

PP 250215  
Item 6

**PLANNING PANEL AGENDA – 25 FEBRUARY 2015**

<b><u>SCHEDULE OF APPLICATIONS</u></b>		<b>PAGE</b>
<b>Item 1</b>	<b>4/14/2375/OF1 Wind Turbine Max Tip Height 48.01m Land near Cobra Castle, Egremont</b>	<b>1</b>
<b>Item 2</b>	<b>4/14/ 2463/OF1 First Floor Bedroom Extension 19 Rowantree Close, Whitehaven</b>	<b>15</b>
<b>Item 3</b>	<b>4/14/2487/OF1 Wind Turbine Max Tip Height 48.01m Land near Cobble Hall Farm, Cleator</b>	<b>23</b>
<b>Item 4</b>	<b>4/14/2498/OL1 Listed Building Consent for installation of Defibrillator Box Market Hall, Market Place, Whitehaven</b>	<b>36</b>
<b>Item 5</b>	<b>4/14/22502/OF1 Wind Turbine Mac Tip Height 48.01m Land to South of Boonwood Farm, Distington</b>	<b>41</b>
<b>Item 6</b>	<b>4/14/2506/OF1 Construction of Temporary Contractors Compound &amp; Site Access Road West Cumberland Hospital, Whitehaven</b>	<b>54</b>
<b>Item 7</b>	<b>4/14/2507/OF1 Extension to Accident &amp; Repair Centre &amp; Associated Parking &amp; Hardstanding (revised scheme for 4/14/2091/OF1) Unit 4 Joe McBain Avenue, Moresby, Whitehaven</b>	<b>62</b>
<b>Item 8</b>	<b>4/14/2508/OF1 New Stair Tower to Block F, Recladding of Blocks E &amp; F General Refurbishment of Blocks E &amp; F West Cumberland Hospital, Whitehaven</b>	<b>71</b>
<b>Item 9</b>	<b>4/14/2510/OF1 Agricultural Anaerobic Digestion Plant etc Home Farm, Gilgarran</b>	<b>78</b>

<b>Item 10</b>	<b>4/14/2511/0F1</b> <b>Wind Turbine Max Tip Height 36.6m</b> <b>Land to South of Bell House Farm, Sandwith, Whitehaven</b>	<b>84</b>
<b>Item 11</b>	<b>4/14/2525/0F1</b> <b>Single Storey Conference Centre with Access</b> <b>Decking to Upper Car Park</b> <b>The Beacon Museum, West Strand, Whitehaven</b>	<b>92</b>
<b>Item 12</b>	<b>4/14/2526/0F1</b> <b>Amendment of Condition 2 of Planning Approval</b> <b>4/13/2004/0F1</b> <b>West Cumberland Hospital, Whitehaven</b>	<b>99</b>
<b>Item 13</b>	<b>4/14/2527/0F1</b> <b>Amendment of conditions 2, 3, 4 &amp; 6 of Planning</b> <b>Approval 4/13/2086/0F1</b> <b>West Cumberland Hospital, Whitehaven</b>	<b>105</b>
<b>Item 14</b>	<b>4/15/2001/0F1</b> <b>Construction of Temporary Car Park (approx. 4 years)</b> <b>For use by NHS staff during refurbishment of hospital</b> <b>Land near West Cumberland Hospital, Whitehaven</b>	<b>112</b>
<b>Item 15</b>	<b>4/15/2005/0F1</b> <b>Change of Use to include Office Accommodation (B1)</b> <b>&amp; Café (A3)</b> <b>Civic Centre, Lowther Street, Whitehaven</b>	<b>119</b>
<b>Item 16</b>	<b>4/15/2007/0F1</b> <b>Residential Development (110 dwellings)</b> <b>Land at Low Road, Whitehaven</b>	<b>126</b>
<b>Item 17</b>	<b>4/15/2010/0F1</b> <b>Variation of Condition 5 of Planning Approval 4/13/2086/0F1</b> <b>West Cumberland Hospital, Whitehaven</b>	<b>133</b>

**CUMBRIA COUNTY COUNCIL APPLICATIONS**

<b>Item 18</b>	<b>4/15/9001/0F2</b> <b>Variation of Condition 2 of 4/02/9022 to Extend</b> <b>Timescale</b> <b>Birkhams Quarry, St Bees</b>	<b>140</b>
<b>Item 19</b>	<b>4/15/9002/0F2</b> <b>Construction of 70 space car park, new road access etc</b> <b>Land adjacent Coach Road, Whitehaven</b>	<b>143</b>

