meeting the Challenge of Climate Change, flooding & Coastal Change' requires planning to support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change and encourages the reuse of existing resources, including the conversion of existing buildings, and encourage the use of renewable resources for example by the development of renewable energy.

Paragraph 97 encourages the increased use and supply of renewable and low carbon energy and requires all communities to recognise their responsibilities to contribute to energy generation from renewable and low carbon sources. Local Planning Authorities are required to design their policies to maximise renewable and low carbon energy development while ensuring that adverse impacts are addressed satisfactorily, including cumulative landscape and visual impacts.

Paragraph 98 clarifies that applicants are not required to demonstrate the overall need for renewable energy and that even small scale projects can provide a valuable contribution to the cutting of greenhouse gas emissions. It also advises Local Planning Authorities to approve planning applications if its impacts are or can be made acceptable.

Paragraph 109 relates to the conservation of the natural environment. It requires the planning system to enhance the natural and local environment by protecting and enhancing valued landscape and minimise the impacts on biodiversity. Net gains in biodiversity should be provided where possible.

Paragraph 123 clarifies that planning decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development but does recognise that it is appropriate to secure mitigation through the use of planning conditions to overcome these impacts. It also seeks to afford protection of areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.

Cumbria Wind Energy Supplementary Planning Document (SPD)

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

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

Policy DEV 1 'Sustainable Development and Regeneration' only permits proposals for development if they accord with the local plans aims and objectives and expects all development to contribute to achieving sustainable regeneration of the Borough.

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

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

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

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

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

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

Emerging Local Planning Policies

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

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

Policy ER 2 of the Core Strategy relates to Planning for the Energy Coast. It states that “the Council will seek to support and facilitate new renewable energy generating at locations which best maximise renewable resources and minimise environmental and amenity impacts. The criteria on renewable energy development/generation are set out in Development Management Policy DM 2. This broadly duplicates the criteria contained in the current Local Plan but adds an additional requirement whereby mitigation measures and significant benefits for the community should be taken into account in considering the balance on renewable energy developments.

ASSESSMENT

This proposal raises certain key issues which are addressed as follows:

Noise

As stated earlier in this report the Environmental Health Officer raises no objections given that the nearest non-associated residential property is approximately 350 metres away. That said, it is proposed to ensure that any potential adverse noise arising in the vicinity is controlled by a suitably worded condition.

Shadow Flicker

Given the distance of the nearest non-associated residential property there is little prospect of any property being affected by shadow flicker. This is consistent with the guidance contained in the PPS22 Companion Guide which states that flicker effects have been proven to only occur within ten rotor diameters of a turbine. The rotor diameter in this case is 19.2 metres. There are no immediately close residential properties within the 192 metre distance, as the nearest residential property is ‘Moorleys’ which is approximately 350 metres away. This is confirmed by the Environmental Health Officer in his consultation response.

Radar and communications

It is not anticipated there will be any issues in this respect and this is borne out in the Supporting Statement.

Biodiversity

The proposed site comprises improved farmland and is not located close to any protected sites so it is unlikely that this will be an issue. The Supporting Statement concludes that the turbine is unlikely to have an impact on valuable habitat and as a mitigation measure for bats it will be sited in excess of 50 metres from the nearest hedgerow or woodland as advocated by Natural England.

Heritage

There are no conservation areas within the vicinity of the site. Mooreleys, the closest non-associated residential property is Grade II Listed. However, this sits within a significant dip in the land and will be largely screened from the turbine by the rising land and dense tree coverage. Likewise, given that the installation will have limited material impact on the ground it is unlikely to affect any archaeological remains.

Access

Access to the site already exists and the Highway Authority raise no objections to the proposal. Whilst construction would increase traffic movements to the site this would only be for a temporary period. A condition can be attached to any permission to ensure that traffic can be adequately managed to minimise any impact on the local highway network.

Landscape and visual

The wider landscape comprises intensely farmed agricultural land, dissected by groups of farm buildings and the odd isolated dwelling and network of minor roads.

The wind energy SPD identifies the site as being within the wider "Lowland" landscape type. It describes this type of landscape as having a moderate capacity to accommodate wind turbines.

Cumbria Landscape Guidance and Toolkit, March 2011, identifies the area as Low Farmland (Character Area 5b), an intensely agricultural farmed landscape with a predominant land cover of pasture which comprises undulating and rolling topography, where views can be wide and long distance to the fells and sea. It recognises in this landscape that the continued need to support renewable energy could result in large scale wind energy schemes which could change its character and advocates that this should be carefully controlled to prevent it becoming an energy landscape, with prominent locations avoided and appropriate mitigation to minimise any adverse effects.

The application site comprises part of the inland farmed plateau and is not in itself a prominent coastal location or the subject of any specific landscape designations. There are large vertical structures of comparable significance already present in the immediate landscape adjacent to the site in the form of a number of electricity pylons carrying overhead lines and two wind turbines each at Whangs Farm and Fairladies Farms respectively.

Whilst the presence of a single 34.2 metre high turbine will undoubtedly have an impact on the landscape and be seen from wide and immediate views it would not be overly significant taking into account the presence of these structures and the fact that there are no notable landscape designations or sensitive views in the area which are likely to be adversely affected.

CONCLUSION

Taking into account the policy context this application should be assessed under including the Copeland Local Plan and the NPPF, the latter of which emphasises support for the delivery of renewable development where its impacts can be made acceptable, it is accepted that on balance the erection of a single 34.2 metre high turbine in this location would not have an overly significant adverse visual impact or cause demonstrable significant material harm to the character and

appearance of the landscape and as such would be in compliance with Policies EGY 1 and EGY 2 of the Copeland Local Plan and those contained in the NPPF.

Recommendation:-

Approve

Conditions

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

Reason

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

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

- General Location Plan, drawing no. 3, received on 27 February 2013.
- Location Plan, drawing no. 4, received on 27 February 2013.
- Block Plan, drawing no. 5, received on 27 February 2013.
- Turbine Elevations, drawing no. E-3120-50kw Monopole Rev A, received on 27 February 2013.
- Design & Access Statement, prepared by Neil Henderson, H & H Land and Property Ltd, dated February 2013, received on 27 February 2013.
- Planning Support Statement, prepared by Neil Henderson, H & H Land and Property Ltd, dated February 2013, received on 27 February 2013.
- Endurance E3120 wind turbine generalised noise predications, prepared by Seth Roberts, Hayes McKenzie Partnerships Ltd Ref: HM2438_1_SJR, dated 26 July 2011, received on 27 February 2013.
- Landscape and Visual Impact Assessment, prepared by H & H Land and Property Ltd, dated February 2013, received on 27 February 2013.
- Photomontages prepared by H & H Land and Property Ltd, received on 18 March 2013.

Reason

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

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

Reason

To ensure that possible dereliction and unsightliness is avoided.

4. If 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 lawfully existing at the time of this permission 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".

Following notification from the Local Planning Authority (LPA) that a justified noise complaint has been received, the wind turbine operator shall, at their own expense, employ a suitably competent and qualified person to measure and assess, by a method to be approved in writing by the Local Planning Authority, whether the noise from the turbine meets the specified level. The assessment shall be commenced within 21 days of the notification, or such longer time as approved by the Local Planning Authority. A copy of the assessment report, together with all recorded data and audio files obtained as part of the assessment, shall be provided to the Local Planning Authority (in electronic form) within 60 days of the notification. The operation of the turbine shall cease if the specified level is confirmed as being exceeded.

