

PLANNING PANEL- 23 MAY 2012

AGENDA

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STANDARD CONDITIONS

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

Outline Consent

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

Reserved Matters Consent

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

Full Consent

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

RELEVANT INFORMATION

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

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

Town and Country Planning Act 1990

Planning and Compulsory Purchase Act 2004

Cumbria and Lake District Joint Structure Plan

Copeland Local Plan 2001-2016 - adopted June 2006

Lake District National Park Local Plan - Adopted May 1998

Cumbria Car Parking Guidelines

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

In particular:

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

Department for Communities and Local Government (DCLG):-

Planning Policy Guidance Notes and Planning Policy Statements

Development Control Policy Notes

Design Bulletins

ITEM NO: 1.

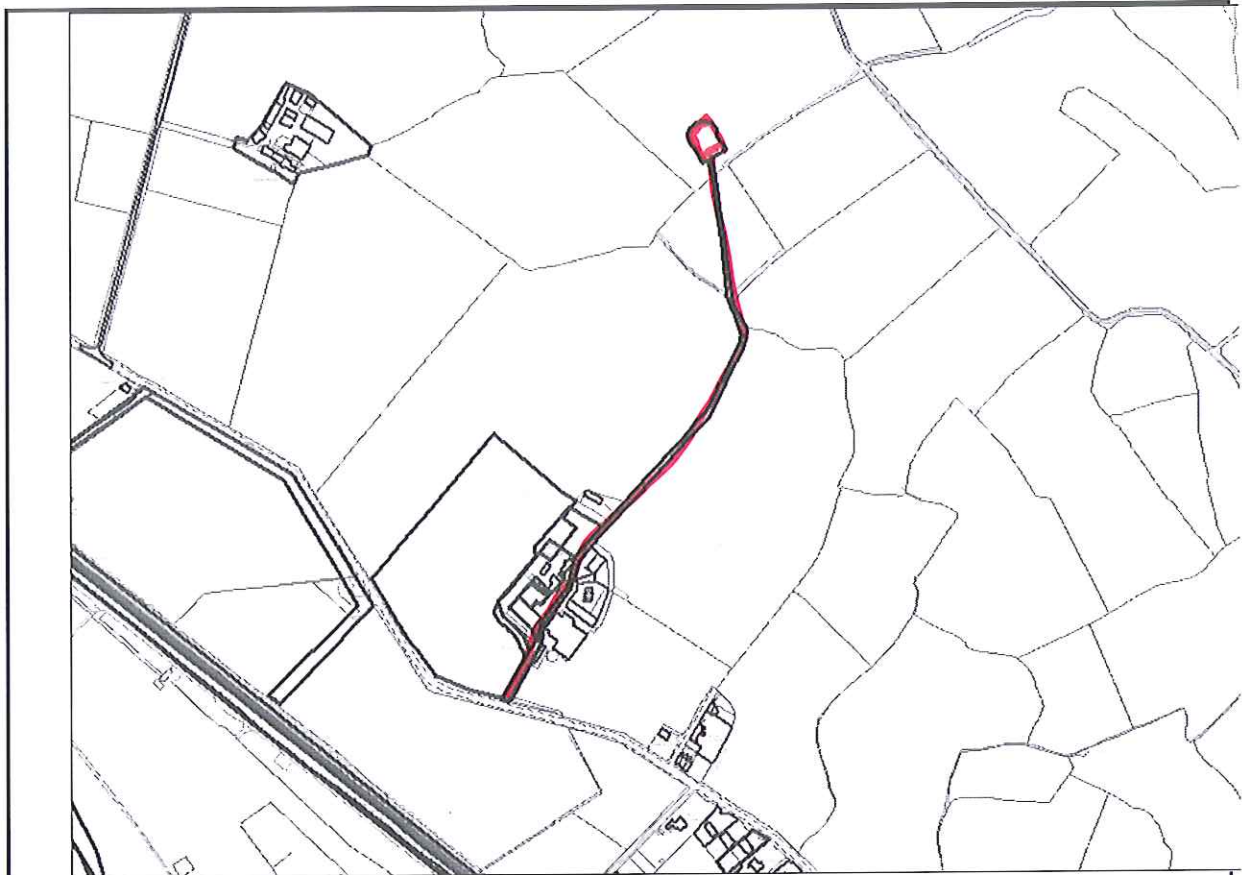


To: PLANNING PANEL

Development Control Manager

Date of Meeting: 23/05/2012

Application Number:	4/12/2120/OF1
Application Type:	Full : CBC
Applicant:	Mr S Sheppard
Application Address:	LAND AT DRIGG MOORSIDE FARM, DRIGG, HOLMROOK
Proposal	ERECTION OF SINGLE WIND TURBINE
Parish:	Drigg & Carleton
Recommendation Summary:	Refuse



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Introduction

It was agreed at the Planning Panel of 28 March 2012 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 11 April. The application has since been held in abeyance to allow the Lake District National Park Authority adequate time to provide a consultation response, given that the site lies within 2km of the Lake District National Park boundary and the setting of it (views in) and its special qualities (views out) are likely to be affected by the proposal.

The Proposal

Planning permission is sought to erect a single 500kw wind turbine on an elevated and isolated green field site some 400m to the north of Drigg Moorside Farm building group near Drigg.

The proposed turbine will comprise three blades with a diameter of 48m situated on top of a 55.6m high single steel tapered tubular tower with an overall ground to blade tip height of 79.6m. Externally it will be finished in a pale matt grey and it would be fixed to a concrete plinth foundation some 16m square in area. At the foot of the turbine a switch room and a meter building would be erected, side by side, each measuring 2.95m wide by 3.05m long by 2.44m in height.

The purpose of the facility is to reduce the farms financial overheads and its carbon footprint.

Vehicular access to the site would for the most part be via the existing farm road with a 140m section of new road in order to gain direct access into the field. Connection cables to the local grid will be via underground ducting.

The application is accompanied by a Planning Statement and Environmental Report which incorporates assessments of landscape and visual effects, noise, aviation impacts, shadow flicker, transport and access, archaeology and decommissioning. It also includes an extended Phase 1 Ecological Habitat Survey.

Consultations

Drigg & Carleton Parish Council – strongly object to the erection of a wind turbine of this size in this location. It will have a significant adverse visual impact both near and in the wider area intruding on exceptional views. Request a site visit.

Seascale Parish Council - consider the application will have a negative impact on residents of Seascale Parish and raise the following objections:

- The turbine is significant in size and its proposed location is less than 250m from the boundary between Drigg and Carleton Parish and Seascale Parish.
- Noise and blight on the whole of the surrounding area. Copeland Borough Council is committed to improving the coastal area (i.e. the Beach Improvement Programme) and increasing tourism potential and granting approval would undermine this initiative.
- Potential interference with the television mast at Peel Place.
- Potential detrimental impact on migration patterns of geese and other birds.
- There is an SSI very close by.
- Detrimental impact on local residents from the flicker effect of turbines close to residential areas, particularly on existing or future residents who suffer or develop medical conditions such as epilepsy.

Gosforth Parish Council – Has serious concerns regarding size and its potential visibility as it will be visible from Gosforth Parish and detrimental to views of the National Park.

Muncaster Parish Council – oppose the proposal.

Ravenglass Village Forum – Strongly object on the grounds of visual impact from the wider locality and in particular from Ravenglass and other points in the Lake District as the landscape is a valuable asset. Consider that a structure of this height would be an eyesore to both visitors and residents. Also have concerns about potential for a precedent to be set.

Lake District National Park – Object to the proposal. Consider that both the setting of the National Park (views in) and the special qualities of the Park itself (views out) are likely to be significantly adversely affected by this proposal. They disagree with a number of statements and assessments in the supporting documentation to the application which cite that the turbine will not be visible from longer distance views from the National Park. Distant views from the High Fell Fringe landscape are expansive across to the seascape in the west and the concern is that all these landscape characteristics will be adversely affected should a turbine of this scale be constructed in this location. Point out that a strong sense of tranquility is

common to this landscape character type and the scale and more importantly movement created by the rotating blades is likely to have a very damaging effect on this.

Highway Authority – no objections.

Friends of the Lake District - object and comment to the effect that the site lies within an area of low farmland designated in the Cumbria Landscape and Character Guidance and Toolkit where the topography is undulating and rolling, and open and uninterrupted views towards the Lakeland Fells are a key characteristic sensitive to tall infrastructure development. The guidance states that large scale wind energy development should be carefully sited and designed to prevent the landscape becoming an energy landscape and that prominent locations should be avoided. Lake District National Park Guidance advises that the encroachment of large scale development such as wind farms would have a significant effect on the landscape character. FLD have concerns that an 80m turbine in this location would be clearly visible in views both from and towards the dramatic backdrop of the western Lake District fells and consider that a large number of local people and visitors to the National Park will be affected. It would also contravene Policy EGY 1 of the Copeland Local Plan and the NPPF and should be refused.

Environmental Health Officer – Objects as there is potential for noise levels to exceed 35dB LA90 10 min at the nearest properties and no site specific information concerning background noise has been carried out at residences in the vicinity submitted to enable a noise assessment to be carried out.

Neighbour Representations

Extensive neighbour consultations have been undertaken in the vicinity which has resulted in considerable local opposition. To date some 146 letters of objection have been received, many from residents of the nearest village of Drigg as well as nearby Stubble Green (some 550m away) and isolated properties in the vicinity, as well as comments from residents of Seascale and further afield including visitors to the area.

In addition a petition containing a total of 251 signatures has been received.

Collective grounds of objection cited include:

- Visual Impact – estimated that the wind turbine will be industrial in scale, 3 times higher than the 25m high electricity pylons a third of a mile away and will as a result be visible for miles over the coastal plain and from the National Park. It will ruin unique panoramic views of the National Park, the boundary of which is a short distance away, and in particular Wasdale Valley, 'the best view in England' and have an overbearing and significant adverse impact on the experience of these views.
 - Will irreversibly alter the character of the area and affect tourism.
 - Precedent – will set a precedent for future applications.
 - Turbines are inefficient and are not viable providers of energy unless subsidised. It is unacceptable to blot the landscape with a turbine which will have a very small subsidised output. In addition wind energy is unsustainable without massive subsidy.
 - Affect on Ecology and Biodiversity of Area – siting is close to Drigg sand dunes SSSI and Hallsenna Moor Nature Reserve and will have a detrimental effect.
 - Already have the LLWR at Drigg, as well as nearby Sellafield - don't want further degradation of the area.
 - Blight caused by low frequency noise which could have a negative impact on nearby residents' quality of life.
 - Electromagnetic disturbance to TV's, mobile phones and radio.
 - Effect on public health – low frequency noise affects can be felt up to 1.5 miles away, also flicker, glare and vibration.
 - Effect on local bat and bird population.
 - Cumulative Effects – close to LLWR which is proposed for further development and the proposed 39m high turbine at Bailey Ground.
 - Will be of no benefit to the community, i.e. will not provide any local employment.
 - Will affect property values.
 - Photomontages submitted are misleading and do not show the true impact of the development on the area.
 - Impact of construction traffic.
 - The damage to the land and CO2 emissions associated with the construction outweigh the environmental benefits of the electricity generated.
 - Potential impact from flicker and noise on horse riders / walkers/ cyclists of the local bridleway network in the vicinity, i.e. access to the site is via a bridleway. The nearest are only some 60m and 200m away from the turbine. Impact may dissuade people from using it- British Horse Society Guidance advises a safety margin of at least 3 times the height of the turbine which in this instance would be 200m.
 - Will be a distraction to drivers.
 - With the expansion of off shore turbines why the need for more onshore turbines.
 - Safety Risk – potential for turbines to fracture / hit power lines in stormy conditions, also blade failure and ice throw are concerns.
-
- Also residents of one of the nearest non associated properties, Stony How Farm, situated some 350m distant, raise the following objections to the proposal:

- Visual impact from their kitchen window.
 - Noise, flicker and potential vibration will affect the health of a resident who has epilepsy and their carer.
 - Could impact on the farm animals.
 - Affect on resale value of the farm.
- The applicants in response wish to point out the following in support of their application:
- Will produce green energy.
 - It's position was chosen to have least impact on neighbouring properties.
 - It's on the energy coast.
 - After the turbines life has ended the field will be returned to its original state.
 - Will not affect views – its position has been chosen to be least obtrusive.
 - Will not affect applicant's holiday business.

Planning Policy

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

National Planning Policy Framework

The National Planning Policy Framework (NPPF), which recently came into effect (March 2012), sets out the Government's new planning policies and how these are to be applied. It introduces a presumption in favour of sustainable development and emphasises that the purpose of the planning system is to contribute to the achievement of this 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 allows full weight to be given to relevant local plan policies adopted since 2004 for a limited period of 12 months even if there is a limited degree of conflict with it. The Copeland Local Plan 2001-2016, which was adopted in 2006, falls into this category. In respect of assessing this application it means that full weight can therefore still be given to key Policies EGY 1 and EGY 2 of the adopted Copeland Local Plan 2001-2016 (Saved Policies June 2009).

Renewable Energy

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

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

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

- reducing emissions in greenhouse gases.
- 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).

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.

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

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. This is outlined below:

Ecology – A desk study and extended Phase 1 Survey were undertaken. The former identified that the site does not support any statutory or non statutory sites designated for their ecological value although there are a number within 5km. The latter identified a limited range of habitats within the survey area being dominated by improved grassland and that the siting of the turbine at over 55m from adjoining hedgerows meets the minimum separation distance requirements recommended by Natural England. As a result it is unlikely that the proposal will have any impacts on protected species including bats and birds and will not threaten the ecology of the area, a view which is not contested.

Landscape and Visual - In terms of landscape the report concludes that the site does not have any special landscape designations and that the turbine would have a moderate to low impact on it with the site having the capacity to absorb the proposed turbine. This is disputed and considered in further detail below.

As regards visual, it is considered that the development can be readily absorbed into the host environment without adverse impact. ZTV (Zone of Theoretical Vision) modelling reveals that the turbine will be visible within the immediate vicinity particularly from along the B5344 but that these will have a moderate impact and that further from the site views will be significantly reduced. Whilst the turbine may be visible from certain locations in the neighbouring settlements of Drigg and Seascale for example, these views will be limited and screened by intervening hedgerows, trees and buildings with the result, it concludes, that it will have a low visual impact. It also states that the turbine would not be visible from longer distance views from the Lake District National Park or St Bees Head - a view the Council does not concur with.

Noise – the report identifies 8 key noise sensitive locations in the vicinity and concludes that noise will not exceed the established noise levels at these properties and will have no impact on them. Will accept a noise level condition if considered necessary. This is contested by our

Environmental Health Officer who objects on the grounds that there is potential for noise levels at the nearest properties to exceed these levels and no site specific noise information has been submitted.

Aviation – no aviation concerns are envisaged and it is unlikely that the proposal will have any impact on telecommunication and television services.

Shadow Flicker – the report identifies that 4 residential properties in the vicinity would be affected by this for a maximum of between 7.22 -16.51 hours per year and that its impact would be negligible and there would be no adverse residual effects.

Transport and Access – As there will only be a minor increase in local road traffic during construction phase and operational traffic will be insignificant it is considered that the access and transport impacts of the proposal will be negligible. This is accepted given that the Highway Authority raise no objection.

Cultural Heritage and Decommissioning – due to the distance between the nearest designated conservation areas at Egremont and Beckermest and listed buildings the report concludes it will have no impact on their settings. This is also accepted.

Decommissioning – will be undertaken following the expiration of any temporary consent and reinstatement will be controlled by a planning condition. This is considered to raise no significant issues.