**SCHEDULE OF DELEGATED DECISIONS**

**ITEM NO: 1.**

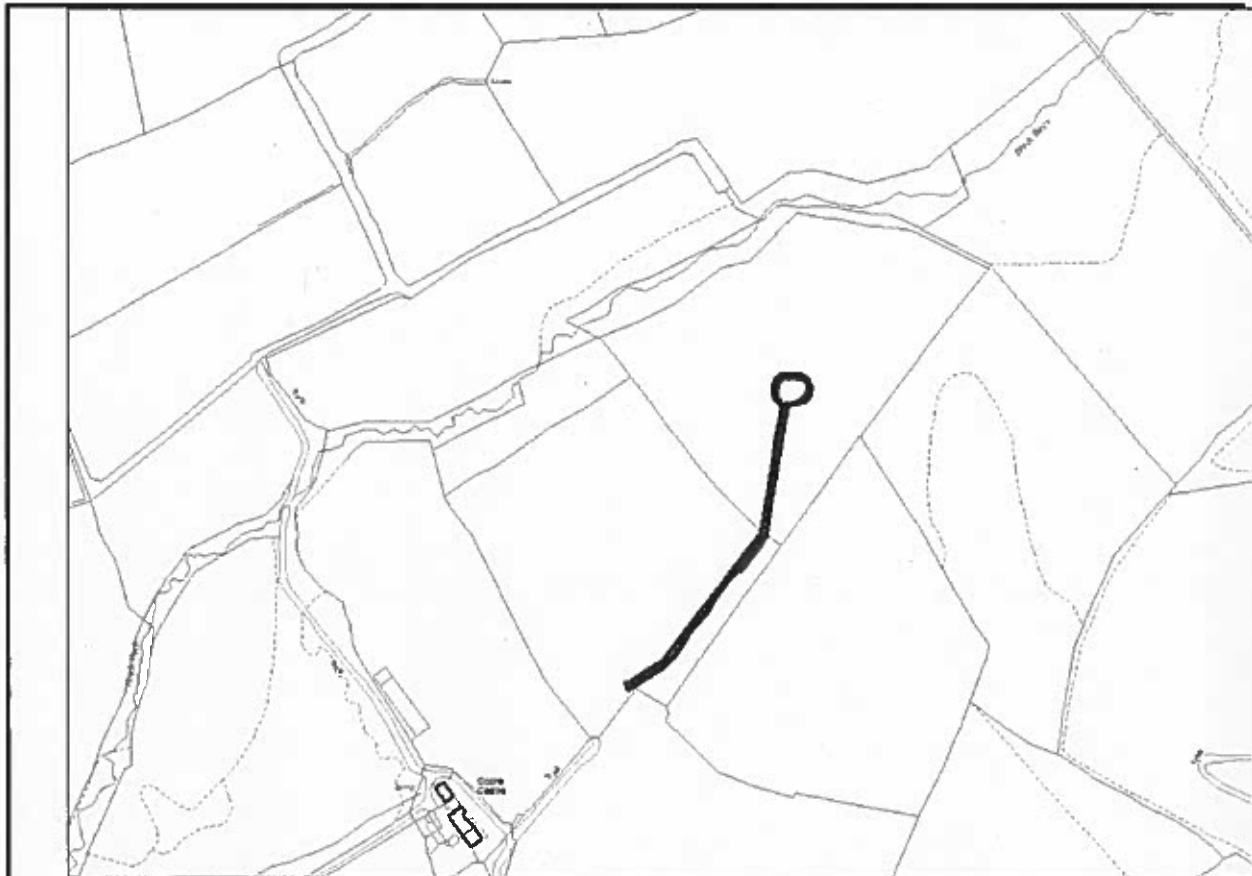


**To: PLANNING PANEL**

**Development Control Section**

**Date of Meeting: 25/02/2015**

<b>Application Number:</b>	4/14/2375/0F1
<b>Application Type:</b>	Full : CBC
<b>Applicant:</b>	Mr T Dixon
<b>Application Address:</b>	LAND NEAR COBRA CASTLE, EGREMONT (GRID REF: 302718, 511897)
<b>Proposal</b>	ERECTION OF ONE WIND TURBINE (MAXIMUM HUB HEIGHT OF 30.52M AND A MAXIMUM TIP HEIGHT OF 48.01M) WITH CONTROL BOX AND ALL ASSOCIATED WORKS
<b>Parish:</b>	Egremont
<b>Recommendation Summary:</b>	Refuse



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### **Introduction**

A site visit was agreed in respect of this application at the 8 October 2014 Planning Panel. Members then had the benefit of a site visit on 5 November 2014. The application has since been held in abeyance following the Lake District National Park Authority's request for additional information prior to providing a consultation response which has now been received.

### **Site Location**

The application relates to a sloping elevated greenfield site situated in open countryside some 330 m to the north east of Cobra Castle Farm, the nearest and parent property. It comprises agricultural land and is surrounded by the same. It is flanked by the back drop of Dent Fell and the Lake District National Park to the immediate east some 300m distant. The

nearest settlements include Egremont to the west and Wilton to the south east, at 1.2km and 1.1km away respectively.

### **Proposal**

It is proposed to erect one three bladed wind turbine on a single prefabricated steel tapered tower 30.52m to hub height, with an overall ground to tip height of 48.01m. The precise model however has yet to be confirmed and it is requested that this detail be controlled by condition.

The turbine would be finished in a neutral matt colour and situated on a concrete foundation 9.2m x 9.2m in size and a depth of 0.9m. In addition a cable trench run and access track, some 240m in length, across the field via the existing field access would be required and it is envisaged that this will be temporary in nature.

The turbine would be connected to the grid via the nearby 11kv 3 phase supply located at the farm. A small control unit alongside the tower will also be required measuring a maximum of 4m x 4m x 2.4m in height.

This application is accompanied by a:

Planning Statement including Design and Access Statement, Photo montages, Community Consultation Responses and a Construction Traffic Management Plan.

### **Planning History**

Of relevance to the proposal is a pending application for a single turbine of the same height at nearby Cobble Hall Farm, some 660m away to the north west. (4/14/2487/OF1 refers)

### **Consultation Responses**

**Egremont Town Council-** Strongly object as this turbine will visually dominate the town and surrounding areas. This visual intrusion will scar this scenic and unspoilt landscape for years to come especially as this area of tranquillity is enjoyed by many people who regularly walk here and enjoy the peace and all signs of wildlife. This proposal would be an environmental disaster.

There was no mention if a community benefits package would be given to mitigate this development.

The pre application consultation was inadequate with queries and questions not answered. Councillors feel that for the people it will affect it was not good enough.

Consider a site visit would be advantageous especially as this firm is preparing another application at Cobble Hall in the vicinity.

**Cleator Moor Town Council -** Object and request a site visit by Members. Consider it will have a lasting visual impact which will alter adversely the character of the area. It will have a detrimental impact on the environment and the amenity of the area in a location visited by

many tourists and local people. There is a significant risk of proliferation if this approved with the neighbouring application at Cobble Hall, if approved it will open the floodgates to many more. Also concerns regarding wildlife with the rotating blades of the turbine plus the noise emitted will affect the natural serenity of the area. Are aware following press articles that Britain will exceed the EU renewable energy targets and that this and other projects not yet approved are surplus to requirements.

**Highway Authority** -awaited.

**Lake District National Park** - No objections. Following the receipt of additional photo montages from the applicant they are of the view that the proposal has no significant adverse effects on the special qualities nor the setting of the National Park.

**Scientific Officer** - Whilst It is possible that the potential noise limit would be 35 dB LA90 at Cobra Castle farmhouse itself, the nearest non associated property at some 350m distance, considers that this could be adequately controlled by the imposition of the flat rate noise condition and the noise complaint condition.

**MOD** - no objection.

**Arquiva** – no objection

**Natural England** – Identify that the site is in close proximity to the Black Moss, the Clints Quarry, the Florence Mine, the Haile Great Wood, and the River Ehen (Ennerdale Water to Keekle Confluence) Sites of Special Scientific Interest (SSSIs). The River Ehen (Ennerdale Water to Keekle Confluence) SSSI forms part of the River Ehen Special Area of Conservation (SAC). However, consider that it is not likely to have a significant effect on the interest features for which River Ehen SAC has been classified and advise that an Appropriate Assessment under the Habitat Regulations is not required.