Reason

In the interests of residential amenity.

6. Before development commences a Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Works shall be carried out in accordance with the approved details.

Reason

In the interests of highway safety.

Informative

- During the construction phase no vehicle shall leave the site in a condition that would give rise to the deposit of mud, dust or other debris on the public highway.

Reason for Decision

The siting of one 34.2m high wind turbine in this location is, on balance, considered to represent an acceptable form of wind energy development in accordance with Policies EGY 1 and EGY 2 of the adopted Copeland Local Plan (Saved Policies June 2009) and the National Planning Policy Framework.

ITEM NO: 4.



To: PLANNING PANEL

Development Control Section

Date of Meeting: 22/05/2013

Application Number:	4/13/2091/OF1
Application Type:	Full : CBC
Applicant:	Mr J Hewitson
Application Address:	LAND NEAR YEORTON HALL FARM, HAILE, EGREMONT
Proposal	ERECTION OF A SINGLE WIND TURBINE 45.5 METRES TO BLADE TIP, TWO ASSOCIATED METERING UNITS AND ACCESS TRACK
Parish:	Haile
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 proposal relates to a greenfield site in open countryside, currently forming part of an agricultural holding, some 70m (nearest point) to the west of Beckermat Industrial Estate and some 500m north of the applicants farm building group at Yeorton Hall.

The development involves the use of the existing industrial estate road and the applicant's farm road for access to the site with a new 300m section of road constructed to the turbine location within the field.

The Proposal

Permission is sought for the erection of a single 400kw turbine on the site. This would be situated on a tapered tubular tower pale matt grey in colour with a hub height of 28.6m. The turbine would be three bladed with a blade diameter of 34m giving a total ground to tip height of 45.5m.

It would be fixed onto a 8m square base some 1.4m in depth.

Adjacent to this will be two small container units located adjacent to the turbine to house the switchgear as well as a crane platform measuring 30m by 15m and a 20m by 30m assembly platform. Connection cables to the local grid will be via underground ducting.

The application is accompanied by a:

Design and Access Statement

Planning Statement and Environmental Report which incorporates assessments of potential impacts relating to Ecology, Landscape & Visual, Aviation & Communications, Shadow Flicker, Transport & Access, Cultural Heritage & Archaeology, Decommissioning & Reinstatement.

Landscape & Visual Impact Assessments

Technical Information.

Planning History

The recent planning history relating to this application is relevant. Planning permission for a larger single wind turbine, some 79.6m ground to tip height, in the same location was refused by the Planning Panel in April last year. (4/12/2123/0F1 refers). The grounds of refusal were as follows:

‘The proposed siting of one large turbine, some 79.6m high, would introduce an isolated prominent feature, incongruous in its surroundings, which would have a materially harmful effect on the character and appearance of the surrounding landscape contrary to Policy EGY 1 and EGY 2 of the adopted Copeland Local Plan 2001-2016 (Saved Policies June 2009) and the guidance contained in the National Planning Policy Framework.’

This decision was upheld on appeal, the Inspector considered that the proposed turbine would have a wide ranging visual impact which, irrespective of the industrial estate, would cause significant harm.

Also a previous proposal for the development of three smaller turbines sited nearer the farm building group was allowed on appeal (4/11/2183/0F1 refers). These are now operational.

Consultations

Haile and Wilton Parish Council- strongly object to the proposal as the height of the turbine will have a visual impact for a proportion of the parish as well as residents in the surrounding areas.

A parish questionnaire was carried out in March 2013 which showed that 90% of residents who replied were totally against wind turbines of this size.

NATS - no safeguarding objection to the proposal.

Civil Aviation Authority - raise no comments

Arquiva - no objection.

Highway Authority -no objection.

Scientific Officer, Environmental Health - a key consultation response which is awaited.

Lake District National Park - response awaited.

Neighbour Representations

In view of the previous planning history relating to this site extensive neighbour consultations have been undertaken. To date this has resulted in the generation of 6 letters of objection including one from one of the nearest residential properties some 300 - 450m distant from the application site.

In particular they raise the following concerns:

- Will be sited directly outside their kitchen/ dining room window causing flicker.
- Will severely harm their amenity regarding noise, visual impact, shadow flicker and glare
- Detrimental effect on the health and well being of their children.
- Affect their house value.

Collective grounds of objection cited from the other letters received include:

- Noise and in particular cumulative noise with Sellafield road traffic.
- Shadow flicker.
- Precedent
- Proliferation of turbines in the area - its at saturation point.
- Visual Impact - will destroy our beautiful countryside.
- There are 3 similar turbines close to this location.
- Cumulative effect with the nearby NESL Rig Building.
- Damage to landscape character.
- Effect on migrant birds / bats /owls.
- The 3 turbines on the farm should be sufficient for its needs.
- Contrary to Policies EGY 1 & EGY 2 of the Copeland Local Plan.
- Against national planning policy - does not add or enhance the landscape.
- Will dominate the landscape with moving components.
- Localism Act local opinion should be taken into account.
- Decommissioning - should be paid for upfront.

Recommendation

In view of the complex nature of the proposal and its local significance Members are recommended to take this opportunity to visit the site to fully appraise all the material planning considerations before determining the application.

Recommendation:-

Site Visit

Conditions

Reason for Decision

ITEM NO: 5.



To: PLANNING PANEL

Development Control Section

Date of Meeting: 22/05/2013

Application Number:	4/13/2103/OF1
Application Type:	Full : CBC
Applicant:	Story Homes
Application Address:	LAND AT SITE OF FORMER RHODIA OFFICES, HIGH ROAD, WHITEHAVEN
Proposal	ERECTION OF 40 No. DWELLINGS AND ASSOCIATED INFRASTRUCTURE
Parish:	Whitehaven
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 relates to a prominent site along Snaefell Terrace, opposite the Woodhouse Estate in South Whitehaven. The site covers an area of 1.8 hectares and was previously occupied by offices serving the former Marchon Chemical Works.

The former offices were demolished in 2012 by the applicants who cleared the site and erected a security fence.

At the last meeting Members resolved to carry out a site visit before determining the application. The site visit took place on Wednesday 22 May 2013.

PROPOSAL

Planning permission is sought to redevelop the site to provide a residential development comprising 40 units, associated access, on-site parking and landscaping. A mix of 2, 3 and 4 bed properties are proposed.

The proposed layout includes a mix of detached, semi-detached and terraced houses and bungalows together with two blocks of apartments. A continuous frontage of bungalows and dormer bungalows is shown along Snaefell Terrace with the larger detached houses and apartment blocks situated to the west on the lower portion of the site to take advantage of the views over the Irish Sea. Each dwelling is to be allocated a private area of garden which will be defined by either timber fences or brick walls. An area of public open space is also to be created along the western edge of the site.

Access into the site is to be achieved via a new single entrance point off Snaefell Terrace. The layout has been designed so that each of the detached and semi-detached dwellings has an individual driveway and a dedicated parking area within each plot. A communal parking area would also be provided to serve the apartments.