As a consequence there remain significant concerns relating to the landscape and visual impacts of the proposal as well as noise.

Landscape Impact

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

Cumbria Landscape Guidance and Toolkit, March 2011, identifies the site and land in the vicinity as sub type 5b '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. Most importantly it recognises that the open and uninterrupted views to the Solway Firth and the Lakeland Fells are sensitive to tall infrastructure development. It notes that without careful control large scale wind energy schemes could change the character of the landscape as has happened for the adjacent ridge and valley sub type. Advises that large scale wind energy development should therefore be carefully sited and designed to prevent this sub type becoming an energy landscape. Furthermore, it states that prominent locations should be avoided and appropriate mitigation undertaken.

The proposed site for the turbine in this open expansive countryside location with the dramatic backdrop of the Lakeland Fells to the east and Drigg Dunes and the intervening undeveloped coastal plain to the west, comprises one which is very sensitive and locally valued and is devoid of any vertical structures, interspersed only by intermittent farm building groups and hedgerows. Although there is the presence of the LLWR Site some 730m to the west of the site this assimilates well into the landscape with its presence being virtually unnoticeable / insignificant as a feature on the landscape. Consequently, it is considered that the introduction of such a large 'industrial scale' turbine, some 79.6m in height in this location would have a materially harmful effect on the character and appearance of the landscape by constituting an isolated and prominent feature incongruous in its surroundings contrary to criterion 2 of Policy EGY 1 of the Copeland Local Plan.

Visual Impact

It is considered that the siting of such a large single turbine, some 79.6m in height, in this prominent open countryside location would have a significant adverse impact on immediate and wider views. In the immediate locality particularly from the adjacent B5344 road travelling south east from Seascale to Drigg, and the isolated residential properties situated along this road and near to the site, where the views across to the proposed site and beyond to the Lakeland Fells can only be described as exceptional and part of a panorama taking into account the backdrop of the fells to the east and the dunes, the coastal plain and the sea to the west, would be adversely affected. It would also be seen from the public

beach and coastal dunes to the west which incorporates the 'Cumbria Coastal Way', as well as significant views from the public footpath and bridleway network in the vicinity. Middle distance views would also be affected particularly from residential properties on Santon Way and Scafell Crescent in Seascale, which overlook this important view, as well as from Seascale Golf Course and likewise corresponding views from Drigg and beyond to the south, as well as views further afield from the east. As a consequence the proposed siting of the turbine being in the foreground would have a significant adverse affect on these important and locally distinctive views contrary to criterion 1 of Policy EGY 1 of the Copeland Local Plan.

Noise

It has not been adequately demonstrated in the submission that noise arising from the operation of the turbine will not be a problem in relation to the nearest non associated residential properties, contrary to criterion 5 of Policy EGY 1 of the Copeland Local Plan.

Conclusion

Whilst the NPPF introduces a presumption in favour of sustainable development with emphasised support for the delivery of renewables, providing that the impacts of such schemes are or can be made acceptable, it does currently allow full weight still to be given to the existing renewable energy policies of the Copeland Local Plan. Taking this and the above into account, I am of the view that the proposed erection of such a large scale wind turbine in this scenic location would have a significant adverse visual impact on both local and wider views and would adversely affect the character and appearance of the surrounding landscape which cannot be made acceptable by any mitigation measures, contrary to Policies EGY 1 and 2 of the Copeland Local Plan and the National Planning Policy Framework.

Recommendation:-

Refuse

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 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.

ITEM NO: 2.

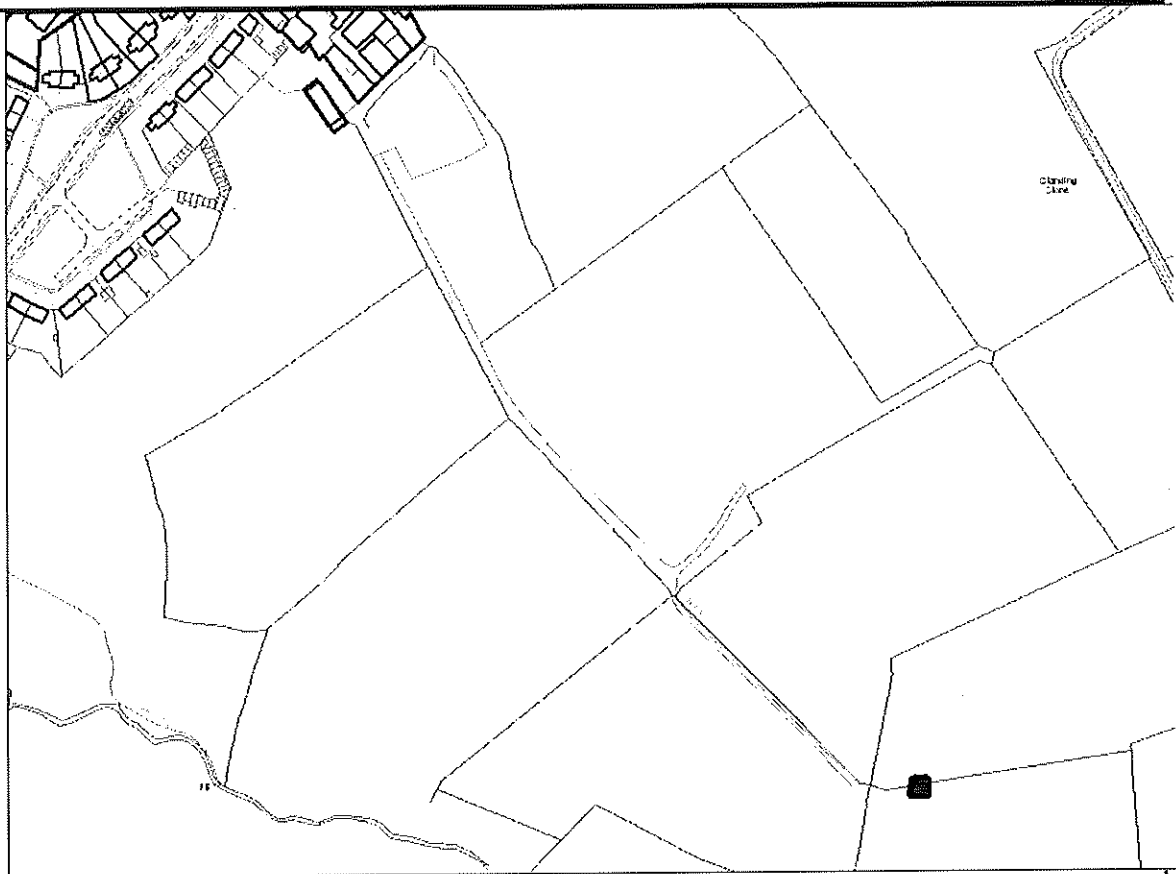


To: PLANNING PANEL

Development Control Manager

Date of Meeting: 23/05/2012

Application Number:	4/12/2173/OF1
Application Type:	Full : CBC
Applicant:	Mrs K Mawson
Application Address:	LAND AT BAILEY GROUND FARM, SEASCALE
Proposal	WIND TURBINE ON A 30M MONOPOLE MAST
Parish:	Seascale
Recommendation Summary:	Approve (commence within 3 years)



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The Proposal

A proposal to erect a medium size 80 kW wind turbine on a green field site some 440m to the south east of Bailey Ground, a working farm building group situated just off Santon Way, Seascale.

In terms of detail the turbine will be twin bladed with each blade approximately 9m long resulting in a diameter of 18m. These will be mounted on a 30m high hub with a total ground to tip height of 39m and be finished in a pale matt grey colour. It will be fixed to a 39 square metre concrete plinth with a steel anchor. Connection to the local grid will be via some 560m of underground ducting to a new meter point.

Vehicular access would be via the existing private farm track off Santon Way which serves the applicant's farm.

The purpose of the turbine is to generate enough electricity to power the farmhouse and dairy farm with the surplus going to the local grid to generate income to support the farm.

The application is supported by an Environmental Appraisal which incorporates assessments of likely environmental, economic and social impacts and benefits, Design and Access Statement, and Planning Statement. In addition an Environmental Impact Visualisation Report, an Assessment of Noise, and a Bat and Bird Survey have been submitted.

Consultations

Seascale Parish Council – object on the following grounds:

- 1) The turbine is significant in size and its location is very close to residential parts of Seascale village. Proposed height is three times taller than a nearby electricity mast and twice as high as the mast at Seascale Primary School.
- 2) Issue of visual blight is very real and would have a negative impact on 'Britain's favourite view' i.e of the western fells and in particular Wastwater to Scafell Pike. The tourist appeal of much of West Cumbria is its unspoilt visual nature. There is an issue of noise and visual blight on the whole of the surrounding area. Copeland B.C. is committed to improving the coastal area and increasing tourism potential and granting approval for the turbine would undermine this initiative.
- 3) The question of interference with the television mast at Peel Place is apparently untested.
- 4) Construction of the mast and turbine would have a potentially detrimental impact on migration patterns of geese and other birds.
- 5) The flicker effect of the turbine placed so close to a residential area would be detrimental to current and future residents who suffer from or develop medical conditions such as epilepsy.
- 6) Issue of noise during operation.
- 7) Point out that the turbine at Seascale Primary School presented more than expected visual and auditory intrusion for the local community.

Highway Authority – no objection as it's considered that the proposal does not affect the highway.

Lake District National Park – Although they have some concerns regarding the quality of the supporting information and the twin bladed nature of the turbine which may have some limited adverse effect on localised views of the Lake District National Park they do not formally object.

Environmental Health Officer – Comments are awaited and will be reported verbally to the Panel. Initial discussions indicate that there is unlikely to be a noise problem given the relative size of the turbine and its distance from non associated residential properties.

Neighbour Representations

Extensive neighbour consultations have been undertaken in the vicinity and there is local opposition to this proposal. To date some 46 letters have been received the majority from residents of Seascale, particularly Santon Way, Scafell Crescent and Wasdale Park whom benefit from open rear views towards the site. Collective grounds of objection cited include:

- Precedent. Concern that the area is becoming a wind farm, as it's on the same area as the Drigg Moorside turbine currently being considered – how many more will follow?
- Noise and Vibration. Studies in Holland show this is intrusive to people living nearby. The noise impact study did not carry out measurements across the whole of the frequency range or take into account that sound will be amplified downstream of prevailing winds to Santon Way.
- Negative effect on tourism which the area relies heavily on.
- Inefficient form of green energy – with intermittent energy capacity being obtained for only some 30% of the time. Solar panels would be more efficient and less intrusive.
- Detrimental visual impact – will be highly visible from all over the area including the Lake District National Park.
- Too large and too close to residential properties at Seascale and will affect their amenity.
- Question whether there is a need for another single turbine considering the number already in the vicinity i.e. offshore.
- Consider we've 'done our bit' for the Country's energy needs with BNFL and the CHP Plant on our doorstep.

- Only for the applicant's financial gain will be of no benefit to the local community.
 - Impact on local nature reserves at Hallsenna Moor and Drigg Coastal Reserve.
 - Affect on wildlife in nearby hedgerows, ancient woods dunes etc especially game birds and birds of prey.
 - Devalue local homes.
 - Should be restricted to brownfield sites only with no intrusion on greenfield areas.
 - Situated adjacent to a residential area where it would be out of scale with surrounding structures.
 - Potential for flicker to affect the well being of neighbours.
-
- Will have a high carbon footprint.
 - Concern re transporting the structure to the site.
 - Will industrialise the area.
 - Cumulative Impact – already have a turbine at the school in the village which is very noisy.
 - Scope for electromagnetic disturbance.
 - Concern expressed from nearest resident situated some 0.3 mile away that they will be down wind of the turbine and could be affected by noise and associated health problems.
 - Will be overbearing
 - Another nearest resident at Broadlea, Whitriggs has particular concerns re noise and visual impact.
 - Concern that the bat and bird survey work is not representative.
 - Recent technology suggests that turbines can affect weather patterns pushing up overall temperatures.

In response, the issue of impact on the landscape and visual effects will be considered in the assessment below, similarly noise, flicker and effect on wildlife. Property values however are not a material planning consideration and likewise the need for the development. The NPPF is quite clear in that it states in respect of assessing renewable energy projects that there is not a requirement for need to be demonstrated recognising that even small scale developments can make a valuable contribution to reducing green house gases.

Planning Policy

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

National Planning Policy Framework

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

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 allows full weight to be given to relevant local plan policies adopted since 2004 for a limited period of 12 months even if there is a limited degree of conflict with it. Our Copeland Local Plan 2001-2016, which was adopted in 2006, falls into this category. In respect of assessing this application it means that full weight can therefore still be given to key Policies EGY 1 and EGY 2 of the adopted Copeland Local Plan 2001-2016 (Saved Policies June 2009).

Renewable Energy

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

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

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

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

- reducing emissions in greenhouse gases.
- 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).

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.

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

Assessment

The Environmental Appraisal supporting the application addresses the potential environmental

impacts likely to arise from the development and concludes that overall visual impact and the effect on the character and appearance of the landscape would be moderate, noise

would not be an issue, the effect from shadow flicker negligible as well as minimal impact on ecology of the area.

In particular the key issues the proposal raises are addressed as follows:

- Landscape Impact - the area on which the turbine is to be sited forms part of a farmed coastal plain and is assessed as being of moderate sensitivity. It does not benefit from any national or local designations. That said it is adjacent to the Lake District National Park and there are notable majestic views of the lakeland fells (Wasdale and Eskdale) to the east and south east. Cumbria Landscape Guidance and Toolkit, March 2011, identifies the site as sub type 5b 'low farmland' - a traditional farmed landscape generally large scale where views can be wide and long distance to the fells and sea and have an expansive feeling. It recognises that important views in this landscape are sensitive to tall infrastructure development and that without careful control large scale wind energy schemes could change its character. It advises that such development should be carefully sited and designed and prominent locations avoided. Taking this into account, It is considered that the siting of one medium sized turbine at 39m in thi

type of landscape, whilst being a notable vertical feature would not at 39m in height constitute an overly significant one in the landscape.

- Visual Impact - The Environmental Impact Visualisation Report submitted concludes that overall the visual impact in this location will be moderate. Whilst the turbine would be seen from residential properties in Seascale whom benefit from the panoramic views of the fells to the east and south east it would be sited at such a distance from them so as not to dominate the view, the nearest non associated properties 'Broadlea' and 'Routen Syke' being some 370m and 430m away respectively. The nearest properties at Santon Way would be some 450m away. All of these properties together with some on Scafell Crescent and Wasdale Park which also have views towards the fells and the site are further away. Coming from the south along the B5344 the turbine would also be seen to the north east but here it would be mitigated by the backdrop of Seascale village and Sellafield works further to the north. It is not anticipated that views from the Lake District National Park would be significantly affected. Beyond the immediate and medium range views it is considered that the impact of the turbine would be slight to moderate. In conclusion although the turbine will be seen from a variety of immediate and medium range views it would not as a result of its medium size have a significantly adverse visual affect on neighbouring amenity and the landscape generally.
- Noise / Vibration - the accompanying Noise Assessment demonstrates that the potential predicted noise levels emitted from the operation of the turbine at all the nearest non associated properties meets all the relevant requirements / guidance indicating that despite the concerns raised noise is unlikely to be an issue. The Environmental Health Officer's report is awaited to corroborate this and will be reported verbally to the Panel meeting.