### **Neighbours and Others**

To date 71 letters of objection have been received, the main grounds of objection are summarised below:

- Visual Impact – the turbine is large and will spoil the vista of green undulating hills. It will be highly visible from many viewpoints and properties.
- Landscape Impact – area around Cobra Castle is very picturesque and provides Egremont with a remarkable backdrop.
- Effect on wildlife / ecological impact
- No local or wider community benefits
- Cumulative Impact
- Prefer to see them off shore.
- Effect on peoples living conditions / amenity.
- Inadequate pre application community consultation.
- Safety – concern re the potential structural failure of the turbine.
- Fire
- Associated health problems

- Inefficiency as a means of power generation.
- Noise pollution
- Potential for Flicker
- Effect on local roads

#### **FORCE -**

Formally OBJECT to the application for the following reasons:

- Unacceptable change to landscape character, impacting on views towards the Lake District National Park and surrounding countryside
- The scheme, if it were to go ahead, would have an unacceptable cumulative impact, sequentially, with other wind energy developments in the area
- Lack of benefits of the scheme
- Incompatibility with local and national planning policy
- Inappropriate size and scale of the proposed development

#### **NATIONAL TRUST –**

Object. On the basis of the available information it is the Trust's view that the applicant has provided an inadequate assessment of the impacts of the proposed development, in particular having regard to the relationship between the proposed turbine and the Lake District National Park. There is, for example, the prospect of adverse visual impacts from important viewpoints such as Lank Rigg around 6.5km away. Given the Landscape Character assessment work identified in detail above it is reasonable to conclude that the proposal would result in development that was directly in conflict with the identified key characteristics of a landscape nationally designated for its quality – in particular through a failure to protect open views from tall vertical structures.

In the absence of any assessment of the impacts of the proposed development upon the landscape character of the Lake District National Park and having regard to advice in the NPPF at para 115, as well as Policy ENV5 of the Adopted Copeland DPD (e.g. including as referred to on pages 105 and 114 in respect of 'Copeland Localities') it is considered necessary to object to the proposed development of a wind turbine at



Cobra Castle Farm.

In addition 1 letter of support has been received.

### **Planning Policy**

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

#### **National Planning Policy Framework**

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

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

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

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

#### **Renewable Energy**

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

- Support the transition to a low carbon future in a changing climate - including encouraging the use of renewable resources by the development for example of renewable energy.
  - Contribute to preserving and enhancing the natural environment and reducing pollution.
  - Encourage the effective use of land by reusing previously developed 'brown field' land.
  - Promote mixed use developments and encourage multiple benefits from its use.
  - Conserve heritage assets in a manner appropriate to their significance.
  - Actively manage patterns of growth.
  - Take account of and support local strategies to improve health, social and cultural well-being to meet local needs.
- 
- Core Principle 10 of this approach 'Meeting the Challenge of Climate Change,

flooding & Coastal Change` recognises that planning can play a key role in reducing emissions in greenhouse gases and supporting the delivery of renewables. (Paragraph 93 refers)

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

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

### **Conserving and Enhancing the Natural Environment**

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

### **Planning Practice Guidance**

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

The accompanying Ministerial Statement confirms that this incorporates the guidance on renewable energy (including heritage and amenity) published during last summer. As a result the Planning Practice Guidance for Renewable and Low Carbon Energy of July 2013 is cancelled.

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

- The need for renewable or low carbon energy does not automatically override environmental protections;
- Cumulative impacts require particular attention, especially the increasing impact that wind turbines and large scale solar farms can have on landscape and local amenity as the number of turbines and solar arrays in an area increases;
- Local topography is an important factor in assessing whether wind turbines and large scale solar farms could have a damaging effect on landscape and recognise that the impact can be as great in predominately flat landscapes as in hilly or mountainous areas;

- Great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting;
- Proposals in National Parks and Areas of Outstanding Natural Beauty, and in areas close to them where there could be an adverse impact on the protected area, will need careful consideration;
- Protecting local amenity is an important consideration which should be given proper weight in planning decisions.

### **Copeland Local Plan 2013-2028**

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

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

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

#### **Core Strategy:**

**Policy ST1 Strategic Development Principles,**

**Policy ST2 Spatial Development Strategy**

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

**Policy ENV 5 Protecting and Enhancing the Borough's Landscapes.** It recognises that Copeland has some spectacular landscapes and seeks to ensure that these are protected and enhance and seeks to protect them from inappropriate change.

#### **Development Management Policies DPD**

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

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

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

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

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

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

**Policy DM26 Landscaping** This sets out a requirement for all new developments to consider landscape their potential impact on the landscapes to ensure that it is protected and existing features enhanced.

#### **Cumbria Wind Energy Supplementary Planning Document**

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

#### **Cumbria Landscape Character Assessment**

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

## **Assessment**

The Planning Statement incorporating the Design and Access Statement together with the rest of the submission sets out the particular need for the development and that the proposed wind turbine development is compliant with local and national policy, with the benefits of the scheme in terms of providing a renewable energy source and the long term environmental benefits it brings outweighing any potential impacts, particularly in respect of noise, shadow flicker, aviation and telecommunications, ecology and cultural heritage as summarised below and which are not disputed:

### **Noise**

It is accepted that noise limits are within acceptable limits for the nearest non-associated property at circa 350m away. Although this is potentially borderline our Scientific Officer is satisfied and that an appropriate noise / noise complaint condition would provide sufficient controls.

### **Shadow Flicker**

As all the nearest dwellings are more than 10 rotor diameters (192m) away from the turbine none will be affected by shadow flicker. This view is accepted by our Scientific Officer.

### **Aviation and Telecommunications**

Nearest commercial airport is at Carlisle and private one at Millom some considerable distance away respectively. It is considered the proposal will have no impact on any flight paths or airports. It is also well below the lowest points that any MOD flights are permitted to fly at. It is also not considered to represent an issue in respect of telecommunications.

### **Ecology**

It is considered that the proposal will have no detrimental impact on wildlife / surrounding ecology as the area is already intensively farmed and is regularly fertilised and cut for silage. It is not located within an area designated for ecological or biodiversity preservation. The site is also in excess of 50m away from any woodland or hedgerow and unlikely therefore to impact on the foraging area of local bats.

### **Cultural Heritage**

There are no known designated heritage assets within or near to the application site, the nearest being Egremont Castle a Scheduled Ancient Monument, a number of listed buildings and a conservation area within the town which is situated over 1.2km away.