Externally the development will be finished with a mixture of render and facing brick to the walls, tiled roof coverings and upvc double glazed windows.

The following information has been submitted with the application:-

- detailed layout and elevation plans to illustrate the proposed development
- a design and access statement
- a planning statement
- a Phase 1 ground investigation report which includes a coal mining report
- a landscape and visual impact assessment
- a flood risk assessment
- a Phase 1 habitat survey
- a confidential viability report.

CONSULTATION RESPONSES

Highways Authority

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

Environment Agency

This application raises issues with regards to contamination, flood risk and ecology.

- Contaminated land remediation and waste, water and pollution
Initially objected on the basis that the site is currently regulated by the Environment Agency as a "Special" Site under Environmental Protection Act 1990 Part 2A and insufficient information had been provided as regards remediation. The Special site designation includes the complete boundary of the former Marchon works, most of which has now been accepted as remediated following a voluntary remediation statement agreed with the EA. However, the area of land proposed for this development has not undergone investigation and this needs to be agreed.

Following discussions between the Council, the EA and the applicant's agent the EA have advised that they intend to withdraw their objection and are drafting suitably worded conditions that should be attached to the grant of planning permission. The recommended conditions will require further intrusive ground investigations and remediation works to be carried out, as well as preventing occupation of any of the dwellings until a contaminated land validation report demonstrating successful remediation of the land has been submitted and approved.

- Flood risk
The site is located within Flood Zone 1 and is at little or no risk of flooding from River, tidal & coastal sources. They do however, point out that a full surface water drainage strategy will need to be provided prior to development commencing.
- Ecology and biodiversity
Initially objected due to the type of planting proposed for the site and confirmed that if invasive species were removed from the scheme, they would have no further planting concerns.

Councils Scientific Officer

Initially objected to the proposal having taken a lead from the Environment Agency and due to the site being classified a 'Special Site' as regards contamination. However, he now confirms that as his objection to the development was based on the concerns of the EA he will also be in a position to withdraw his objection once appropriate planning conditions have been agreed.

United Utilities

Have no objections to the proposed development providing specific conditions are included in the grant of planning permission requiring full details of the proposed foul and surface water drainage arrangements to be submitted for approval.

County Council Spatial Planning Team Leader

Does not consider the proposal to be a Category 1 Application and will therefore not be responding from a strategic planning perspective.

Historic Environment Officer

Has no objections and does not wish to make any further comments or recommendations.

Natural England

Note that the site is in close proximity to St Bees Head Site of Special Scientific Interest (SSSI). However, given the nature and scale of this proposal, Natural England is satisfied that there is not likely to be an adverse effect on this site given the scale and form of development proposed. In any event the Local Planning Authority should have regard to the impact (if any) on local landscape and local wildlife sites as part of the determination process.

The ecological survey submitted with the application has not identified that there will be any significant impacts on statutorily protected species or on priority Biodiversity Action Plan (BAP) habitats as a result of this proposal. The development may provide opportunities to incorporate

features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes.

Senior Planning Policy Officer

The site is currently allocated as an Employment Opportunity Site in the Copeland Local Plan, which does not support residential development on the site. However, in recent times opportunities have emerged for housing market renewal and regeneration in that part of Whitehaven. In response to this, and to maximise these opportunities, the Council identified the need for two Supplementary Planning Documents (SPDs). These are:

- South Whitehaven SPD (adopted 21 March 2013) – which will enable the development of 700 new homes to the south of the Woodhouse estate.
- West Whitehaven SPD (in production) – which covers the coastal fringe between the Candlestick Chimney to the edge of St Bees Head and incorporates proposed site

The West Whitehaven SPD aims to protect the important landscape and built heritage, provide opportunities for improving accessibility and provide for the restoration and alternative end uses for the former Marchon Chemical Works. It is also vital that it complements the South Whitehaven area.

The West Whitehaven SPD is still at a relatively early stage of development, with the Issues and Options consultation having taken place between 12 November and 21 December 2012. This report highlighted a number of options for the whole SPD area, with any potential development areas lying within the boundary of the former Marchon Chemical Works, as follows:

- Enhancing the visitor potential focussing on the industrial heritage of the area
- Enhancing the visitor potential focussing on wildlife and the natural environment
- Tourism and leisure
- Mixed use development (potentially incorporating some residential development and a small scale high end business park to complement Westlakes Science and Technology Park)
- Temporary worker accommodation
- Renewable energy
- Local centre to support the proposed housing extension identified in the South Whitehaven SPD

It should be noted here that 'development' may not necessarily mean lots of physical buildings across the whole of the former chemical works, or at all, and there is an expectation that any such hard development will be relatively limited and of an appropriate scale and density for the sensitive coastal landscape.

A draft SPD is currently being produced and will be made available for public consultation later in the summer.

As a result, if a sufficiently robust case can be made to support housing development on this part of the former Marchon site then it could be considered as being in line with emerging planning policy for that area of Whitehaven (as an element of the *Mixed Use Development* option within the West Whitehaven SPD).

Other

A single letter of objection has been received from a resident of Snaefell Terrace opposite the site who raises the following concerns:-

1. The houses will be built on the site of a former chemical factory. Would prefer the site to be left for commercial use or left to recover and left open for people to enjoy.
2. Concerns regarding the disruption and dust that will be caused during the building of these properties.
3. They have recently witnessed a rat entering the existing Story Homes development compound.
4. This is a busy main road and the development will result in additional entrances onto it. Many of the owners of the new properties at Magellen Park park on both sides of High Road creating a narrow road. They are concerned that this development would result in the same problem in this location.

PLANNING POLICY

National Planning Policy

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

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

Paragraph 22 of the NPPF requires Local Planning Authorities to avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purposes. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.

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

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

to create attractive and comfortable places to live and respond to local character and reflect the identity of local surroundings and materials.

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

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

As a means of conserving and enhancing the natural environment paragraph 109 sets out that the planning system should prevent new development from contributing to or being put at unacceptable risk from unacceptable levels of soil, air, water or noise pollution and where appropriate, should remediate and mitigate despoiled, degraded, contaminated and unstable land.

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

Copeland Local Plan 2001-2016

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

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

Policy HSG 4 permits housing redevelopment within settlement boundaries.

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

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

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

Policy ENV 12 seeks to secure landscaping within new developments.

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

Emerging Local Planning Policies

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

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

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

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

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

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

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

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

Policy DM3 seeks to safeguard land allocated for employment use unless the site is no longer viable for such a use; robust evidence is provided to suggest there is no suitable alternatives and in exceptional circumstances the proposal provides benefits that outweigh the loss of land for employment use.

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

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

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

West Whitehaven SPD

The West Whitehaven SPD is still at a relatively early stage of development, with the Issues and Options consultation having taken place between 12 November and 21 December 2012. This report highlighted a number of options for the whole SPD area, with any potential development areas lying

within the boundary of the former Marchon Chemical Works, including some mixed use development.

A draft SPD is currently being produced and will be made available for public consultation later in the summer.

ASSESSMENT

This site comprises brownfield land located within the development boundary for Whitehaven, which is designated as a Key Service Centre where new development should be focussed.