- Shadow Flicker - due to the distance the turbine is situated from residential properties flicker is unlikely to be an issue. In respect of the size of the turbine a minimum separation distance of 180m in this instance is advised.
- Tourism - there is no evidence to suggest that wind turbines have an adverse effect on tourism in the area.
- Ecology – a feasibility report and a bat and bird survey has been undertaken. This concluded that the turbine would not have a significant impact on wildlife and advised as mitigation that the turbine be sited a minimum of 50m from nearby hedges and trees - this distance has been increased to 59m. A view with which we concur.

Conclusion

Taking into account the new policy context under which this application should now be assessed and the fact that the NPPF introduces a presumption in favour of sustainable development with emphasised support for the delivery of renewables, (on the proviso that its impacts are or can be made acceptable), and still allows full weight to be given to the existing energy renewable policies of the Copeland Local Plan. I am of the view that, on balance, the erection of one medium sized turbine in this location, would not have an overly significant adverse visual affect or cause 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.

Recommendation:-

Approve, subject to:

Conditions

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

Reason

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

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

Site Location Plan, scale 1:5000, received 28 March 2012.

Site Location Plan, scale 1:2500, received 28 March 2012.

Technical Specification of Turbine, Report and Drawing no. M.20050, scale 1:200,
Received 28 March 2012.

Environmental Impact Visualisation Report, received 28 March 2012.

Environmental Appraisal, by UGE, received 28 March 2012.

Bat and Bird Survey, by Quants Environmental Ltd, November 2011, received
28 March 2012.

Reason

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

3. If the turbine ceases to be operational for a continuous period of six 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 shall be restored in accordance with the approved scheme.

Reason

To ensure that possible dereliction and unsightliness is avoided.

Reason for Decision

The siting of one 39m high wind turbine in this location, to the south east of Bailey Ground, Seascale, 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 2001-2016 (Saved Policies June 2009) and the guidance contained in the National Planning Policy Framework.

ITEM NO: 3.



To: PLANNING PANEL

Development Control Manager

Date of Meeting: 23/05/2012

Application Number:	4/12/2174/OF1
Application Type:	Full : CBC
Applicant:	Mr J Corrie
Application Address:	LAND AT ST HELENA, EGREMONT
Proposal	TWO BEDROOMED STATIC CARAVAN TO SUPPORT A FARMING BUSINESS
Parish:	Egremont
Recommendation Summary:	Approve



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BACKGROUND

Planning permission for the erection of a detached bungalow at this isolated smallholding located 1.5km east of Egremont and 200m away from the nearest dwelling, St Helena was refused in 2002 (4/02/0802/0 refers).

An independent agricultural appraisal was carried out during the determination of this application and whilst this concluded that the business could not financially sustain one full time worker, it did find that there was a clear established and existing functional need for a worker to be available at the small holding, particularly during calving and lambing times.

Permission was then granted in February 2009, on a temporary three year basis, for the siting of a two bedroomed static caravan to support the applicants farming business (4/09/2004/0f1 refers). This has now lapsed.

PROPOSAL

Planning permission is now sought for the continued siting of this residential caravan in connection with the ongoing farming activities at the site.

The applicant has a permanent property in Egremont and the caravan is used on a temporary basis throughout the year, particularly during the lambing and calving seasons.

The application is accompanied by a letter and detailed financial accounts from the applicant's accountant.

The caravan remains as was previously approved, measuring 10.5m in length by 3.6m in width.

Access to the site is via an unmade track, some considerable distance from any adopted road. The existing building complex and caravan sit immediately to the south of the track, which is bounded by a dense hedgerow.

According to the business statement submitted, 5 acres of land are owned and 108 acres is currently leased. In comparison to the 2009 application, an additional 15 acres of grazing land situated south of Sellafield is now utilised.

In terms of livestock the herd consists of 1 stock bull, 12 breeding cows, 1 calf and 11 followers, 8 heifers and 50 breeding ewes. At the time of the 2009 application 8 heifers and 50 lambs had just been sold.

CONSULTATIONS

Egremont Town Council – concern was expressed that renewed permission for a static caravan in this isolated area would lead to a permanent fixture especially as planning permission for a permanent bungalow was refused. It would appear that a new caravan is proposed if permission is given and the description of the site with decking etc makes members think that this is being looked on as a permanent fixture. The Parish Council would like a site visit to see the area for themselves and would request the Planning Panel look at another temporary permission for a minimum of 2 years, maximum of 3 years.

Highways Authority – no objection as it is considered that the proposal does not affect the highway.

PLANNING POLICY

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

To support a prosperous rural economy Local Authorities should support the sustainable growth and expansion of all types of business and enterprise in rural areas and promote the development and diversification of agricultural and other land-based rural businesses (paragraph 28.)

Likewise, in terms of housing, Local Authorities should avoid new isolated homes in the countryside unless there are special circumstances such as the essential need for a rural worker to live permanently at or near their place of work in the countryside (paragraph 55).

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

The following policies of the adopted Copeland Local Plan 2001-2016 are considered relevant to the assessment of this application.

DEV 5 'Development in the Countryside' seeks to protect the quality and character of the wider countryside and sets out the types of development that will be permitted outside the defined Key Service and Local Centres. Amongst other things, this includes essential agricultural development.

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

HSG 6 'Temporary Accommodation for New Rural Enterprises' states that where a new rural enterprise is not yet viable planning approval for a permanent dwelling will not be granted. However, in such circumstances and where there is a reasonable prospect of viability being achieved within the medium term (up to 3 years), a temporary permission for a residential caravan may be granted.

HSG 23 'Individual Caravans' only permits residential caravans where there is a special case for example to aid the establishment of a new rural enterprise. This policy specifies that only temporary permissions will be granted in such circumstances and occupation of the caravan will be strictly limited to persons directly involved.

ASSESSMENT

The NPPF strongly supports the sustainable growth and expansion of all types of business in rural areas and promotes the development and diversification of agricultural businesses.

The adopted policies of the Copeland Local Plan support the provision of a caravan on the site where there is an agricultural need or where it would support the establishment of a new rural enterprise.

Whilst the site is rather isolated it forms part of a registered agricultural holding and there is a clear established functional need for a worker to be available, particularly during calving and lambing times. Under these circumstances it is considered appropriate to support the continued siting of the caravan on the site for a further temporary period.

The scale and design of the caravan remain unchanged to that previously approved and the position chosen is well screened from any public vantage points, the nearest neighbouring residential property, which is some 200m away and is also well related to the existing building group. This minimises its visual impact within the locality.

Whilst the Town Councils request for a site visit is noted, it is felt that there would be no merit in this. It is accepted that this is an isolated location and planning permission has already been refused for a permanent dwelling.

In terms of 'permanent structures' the submitted plans have been amended to accurately reflect the site at present, which includes a small section of decking to the eastern side of the caravan to allow access. As originally submitted the plans suggested that there was a much larger section of decking proposed, extending the full length of the caravan. This has been omitted.

On balance it is considered to be appropriate to permit the siting of this caravan on the site for a further temporary three year period to allow the applicant to maintain his agricultural business and in the interests of animal welfare.

Recommendation:-

Approve

Conditions

1. This permission shall expire on 31 May 2015. The caravan, septic tank and any associated structures or facilities shall be removed from the site on or before this date and the land restored to its former condition.

Reason

The Local Planning Authority wishes to review the matter at the end of the limited period stated.

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:-
 - Location plan drawing no. 0248, received on 26 April 2012.
 - Existing site plan, drawing no. 0248/01B, received on 26 April 2012.
 - Proposed site plan, drawing no. 0248/02A, received on 26 April 2012.
 - Proposal and Design and Access Statement, Rev B, received on 26 April 2012.

Reason

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

Reason for decision

An acceptable proposal for the continued siting of this caravan on a temporary basis in association with the applicants agricultural holding in accordance with Policies DEV 5, DEV 6, HSG 6 and HSG 23 of the adopted Copeland Local Plan 2001-2016.

ITEM NO: 4.

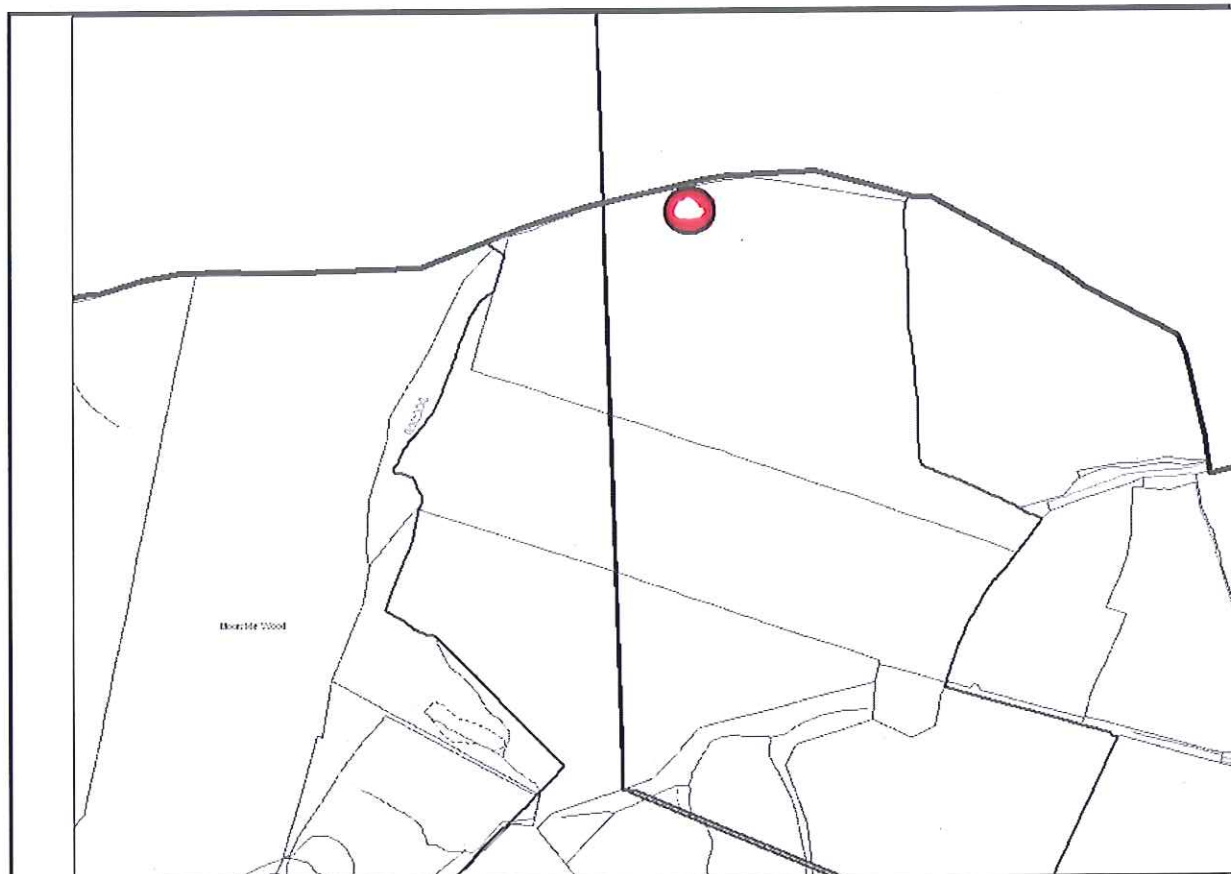


To: PLANNING PANEL

Development Control Manager

Date of Meeting: 23/05/2012

Application Number:	4/12/2175/0F1
Application Type:	Full : CBC
Applicant:	Empirica Investments Limited
Application Address:	LAND AT KIDBURN GILL FARM, LAMPLUGH
Proposal	TEMPORARY SITING OF A 50M METEOROLOGICAL MAST
Parish:	Arlecdon and Frizington
Recommendation Summary:	Approve



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The Proposal

This application relates to an open area of hillside which lies to the west of Kidburngill Farm, near Lamplugh.

Planning permission is sought for the siting of a meteorological mast on the land for a twelve month period. The mast is to be 50 metres in height and will have a diameter of 165mm. It will be constructed of lightweight galvanised steel and is of a latticework design. The mast will be supported by six steel guy wires, three of which will be anchored 15 m from the mast at equal distances apart and three of which will be anchored 30 metres from the mast at equal distances apart. The angle between each guy wire would be 120 degrees.

The mast itself sits upon a steel plate and will require no foundations. It will occupy an area of no more than 0.1 hectares.

The purpose of the mast is to collect baseline data in order to assess the location as a possible site for wind energy development. After the twelve month period it will be dismantled and the land reinstated.

Access to the site will be via an existing agricultural access which is deemed sufficient for transportation and monitoring/ maintenance purposes.

Consultations

Highway Authority

No objections as the slight increase in vehicular use of the existing access is unlikely to have a significant material affect on existing highway conditions.

Coal Authority

The Coal Authority normally seeks coal mining information and a coal mining risk assessment to support the application where development is proposed within the coal mining development referral area. However when considering the nature of this particular development proposal the proposed structure is of a temporary nature and will not require substantial foundations or earthworks. Therefore we do not consider that requiring a Coal Mining Risk Assessment would be proportionate to the scale and nature of development proposed in this particular case and do not object to this planning application.

In the interests of public safety the Coal Authority would recommend that an informative is included on any planning permission advising the applicant that the site lies within a former mining area.

Environmental Health Manager

No comment

Planning Policy

National Planning Policy Framework

The National Planning Policy Framework (NPPF), which recently came into effect (March 2012), sets out the Government's new planning policies. 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 has replaced the previous Planning Policy Statement on Renewable Energy although 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 clarifies that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

Local Plan Policy

The Copeland Local Plan 2001-2016, which was adopted in 2006. Policy EGY 2 refers specifically to wind energy and requires that such proposals meet the criteria set out in EGY 1 above as well as providing for the removal of the turbines when they cease to be operational and site restoration. Policy EGY 1 sets out the following criteria that all renewable energy development must satisfy. It states:-

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.

Cumbria Wind Energy Supplementary Planning Document (SPD)

This SPD was 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.

Assessment

The proposal is for the erection of a single 50m high wind monitoring mast only. Whilst it may well be the forerunner to a wind farm development if the results of the monitoring are positive, all that should be considered in this case is the current proposal. Any future wind farm proposal would be the subject of a separate application.

Although the proposed mast will be 50 metres high it is a relatively lightweight structure and is only required on the site for a temporary twelve month period. This will help to minimise its visual impacts on the landscape or the amenity of the area in accordance with Policies EGY 1 and EGY 2 of the adopted Copeland Local Plan 2001-2016.

Recommendation:-

Approve

Conditions

1. This permission shall expire on 31 May 2013. The meteorological mast shall be removed from the site on or before this date and the land restored to its former condition.

Reason

The use hereby approved is not considered suitable as a permanent form of development in order to safeguard the amenities of the locality.

INFORMATIVE

The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to The Coal Authority.

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com <<http://www.groundstability.com/>>

Reason for Decision

The erection of a single 50 metre high meteorological mast on this green field site is considered to constitute an acceptable form of temporary wind energy development in accordance with Policies EGY 1 and EGY 2 of the adopted Copeland Local Plan 2001-2016 (Saved Policies June 2009) and the guidance contained in the adopted Cumbria Wind Energy Supplementary Planning Document and the National Planning Policy Framework.

ITEM NO: 5.