However, in view of the proposed scale of the turbine and its location the issues of landscape and visual impact particularly in relation to its proximity to sensitive landscape designations are disputed and warrant further consideration.

## **Landscape Impact**

The view that the turbine would be acceptable in the landscape put forward by the submission is not one that is shared. The site forms part of the foothills to the fells and although in itself it does not benefit from any national or local designations it is notably part of a wider landscape with expansive views from the site to the west, north west and southwest. To the east it is flanked by the rising ground of Dent Fell. Whilst the immediate landscape of the site is agricultural, it is considered that the surrounding landscape, particularly in terms of medium and long distance views is panoramic in scale, especially to the east which has a superior quality. The backdrop here is elevated and majestic with 'Dent Fell' in the background circa 300m away. This fell is heavily forested and is interspersed by many public footpaths / PROW. It is a popular local amenity with a high scenic quality. By contrast to the west there are panoramic wide uninterrupted views seaward. By comparison the Lake District National Park boundary commences further east on the far side of Dent Fell some 2.4km away.

The Wind Energy SPD and the Cumbria Landscape Guidance and Tool kit identify the site as the foothills, an area to the west of the Lake District fells which in this location is characterised by a pastoral landscape with adjacent low fells and fine long distance views. Consider that the development of wind energy schemes here could erode the open generally undeveloped character particularly close to national landscape designations such as in this instance the Lake District National Park. It states that the aim here should be to protect key views and uncluttered skylines from large energy infrastructure including turbines that could erode its character.

Here it is asserted that the proposal would introduce a prominent vertical structure into an area with strong scenic qualities especially given its proximity to the western fells nestled on the edge of the Lake District National Park which is sensitive to such development.

Although the lake District National Park Authority have not raised any major concerns as they consider it does not have a substantive enough impact on the National Park itself, the view is that it has a significant effect on the landscape immediately adjacent to it. Although this in itself does not have a specific landscape designation it is considered sensitive due to its proximity to the Park and in particular the high quality scenic nature of it from which this proposal will detract, particularly from views towards it eastwards looking towards Dent Fell.

Despite its slender design and grey finish the vertical emphasis of such a prominent and striking feature in this location would be at odds with the inherent characteristics of the landscape, notably its scenic qualities and its tranquillity, and would introduce an unacceptably incongruous vertical feature that would detract from the area's visual amenity.

### **Visual Impact**

Although the submitted Landscape and Visual Impact Assessment and accompanying photo-montages conclude that it is unlikely that there would be any significant effects on visual amenity. This identifies that impacts from certain local PROW and main highway routes in the vicinity and further afield would overall be slight / limited. This is disputed.

It is considered that there are also views where the magnitude of change would be more significant particularly from Egremont to St Bees Road, and Woodend to Egremont and Cleator to Egremont Road, as well as views across this open expanse of countryside from the A595 when travelling in northerly direction. Here the proximity to the sensitive back drop of Dent Fell would result in the turbine comprising an eye catching and visually dominant feature.

### **Cumulative Impact**

There is only one nearby turbine within this landscape at Oxenriggs Farm, situated at some 1.7km to the south and at only 34 m ground to tip height this is much smaller scale. There is also a domestic scale one approved at High House Farm, Wilton, circa 1.9km to south east which has yet to be erected. There are others directly to the west but they are over 2.5km away. Given their scale and location, it is unlikely they would become a significant or defining feature resulting in any significant cumulative impact.

### **Potential Benefits**

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

#### **Production of Renewable Energy / Environmental Benefits**

The scheme will contribute to the Governments national target for renewable energy production. The predicted annual output of the turbine is 400kWh. This is also close to the 474kWh it is estimated the farm will become carbon neutral, hence the proposal will significantly reduce the farms carbon footprint.

#### **Farm Diversification**

The turbine would provide a form of farm diversification via the creation of an alternative income stream to help reduce the farms overall running costs. It would achieve this via

guaranteed payments for exported power under the Feed-in-Tariff. The applicant would expect to pay off the expenditure on procuring and installing the turbine in 7-9 years. This would be of financial benefit and help secure the future of the farm.

### **Social Benefits**

Potential social benefits include raising awareness / educating the local community in respect of renewable technologies.

### **Conclusion**

To arrive at a decision in respect of this proposal it is important to consider the following:

- The effect of the proposal on the character and appearance of the landscape as well as its visual impact.
- Potential benefits of the scheme.
- Whether any identified harmful effects significantly outweigh the benefits.
- The concerns raised by local community feedback on the scheme.

The landscape within which the turbine would be sited is of high scenic quality and adjacent to one which benefits from the sensitive designation of the Lake District National Park. Views in particular inland eastwards towards the site with its majestic fell backdrop are highly valued as a local amenity. It should be noted that the landscape here is also devoid of any man made vertical features. It is considered that the introduction of a wind turbine of this scale would harm its intrinsic qualities to an unacceptable degree. There is a local plan policy presumption against such renewable energy development which would cause substantial impacts which cannot be adequately mitigated which is reflected in national policy guidance.

National policy also requires that the wider environmental and economic benefits of renewable energy projects are given significant weight, but not to the extent that the need overrides environmental protection.

Taking the above into account significant weight can be attributed to the fact the turbine is sited within close proximity to Dent Fell which, although not formally designated, is a highly valued feature and provides an imposing and majestic backdrop.

Whilst it is recognised the development would contribute to the generation of renewable energy, would assist in meeting national targets to reduce carbon emissions and make an economic contribution, this would not outweigh the unacceptable adverse impact it would have on this sensitive landscape adjacent to the setting of the National Park via the introduction of an alien incongruous vertical feature which would cause significant harm to both the landscape and visual amenity.



**Recommendation:-**

**Refuse**

The proposed single turbine, 48.01 metres high (ground to tip), due to its scale and location in this highly valued scenic landscape on the edge of the Lake District National Park would introduce a prominent and incongruous feature which would cause substantial harm to the character and appearance of the landscape and associated visual amenity to an unacceptable degree, contrary to Policies ER2, ENV5, DM2 and DM26 of the Copeland Local Plan 2013-2028, and the guidance contained in the National Planning Policy Framework and

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**Statement**

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

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ITEM NO: 2.