The site occupies a prominent location along High Road and the development has been specifically designed to reinforce this frontage and to follow the natural fall of the site westwards.

The proposed development comprises a mix of detached, semi-detached and link houses, bungalows and apartments which will be available for sale on the open market and will help meet the need for larger family homes and bungalows in Whitehaven as evidenced by the Strategic Housing Market Assessment (SHMA).

The layout has been sensitively designed positioning the smaller units along the site frontage to limit any impact on existing properties along Snaefell Terrace. The larger units are located to the west to take advantage of the views over the Irish Sea.

This scheme has been the subject of detailed discussions with the applicant which have resulted in significant improvements to the layout and design of the proposal including the creation of a strong entrance with key properties positioned on an angle. This is a characteristic of the wider Woodhouse Estate to the east, where dwellings are angled on corner plots to reinforce key junctions within the estate.

The site is not the subject of any specific landscape or wildlife designations and the proposed planting scheme has been amended to remove invasive species as advised by Natural England and the Environment Agency.

The key issues raised by this application relate to the loss of an employment site and land contamination and remediation.

Loss of an employment site

The land holding of which the application site forms part has been unused since 2005, with former office buildings demolished in 2012. Allocation as an employment opportunity site in the Local Plan reflected this historic use, the desire to retain an active employment use and to secure environmental improvement.

Emerging policy within the Core Strategy and the West Whitehaven SPD supports this position. It is appropriate to seek a robust justification to support the grant of planning permission for housing in this context.

The applicant contends that new employment redevelopment is unlikely to become viable, especially as a result of the cost of removing contamination and remediation. The proposal does not utilise all of the holding and scope remains for further, non-residential development should this become viable. In the meantime it is clear that the greatest scope to secure desirable environmental improvements is through the residential scheme now proposed. There is consistency with the expectations of national policy guidance, policies in the Local Plan, notably Policy EMP7 which accepts alternative use of employment sites. Development is similarly consistent with emerging policy within the Core Strategy and SPD's.

Land contamination and remediation

The Environment Agency (EA) initially objected to the proposal due the lack of information having been submitted in terms of proposed remediation. Consequently they are drafting conditions which once agreed will enable them to withdraw their objection. Members will be provided with an update at the meeting as regards these conditions.

The applicants are fully aware of the situation regarding land contamination and remediation and confirm that they have been working closely with the EA to agree a voluntary remediation statement. Last year they engaged technical consultants to draw up a methodology for a comprehensive Phase II site investigation, which was signed off by the EA in March of this year. The results of these investigations will identify what specific remediation actions are required to ensure the site no longer comprises contaminated land under the EAs definition and that it is capable of a residential end use.

CONCLUSION

Overall, although this land is not allocated in the adopted Copeland Local Plan it is a vacant brownfield site and falls within the designated development boundary for Whitehaven. The proposal would be confined to an area of the site which was previously occupied by buildings and lies in close proximity to existing housing. On this basis its redevelopment for housing is considered to be an appropriate use of the land and constitutes a sustainable form of development that will enhance the appearance of the locality and contribute to the wider regeneration of this part of Whitehaven.

Recommendation:-

Approve

Conditions

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

Reason

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

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

- Planning Layout, drawing no. SL083.90.9.PL Rev A, received on 10 May 2013.
- Soft landscape proposals, drawing no. c-947-01 Rev C, received on 10 May 2013.
- Design and Access Statement prepared by Story Homes, received on 11 March 2013.
- Engineering layout (planning), drawing no. 976-1 Rev G, received on 11 March 2013.
- External works (planning), drawing no. 976-11 Rev F, received on 11 March 2013.
- Phase 1 Geo-Environmental Ground Investigation Report, prepared by Integra Consulting Engineers, Ref 2599, dated September 2012, received on 11 March 2013.
- Landscape and Visual Impact Appraisal, prepared by PDP Associates, received on 11 March 2013.
- Flood Risk Assessment prepared by JOC Consultants Ltd, report no. 13/002.01 Rev 3, dated 19 February 2013, received on 11 March 2013.
- Extended Phase 1 Habitat Survey, prepared by Dr Fiona Sharpe, Scott Fitzgerald Tree Consultants Ltd, dated 16 October 2012, received on 11 March 2013.
- Planning Statement, prepared by Positive Planning, received on 11 March 2013.
- Viability Report (Confidential) prepared by Story Homes, dated February 2013, received on 11 March 2013.
- The Marlborough, Planning Plans 2, drawing no. MAR-PLP2, received on 11 March 2013.
- The Marlborough, Planning Elevations 2/1, drawing no. MAR-PLE1/2, received on 11 March 2013.
- The Kingston, Planning Plans 1, drawing no. KIN-PLP1, received on 11 March 2013.
- The Kingston, Planning Elevations 1/2, drawing no. KIN-PLE1/2, received on 11 March 2013.
- The Kingston, Planning Elevations 1/8, drawing no. KIN-PLE1/8, received on 11 March 2013.
- The Stafford, Planning Plans 3, drawing no. STA-PLP3, received on 11 March 2013.
- The Stafford, Planning Elevations 3/1, drawing no. STA-PLE3/1, received on 11 March 2013.
- The Banbury, Planning Plans 1, drawing no. BAN-PLP1, received on 11 March 2013.
- The Banbury, Planning Plans 2, drawing no. BAN-PLP2, received on 11 March 2013.
- The Banbury, Planning Elevations 1/5, drawing no. BAN-PLE1/5, received on 11 March 2013.

- The Banbury, Planning Elevations 2/1, drawing no. BAN-PLE2/1, received on 11 March 2013.
- The Arundel, Planning Plans 2, drawing no. ARU-PLP2, received on 11 March 2013.
- The Arundel, Planning Elevations 2/4, drawing no. ARU-PLE2/4, received on 11 March 2013.
- The Carlisle, Planning Plans 1, drawing no. CAR-PLP1, received on 11 March 2013.
- The Carlisle, Planning Elevations 1/1, drawing no. CAR-PLE1/1, received on 11 March 2013.
- The Richmond, Planning Plans 1, drawing no. RIC-PLP1, received on 11 March 2013.
- The Richmond, Planning Elevations 1/1, drawing no. RIC-PLE1/1, received on 11 March 2013.
- The Wilmslow, Planning Plans 1, drawing no. WIM-PLP1, received on 11 March 2013.
- The Wilmslow, Planning Plans 2, drawing no. WIM-PLP2, received on 11 March 2013.
- The Wilmslow, Planning Elevations 1/2, drawing no. WIM-PLE1/2, received on 11 March 2013.
- The Wilmslow, Planning Elevations 2/2, drawing no. WIM-PLE2/2, received on 11 March 2013.
- The Wellington, Planning Plans 1, drawing no. WEL-PLP1, received on 11 March 2013.
- The Wellington, Planning Elevations 1/1, drawing no. WEL-PLE1/1, received on 11 March 2013.
- The Grantham, Planning Plans 1, drawing no. GRA-PLP1, received on 11 March 2013.
- The Grantham, Planning Elevations 1/6, drawing no. GRA-PLE1/6, received on 11 March 2013.
- Conservatory Type 2, layout plans and elevations, drawing no. CON2-CPE1, received on 11 March 2013.
- Single Detached Garage 1, elevations, plan & section 1, drawing no. SG1-EPS1, received on 11 March 2013.
- Double Detached Garage 1, elevations, plan & section 1, drawing no. DG1-EPS1, received on 11 March 2013.
- Boundary details drawing nos. BD-03, BD-13, BD-15 and BD-24 received on 11 March 2013.
- Elevational Treatments, drawing no. SL083.90.90.ET, received on 11 March 2013.