To: PLANNING PANEL

Development Control Manager

Date of Meeting: 23/05/2012

Application Number:	4/12/2179/OF1
Application Type:	Full : CBC
Applicant:	Mr and Mrs A Runeckles
Application Address:	PLOT 3, WYNDHOWE, SEA MILL LANE, ST BEES
Proposal	ERECTION OF A DWELLING
Parish:	St. Bees
Recommendation Summary:	Refuse



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The Proposal

Permission is sought for the erection of a detached dwelling on a split level rectangular shaped plot, formerly part of a commercial nursery on Seamill Lane in St Bees. Vehicular access to which will be via an existing shared access off Seamill Lane originally constructed to serve the other three plots on adjacent sites and the existing neighbouring dwelling 'Wyndhow'

In detail the proposed dwelling over two floors will provide accommodation in the form of a large double garage in the basement / lower ground floor with a kitchen / dining area, hall, bathroom, utility, 3 bedrooms and a lounge on the upper ground floor.

External materials to be used include a flat grey tiled roof, facing brick walls with sandstone coloured art stone cills, heads and quoins, with white upvc windows and doors.

Planning History

The previous planning history relating to this site is relevant and material.

Permission was refused in July last year for a two and a half storey detached dwelling on this site (4/11/2247/OF1 refers) for the following reason:

“By virtue of its scale, height and resultant massing the proposed dwelling, with accommodation provided over three floors, in this location would constitute an over dominant and incongruous form of development out of character with neighbouring dwellings and the surrounding area generally. Furthermore it would have an unacceptable impact on residential amenity, both visually and in terms of overlooking, on the existing properties of Wyndhow and West View contrary to Policies DEV 6, HSG 4 and HSG 8 of the adopted Copeland Local Plan 2001-2016.”

A subsequent appeal against the decision was dismissed on 1 February this year. The Inspector, taking into account the height of the proposal allied to the difference in levels, considered it would result in the development appearing oppressive in the views from the back gardens and windows of 1 and 2 West View and that the degree of overlooking and the overbearing presence it would exert in relation these properties, situated in front of the site, would harmfully affect the living conditions of the occupiers.

A previous application for a similar 4 bedroom detached dwelling on this plot was refused in December 2010 (4/10/2482/OF1 refers) for similar reasons.

The site also has the benefit of an outline consent originally granted in 2005 and renewed in 2008 for one single storey dwelling as part of an outline permission granted for four dwellings on the former horticultural nursery site (4/05/2011/001 & 4/08/2237/001 refers). This was a controversial application with neighbour objections and Members of the Planning Committee benefitting from a site visit at the time. It should be noted that they concurred with the view of officers that the impact of any new dwellings on the existing ones was a key issue and supported the imposition of a condition to restrict the height of new dwellings on the plots to single storey only.

An application to erect a 4 bedroom detached dwelling with a separate detached double garage on this plot was withdrawn in July 2008. (4/08/2273/OF1 refers)

Plot 4 opposite accommodates a four bedroom dormer bungalow with accommodation provided over two floors. (4/08/2132/OF1 refers) which was refused on the grounds of overlooking and visual impact on neighbouring properties then subsequently allowed on appeal.

Plot 2 on the other hand, situated on the other side of the existing property “Wyndhow”, had planning permission for a two and a half storey refused and then had an appeal dismissed in 2008. (4/07/2657/OF1 refers). In dismissing this appeal the Inspector

considered that the proposed dwelling would be incongruous and detrimental to the character and appearance of Seamill Lane and would adversely affect the living of the neighbouring property 'Wyndhow'. This decision has implications that need to be taken into account in assessing this proposal.

An application to demolish the barn and erect a new dwelling on plot 1 was refused and dismissed on appeal (4/09/2426/0F1 refers) on the grounds that it would appear incongruous and be out of scale and character with its surroundings. A revised scheme for this plot has now been approved.

Consultation Responses

St Bees Parish Council – no objections.

Highway Authority – no objections.

United Utilities – no objections but request the site be drained on a separate system.

Neighbour Representations – A letter of objection has been received from the residents of 1, West View on the following grounds:

- Consider the plans are very similar in terms of height and distance in relation to 1 & 2 West View - there is no significant change.
- Differences between the previous plan which was dismissed on appeal are minimal as follows - the front elevation has been set back by approximately 1 metre, the height of the roof is lower by approx 80cms and the height of the first floor accommodation is basically the same as before.
- Original outline gave consent for a single storey dwelling on this site – this is a two storey dwelling with the garage underneath the living accommodation having a similar effect as an additional storey.
- The building is out of character in size and proportion to the surrounding buildings
- Fact that this original planning condition was ignored on appeal for plot 4 does not make it acceptable for this proposal – the dwelling on plot 4 looks out of place due to its size and position.
- It directly overlooks the objectors in front's home and that of their neighbour at 2, West View. The revised proposal does not change this.
- Although the distance requirements between habitable rooms in the local plan are technically complied with the result is compromised by the difference in height between Plot 3 and West View.
- The combined effect of the difference in ground level between the dwellings at West View and Plot 3, the proposed height of plot 3, and 1 and 2 West View being directly in front of plot 3 will create a development the height and scale of which is totally inappropriate and totally out of scale in comparison with the position of West View and will significantly change the nature of the site and surrounding area/ properties at Blyth Place.
- The proposed bungalow will directly overlook the dining room window and bedroom window of 1, West View.
- Query the window in the roof and whether the owners plan a habitable storey in

the roof space.

- To minimise impact on 1 & 2 West View consider the garage should be on the same level as the ground floor of the dwelling or be detached from the main residence and:
- The ground floor of the dwelling should not be raised higher than the level of access to the site of plot 3:
- The front (west) elevation of the dwelling should be positioned further back from the line of the west elevation of Wyndhow.

Planning Policy

National Planning Policy Framework

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

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

It allows full weight to be given to relevant local plan policies until March 2013. Our Copeland Local Plan 2001-2016, adopted in 2006, falls into this category. In respect of this application key policies of the adopted Copeland Local Plan identified below remain relevant to the assessment of this application.

Copeland Local Plan

The following adopted Copeland Local Plan Policies 2001-2016 (saved policies June 2009) are relevant to this application:

DEV 1 Sustainable Development and Regeneration - requires all development proposals to accord with the local plan aims and objectives and is expected to contribute to achieving sustainable regeneration.

DEV 3 Local Centres - supports small scale development in such settlements which helps sustain local services and meets local needs

DEV 4 Development Boundaries - identifies the boundaries of key service centres / local centres and permits development within them subject to an order of priority and the development meeting other policies in the plan.

DEV 6 Sustainability in Design – advocates high quality sustainable design in all new development

HSG 4 Housing within Settlement Boundaries – permits suitable proposals for housing redevelopment involving existing buildings / previously developed land within the designated settlement boundaries.

HSG 8 Housing Design Standards – in addition to DEV 6 this specifies new housing design standards all new development should meet.

ENV 6 Landscape of County Importance – the whole of the village of St Bees has this designation and this seeks to protect the area from inappropriate change that could adversely impact on the character of the landscape. Where development is permitted special regard will be paid to design, scale, siting and materials.

TSP 6 General Development Requirements – this seeks to ensure that access in relation to development is achieved for all in a safe and efficient manner.

TSP 8 Parking Requirements - ensures that all new development provides adequate parking standards.

Assessment

Whilst this application does propose some changes to the design of the dwelling, most notable the deletion of the second floor living accommodation, a 0.6m reduction in overall height, and setting the dwelling back from the front of the site by a further 0.75m, in an attempt to address the previous grounds for refusal and the Inspector's grounds for dismissing the subsequent appeal. Although this now means that, with the exception of the garage in the basement, all the living accommodation is now on one floor which has increased in overall area to incorporate this. Taking this into account however, the changes proposed by this submission are considered to be minimal and as a result will make little difference in terms of the impact on the amenity of the residential properties 1 and 2 West View.

It is my opinion therefore that the previous grounds of refusal / appeal have not been substantially overcome. As with the previous submission this application proposes a substantial dwelling with habitable accommodation over one and a half floors the resulting scale and massing of which is considerable and exacerbated by the fact it would be positioned on such an elevated site and as a consequence would still have an overbearing and oppressive impact on the neighbouring dwellings of West View.

Although situated within the settlement boundary as designated in the Local Plan and on a plot with existing outline consent for a single storey dwelling, the site is not considered appropriate for such a large dwelling of this scale and height for the reasons set out above contrary to Policies DEV 6, HSG 4 and HSG 8 of the Local Plan and the guidance contained in the NPPF.

Recommendation:-

Refuse

By virtue of its scale, height and resultant massing, the proposed dwelling in this elevated location would have an overbearing and oppressive impact on the residential amenity, specifically in terms of overlooking, of 1 and 2 West View situated immediately in front, contrary to Policies DEV 6, HSG 4 and HSG 8 of the adopted Copeland Local Plan 2001-2016 (Saved Policies June 2009) and the guidance contained in the National Planning Policy Framework.

ITEM NO: 6.

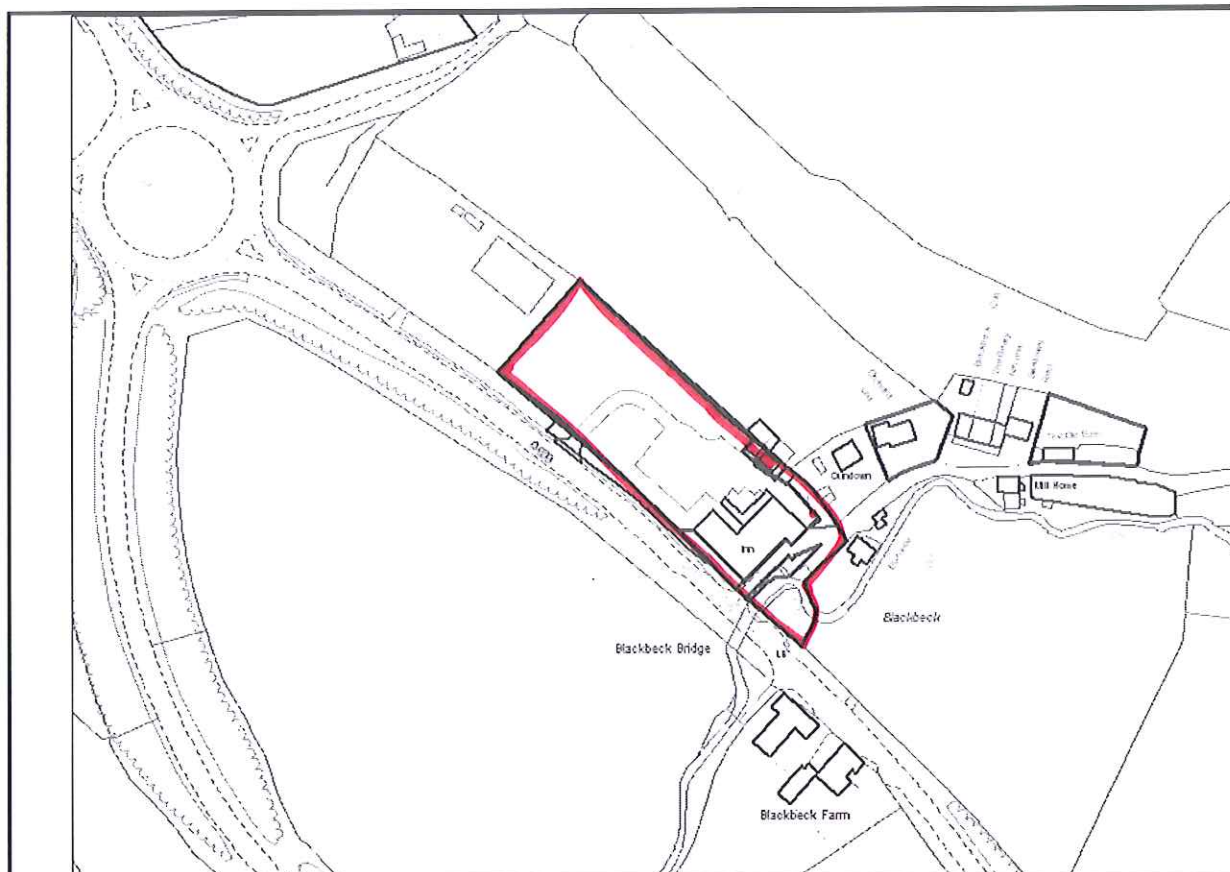


To: PLANNING PANEL

Development Control Manager

Date of Meeting: 23/05/2012

Application Number:	4/12/2195/0F1
Application Type:	Full : CBC
Applicant:	Mrs B Taylor
Application Address:	BLACKBECK HOTEL, BLACKBECK, EGREMONT
Proposal	TWO STOREY DETACHED BUILDING - GROUND FLOOR BREWERY/FARM SHOP, FIRST FLOOR FUNCTION ROOM
Parish:	Haile, Ponsonby
Recommendation Summary:	Site Visit



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BACKGROUND

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

Prior to this, planning permission was granted in 2004 for the erection of a detached outbuilding within the Hotel grounds to provide a garage, laundry and store (4/04/2740/Of1 refers). It would appear that part of this building is now being used as a brewery, without the benefit of planning permission.

PROPOSAL

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

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

It is proposed to locate the new building on the existing overspill car park which sits at a slightly higher level than the main hotel complex and the A595, onto which it fronts. Along this site frontage is a dense hedgerow which the applicant proposes to remove and replace with new shrubs.

The new building will be two storey measuring 27.0m in length, 17.0m in width and 11.2m in height and will have a two storey projecting entrance feature to the northwest elevation, faced with sandstone. The main building will be finished with wet dashed render to match the existing hotel. Mock Georgian, white upvc windows and doors are proposed.

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

It is anticipated that the new development will create one additional part time job.

CONSULTATIONS

Statutory consultations are currently ongoing. To date the following comments have been received:-

Haile Parish Council - whilst the Parish Council have no objections to the application, they would be interested to know where the brewery is to be situated as there is no mention of it on the plans received.

Highways Agency – have issued a temporary direction which prevents the Council from determining this application until a Transport Statement has been submitted which deals with the predicted effects and impact of the development and also addresses the highway safety concerns.

PLANNING POLICY

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

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

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

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

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

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

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

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

tourism development; development within existing employment sites and development for community purposes.

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

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

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

RECOMMENDATION

This application raises the following planning issues which warrant careful consideration:

- likely impact on the existing parking arrangements and the A595;
- the scale and design of the building in relation to the existing Hotel; and
- the unauthorised use of the existing outbuilding as a brewery.

In view of these issues and given the scale of this proposed development it is recommend that Members visit the site prior to determining the application.

Recommendation:-

Site visit

ITEM NO: 7.