To: PLANNING PANEL

Development Control Section

Date of Meeting: 25/02/2015

<b>Application Number:</b>	4/14/2463/0F1
<b>Application Type:</b>	Full : CBC
<b>Applicant:</b>	Mr P Myers
<b>Application Address:</b>	19 ROWANTREE CLOSE, WHITEHAVEN
<b>Proposal</b>	ERECTION OF FIRST FLOOR BEDROOM EXTENSION
<b>Parish:</b>	Whitehaven
<b>Recommendation Summary:</b>	Approve (commence within 3 years)



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## INTRODUCTION

The application relates to a residential property at 19 Rowantree Close, Whitehaven. The dwelling is a corner plot on Rowantree Close but its neighbouring property is a corner plot at 43 Rannerdale Drive.

The house is a modern post-war construction. Both the application site and its neighbour generally have the garden areas to the front and side of the building. The dwellings are joined by a pair of flat roofed garages (one belonging to each property) which are unaffected by the proposal. The application site lies to the south of 43 Rannerdale Drive.

Planning permission was granted for a front and rear single storey extension and also the addition of a front dormer window in 2006 (reference 4/06/2385/OF1 refers).

## PROPOSAL

Planning permission is sought for the erection of a first floor extension over the existing ground floor bathroom. The garages between the two properties remain unaffected by the proposed development. The proposal would result in an increase of 3.2m from the existing plane at its greatest difference. This is at the point where the hip ends. At the proposed eaves, there is a difference of approximately 2.8 to the ridge tile and an increase of approximately 2m where the proposal meets the existing roof.

Following the receipt of the original application, amendments were sought and received which hipped the roof of the proposed extension to lessen the impact on neighbouring properties. One window looks towards Rowantree Close with a roof light in the plane of the roof which faces the neighbouring property at Rannerdale Drive. No further windows are proposed.

## CONSULTATION

Highway Authority: No objection

Other

Representations have been received from the occupant of the neighbouring property at 43 Rannerdale Drive. The issues raised are as follows:

- loss of light
- overlooking

Also the non-planning issue of the potential effect on property value.

In response to the concerns raised by the objectors, the following comments are offered:

- Amended plans have been sought and received in relation to hipping the roof of the proposed extension;
- The elevation to 43 Rannerdale Drive has one roof light and no other openings. In order to protect this into the future it is appropriate to add a planning condition that removes permitted development rights to restrict the installation of any further openings without a planning application.

## PLANNING POLICY

### National Planning Policy Framework

The National Planning Policy Framework (NPPF) sets out the national planning policy and introduces a presumption in favour of sustainable development, emphasising that the purpose of the planning system is to contribute to the achievement of this.

Paragraph 17 of the NPPF covers the 12 key principles of the planning framework. One principle states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of the land and buildings.

The NPPF is a material consideration in the determination of planning applications and requires that applications be granted in accordance with the development plan unless material considerations indicate otherwise.

### Copeland Local Plan

The Core Strategy and Development Management Policies DPD (now referred to as the Copeland Local Plan 2013 – 2026) is the adopted development plan.

The policy relevant to the determination of this application is:

DM18 - Domestic Extensions and Alterations. This allows for the extension of properties as long as they respect the character of the parent property; do not lead to a significant reduction in day lighting; would not create potential noise nuisance, security, privacy or overlooking and would not lead to a loss of more than 50% of the undeveloped curtilage of the parent property.

## ASSESSMENT

The key issue is considered to be whether the proposed extension would lead to a significant reduction in day lighting available to the neighbouring property and whether there would be an unacceptable impact in terms of overlooking.

### Overlooking

There are no proposed windows in the elevation of the proposed extension overlooking the property at 43 Rannerdale Drive. The only opening in this elevation is a roof light. It is not considered that this would give rise to an unacceptable impact in terms of overlooking. It would not allow for direct overlooking due to the position of the roof light. However, it would be appropriate to add a condition to any approval removing permitted development rights for the insertion of any further openings within the extension without the prior approval of the planning authority.

### Loss of light

The extension would raise the existing building by approximately 3.2m at its highest point. The pair of garages between the properties remains undeveloped retaining the current separation distance of approximately 7m.

It is acknowledged that this area is constrained in terms of the amount of land which is available to the dwellings which are closely related and have only a modest amount of private external space due to the orientation of the properties. It is also acknowledged that the proposal would lead to some loss of light in the evenings to that which can currently be enjoyed. However, it is not considered, due to the separation of the properties which remains at 7m and the introduction of the hipped roof, that the proposal would result in the significant reduction of daylight to the neighbouring property.

### Conclusion

The proposal is to allow additional accommodation to an existing residential property. Following the original submission, the details have been amended to provide a hipped detail rather than the original gable proposed. This both reflects the design of the existing property more appropriately and also lessens the impacts on the neighbouring property in terms of loss of light.

The proposal is in keeping with the appearance of the host dwelling, does not represent the development of undeveloped curtilage and is not considered to significantly reduce day lighting or cause any harm through potential overlooking.

On this basis the proposal, as amended, is considered to represent an appropriate form of development in accordance with relevant policies.

**Recommendation:-**

Approve, subject to conditions

**Conditions**

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

**Reason**

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

2. Permission shall relate to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them:-
  - Location Plan, scale 1:1250, drawing number LP001A, received 7 November 2014
  - Existing Site Plan, scale 1:100, drawing number LM001A, received 7 November 2014
  - Existing Ground Floor, scale 1:50, drawing number LM002A, received 7 November 2014
  - Existing First Floor, scale 1:50, drawing number LM003A, received 7 November 2014
  - Existing Front Elevation, scale 1:50, drawing number LM004A, received 7 November 2014
  - Existing Rear Elevation, scale 1:50, drawing number LM005A, received 7 November 2014
  - Existing South Side Elevation, scale 1:50, drawing number LM006A, received 7 November 2014
  - Existing North Side Elevation, scale 1:50, drawing number LM007A, received 7 November 2014
  - Proposed Site Plan, scale 1:100, drawing number LM008A, received 7 November 2014
  - Proposed First Floor, scale 1:50, drawing number LM009A, received 7 November 2014
  - Proposed Front Elevation, scale 1:50, drawing number LM013A, received 7 November 2014

November 2014

- Proposed South Side Elevation, scale 1:50, drawing number LM010B received 21 January 2015
- Proposed North Side Elevation, scale 1:50, drawing number LM011B, received 21 January 2015
- Proposed Rear Elevation, scale 1:50, drawing number LM012B received 21 January 2015

**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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking or re-enacting that Order with or without modification) no external alterations, specifically the installation of new openings shall be carried out to the extension hereby approved without the prior written consent of the Local Planning Authority.