- Boundary Treatments, drawing no. SL083.90.90.BT, received on 11 March 2013.

Reason

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

3. 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 Flood Risk Assessment, ref no. 13/002.01 version 03 dated 19 February 2013 proposing surface water runoff from the development site discharging into the sea. Foul water from the site must discharge into the manhole ref no. NX96164401 located along the 225mm foul sewer at the west of the site. 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, foul and surface water shall be drained on a separate system and neither surface water, land drainage, nor highway drainage shall connect into the public sewerage system (directly or indirectly). The development shall be completed, maintained and managed in accordance with the approved details.

Reason

To ensure the provision of a satisfactory drainage scheme.

4. Before any of the superstructures are erected full details, including representative samples, of the materials to be used on the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and so maintained thereafter.

Reason

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

5. Notwithstanding the submitted details received by the Local Planning Authority on 11 March 2013 full details of the proposed boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment to all individual plots shall be installed in accordance with the approved details before that unit is first occupied and shall be maintained thereafter.

Reason

To ensure satisfactory boundary treatments in the interests of visual amenity.

6. Notwithstanding the submitted details received by the Local Planning Authority on 11 March 2013 full details of the proposed bin stores shall be submitted to and approved in writing by the Local Planning Authority. The bin stores shall be constructed in accordance with the approved details before the apartments are first occupied and shall be maintained thereafter.

Reason

To ensure satisfactory bin storage in the interests of visual amenity.

7. The approved landscaping scheme detailed on drawing no. c-974-01 Rev C shall be implemented in the first planting season following completion of the development or first occupation, whichever is the earliest, and shall be maintained thereafter for a period of not less than 5 years to the satisfaction of the Local Planning Authority. The maintenance shall include the replacement of any tree or shrub which is removed, becomes seriously damaged, seriously diseased or dies by the same species. The replacement tree or shrub must be of a similar size to that originally planted.

Reason

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

8. Full details of the proposed street furniture shall be submitted to and approved by the Local Planning Authority. The street furniture shall be installed in accordance with the approved details before the development is complete and maintained thereafter.

Reason

To ensure satisfactory street furniture in the interests of visual amenity.

9. Before development commences full details of the proposed footpath link to be created along the western boundary of the site shall be submitted to and approved in writing by the Local Planning Authority. The footpath link shall be constructed in accordance with the approved details before the development is complete and shall be maintained thereafter.

Reason

To ensure the integration of an appropriate footpath link.

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

Reason

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

11. The development shall not commence until visibility splays providing clear visibility of 2.4metres by 70 metres, (for every access and junction onto Main Road) measured down the centre of the access road (/Access) and the nearside channel line of the major road have been provided at the junction of the access road with the county highway. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order

1995 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be planted or be permitted to grow within the visibility splay which obstruct the visibility splays. The visibility splays shall be constructed before general development of the site commences so that construction traffic is safeguarded.

Reason

In the interests of highway safety.

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

Reason

In the interests of highway safety

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

Reason

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

Informative

- The developer should ensure that measures are taken to prevent surface water discharging onto or off the highway to the satisfaction of the Highway Authority.
- The applicant should contact United Utilities Service Enquiries on 0845 7462200 regarding connection to the water mains/public sewers.
- Please note, due to the public sewer transfer, not all sewers are currently shown on the statutory sewer records, if a sewer is discovered during construction, please contact United Utilities, Sue Lowe Planning.Liaison@uuplc.co.uk to discuss the matter further.

Reason for Decision

An acceptable scheme to redevelop this prominent site within the Key Service Centre to provide 40 residential dwellings in accordance with Policies DEV1, DEV2, DEV4, DEV6, HSG4, HSG8, EMP3, EMP7, ENV12 and ENV18 of the adopted Copeland Local Plan 2001-2016 and the National Planning Policy Framework.

ITEM NO: 6.



To: PLANNING PANEL

Development Control Section

Date of Meeting: 22/05/2013

Application Number:	4/13/2106/OF1
Application Type:	Full : CBC
Applicant:	United Utilities Water plc
Application Address:	BETWEEN GULLEY FLATTS, BLACK LING, MERRY HILL, EGREMONT AND ENNERDALE & CLEATOR WATER TREATMENT WORKS
Proposal	MAKE PERMANENT FOUR TEMPORARY BOREHOLES TO THE SOUTH EAST OF EGREMONT AND INSTALLATION OF A PIPELINE BETWEEN THE BOREHOLES, ENNERDALE WATER TREATMENT WORKS A NEW PROCESS WASTE MAIN TO CLEATOR WASTEWATER TREATMENT WORKS AND ASSOCIATED INFRASTRUCTURE
Parish:	Lowside Quarter, Haile, Ennerdale and Kinniside, Egremont, Cleator Moor
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 is a major application for a groundwater scheme which covers an extensive area of predominantly farmland and open countryside within the Lake District National Park and Copeland. Extending from Merry Hill, Kell Head and Black Ling where it links existing temporary boreholes, situated approximately 2.5km south of Egremont, to a borehole at Gulley Flatts on the southern western edge of the town. From here it runs northwards along the eastern side of Cleator Moor, crossing over into the Lake District National Park near Ennerdale, to the existing Ennerdale Wastewater Treatment Works. On route it will link up with the treatment works at Cleator. The scheme is mainly situated within Copeland with the final stretch to Ennerdale being within the Lake District National Park.

Proposal

The scheme involves the construction of a 13km pipeline between the existing boreholes and Ennerdale Water Treatment Works (WTW) and comprises the following main elements:

- Conversion of the four temporary groundwater boreholes to permanent boreholes at Merry Hill, Kell Head, Black Ling and Gulley Flatts. This will involve the erection of two above ground kiosks at the first three aforementioned boreholes, a fenced compound and formal access. Whereas at Gulley Flatts in addition to the kiosks it is the intention to erect two larger buildings, a valve house, 7.5m by 7.2m by 4m to the roof apex and a pump house, 9.7 by 11.5 by 6.4m to the apex. In terms of materials both would be externally rendered under a slate pitched roof.
- Erection of a new transfer pump house and valve house and the installation of a borehole flush discharge pipe at Gulley Flatts.
- A raw water pipeline from Gulley Flatts Pumping Station to Ennerdale WTW. This will carry raw water from the boreholes to Ennerdale WTW.
- Installation of pipeline connections and acid dosing facilities within Ennerdale WTW.
- Process waste water connection from Ennerdale WTW to Cleator Wastewater Treatment Works (WwTW). This will involve a crossing of the River Ehen attached to the existing Black How Bridge. This pipeline connection will carry the return process waste water from Ennerdale WTW for treatment at Cleator WwTW
- Construction of a temporary compound at Low Waterside.
- Construction of four temporary compounds at existing sites and working areas, temporary accesses and a new pipe storage compound near Nook Farm. Also an associated construction zone / working width alongside the pipe of up to 24m.
- It includes an open cut crossing of the River Ehen and some 39 crossings of ordinary watercourses.