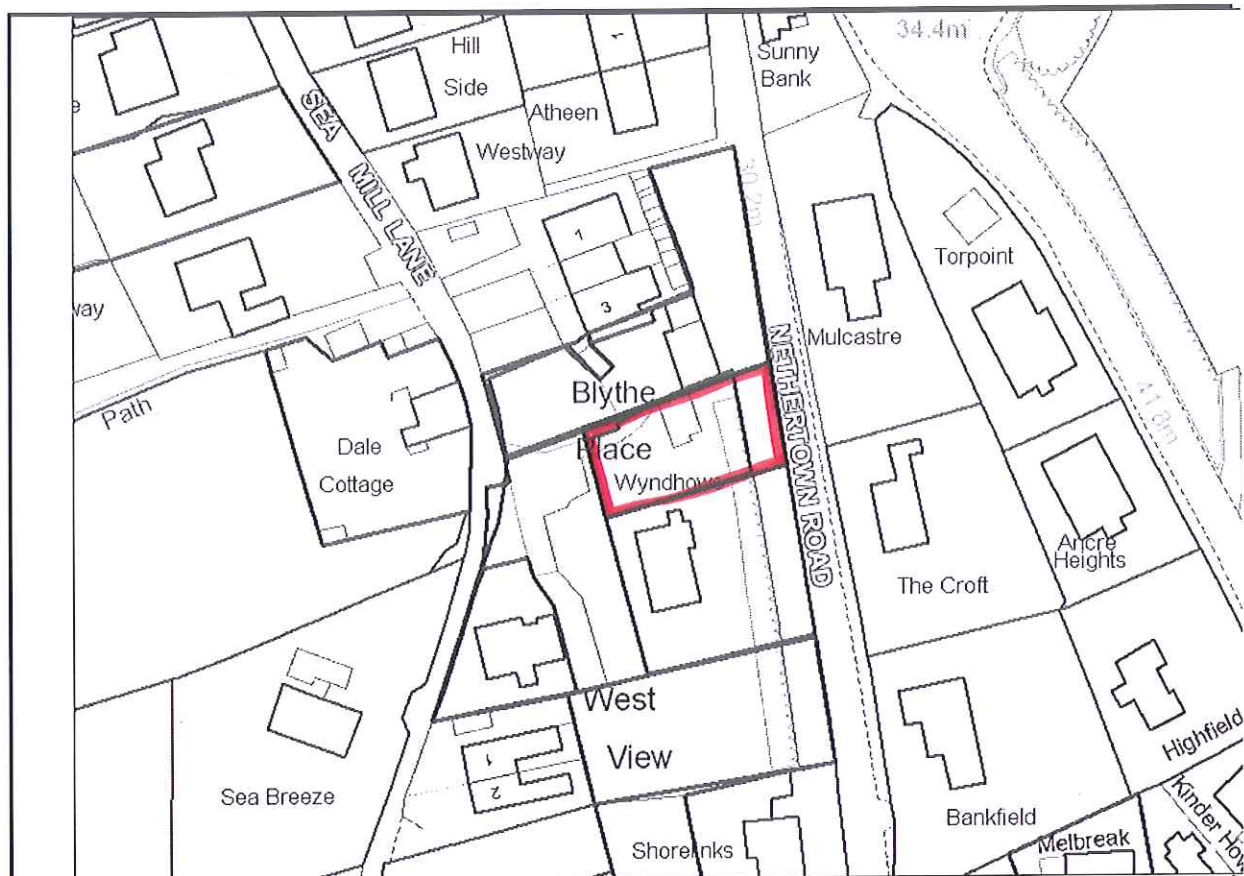


To: PLANNING PANEL

Development Control Manager

Date of Meeting: 23/05/2012

Application Number:	4/12/2198/001
Application Type:	Outline : CBC
Applicant:	Mr R Brown
Application Address:	PLOT 2, BLYTHE PLACE GARDENS, ST BEES
Proposal	OUTLINE APPLICATION FOR SINGLE DWELLING
Parish:	St. Bees
Recommendation Summary:	Approve in Outline (commence within 3 years)



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The Proposal

This application seeks outline consent, with all matters reserved, for the erection of a single dwelling on a plot of land, known as Plot 2, Blyth Place. It neighbours an existing dwelling 'Wyndhowe' to the north and is formerly part of a horticultural nursery, just off Seamill Lane in St Bees. Comprising part of a residential development of 4 plots originally granted consent in 2005 (4/05/2011/001 refers) vehicular access would be via the existing communal access off Seamill Lane which serves all the plots.

The application is accompanied by a indicative site layout which demonstrates how the site can be developed, along with a supporting Planning Statement incorporating a Design and Access Statement.

Planning History

The planning history relating to this site is complex and material to the assessment of this application.

The site currently benefits from an extant permission by virtue of the outline consent originally granted in 2005 and renewed in 2008 (4/05/2011/001 and 4/08/2237/001 respectively refer) for the erection of 4 single storey dwellings , with plot 4 and the communal access having now been constructed. Permission has also recently been granted for a dwelling on neighbouring plot 1 to the north (4/11/2494 refers).

It should also be noted that full permission to erect a two storey dwelling on this plot was refused in 2007 on grounds relating to height and resulting visual impact and affect on neighbouring property 'Wyndhowe' which was subsequently dismissed on appeal (4/07/2657/0F1 refers).

An application for the erection of a one and a half storey dwelling on plot 3, next door but one to the south, is currently pending and is also reported on this agenda for a decision (4/12/2179/0F1 refers).

Consent is now sought to renew outline permission specific to plot 2 in order to give clarity to the planning status of the site.

Consultations

Highway Authority - no objections.

Neighbour Representations

To date no neighbour representations have been received.

Planning Policy

National Planning Policy Framework (NPPF)

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

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

It allows full weight to be given to relevant local plan policies until March 2013. Our Copeland Local Plan 2001-2016, adopted in 2006, falls into this category. In respect of this application key policies of the adopted Copeland Local Plan identified below remain relevant to the assessment of this application.

Copeland Local Plan

The following adopted Copeland Local Plan Policies 2001-2016 (saved policies June 2009) are relevant to this application:

DEV 1 Sustainable Development and Regeneration - requires all development proposals to accord with the local plan aims and objectives and is expected to contribute to achieving sustainable regeneration.

DEV 4 Development Boundaries - identifies the boundaries of key service centres / local centres and permits development within them subject to an order of priority and the development meeting other policies in the plan.

DEV 6 Sustainability in Design – advocates high quality sustainable design in all new development

HSG 4 Housing within Settlement Boundaries – permits suitable proposals for housing redevelopment involving existing buildings / previously developed land within the designated settlement boundaries.

ENV 6 Landscape of County Importance – the whole of the village of St Bees has this designation and this seeks to protect the area from inappropriate change that could

adversely impact on the character of the landscape. Where development is permitted special regard will be paid to design, scale, siting and materials.

TSP 6 General Development Requirements – this seeks to ensure that access in relation to development is achieved for all in a safe and efficient manner.

TSP 8 Parking Requirements - ensures that all new development provides adequate parking standards.

Assessment

A contentious issue has been the restriction of the design and form of the dwellings on this site to single storey only, by a condition of the original and then subsequent outline consents. This has resulted in applications for two and three storey dwellings on all of the plots being refused. Of those that went to appeal two were dismissed with plot 4, a dormer bungalow, being allowed which has now been constructed. Mindful of this the applicant's agent has confirmed in the supporting Planning Statement that the dwelling will be of single storey construction.

Taking the above into account and in view of the fact the site already has the benefit of an extant outline consent, albeit as part of a scheme of four dwellings, the proposal is considered to represent an acceptable form of housing development in compliance with key Policies DEV 4, DEV 6 and HSG 4 of the adopted Copeland Local Plan 2001-2016 (Saved Policies June 2009) and the National Planning Policy Framework.

Recommendation:-

Approve in outline, subject to:-

Conditions

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

Reason

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

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

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

Or

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

Reason

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

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

Location Plan, scale 1:1000, received 10 April 2012.

Location Plan, scale 1:500, received 10 April 2012.

Supporting Planning Statement incorporating a Design and Access Statement, received 10 April 2012.

Reason

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

4. The dwelling shall be of single storey construction.

Reason

To minimise the impact of the development on existing neighbouring properties.

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

Reason

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

INFORMATIVES

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

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

Reason for Decision

The principle of erecting of a single dwelling on this plot, as part of a small housing scheme situated off Seamill Lane, St Bees, is considered acceptable in accordance with Policies DEV 4, DEV 6 and HSG 4 of the adopted Copeland Local Plan 2001-2016 (Saved Policies June 2009) and the National Planning Policy Framework.

ITEM NO: 8.

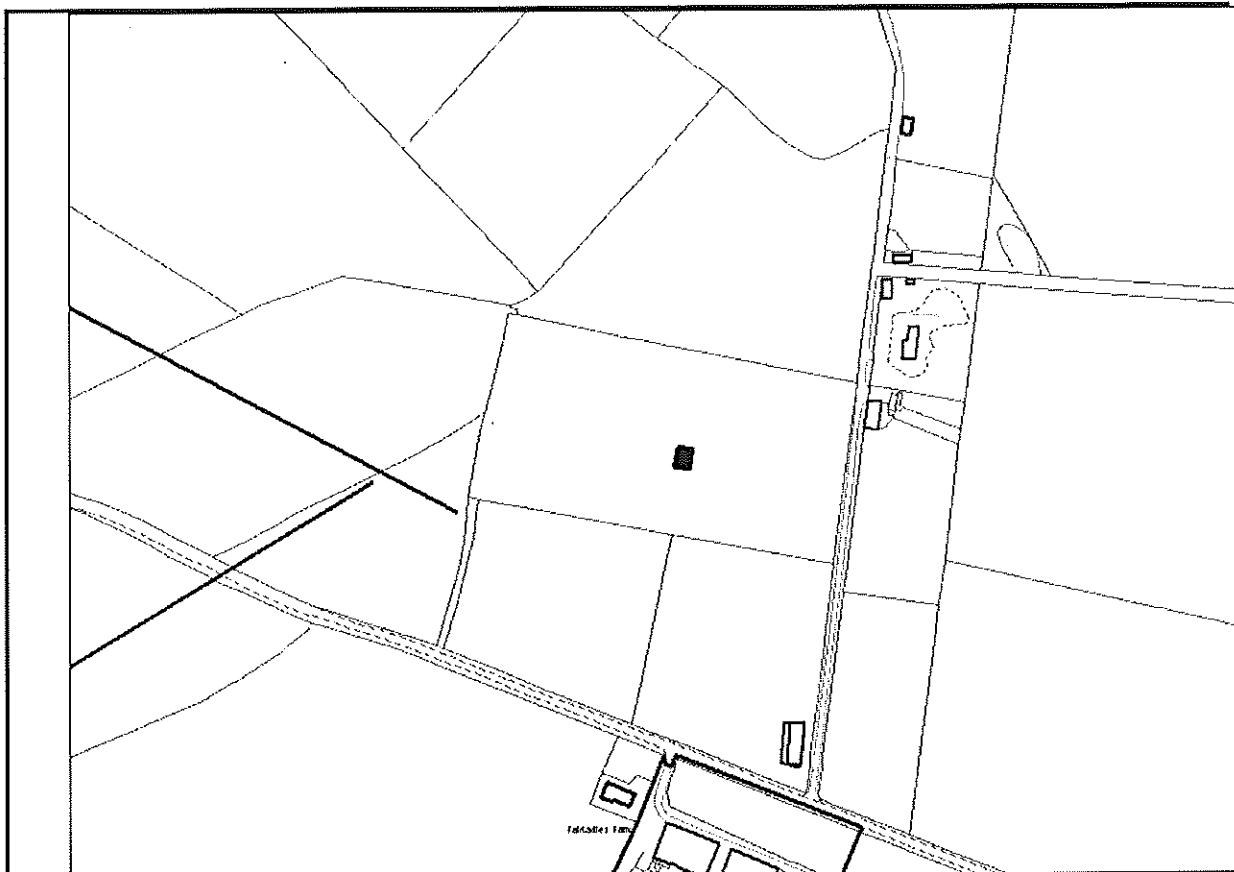


To: PLANNING PANEL

Development Control Manager

Date of Meeting: 23/05/2012

Application Number:	4/12/2199/OF1
Application Type:	Full : CBC
Applicant:	Mr G Park
Application Address:	LAND AT GREEN LONNING, EGREMONT
Proposal	ERECTION OF 11KW GAIA WIND TURBINE ON AN 18M GALVANISED STEEL LATTICE MAST
Parish:	St. Bees
Recommendation Summary:	Approve (commence within 3 years)



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THE PROPOSAL

Planning permission is sought to erect a single 11kw wind turbine on agricultural land in this elevated location to the east of St Bees village and 1.8 miles west of Egremont. Fairladies farm is located to the south where two similar lattice tower turbines were recently allowed on appeal and have now been erected (4/11/2033/OF1 refers).

The turbine will be located in the middle of a field, toward the top of a rise in the land 190m northwest of the applicants agricultural building and some 150m to the southwest of Green Lonning, the nearest residential property. The curtilage of Fairladies farm is located 220m to the south.

A smaller domestic turbine is also in place at Moorclose, a detached dwelling located southeast of the site. Likewise, a much larger turbine has recently been approved at Whangs Farm, to the east (4/11 refers)

Vehicular access will be via the existing metalled access track serving Green Lonning which is off the adjacent C4007 Egremont to St Bees road. The applicant's agricultural building lies to the west of this junction.

There is a line of electricity pylons running parallel to the access lane and to the south of the application site within the adjacent field. In the distance looking east and running in a north-south direction close to Watson Hill farm is a line of much larger electricity pylons carrying overhead lines.

In terms of detail the turbine will comprise two blades situated on top of an 18.0m high steel galvanised lattice tower, resulting in a total height of 24.8m including tower, hub and blades. Externally the turbine will be finished in a pale grey/off white colour.

The turbine will be sited on a 5 square metre concrete base and will be connected to the applicant's agricultural building power supply at the main fuse box via a cable buried 0.75m. There will be a control box at ground level measuring 0.85m in height and 0.63m in width.

The application is accompanied by a Design and Access /Planning Statement and supporting documentation. This includes assessments covering noise, shadow flicker, ecology and conservation, electro-magnetic interference and aviation, heritage and a landscape and visual assessment.

The Design and Access /Planning Statement puts forward the reasoning behind the choice of location which is considered to be as close as is practicable to the applicants building whilst ensuring that it remains efficient and un-obtrusive within the landscape. It notes that the surrounding landscape is rural in nature with a patchwork of agricultural fields broken up with mature planting. The surrounding topography is undulating in nature, a feature that shall help minimise the visual impact of the proposed turbine. Likewise, it is considered that the lattice tower will be permeable in nature, helping breakdown the mass of the installation and reduce the visibility over a distance.

The statement goes on to state that the turbine will have no tail fin and only two blades thus making the turbine head less visually intrusive. A higher mast was initially considered but was considered too prominent in this location. The visibility of the turbine from some short distance vantage points should not render it demonstrably harmful.

The turbine is sought to enable the applicant to reduce his carbon footprint and energy bills and to increase self sufficiency in terms of electricity production. At times of low usage all excess energy will be fed back into the Grid.

The noise assessment identifies the nearest non-associated noise sensitive receptors to be Green Lonning (residential dwelling) and Fairladies Farm (farmhouse) and acknowledges

that there are other residential dwellings in the site environs, although these are situated further from the site location. It goes on to conclude that on the basis of the predicated noise levels it is evident that the 35 DB LA90 10 min threshold is not exceeded at the nearest non-associated noise sensitive receptors to a wind speed of 10 metres per second (at 10 metres height). Therefore, it is considered that the proposed wind turbine should not have any unacceptable noise impact on the occupants of the nearest noise sensitive receptors.

CONSULTATIONS

St Bees Parish Council – raise no objections.

Highways Authority - raise no objections to the proposal from a highway point of view and recommend three conditions relating to the proposed crossing of the highway verge, construction debris and traffic management.

Environmental Health – raise no objections as the submitted noise assessment indicates noise from the wind turbine would not exceed the standard recommended in the guidance document *“ETSU-R-97 The Assessment and Rating of Noise from Wind Farms”*. However, to afford protection to nearby residents an appropriate noise condition is recommend.