**Reason**

To safeguard the amenity of neighbouring properties.

**Informative**

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

Further information is also available on The Coal Authority website at [www.coal.decc.gov.uk](http://www.coal.decc.gov.uk)

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



## Statement

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

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ITEM NO: 3.



To: PLANNING PANEL

Development Control Section

Date of Meeting: 25/02/2015

<b>Application Number:</b>	4/14/2487/OF1
<b>Application Type:</b>	Full : CBC
<b>Applicant:</b>	Mr D Spedding
<b>Application Address:</b>	LAND NEAR COBBLE HALL FARM, CLEATOR (GRID REF: E302130 N512147)
<b>Proposal</b>	INSTALLATION OF A SINGLE WIND TURBINE (48.01M TO TIP HEIGHT), NEW ACCESS TRACK AND ASSOCIATED INFRASTRUCTURE
<b>Parish:</b>	Cleator Moor, Egremont
<b>Recommendation Summary:</b>	Refuse



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## Introduction

Members agreed at the last Planning Panel on 21 January 2015 to visit the site. This was undertaken on Wednesday 18 February 2015.

## Site Location

This application relates to an elevated green field site in open countryside situated some 290m southeast of the parent farm Cobblehall, near Egremont. It is surrounded by farmland and flanked to the east by the majestic backdrop of Dent Fell. The nearest settlement is Egremont approximately 1.5km to the west, Bigrigg lies to the northwest circa 2.05km away and Cleator Moor some 2 km to the north.

Whilst the parent farm is the nearest dwelling, the closest non associated dwellings are situated at Row Foot Farm 337m to the northwest along with neighbouring Nook Farm some 537m

away. Dent Cottage is located 385m to the northeast.

### **Proposal**

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

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

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

The application is accompanied by a:

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

### **Planning History**

Of relevance to the proposal is a pending application for a single turbine of the same height at nearby Cobra Castle, some 660m away to the south east. (4/14/2375/OF1 refers).

### **Consultations**

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

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

**MOD** - No objection.

**Arquiva** - No objection but note it could produce a reflected signal which could affect the operation of the rebroadcast antenna on the mast at St Bees and suggest a planning condition to address this.

**Scientific Officer** – Holding objection due to lack of information. It is claimed that the noise levels from the turbine will be below 35dBA no evidence for this is given. The noise report

included (Hayes Mackenzie) gives details of how loud the turbine itself is and not the noise levels at distance. A simplified noise assessment predicting the noise levels at all appropriate properties will be required.

**Lake District National Park** - No objection, consider the proposal has no significant adverse effects on the special qualities nor the setting of the National Park.

**Highway Authority** - awaited.

### **Neighbours and Others**

163 letters of objection have been received, the grounds of objection cited include:

- Visual Impact – At 48.01m high and sited on land approximately 100m above sea level it would be visible over great distances and very dominant in the landscape. It will have an industrial appearance and distracting affecting a natural panorama/ iconic view. It will destroy its sense of peace and tranquillity.
- Landscape Impact – This area to east of Egremont and Cleator Moor is very rural and is also very beautiful. This is an historic landscape - Dent is a listed Wainwright. The unspoilt fells around Dent on the edge of the National Park should be protected from this sort of random industrial development. It will stand at the entrance to River Ehen Valley - a SSSI.
- Enjoyment and Preservation of the Landscape - More important that local people have the right to preserve their landscape than the Government's aim to meet renewable energy targets.
- Valued local amenity / area of unspoilt natural beauty. Dent Fell is one of the most beautiful places where locals can walk and enjoy the environment for free.
- A huge commercial size turbine is not necessary for the purpose of supplying electricity to the farm - visual landscape should not be sacrificed for profit.
- Effect on wildlife especially birds of prey / ecological impact
- No local or wider community benefits. Will only benefit one individual and one company. It will not provide any local job opportunities.
- Cumulative Impact
- Effect on peoples living conditions / amenity.
- Safety – concern re the potential structural failure of the turbine.
- Fire
- Inefficient as a source of power generation.
- Noise pollution
- Potential for Flicker
- Potential precedent which will spoil the area.
- Adverse impact on tourism.
- Government targets have been met therefore this development is not needed.
- Impact of construction work re noise, dust etc.
- Effect on nearby locals` health and living conditions from audible noise, low frequency, vibration and strobe. SAD, Health Impact Assessment should be undertaken.
- Have reached saturation point.
- Locations should be restricted to the coastal strip west of A595T.

## **National Trust –**

**Object.** On the basis of the available information it is the Trust's view that the applicant has not provided an adequate assessment of the impacts of the proposed development, in particular having regard to the relationship between the proposed turbine and the Lake District National Park. There is, for example, the prospect of adverse visual impacts from important viewpoints such as Lank Rigg around 7km away. Given the Landscape Character assessment work identified in detail above it is reasonable to conclude that the proposal would result in development that was directly in conflict with the identified key characteristics of a landscape nationally designated for its quality – in particular through a failure to protect open views from tall vertical structures.

In the absence of any assessment of the impacts of the proposed development upon the landscape character of the Lake District National Park and having regard to advice in the NPPF at paragraph 115, as well as Policy ENV5 of the Adopted Copeland DPD (e.g. including as referred to on pages 105 and 114 in respect of 'Copeland Localities') it is considered necessary to object to the proposed development of a wind turbine at Cobblehall Farm.

## **Planning Policy**

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

### **National Planning Policy Framework**

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

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

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

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

## **Renewable Energy**

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

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

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

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

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

## **Conserving and Enhancing the Natural Environment**

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

## **Planning Practice Guidance**

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

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

Energy of July 2013 is cancelled.

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

- The need for renewable or low carbon energy does not automatically override environmental protections;
- Cumulative impacts require particular attention, especially the increasing impact that wind turbines and large scale solar farms can have on landscape and local amenity as the number of turbines and solar arrays in an area increases;
- Local topography is an important factor in assessing whether wind turbines and large scale solar farms could have a damaging effect on landscape and recognise that the impact can be as great in predominately flat landscapes as in hilly or mountainous areas;
- Great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting;
- Proposals in National Parks and Areas of Outstanding Natural Beauty, and in areas close to them where there could be an adverse impact on the protected area, will need careful consideration;
- Protecting local amenity is an important consideration which should be given proper weight in planning decisions.