The pipeline will be 355mm in diameter and made of polyethylene. It will be installed using open cut techniques below ground with the exception of Black How Bridge where it will be routed alongside the bridge.

Due to the scale and nature of the development and its potential significant effects on the environment an Environmental Impact Assessment (EIA) accompanies the application.

Need for the Scheme

The applicant, United Utilities, has a statutory responsibility to provide water and waste water services. It is subject to licenses which dictate the amount of water it can abstract from the ground and surface water sources. In order to protect sensitive habitats in the River Ehen catchment, which benefits from special designations of SSSI and SAC (Special Area of Conservation), under the Habitats Directive the Environment Agency will be reducing the amount of water that UU can remove from Ennerdale Water. This restriction on abstraction will result in a shortfall of drinking water resource in the area. The proposed development is hence required to ensure that an adequate supply of drinking water is maintained and that the habitats of the River Ehen remain protected.

Recommendation

As this is a major application covering an extensive area of the Borough and the National Park it is recommended that Members take the opportunity to visit the sites the development relates to in order to fully appraise all the material planning issues the complex nature of the scheme raises prior to making a decision.

Recommendation:-

Site Visit

Reason for Decision

ITEM NO: 7.

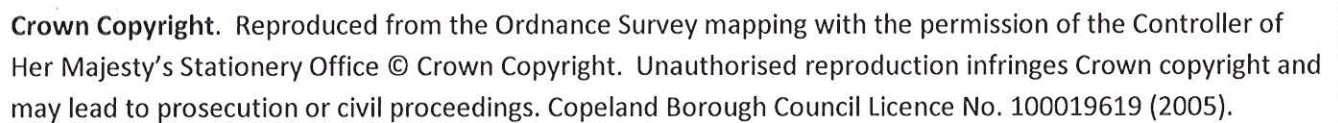


To: PLANNING PANEL

Development Control Section

Date of Meeting: 22/05/2013

Application Number:	4/13/2125/OF1
Application Type:	Full : CBC
Applicant:	Mr D Harper
Application Address:	LAND AT CASTLERIGG FARM, MORESBY PARKS, WHITEHAVEN
Proposal	ERECTION OF ONE WIND TURBINE (UP TO A MAXIMUM HEIGHT OF 77M TO BLADE TIP) AND ASSOCIATED INFRASTRUCTURE INCLUDING: TURBINE FOUNDATION, CRANE HARD-STANDING, SUBSTATION, ELECTRICAL CABINET, NEW ACCESS TRACK AND UNDERGROUND CABLING
Parish:	Moresby
Recommendation Summary:	Site Visit



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

Planning permission is sought for the erection of a single 500 kw wind turbine which is to be sited approximately 350 metres to the south east of the farm complex. The turbine will have a hub height of 50 metres and a total blade tip of 77 metres. It is proposed that the turbine will be retained on the site for a maximum period of 25 years.

Page 68 of 72

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

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

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

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

The application is accompanied by the following:-

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

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 potential 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

Reason for Decision

ITEM NO: 8.

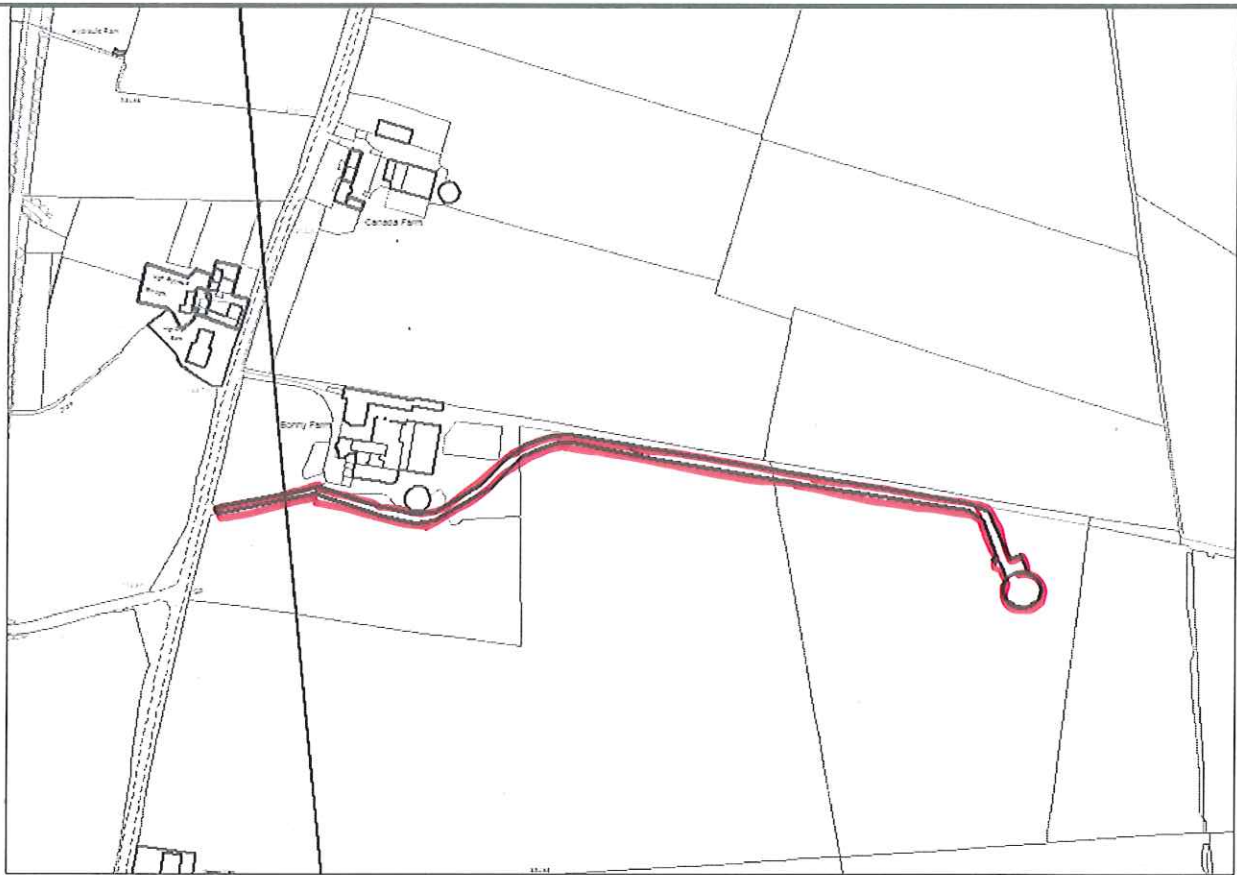


To: PLANNING PANEL

Development Control Section

Date of Meeting: 22/05/2013

Application Number:	4/13/2145/OF1
Application Type:	Full : CBC
Applicant:	Mr C Stamper
Application Address:	LAND NEAR BONNY FARM, MORESBY PARKS, WHITEHAVEN
Proposal	INSTALLATION OF A SINGLE 500KW WIND TURBINE (WITH A MAXIMUM HEIGHT OF 66 METRES TO BLADE TIP), ASSOCIATED INFRASTRUCTURE AND NEW ACCESS TRACK
Parish:	Moresby
Recommendation Summary:	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 land which lies in an elevated position to the east of Bonny Farm, an agricultural holding comprising 40 hectares of land. The farm complex lies approximately 0.75 km to the north of Moresby Parks.