PLANNING POLICY

The Government has recently published the National Planning Policy Framework which sets out the new planning guidelines at a national level. Within the NPPF 12 core land-use planning principles have been identified which should underpin both plan-making and decision-taking. Three of these principles, which are considered of particular relevance to the assessment of this application, are set out below and state that planning should:

- support the transition to a low carbon future in a changing climate and encourage the use of renewable resources (for example, by the development of renewable energy).
- contribute to conserving and enhancing the natural environment and reducing pollution.
- always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

The NPPF includes a presumption in favour of sustainable development. Meeting the challenge of climate change and conserving and enhancing the natural environment are encouraged as part of the goal of securing sustainable development.

To meet the challenge of climate change there is a need to help increase the use and supply of renewable and low carbon energy. As such, local planning authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources (para. 97). When determining planning applications, local planning authorities should:

- not require applicants to demonstrate the overall need for renewable energy and also recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions, and
- approve the application if its impacts are (or can be made) acceptable (para.98).

The NPPF requires proposals to be determined in accordance with the development plan unless material considerations determine otherwise. It allows full weight to be given to relevant local plan policies until March 2013. The adopted Copeland Local Plan 2001-2016, falls into this category and Policies EGY 1 'Renewable Energy', EGY 2 'Wind Energy' and ENV 6 'Landscapes of County Importance' are specifically relevant.

Policy EGY 1 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.

Policy ENV 6 seeks to protect areas of landscape formally designated as 'Landscapes of County Importance' from inappropriate change. The siting of the mast is on land subject to such a designation. Where development is permitted special regard should be paid to the design, scale, siting and choice of materials.

In addition to the above the Cumbria Wind Energy Supplementary Planning Document, adopted 2008, is also a material consideration. This 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.

This SPD and the Cumbria Landscape Character Guidance and Toolkit, March 2011, identifies the area as 'coastal sandstone' comprising the distinctive sandstone cliff scenery around St Bees, undulating plateau and the rolling coastal hills that move inland and south towards Sellafield. The vision here is to manage, enhance and restore the landscape. Most importantly in terms of development it is recognised that large scale wind energy development could take place due to the exposed coastal location where wind speeds are high but advises that prominent coastal locations are avoided.

ASSESSMENT

The key issues to take into account when assessing this particular proposal which are considered material and relevant are the potential for noise disturbance on nearby residences, visual impact and the effect of the proposed wind turbines on the character and appearance of the surrounding rural landscape.

The supporting documentation accompanying the application concludes overall that there will be minimal impact from the siting of this turbine in respect of noise, ecology, shadow flicker, heritage assets and access and that is accepted.

In particular, given the distances between the proposed turbine and the nearest non-associated residential dwellings and the conclusion of the noise assessment that predicted noise levels are likely to be lower than the minimum required levels at these properties, adverse impact from noise is not considered to be an issue.

The effect of the turbine on the character and appearance of the landscape warrants careful consideration, particularly in view of recent appeal decisions which are considered material and also related to a site formally designated as a 'Landscape of County Importance'.

This area comprises a wide open exposed landscape comprising mainly agricultural land broken up by groups of farm buildings and the odd isolated dwelling, network of minor roads and electricity pylons. The application site itself comprises part of the undulating farmed inland identified by the Cumbria Landscape Character Toolkit and is not in itself a prominent coastal location. It also has to be noted that there are existing large vertical structures already present to the south and west of the site in the form of the two recently erected turbines at Fairladies Farm and electricity pylons carrying overhead lines.

Whilst the presence of this 24.8 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 sensitive views in the area likely to be adversely affected. It is therefore considered that the proposed turbine would therefore not be overly dominant or intrusive in the landscape given the presence of nearby building groups and the existing man-made structures.

CONCLUSION

Taking the above into account it is therefore considered that the proposed siting of this single turbine would not have a materially harmful effect on the character and appearance of the surrounding rural landscape or nearby residential properties. As such, the proposal accords with Policies EGY 1, EGY 2 and ENV 6 of the local plan and the NPPF.

Recommendation:-

Approve subject to:-

Conditions

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

Reason

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

2. Permission shall relate to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them:-
 - Site location plan, scale 1:2500, dated 28 February 2012, received on 10 April 2012.
 - Front elevation and plan view (drawing no. GAIA-WIND 18-1L), received on 10 April 2012.
 - Sustainable Energy Structures in the Rural Landscape – Comparative Heights, received on 10 April 2012.
 - Design and Access Statement/ Planning Statement, prepared by Michael Gordon, Myriad CEG, received on 10 April 2012.
 - Gaia Wind Turbine Noise Performance Test, prepared by Hayes McKenzie Partnership (report HM:2064/R1) dated 19 February 2009, received on 10 April 2012.
 - Gaia-Wind 11 kw Supplementary Information for Planning Applications (GW-UK-6-0208 lattice), received on 10 April 2012.
 - Noise Impact Assessment, prepared by Environmental Noise Solutions Limited, reference NIA/4013/12/3578, dated 25 April 2012, received on 2 May 2012.

Reason

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

3. If the turbine ceases to be operational for a continuous period of six months it shall be dismantled and removed from the site and that part of the site shall be 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 that part of the site shall be restored in accordance with the approved scheme.

Reason

To avoid possible dereliction and in the interests of general amenity.

4. Noise emissions from the wind turbine to which this permission refers shall not exceed 35 dB $L_{A90(10 \text{ minutes})}$, 10min at a wind speed of 10 m/sec at a height of 10m above ground when measured at any point at the facade of any residential or other noise sensitive boundary. For the purposes of this permission background levels shall be those levels of noise which occur in the absence of noise from the turbine to which this permission relates, expressed in terms of an A-Weighted, 90th percentile level, measured at an appropriate time of day and for a suitable period of not less than 10 minutes.

NB The microphone must be positioned 1.2 to 1.5m above ground level, fitted with a suitable windshield and situated in "free field conditions" external to any residential property, in accordance with the requirements of BS4142.

Reason

To safeguard the amenities of neighbouring residential properties.

Informatives

- Details of proposed crossings of the highway verge and/or footway should be agreed with the Highway Authority and work should not commence until the crossing has been constructed in accordance with the agreed details.
- 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.
- The applicant shall submit for approval to the Highways Authority a traffic management plan. All recommendations in the report shall be implemented prior to commencement of works on site.

Reason for decision:-

The siting of a single 24.8 metre high wind turbine in this location is considered to represent an acceptable form of wind energy development in accordance with Policies EGY1, EGY 2 and ENV 6 of the adopted Copeland Local Plan 2001-2016 and the National Planning Policy Framework.

ITEM NO: 9.

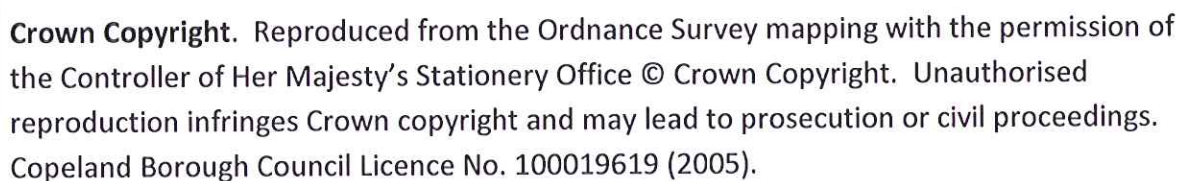


To: PLANNING PANEL

Development Control Manager

Date of Meeting: 23/05/2012

Application Number:	4/12/2216/OF1
Application Type:	Full : CBC
Applicant:	G & M Ross
Application Address:	LAND AT ROSSDALE, THE HILL, MILLOM
Proposal	ERECTION OF DWELLING ON GARDEN LAND WITH LOCAL OCCUPANCY AGREEMENT
Parish:	Millom Without
Recommendation Summary:	Site Visit



Externally, the existing properties within this small dwelling group have dashed walls, tiled roof coverings and white upvc windows and doors. They are all two storey detached houses with front porches and projecting front gable features.

PROPOSAL

This application seeks permission for a detached dormer style bungalow which would provide two bedroomed accommodation.

A supporting statement accompanies the application and sets out how the applicants have lived in the community for over 33 years and wish to move into a smaller dwelling. Having failed to identify any existing suitable premises within the area they wish to erect a small one and half storey dwelling in a section of their current garden. Whilst they understand that the site is slightly detached from their existing property, it is surrounded by residential development; can be developed without detriment to surrounding properties or landscape and will leave the existing dwelling with a large private curtilage area. A copy of this supporting statement is attached.

The dwelling would be simple in design with a projecting gable feature and porch, to complement the existing houses. There would also be a front dormer and rear gable feature. In terms of external finishes it is proposed to utilise white roughcast render, dark grey roof tiles and dark brown upvc windows and doors.

It is proposed to site the dwelling towards the southern end of the site with a new, dedicated access being created to the north, directly off the A5093.

The dwelling will be orientated so that the front elevation faces east, towards the existing houses. At its closet points the front elevation of the new dwelling would be 16.5m from the front of Vilamoura and 18.5m from the front of High Bank, both of which also contain habitable room windows. The rear elevation will be 11.5m from the side of Hilltops.

Foul drainage will be via an existing septic tank and surface water would be disposed of via a soakaway.

CONSULTATIONS

Statutory consultations are ongoing. To date the following comments have been received.

Millom Without Parish Council wish the following observations to be noted:

- The site consists of a narrow strip of land closely surrounded on three sides by existing houses and separated from those houses by a private access road. Because

of the proximity of those houses to the site each of the occupants should be served with a copy of the application.

- There does not appear to be any notice of a planning application at or nearby the proposed site.
- The site has a considerable slope at the south elevation and the proposed dwelling will actually be taller from that elevation than would appear from the plan.
- Although described as a “small one and a half storey cottage style dwelling” it will in fact be a substantial property which will occupy a very large proportion of the width of the site and leaving very little space between it and the 5 houses which surrounded it. In relation to this observation Council wonders whether the proposed dwelling meets the Copeland standards.

For clarification it should be noted that all adjoining property owners have been consulted by way of the standard neighbour notification letter. A site notice was put up at the entrance to the site on the 3 May 2012.

Adjoining owners - A letter of support signed by all four adjacent property owners has been received. Within this letter the adjoining owners confirm that they have been shown the plans by the applicant and wish to offer their full support to the proposals. They comment that the applicants have lived at Rosedale for over 30 years and are very much a part of their, and the wider village community. The construction of a smaller dwelling on this plot of land will enable the applicants to remain in the community and will have no adverse impact on neighbouring properties. They wholeheartedly support the proposed dwelling and trust the Council will approved this application.

PLANNING POLICY

The Government has recently published the National Planning Policy Framework which sets out the new planning guidelines at a national level. The NPPF includes a presumption in favour of sustainable development. Supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations together with the protection of the natural and built environment are encouraged as part of the goal of securing sustainable development

To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances (paragraph 55).

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

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

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

DEV 5 'Development in the Countryside' seeks to protect the quality and character of the wider countryside and sets out the types of development that will be permitted outside the defined Key Service and Local Centres. Amongst other things, this includes local needs housing.

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

HSG 5 'Housing Outside Settlement Development Boundaries' presumes against allowing new housing development in the countryside except where it is required to meet exceptional circumstances arising from local social and economic conditions. Where this criterion is fulfilled the development must comply with the sequential test set out in Policy DEV 4 and any resultant planning permission must be granted subject to a planning obligation or condition limiting occupation.

HSG 8 'Housing Design Standards' sets out the design criteria for all new housing within the Borough. Amongst other things, HSG 8 requires certain separation distances between dwellings to be achieved, including a minimum of 21.0m between face elevations containing habitable room windows.

At this stage it has not been demonstrated that the separation distances set out in Policy HSG 8 can be met. Consequently, there are concerns that the proposed dwelling could have an adverse impact on residential amenity in terms of overlooking and resultant loss of privacy.

RECOMMENDATION

Given the rather constrained nature of the site and in order to fully appreciate the relevant planning issues in the context of the new NPPF I recommend that Members visit the site before determining this application.

Recommendation:-

Site visit

PJW/AS/12/018

16th April 2012



4/12/2213/OF1

COPELAND BOROUGH COUNCIL
DEVELOPMENT CONTROL

19 APR 2012

RECEIVED

Chief Planning Officer
Copeland Borough Council
The Copeland Centre
Catherine Street
Whitehaven
CA28 7SJ

Dear Sir/Madam

**Planning Statement – Proposed Dwelling at The Hill, Millom for
Mr and Mrs G Ross**

This statement has been prepared to support the planning application submitted to you in respect of the above proposal by Speakman Architects.

Background

The applicants, Mr and Mrs G Ross, built their current home Rosssdale in 1979 as part of a larger scheme for 5 dwellings granted planning permission in 1978. The property has five bedrooms and now that their children have left home Mr and Mrs Ross, who remain working in the area, wish to move into a smaller dwelling whilst remaining close to the community that they have lived in for over 33 years. Having failed to identify any existing suitable premises within the area they have decided to apply for planning permission to erect a small one and half storey dwelling in a section of their current garden. Whilst the site is slightly detached from their property it is surrounded by residential development; can be developed without detriment to surrounding properties or landscape and will leave the existing dwelling with a large private curtilage area.

Planning Policy

The Copeland Local Plan (2001-2016) was adopted in 2006 and policies relevant to this application have been saved until they are superseded by the Copeland Local Development Framework. The Hill is not a settlement recognised by Local Plan as being either a Key Service Centre or a Local Service Centre, (Policies Dev 2 and 3), and new development would only be allowed here where it is required to meet exceptional circumstances arising from local economic and social circumstances (Policy Dev 5) or where it would provide affordable housing to meet an identified

69a



Chartered Town Planners

Need (Policy Dev 11). My understanding is that the Borough Council's Planning Officers consider that neither of these exceptions apply in this case in spite of the applicants' long family ties to the settlement.

16 APR 2012

RECEIVED

In March 2012, following the implementation of the Localism Act 2011, the Government published the National Planning Policy Framework (NPPF) which instantly became a material consideration that Local Planning Authorities should take into account when preparing future Local Plans and taking decisions on individual planning applications. It sets out, amongst other things, the Government's presumption in favour of sustainable development. There are three dimensions to sustainable development: economic, social and environmental. In this case it is the social role that is the most important and the NPPF requires the planning system to support strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations with accessible local services that reflect the community's needs and supports its health, social and cultural well-being. Paragraph 55 of the NPPF states as follows:

"To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services (such as local shops, schools, meeting places, sports venues, cultural buildings, public houses and places of Worship) in a village nearby. "

The Hill, along with The Green and Hallthwaites, form a cluster of such small settlements along a short 2km, easily walkable, stretch of the A5093 to the north of Millom. Whilst none of the settlements are included in the current list of Key and Local Service Centres they do have a strong social and economic relationship, between them providing a comprehensive and easily accessible range of services including a school, public house, church and two village halls. Consequently I consider that the housing development proposed at The Hill by this proposal is just the sort of proposal anticipated by the NPPF in that it will help to maintain the viability of these services and the vibrancy of the local community. Interestingly such an approach to rural housing development already exists in the adjacent Lake District National Park where the National Park Authority has identified a number of Cluster Communities, that sit beneath its identified key and local service centres, where it will allow small scale development in order to reinforce traditional settlement roles, aspirations and patterns, and help local communities adapt to rural challenges.

The Millom Without Parish Housing Needs Survey carried out in 2008 indicated a housing need within the Parish of twenty nine, eighteen of these were considered to be in need of affordable housing with the remaining eleven having a local need. I am aware that a number of houses have been allowed locally in recent years (e.g. Greyside, The Hill and at Jerry Bridge, Hallthwaites) for occupancy by local people and Mr and Mrs Ross are quite prepared to accept a similar local occupancy condition on their proposed new property.