### **Copeland Local Plan 2013-2028**

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

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

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

#### **Core Strategy:**

**Policy ST1 Strategic Development Principles,**

**Policy ST2 Spatial Development Strategy**

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



**Policy ENV 5 Protecting and Enhancing the Boroughs Landscapes.** It recognises that Copeland has some spectacular landscapes and seeks to ensure that these are protected and enhanced and seeks to protect them from inappropriate change.

#### **Development Management Policies DPD**

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

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

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

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

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

**Policy DM26 Landscaping** This sets out a requirement for all new developments to consider landscape and their potential impact on the landscapes to ensure that it is protected and existing features enhanced.

#### **Cumbria Wind Energy Supplementary Planning Document**

Adopted in 2008 and developed jointly by the Cumbrian local planning authorities to support policy implementation and provide consistent guidance for wind energy development. It provides locational guidance for wind farm development, acknowledges that Cumbria has a high quality environment and advocates that

future decisions are made against a robust assessment of landscape capacity based on landscape character, sensitivity and value.

### **Cumbria Landscape Character Assessment**

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

### **Assessment**

The Planning Statement incorporating the Design and Access Statement together with the rest of the submission sets out the particular need for the development and contends that the proposed wind turbine development meets the requirements of local plan and national policy, with the material benefits of the scheme, i.e. in terms of providing a renewable energy source and the long term environmental benefits it brings, outweighing any limited impact on the surrounding environment, particularly in respect of cultural heritage and archaeology, site access traffic and transport, ecology and nature conservation, shadow flicker, flood risk, aviation and radar, electromagnetic interference and general safety as summarised below and which are not disputed:

**Cultural Heritage and Archaeology** There are no designated Conservation Areas or registered Parks, gardens or listed buildings within the vicinity of the site. Nearest listed building is situated 1.3km away at Cleator Moor. As a result this is not likely to be an issue.

### **Site Access Traffic and Transport**

The proposed internal track runs for a distance of 300m following the route of an existing track, which will require upgrading using crushed stone / hard core, from the nearest unclassified road leading from Briscoe Road. This access will continue to be used by the applicant as a farm access. Apart from the installation / construction stage and servicing which will take place on an annual basis no additional traffic will be generated.

### **Ecology and Nature Conservation,**

Given that there are no designated sensitive sites within proximity the only possible impacts are collision risk and disturbance displacement. As this is a single turbine and the habitats around the site favour smaller agile birds the risk of collision is considered minimal.

**Shadow Flicker,** All neighbouring dwellings are sited more than 10 rotor diameters away from the turbine (192m), as a result flicker is unlikely to be an issue.

### **Flood Risk**

As the site is not within a flood risk zone this is not envisaged to be a problem.

### **Aviation and Radar**

Following a safeguarding assessment it was concluded that the turbine would not represent any concerns with regards to radar and aviation flight paths.

### **Electromagnetic Interference**

Pre application consultation with OFCOM was undertaken and it was identified that the turbine would not cause interference to any transmissions

### **General Safety**

The nearest non associated property is Row Foot Farm at some 337m to the east and as such is beyond the range at which there may be residual danger from turbine collapse or flying ice.

An issue however has been raised in respect of noise which requires the submission of additional information to address it:

### **Noise and Vibration,**

Nearest non associated property is 337m to northwest and in view of this distance and the predicted noise levels at this and other neighbouring dwellings sited further away, the submission contends that noise is unlikely to exceed acceptable limits. However, whilst this may be the case our Scientific Officer has requested evidence via a simplified noise assessment predicting noise levels at these properties to substantiate this and in the meantime has submitted a holding objection.

The impact of the proposal on landscape character and visual amenity in this sensitive location are key considerations in relation to this application and the submission in this respect is disputed.

### **Impact on the Character and Appearance of the Landscape.**

The site forms part of the foothills of the western fells, it is undulating in nature in this location with the turbine situated on an elevated portion. Although it does not benefit from any national or local designations it is part of a much wider landscape with expansive views particularly to the west, north west and south west. By way of contrast it is flanked to the east by the marked elevated feature of Dent Fell, a singularly majestic backdrop, against which this turbine, situated some 640m away would be viewed from the west/ south and northwest. Dent Fell is an important feature in this landscape, a popular local amenity with a high scenic quality. Beyond at some 2.8km distance lies the Lake District National Park boundary. Seaward to the west the landscape is characterised by panoramic wide uninterrupted views.

The Wind Energy SPD and the Cumbria Landscape Guidance and Tool kit identify the site as the foothills, an area to the west of the Lake District fells which is characterised by a pastoral landscape with adjacent low fells and fine long distance views. Consider that the

development of wind energy schemes here could erode the open generally undeveloped character particularly close to national landscape designations such as in this instance the Lake District National Park. It states that the aim here should be to protect key views and uncluttered skylines from large energy infrastructure including turbines that could erode its character.

Here it is asserted that the proposal would introduce a prominent vertical structure into an area with strong scenic qualities especially given its proximity adjacent to Dent Fell and the boundary of the Lake District National Park, which is sensitive to such development.

Although the lake District National Park Authority have not raised any major concerns as they consider it does not have a substantive enough impact on the National Park itself, the view is that it has a significant effect on the landscape adjacent to it. Although this in itself does not have a specific landscape designation it is considered sensitive due in particular to the high quality scenic nature of it from which this proposal will detract, particularly from views eastwards looking towards Dent Fell.

Despite its slender design and grey finish the vertical emphasis of such a prominent and striking feature in this location would be at odds with the inherent characteristics of the landscape, notably its scenic qualities and its tranquillity, and would introduce an unacceptably incongruous vertical feature that would detract from the area's visual amenity.

### **Visual Impact**

The submission concludes that the turbine is unlikely to cause significant visual impact at distances over 4km and that the site has the capacity to absorb the proposal which is borne out in the ZTV and the LVIA. This is not a view which is shared. Within the LVIA 10 viewpoints are featured as photo montages showing the impact of the proposal on the landscape and visually. It is considered that there are a number of viewpoints where the magnitude of change would be significant as opposed to slight/moderate, where the turbine features quite prominently in views particularly the wide expansive long distance views.