PROPOSAL

Planning permission is sought for the erection of a single 500 kw wind turbine which is to be sited approximately 450 metres to the east of the farm complex. The turbine will have a hub height of 40 metres and a total blade tip of 66 metres. A transformer kiosk will be housed within a small kiosk near to the base of the tower. The kiosk will cover a floor area of approximately 25 sq metres and will extend up to a maximum height of 2.7 metres.

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

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

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

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

The application is accompanied by the following:-

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

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 potential 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

Reason for Decision

Application Number	4/13/2019/0F1
Applicant	Mr and Mrs R J St Clair
Location	MIRAMARE, EGREMONT ROAD, ST BEES
Proposal	PROPOSED TWO STOREY REAR EXTENSION WITH RAISED DECK AND SINGLE STOREY GARAGE TO FRONT
Decision	Approve (commence within 3 years)
Decision Date	29 April 2013
Dispatch Date	1 May 2013
Parish	St. Bees

Application Number	4/13/2036/0F1
Applicant	Mr P Edmondson
Location	UTOPIA KENNELS, LOWCA, WHITEHAVEN
Proposal	REMOVAL OF CONDITION 4 AND VARIATION OF CONDITION 5 OF PLANNING APPROVAL 4/06/2459/0
Decision	Approve (commence within 3 years)
Decision Date	10 April 2013
Dispatch Date	18 April 2013
Parish	Lowca

Application Number	4/13/2043/0C1
Applicant	The Whitehaven Foyer
Location	FORMER YMCA, 44-45 IRISH STREET, WHITEHAVEN
Proposal	CONSERVATION AREA CONSENT FOR DEMOLITION OF A REAR SPORTS HALL BUILDING AND THE PARTIAL DEMOLITION OF A REAR SECTION OF THE EXISTING BUILDING
Decision	Withdrawn
Decision Date	15 April 2013
Dispatch Date	1 May 2013
Parish	Whitehaven

Application Number	4/13/2047/0F1
Applicant	Mr and Mrs J Hocking
Location	LAND NEAR HIGHFIELD FARM, EGREMONT
Proposal	INSTALLATION OF A 15M HIGH ANEMOMETER MAST FOR A PERIOD OF 6 MONTHS (APPROX)
Decision	Approve
Decision Date	17 April 2013
Dispatch Date	23 April 2013
Parish	St. Bees

Application Number	4/13/2068/0F1
Applicant	Mr S J Lightfoot & Ms A M Stephenson
Location	5 EARLS ROAD, BRANSTY, WHITEHAVEN
Proposal	TWO STOREY EXTENSION TO SIDE & SINGLE STOREY EXTENSION TO REAR (AMENDED SCHEME OF PREVIOUSLY APPROVED 4/12/2290/0F1)
Decision	Approve (commence within 3 years)
Decision Date	17 April 2013
Dispatch Date	25 April 2013
Parish	Whitehaven

Application Number	4/13/2069/0F1
Applicant	Hawthorn Estates

Location	LAND ADJACENT TO OLD TOWN HALL, DUKE STREET, WHITEHAVEN
Proposal	ERECTION OF 1 PAIR OF SEMI-DETACHED TOWN HOUSES
Decision	Withdrawn
Decision Date	23 April 2013
Dispatch Date	23 April 2013
Parish	Whitehaven

Application Number	4/13/2070/0E1
Applicant	Mr and Mrs E Slevin
Location	NEAR BEACHCOMBER, THE GREEN, NETHERTOWN
Proposal	LAWFUL DEVELOPMENT CERTIFICATE FOR OPERATIONAL DEVELOPMENT INVOLVED IN THE CREATION OF A BUILDING
Decision	Approval of Certificate of Lawfulness
Decision Date	12 April 2013
Dispatch Date	22 April 2013
Parish	Lowside Quarter

Application Number	4/13/2076/0A1
Applicant	Lloyds Banking Group
Location	40 KING STREET, WHITEHAVEN
Proposal	2 NO. NEW 680MM INTERNALLY ILLUMINATED FASCIA SIGNS; 1 NO. NEW 400MM INTERNALLY ILLUMINATED INTEGRATED PROJECTING SIGN; 2 NO. NEW INTERNALLY ILLUMINATED ATM TABLETS
Decision	Approve Advertisement Consent
Decision Date	22 April 2013
Dispatch Date	25 April 2013
Parish	Whitehaven

Application Number	4/13/2077/0F1
Applicant	R Johnson & Son
Location	GLEBE FARM, LADY HALL, MILLOM
Proposal	ERECT ROOF COVER TO EXISTING CATTLE COLLECTING YARD
Decision	Approve (commence within 3 years)
Decision Date	25 April 2013
Dispatch Date	29 April 2013
Parish	Millom Without

Application Number	4/13/2078/0F1
Applicant	Mr M Hodgson
Location	PICKETT HOWE FARM, EGREMONT
Proposal	AN AGRICULTURAL BUILDING USED TO HOUSE CATTLE DURING THE WINTER AND GENERAL AGRICULTURAL STORAGE
Decision	Approve (commence within 3 years)
Decision Date	29 April 2013
Dispatch Date	30 April 2013
Parish	Lowside Quarter

Application Number	4/13/2080/0F1
Applicant	Miss J Barker
Location	38 WELLINGTON STREET, MILLOM

Proposal	CHANGE OF USE AT GROUND FLOOR FROM SHOP (A1) TO RESIDENTIAL USAGE
Decision	Approve (commence within 3 years)
Decision Date	23 April 2013
Dispatch Date	25 April 2013
Parish	Whitehaven

Application Number	4/13/2080/0F1
Applicant	Miss J Barker
Location	38 WELLINGTON STREET, MILLOM
Proposal	CHANGE OF USE AT GROUND FLOOR FROM SHOP (A1) TO RESIDENTIAL USAGE
Decision	Approve (commence within 3 years)
Decision Date	23 April 2013
Dispatch Date	25 April 2013
Parish	Millom

Application Number	4/13/2081/0F1
Applicant	Mr A Kelly
Location	4 BROOM BANK, THE HIGHLANDS, WHITEHAVEN
Proposal	ERECTION OF AN EXTENSION OVER EXISTING GARAGE AND KITCHEN, CONVERSION OF GARAGE INTO A SITTING ROOM AND STORE, EXTENSION TO EXISTING DRIVE
Decision	Approve (commence within 3 years)
Decision Date	25 April 2013
Dispatch Date	29 April 2013
Parish	Whitehaven

Application Number	4/13/2082/0F1
Applicant	Mr A Lee
Location	21 CONISTON AVENUE, SEASCALE
Proposal	ERECTION OF REAR CONSERVATORY
Decision	Approve (commence within 3 years)
Decision Date	16 April 2013
Dispatch Date	23 April 2013
Parish	Seascale