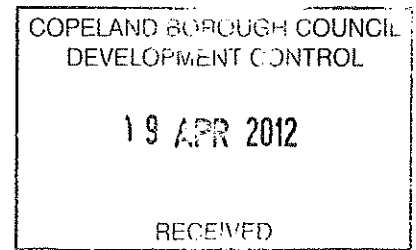
4/12/2211/OF1

This change in Government policy is now a material planning consideration and must be fed into Local Plans over the next 12 months when it should be given great weight in the consideration of planning applications. I consider that these emerging strands support applications such as that submitted on behalf of Mr and Mrs Ross and I would urge you to approve.

Yours sincerely

pp A Sheridan

Peter Winter MRTPI
Head of Planning Services



ITEM NO: 10.

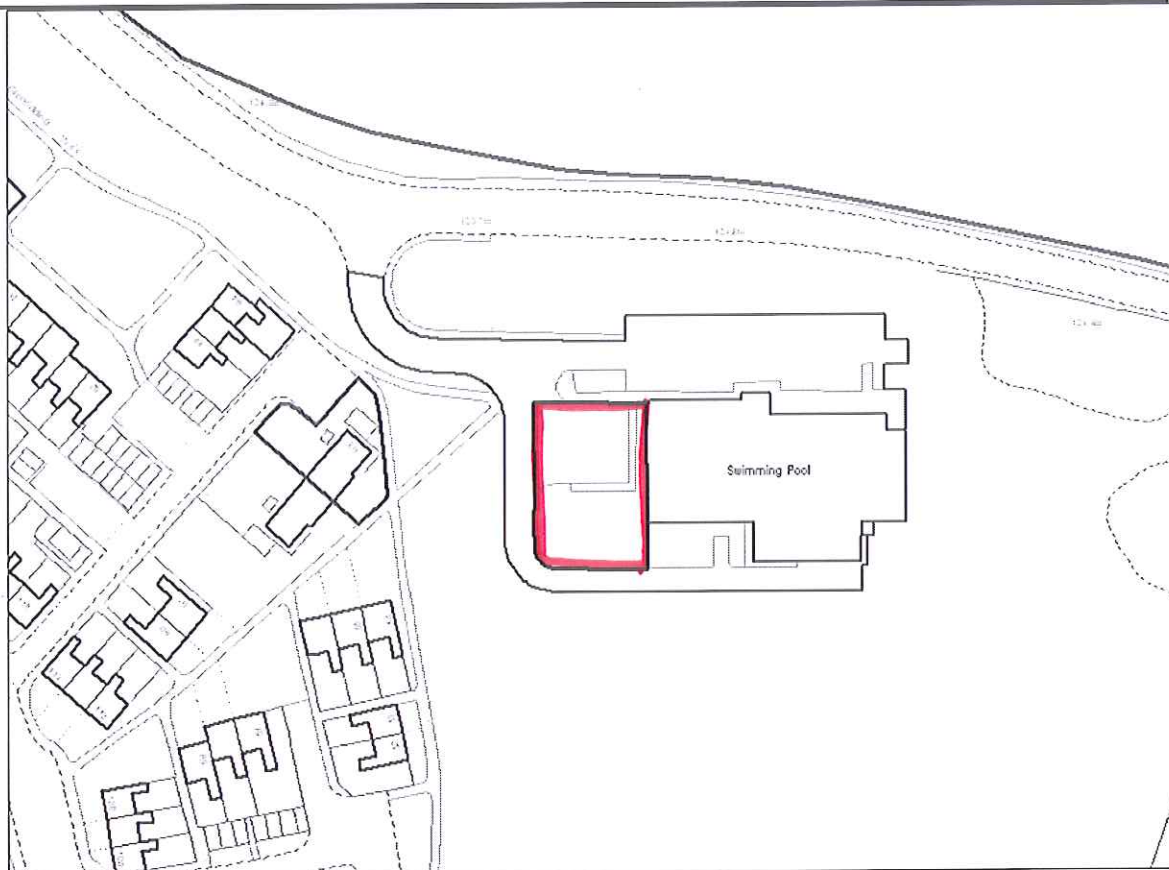


To: PLANNING PANEL

Development Control Manager

Date of Meeting: 23/05/2012

Application Number:	4/12/2221/OF1
Application Type:	Full : CBC
Applicant:	North Country Leisure
Application Address:	WHITEHAVEN SWIMMING POOL, CLEATOR MOOR ROAD, WHITEHAVEN
Proposal	EXTENSION TO PROVIDE GYMNASIUM & FITNESS ACTIVITY SPACES & THE PROVISION OF AN ADDITIONAL 61 PARKING SPACES
Parish:	Whitehaven
Recommendation Summary:	Approve (commence within 3 years)



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INTRODUCTION

This application relates to the site of the Whitehaven Swimming Pool at Cleator Moor Road, Hensingham, Whitehaven. The Copeland swimming pool has been located on the site for approximately 30 years. It is on the south eastern edge of the Whitehaven settlement, accessed from the frontage onto the B5295 Whitehaven to Cleator Moor road.

PROPOSAL

This application seeks approval for an extension to the leisure facility to provide a gymnasium and fitness space with additional car parking.

The existing building on the site is a single storey large building with a red brick exterior and red tiled roof. The proposed extension is to be placed on an existing area of car parking to the west of the building. The main access to the swimming pool will be used for the gym area to make use of the existing changing facilities and reception. The proposed building is rectangular in shape with a footprint of 20.0m x 17.5m, which will provide 175m² of gym space and two 50m² activity rooms. It will be connected to the existing pool building with a glazed walkway. A small flat roofed section will be adjacent to the existing building which will provide some office space and house the plant room.

Externally the main extension building will be clad to match the existing building, incorporating glazed sections to provide natural light and ventilation to the gym. The flat roofed section of the building will be finished in a mid grey colour cladding. The roof to the main gym building is proposed to have a sedum 'green' roof with a 5 degree pitch to enable water runoff.

The existing vehicular access to the site from the B5295 remains unchanged in the proposal. Within the site, the extension will be located on the site of the bus parking area, resulting in the loss of the 4 bus parking spaces. The proposal does however include an additional 61 parking spaces. 13 of the additional spaces are located on land to the front of the proposed building and the remaining 48 will be to the rear of the property.

The application has been submitted as the existing Copeland gym facility in Whitehaven town centre is at capacity.

CONSULTATION RESPONSES

No comments have been received as yet from the statutory consultees such as Cumbria Highways.

No objections have been received from any neighbouring property owners.

POLICY ISSUES

The National Planning Policy Framework, which recently came into effect (March 2012), sets out the Government's new planning policies and introduces a presumption in favour of sustainable development.

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

It allows full weight to be given to relevant local plan policies until March 2013. The Copeland Local Plan 2001 – 2016, adopted in 2006, falls in this category. In respect of this application key policies of the adopted Copeland Local Plan identified below remain relevant to the assessment of this application.

Policy SVC 14 of the adopted Copeland Local Plan 2001-2016 supports expanded recreation and leisure facilities provided that they do not harm the local landscape; adversely affect neighbours or create unacceptable traffic conditions.

Policy DEV 5 seeks to protect the character of the open countryside and therefore only permits certain types of development outside the defined development boundaries of the key service centres and local centres. Leisure and tourism related development is one of the exceptions which may be deemed acceptable in the open countryside. This policy is included as while the building and the proposed extension are within the Whitehaven settlement boundary, the proposed additional parking to the rear is outside of the boundary.

Policies DEV 6 is also considered of particular relevance to the determination of this application. This sets out the Council's sustainable design criteria which all new developments must adhere to.

ASSESSMENT

The proposed gym and fitness space is within the existing site of the swimming pool and is considered an acceptable extension to the existing building. In addition, it is considered that the proposal will not adversely affect the residential amenity of any adjoining dwellings.

The additional parking will improve the facility as currently during busy times the car parking as existing is inadequate for the swimming pool. The additional parking to the rear, whilst outside the Whitehaven settlement boundary, can be justified as it is proposed in the form of a 'grasscrete' type construction to remove the need for additional hard development.

The proposal is therefore considered to be in accordance with Policies SVC 14, DEV 5 and DEV 6 of the adopted Copeland Local Plan 2001 – 2016 and is recommended for approval.

Recommendation:-

Approve

Conditions

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

Reason

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

2. Permission shall relate to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them:-
 - Location Plan 1:1250 Drawing AL(0)01 received by the Local Planning Authority on 23 April 2012.
 - Existing Site Plan 1:500 Drawing AL(0)02 received by the Local Planning Authority on 23 April 2012.
 - Proposed Site Plan 1:500 Drawing AL(0)03 received by the Local Planning Authority on 23 April 2012.
 - Proposed Plan 1:100 Drawing AL(0)04 received by the Local Planning Authority on 23 April 2012.
 - Proposed Elevations 1:100 Drawing AL(0)10-12 received by the Local Planning Authority on 23 April 2012.
 - Proposed Sections 1:100 Drawing AL(0)20-21 received by the Local Planning Authority on 23 April 2012.
 - Proposed perspective 1:500 Drawing AL(0)30 received by the Local Planning Authority on 23 April 2012.

Reason

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

Reason for decision:-

An acceptable proposal for a gym and fitness space extension to this existing leisure facility together with 61 additional car parking spaces in accordance with Policies SVC 14, DEV 5 and DEV 6 of the adopted Copeland Local Plan 2001 – 2016.

ITEM NO: 11.

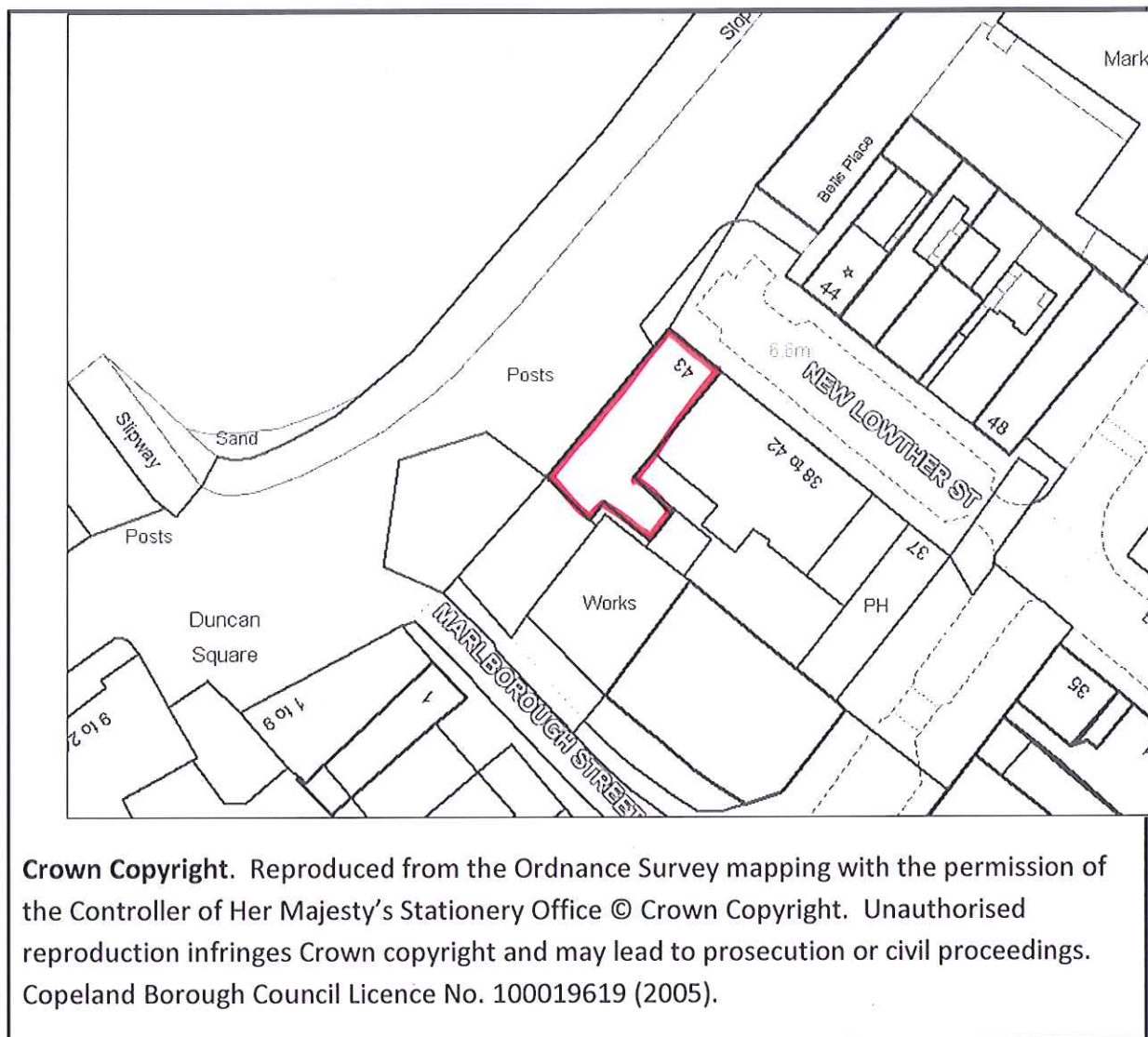


To: PLANNING PANEL

Development Control Manager

Date of Meeting: 23/05/2012

Application Number:	4/12/2225/OF1 and 4/12/22260C1
Application Type:	Full : CBC
Applicant:	Dobies Cumbria Properties Limited
Application Address:	43 LOWTHER STREET, WHITEHAVEN
Proposal	PART DEMOLITION AND RE-BUILD OF FORMER YWCA BUILDING INTO TEN APARTMENTS
Parish:	Whitehaven
Recommendation Summary:	Site Visit



INTRODUCTION

This application relates to the former YWCA building which occupies a prominent location at the end of New Lowther Street. The building fronts on to the harbour and lies within the Whitehaven Conservation Area.

PROPOSAL

Planning permission and Conservation Area Consent are sought for the partial demolition and redevelopment of the site to provide a residential development comprising 10 apartments. The proposed demolition involves the removal and rebuilding of the south west gable and also the partial demolition of a section of the front elevation to allow the addition

of two gabled extensions. These extensions will project beyond the existing front wall by 2 metres onto land owned by the Harbour Commissioners. The north east gable is to be retained although the existing windows will be modified.

It is also proposed to raise the roof of the building by 2 metres to give an overall ridge height of 13.4 metres. This will allow the introduction of an additional floor which will permit the creation of a total of 10 apartments. The proposed apartments would comprise 2 three bed apartments, 3 two bed apartments and 5 one bed apartments.

Externally the building will be finished with rendered walls and the pitched roof will be slated. All the windows will be of a timber construction and will have a painted finish.

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 structural report

As this application relates to a major redevelopment proposal on a prominent harbour frontage site within the Conservation Area it is appropriate for Members to visit the site before reaching a decision.