Application Number	4/13/2083/0F1
Applicant	Busy Scissors Hair & Beauty
Location	148 ENNERDALE ROAD, CLEATOR MOOR
Proposal	CHANGE OF USE OF REAR GROUND FLOOR & FIRST FLOOR FROM RESIDENTIAL TO BEAUTY SALON (RETROSPECTIVE)
Decision	Approve (commence within 3 years)
Decision Date	25 April 2013
Dispatch Date	1 May 2013
Parish	Cleator Moor

Application Number	4/13/2085/0F1
Applicant	Mr & Mrs R Kinsella
Location	PLOT 51, RHEDA PARK, FRIZINGTON
Proposal	AMENDMENT TO APPROVED 4 BEDROOMED DETACHED DWELLING (REF 4/12/2403/0F1)
Decision	Approve (commence within 3 years)
Decision Date	1 May 2013

Dispatch Date	2 May 2013
Parish	Arlecdon and Frizington

Application Number	4/13/2087/OF1
Applicant	Mr Heath
Location	LOWTHER ARMS, MAIN STREET, PARTON, WHITEHAVEN
Proposal	FORMATION OF NEW EXTERNAL DOORWAY
Decision	Approve (commence within 3 years)
Decision Date	25 April 2013
Dispatch Date	29 April 2013
Parish	Parton

Application Number	4/13/2088/OF1
Applicant	Mr O Graham
Location	12 ROPER STREET, WHITEHAVEN
Proposal	CHANGE OF USE FOR FIRST FLOOR A1 UNIT TO C3 RESIDENTIAL UNIT TO ACCOMMODATE 1 NO. ONE BEDROOM APARTMENT
Decision	Approve (commence within 3 years)
Decision Date	2 May 2013
Dispatch Date	3 May 2013
Parish	Whitehaven

Application Number	4/13/2089/OF1
Applicant	Guardian Care Ltd
Location	THE CROFT NURSING HOME, KIRKSANTON, MILLOM
Proposal	ERECTION OF 8 SHELTERED HOUSING UNITS TO BE USED IN CONJUNCTION WITH THE NURSING/RESIDENTIAL HOME INCLUDING INCREASED PARKING AREA
Decision	Approve (commence within 3 years)
Decision Date	7 May 2013
Dispatch Date	7 May 2013
Parish	Whicham

Application Number	4/13/2090/OF1
Applicant	Mrs J Milburn
Location	WOODBANK COMMUNITY CHURCH, WOODHOUSE ROAD, WOODHOUSE, WHITEHAVEN
Proposal	ERECTION OF STAND ALONE STORAGE SHED
Decision	Approve (commence within 3 years)
Decision Date	7 May 2013
Dispatch Date	8 May 2013
Parish	Whitehaven

Application Number	4/13/2092/OF1
Applicant	Mr H Strong
Location	FLEATRIGG, HIGH HOUSE ROAD, ST BEES
Proposal	REMOVE PART ROOF AND ERECT A SECOND STOREY OVER PART OF THE DWELLING; REMOVE FLAT ROOF & FIX NEW PITCHED ROOF
Decision	Approve (commence within 3 years)
Decision Date	30 April 2013
Dispatch Date	8 May 2013
Parish	St. Bees

Application Number	4/13/2094/OF1
Applicant	Derwent Management Services Ltd
Location	130/130A/130B MAIN STREET, FRIZINGTON
Proposal	ERECTION OF TERRACE OF 3 DWELLINGS
Decision	Approve (commence within 3 years)
Decision Date	2 May 2013
Dispatch Date	3 May 2013
Parish	Arlecdon and Frizington

Application Number	4/13/2097/OF1
Applicant	Mr A Moore
Location	132 ALBERT STREET, MILLOM
Proposal	ERECT KITCHEN & W.C. EXTENSION TO REAR
Decision	Approve (commence within 3 years)
Decision Date	18 April 2013
Dispatch Date	23 April 2013
Parish	Millom

Application Number	4/13/2098/OF1
Applicant	Mr R J Oxley
Location	1 AND 2 THE BARNES, LAMPLUGH TIP, LAMPLUGH
Proposal	CERTIFICATE OF LAWFULNESS FOR USE OF BARNES AS RESIDENTIAL DWELLING HOUSES
Decision	Approve
Decision Date	7 May 2013
Dispatch Date	8 May 2013
Parish	Lamplugh

Application Number	4/13/2099/OF1
Applicant	Mr A Bramley
Location	94 BRANSTY ROAD, BRANSTY, WHITEHAVEN
Proposal	ERECTION OF A DOUBLE GARAGE (RESUBMISSION)
Decision	Approve (commence within 3 years)
Decision Date	8 May 2013
Dispatch Date	10 May 2013
Parish	Whitehaven

Application Number	4/13/2100/OF1
Applicant	Mr M Cox
Location	2 JOHN COLLIGAN DRIVE, CLEATOR MOOR
Proposal	TWO STOREY SIDE EXTENSION WITH PORCH
Decision	Approve (commence within 3 years)
Decision Date	8 May 2013
Dispatch Date	10 May 2013
Parish	Cleator Moor

Application Number	4/13/2101/OF1
Applicant	Mr L Mackie
Location	56 LONSDALE ROAD, MILLOM
Proposal	ALTERATIONS & TWO STOREY/SINGLE STOREY EXTENSION TO REAR OF DWELLING
Decision	Approve (commence within 3 years)
Decision Date	10 May 2013
Dispatch Date	10 May 2013
Parish	Millom

Application Number	4/13/2102/0F1
Applicant	Mr and Mrs A Walkingshaw
Location	3 ROUND CLOSE PARK, WHITEHAVEN
Proposal	TWO STOREY SIDE EXTENSION TO FORM ENLARGED KITCHEN/DINING ROOM/UTILITY ROOM AT GROUND FLOOR LEVEL & TWO ADDITIONAL BEDROOMS AT FIRST FLOOR LEVEL
Decision	Approve (commence within 3 years)
Decision Date	25 April 2013
Dispatch Date	8 May 2013
Parish	Moresby

Application Number	4/13/2104/0F1
Applicant	Mr M Rossiter
Location	LAND ADJACENT TO 5 JOHNSON CLOSE, SANDWITH, WHITEHAVEN
Proposal	DOUBLE GARAGE
Decision	Approve (commence within 3 years)
Decision Date	8 May 2013
Dispatch Date	10 May 2013
Parish	Whitehaven

Application Number	4/13/2108/0L1
Applicant	Sara Brook
Location	3 OAKBANK, WHITEHAVEN
Proposal	LISTED BUILDING CONSENT FOR REMOVAL OF INTERNAL WALL BETWEEN KITCHEN & DINING ROOM IN LOWER GROUND FLOOR
Decision	Approve Listed Building Consent (start within 3yr)
Decision Date	8 May 2013
Dispatch Date	10 May 2013
Parish	Whitehaven

Application Number	4/13/2111/0F1
Applicant	Mr R Johnstone
Location	138 VICTORIA ROAD, WHITEHAVEN
Proposal	EXTENSION AND ALTERATIONS TO PROVIDE ADDITIONAL ACCOMMODATION
Decision	Withdrawn
Decision Date	22 April 2013
Dispatch Date	22 April 2013
Parish	Whitehaven