Recommendation:-

Site Visit

Date From	17/04/2012	Date To	14/05/2012	View Report
Select a format Export				

List of Delegated Decisions

Selection Criteria:**From Date:** 17/04/2012**To Date:** 14/05/2012**Printed Date:** Monday, May 14, 2012**Printed Time:** 2:51 PM

Application Number	4/12/2066/0F1
Applicant	Mr P Martin and Miss A Sewell
Location	PLOT 8, FORMER WHITE SCHOOL SITE, KELLS, WHITEHAVEN
Proposal	TWO STOREY DETACHED DWELLING HOUSE
Decision	Approve (commence within 3 years)
Decision Date	24 April 2012
Dispatch Date	24 April 2012
Parish	Whitehaven

Application Number	4/12/2102/0F1
Applicant	Mr and Mrs C Brannon
Location	PLOT 10, FORMER WHITE SCHOOL, KELLS, WHITEHAVEN
Proposal	ERECTION OF A DWELLING
Decision	Approve (commence within 3 years)
Decision Date	17 April 2012
Dispatch Date	17 April 2012
Parish	Whitehaven

Application Number	4/12/2103/0F1
Applicant	Mr K Steel
Location	LAND ADJACENT TO EHEN BANK, EHEN HALL GARDENS, CLEATOR
Proposal	ERECTION OF NEW DWELLING
Decision	Approve (commence within 3 years)
Decision Date	17 April 2012
Dispatch Date	17 April 2012
Parish	Cleator Moor

Application Number	4/12/2104/0F1
Applicant	Mr M Nightingale
Location	50 ESK AVENUE, WHITEHAVEN
Proposal	ERECTION OF FENCE (RETROSPECTIVE)
Decision	Approve (commence within 3 years)
Decision Date	3 May 2012
Dispatch Date	3 May 2012
Parish	Whitehaven

Application Number	4/12/2105/0F1
Applicant	SASRA
Location	WINDSCALE CLUB, GOSFORTH ROAD, SEASCALE
Proposal	SITING OF FOUR AIR CONDITIONING UNITS ON OUTSIDE OF FITNESS FACILITY
Decision	Approve (commence within 3 years)
Decision Date	18 April 2012
Dispatch Date	18 April 2012
Parish	Seascale

Application Number	4/12/2109/0L1
Applicant	Mr Coulthard
Location	11 FOXHOUSES ROAD, WHITEHAVEN
Proposal	LISTED BUILDING CONSENT FOR NINE REPLACEMENT WINDOWS
Decision	Refuse Listed Building Consent
Decision Date	20 April 2012

Dispatch Date	20 April 2012
Parish	Whitehaven

Application Number	4/12/2111/0F1
Applicant	Tesco Stores Ltd
Location	TESCO STORE, BRANSTY ROW, NORTH SHORE, WHITEHAVEN
Proposal	EXTENSION FOR BULK STORAGE WITHIN EXISTING SERVICE YARD
Decision	Approve (commence within 3 years)
Decision Date	19 April 2012
Dispatch Date	19 April 2012
Parish	Whitehaven

Application Number	4/12/2113/0F1
Applicant	Rev. P Peacock
Location	EGREMONT METHODIST CHURCH, MAIN STREET, EGREMONT
Proposal	FORMATION OF EMERGENCY EXIT AND ASSOCIATED WHEELCHAIR RAMP & ALTERATIONS TO EXISTING ENTRY/EXIT DOOR
Decision	Approve (commence within 3 years)
Decision Date	23 April 2012
Dispatch Date	23 April 2012
Parish	Egremont

Application Number	4/12/2118/0F1
Applicant	Mrs E Robinson
Location	SCALLOW FARM, LAMPLUGH
Proposal	ERECTION OF DETACHED AGRICULTURAL BUILDING
Decision	Approve (commence within 3 years)
Decision Date	24 April 2012
Dispatch Date	24 April 2012
Parish	Lamplugh

Application Number	4/12/2121/0F1
Applicant	Mrs P Greenall
Location	17 WRAY HEAD, DRIGG, HOLMROOK
Proposal	CONSERVATORY TO REAR, WHEELCHAIR RAMP & NEW EXTERIOR DOOR
Decision	Approve (commence within 3 years)
Decision Date	26 April 2012
Dispatch Date	26 April 2012
Parish	Drigg & Carleton

Application Number	4/12/2122/0F1
Applicant	High Grange Developments Ltd
Location	PLOT 1, ROWANGATE, HENSINGHAM, WHITEHAVEN
Proposal	REVISED DWELLING TYPE ON PLOT 1 (4/08/2267/0R1)
Decision	Approve (commence within 3 years)
Decision Date	24 April 2012
Dispatch Date	24 April 2012
Parish	Whitehaven

Application Number	4/12/2124/0F1
Applicant	Mr P and Mrs M Kyles

Location	SEABREEZE, SOUTH BEACH, BRAYSTONES, BECKERMET
Proposal	ERECTION OF DOMESTIC WIND TURBINE (RETROSPECTIVE)
Decision	Approve (commence within 3 years)
Decision Date	30 April 2012
Dispatch Date	30 April 2012
Parish	Lowside Quarter

Application Number	4/12/2125/0F1
Applicant	Mr M Garratt
Location	PLOT 29, FORMER WHITE SCHOOL, KELLS, WHITEHAVEN
Proposal	ERECTION OF A DWELLING HOUSE
Decision	Approve (commence within 3 years)
Decision Date	24 April 2012
Dispatch Date	24 April 2012
Parish	Whitehaven

Application Number	4/12/2126/0F1
Applicant	Mr and Mrs A Hodgson
Location	10 ROWANTREE CLOSE, WHITEHAVEN
Proposal	SINGLE STOREY EXTENSION WITH ACCESS STEPS - LANDING TO REAR
Decision	Approve (commence within 3 years)
Decision Date	24 April 2012
Dispatch Date	24 April 2012
Parish	Whitehaven

Application Number	4/12/2127/0F1
Applicant	Sellafield Ltd
Location	SELLAFIELD, SEASCALE
Proposal	VARIATION OF CONDITION 1 OF 4/07/2102 TO EXTEND EXISTING PLANNING PERMISSION FOR A FURTHER 5 YEARS
Decision	Approve
Decision Date	30 April 2012
Dispatch Date	30 April 2012
Parish	Beckermest

Application Number	4/12/2128/0F1
Applicant	Mr S Hurst
Location	31 JAMES STREET, WHITEHAVEN
Proposal	CHANGE OF USE FROM A1 (RETAIL) TO A3 (RESTAURANT/CAFE) & A1 - MIXED USE
Decision	Approve (commence within 3 years)
Decision Date	1 May 2012
Dispatch Date	1 May 2012
Parish	Whitehaven

Application Number	4/12/2129/0F1
Applicant	Mr G Greggain
Location	HORSLEY CROFT, HIGH WALTON, EGREMONT
Proposal	GENERAL PURPOSE/SHEEP BUILDING EXTENSION
Decision	Approve (commence within 3 years)
Decision Date	1 May 2012
Dispatch Date	1 May 2012

Parish	St. Bees
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Application Number	4/12/2130/0F1
Applicant	Mrs M Baker
Location	64 HOLLY BANK, THE HIGHLANDS, WHITEHAVEN
Proposal	SINGLE STOREY EXTENSION TO SIDE
Decision	Approve (commence within 3 years)
Decision Date	1 May 2012
Dispatch Date	1 May 2012
Parish	Whitehaven

Application Number	4/12/2131/0F1
Applicant	Mr M Duns
Location	GOOSEGREEN COTTAGE, LOW MORESBY, WHITEHAVEN
Proposal	ERECTION OF DWELLING - REVISION TO PREVIOUSLY APPROVED SCHEME & ALTERATION TO CONDITION 4 OF PLANNING APPLICATION 4/08/2164/0
Decision	Approve (commence within 3 years)
Decision Date	3 May 2012
Dispatch Date	3 May 2012
Parish	Moresby

Application Number	4/12/2134/0F1
Applicant	Mr J Gill
Location	1 SYCAMORE CLOSE, WHITEHAVEN
Proposal	ERECTION OF SIDE EXTENSION TO PROVIDE GARAGE, CONVERSION OF LOFT & TWO DORMER WINDOWS ON FRONT ELEVATION
Decision	Approve (commence within 3 years)
Decision Date	3 May 2012
Dispatch Date	3 May 2012
Parish	Whitehaven

Application Number	4/12/2136/0F1
Applicant	Meadow Road Garden Centre
Location	GARDEN CENTRE, MEADOW ROAD, MIREHOUSE, WHITEHAVEN
Proposal	CHANGE OF USE FROM STORE TO SHOP AND MINOR ALTERATIONS
Decision	Approve (commence within 3 years)
Decision Date	3 May 2012
Dispatch Date	3 May 2012
Parish	Whitehaven

Application Number	4/12/2137/0F1
Applicant	Sellafeld Limited
Location	SELLAFIELD, SEASCALE
Proposal	VARIATION OF CONDITION 1 OF 4/06/2768 TO EXTEND PLANNING PERMISSION FOR A FURTHER 5 YEARS
Decision	Approve
Decision Date	3 May 2012
Dispatch Date	3 May 2012
Parish	Beckermest

Application Number	4/12/2138/0F1
Applicant	Mrs G Parsons

Location	LAZEY COTTAGE, 37 THE FRONT, HAVERIGG, MILLOM
Proposal	ALTERATION TO EXISTING WINDOW TO PROVIDE FRENCH DOORS & ERECTION OF BALCONY AT FIRST FLOOR LEVEL ON FRONT ELEVATION
Decision	Approve (commence within 3 years)
Decision Date	9 May 2012
Dispatch Date	9 May 2012
Parish	Millom

Application Number	4/12/2141/0F1
Applicant	Mr R Mower
Location	18 PARKLANDS DRIVE, EGREMONT
Proposal	SUN ROOM TO REAR
Decision	Approve (commence within 3 years)
Decision Date	8 May 2012
Dispatch Date	8 May 2012
Parish	Egremont

Application Number	4/12/2145/0F1
Applicant	Mr S Clayton
Location	WIDGEONDALE COTTAGE, LADY HALL, MILLOM
Proposal	ERECTION OF DETACHED DOUBLE GARAGE
Decision	Approve (commence within 3 years)
Decision Date	8 May 2012
Dispatch Date	8 May 2012
Parish	Millom Without

Application Number	4/12/2146/0F1
Applicant	Mr M Cairns
Location	24 SALTHOUSE ROAD, MILLOM
Proposal	GARAGE/STORE/VESTIBULE EXTENSION
Decision	Approve (commence within 3 years)
Decision Date	8 May 2012
Dispatch Date	8 May 2012
Parish	Millom

Application Number	4/12/2147/0F1
Applicant	Mr P Ashburner
Location	PART FIELD 4100, UNDERHILL, MILLOM
Proposal	CHANGE OF USE OF PART AGRICULTURAL FIELD INTO HORSE ARENA
Decision	Approve (commence within 3 years)
Decision Date	3 May 2012
Dispatch Date	3 May 2012
Parish	Millom Without

Application Number	4/12/2148/0F1
Applicant	Mr and Mrs G Platt
Location	MELBREAK, NETHERTOWN ROAD, ST BEES
Proposal	ERECTION OF SINGLE STOREY EXTENSION TO THE SIDE & SINGLE STOREY PORCH TO FRONT
Decision	Approve (commence within 3 years)
Decision Date	8 May 2012
Dispatch Date	8 May 2012
Parish	St. Bees

Application Number	4/12/2149/OF1
Applicant	Mr and Mrs G Rowlandson
Location	NEMARE, HARRAS ROAD, HARRAS MOOR, WHITEHAVEN
Proposal	REMOVAL & ERECTION OF NEW FRONT PORCH PROVIDING TILED ROOF AREA TO EXISTING DORMER WINDOWS
Decision	Approve (commence within 3 years)
Decision Date	8 May 2012
Dispatch Date	8 May 2012
Parish	Whitehaven

Application Number	4/12/2150/OF1
Applicant	Mr S Tubman
Location	PLOT 21, FORMER WHITE SCHOOL, KELLS, WHITEHAVEN
Proposal	ERECTION OF A PAIR OF SEMI-DETACHED HOUSES
Decision	Approve (commence within 3 years)
Decision Date	14 May 2012
Dispatch Date	14 May 2012
Parish	Whitehaven

Application Number	4/12/2153/OF1
Applicant	Mr O J Sharma
Location	CROWN AND ANCHOR, WHINLATTER ROAD, MIREHOUSE, WHITEHAVEN
Proposal	ALTERATIONS TO FORMER PUBLIC HOUSE TO FORM SHOP UNIT AND CREATION OF NEW ACCESS TO RESIDENTIAL UNIT ABOVE
Decision	Approve (commence within 3 years)
Decision Date	8 May 2012
Dispatch Date	8 May 2012
Parish	Whitehaven

Application Number	4/12/2155/OF1
Applicant	Mr J Moorhouse
Location	2 SEACROFT DRIVE, ST BEES
Proposal	EXISTING BRICK TO BE CLAD IN SANDSTONE
Decision	Approve (commence within 3 years)
Decision Date	8 May 2012
Dispatch Date	8 May 2012
Parish	St. Bees

Application Number	4/12/2162/ON1
Applicant	Mr P Sherwen
Location	LOW THORNY, CARLETON, EGREMONT
Proposal	NOTICE OF INTENTION FOR AGRICULTURAL STORAGE SHED
Decision	Approve Notice of Intention
Decision Date	25 April 2012
Dispatch Date	26 April 2012
Parish	Haile

Application Number	4/12/2165/OF1
Applicant	Home Group
Location	NEWTOWN PLAY AREA, NEWTOWN, FRIZINGTON

Proposal	REDEVELOPMENT OF EXISTING PLAY AREA INCLUDING IMPROVEMENTS TO DRAINAGE; INSTALLATION OF TODDLER & JUNIOR PLAY AREA & INSTALLATION OF A MULTI USE GAMES ARENA
Decision	Approve (commence within 3 years)
Decision Date	9 May 2012
Dispatch Date	9 May 2012
Parish	Arlecdon and Frizington

Application Number	4/12/2169/0F1
Applicant	Stobbarts Limited
Location	LOWCA RUGBY CLUB, LOWCA, WHITEHAVEN
Proposal	INSTALLATION OF ERA SOLAR MONO-CRYSTALLINE MODULES (RETROSPECTIVE)
Decision	Approve
Decision Date	8 May 2012
Dispatch Date	8 May 2012
Parish	Lowca

Application Number	4/12/2191/0F1
Applicant	Mr J Sempie
Location	1 SUFFOLK CLOSE, WHITEHAVEN
Proposal	DEMOLITION OF EXISTING OUTBUILDING; NEW SINGLE STOREY GARAGE EXTENSION; REALIGNMENT OF EXISTING DRIVEWAY & ERECTION OF WALL
Decision	Approve (commence within 3 years)
Decision Date	9 May 2012
Dispatch Date	9 May 2012
Parish	Whitehaven

Application Number	4/12/2192/0F1
Applicant	Mr S Routledge
Location	9 BECKSIDE, HILLCREST, WHITEHAVEN
Proposal	DETACHED GARAGE
Decision	Approve (commence within 3 years)
Decision Date	9 May 2012
Dispatch Date	9 May 2012
Parish	Whitehaven

Application Number	4/12/2200/0F1
Applicant	Mr L Halligan
Location	12 WHINLATTER ROAD, MIREHOUSE, WHITEHAVEN
Proposal	DECKED AREA IN REAR GARDEN
Decision	Approve (commence within 3 years)
Decision Date	9 May 2012
Dispatch Date	9 May 2012
Parish	Whitehaven

Application Number	4/12/2205/0F1
Applicant	Derwent Court Limited
Location	LAND AT BRANSTY ROAD (FORMER LEGION SITE), BRANSTY, WHITEHAVEN
Proposal	VARIATION OF CONDITION 7 OF 4/11/2499/001 TO ALLOW OCCUPATION OF EACH DWELLING ON COMPLETION OF EACH DRIVEWAY/ACCESS
Decision	Approve

<i>Decision Date</i>	9 May 2012
<i>Dispatch Date</i>	9 May 2012
<i>Parish</i>	Whitehaven