### **Cumulative Impact**

There are three turbines which need to be taken account of in the assessment of potential cumulative impact comprising a 34m high one (ground to tip) at Oxenriggs Farm which is operational, some 2km to the southeast. There is also a smaller domestic scale one recently approved at High House, Wilton, circa 2.5km to the south east which has yet to be erected and another operational one on Clints Brow, Egremont of a similar height at 2.2km distant to the northwest. Others can be seen in the landscape but are over 2.5km away. In view of the scale and location of the turbines within this landscape it is unlikely that the in-combination effect of all these will result in any significant cumulative impact.

## **Potential Benefits**

In addition to assessing the potential impacts it is important in the overall planning balance to consider the wider benefits of the scheme. These are identified as:

### **Farm Diversification / Renewable Energy Generation / Reduction in Carbon Emissions**

The turbine is situated on land belonging to the applicant who runs a beef and lamb farm of 220 acres which he has farmed for over 50 years. It provides the main income along with agricultural contracting.

In terms of renewable energy generation it is envisaged that the turbine will generate at least 429,400 KWh of electricity. This will be used offset the applicants current energy costs and carbon footprint (equates to approximately 60 tonnes of CO2 per annum) and will assist in meeting national energy renewable targets. The rest of the electricity produced will feed back into the national grid. This will provide a much needed diversified income and help give the business control over its energy costs.

## **Conclusion**

In order to assess this proposal the following are important considerations which need to be weighed in the overall planning balance in order to arrive at a decision:

- The effect of the proposal on the character and appearance of the landscape as well as its visual impact.
- Potential benefits of the scheme.
- Whether any identified harmful effects significantly outweigh the benefits.
- The concerns raised by local community feedback on the scheme.

Although the landscape does not benefit from any special designation it is nevertheless one which is sensitive, has considerable scenic quality and is highly valued as a local amenity it being situated on the western edge of the fells within close proximity to Dent Fell and the Lake District National Park. The introduction of an alien vertical feature of this scale and design in such a location would be overly prominent and incongruous and as a result detract from these special qualities.

In the planning balance, it is also important to weigh up the benefits of generating renewable energy in this location from the turbine against any potential harm identified. In this respect it is reiterated that there is strong national policy support in the NPPF and the Planning Practice Guidance for such schemes, and this stresses that such schemes should be approved if its impacts are or can be made acceptable. Considerable weight should therefore be attached to the wider community benefits that would result from the renewable energy generation and reduction in greenhouse gas emissions from the proposal but not at the expense of environmental protection and the consideration of landscape impacts in sensitive locations, as these are also important considerations. In this case it is considered that the benefits expected from the generating capacity of the turbine would not

outweigh the adverse impact on the landscape and the subsequent significant visual harm. Whilst it is acknowledged the proposal would support a rural farming business and national policy in respect of renewable energy generation the overall conclusion is that it would have an adverse and substantive impact on this scenic and highly valued landscape to an unacceptable degree which would outweigh the wider community benefits of the scheme, contrary to Policies ER2, ENV5, DM2 and DM26 of the Copeland Local Plan 2013-2028 as well as the guidance contained in the NPPF and the more recent Planning Practice Guidance.

**Recommendation:-**

**Refuse:**

The proposed siting of one large turbine, 48.01m high, would introduce an isolated and prominent feature, incongruous in its surroundings, which would have an adverse visual and materially harmful effect on the character of the surrounding sensitive landscape which is within close proximity to Dent Fell and the national designation of the Lake District National Park, contrary to Policies ER2, ENV 5, DM2 and DM26 of the Copeland Local Plan 2013-2028 and the guidance contained in the National Planning Policy Framework and the Planning Practice Guidance.

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**Statement**

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

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ITEM NO: 4.



To: PLANNING PANEL

Development Control Section

Date of Meeting: 25/02/2015

<b>Application Number:</b>	4/14/2498/OL1
<b>Application Type:</b>	Listed Building Consent : CBC
<b>Applicant:</b>	Copeland Borough Council
<b>Application Address:</b>	MARKET HALL, MARKET PLACE, WHITEHAVEN
<b>Proposal</b>	LISTED BUILDING CONSENT FOR INSTALLATION OF AN ECOPAD DEFIBRILLATOR BOX
<b>Parish:</b>	Whitehaven
<b>Recommendation Summary:</b>	Approve (commence within 3 years)



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## INTRODUCTION

Listed Building Consent is sought for the installation of an Ecopad defibrillator box to the Grade II Listed Building Market Hall, Market Place, Whitehaven.

The building is a two storey building, located within the Market Place, which is located centrally within Whitehaven Town Centre and the Conservation Area.

## PROPOSAL

The proposed new Ecopad defibrillator box is circular in shape with a diameter of 530mm and a depth of 280mm and will be located on the front elevation adjacent to the main entrance. It is finished with a brightly coloured green frontage to attract attention to what the object is.



## CONSULTATION RESPONSES

The Council's Conservation Officer has commented as follows:-

The Market Hall is a Grade II listed building in the ownership of the Borough Council and occupies a prominent position in the heart of the Market Place. Although the building is currently partially vacant, the Borough Council proposes to redevelop the whole of the building as their point of contact office for members of the public in order to secure the future viability not only of the building, but also of the Borough Council.

The proposal to site a defibrillator on the front elevation of the building will clearly have an impact on the appearance of the building, particularly as the vivid green colour of the unit will be especially visible against the neutral colour of the building's rendered façade. Under normal circumstances this could be considered as unacceptable in the context of a listed building, however, the bright colour of the unit is clearly intended to draw attention to itself in an emergency. Thus the 'less than substantial harm' that the unit will cause to the significance, appearance and character of the building needs to be assessed against the public benefit of siting the unit on the Market Hall's key façade in accordance with Clause 134 of the National Planning Policy Framework.

The applicant advises that the Market Hall has been selected as the ideal location for the defibrillator because of the building's prominence in the Market Place and the fact that it is located on the town's main shopping thoroughfare. In reality the Market Place is more en route than central to the main shopping area which is further along King Street, immediately to the north. Unfortunately the Council does not own any properties along King Street, therefore, the choice of location would have to be either the Market Hall or its adjacent neighbour, the equally listed Golden Lion. Since the Council intends to develop the Market Hall for public access, selecting this building rather than the Golden Lion seems to be the next best option to finding a location along King Street.

The actual location selected for the installation of the defibrillator is to the right of the former entrance doors to the Market Hall directly under a circular plaque which echoes the shape of the unit. The only physical damage to the building will be a small number of screw fixings and a small hole through the structure to provide an electrical supply to the unit. Apart from its colour, then, the unit will have minimal impact on the building and will allow the very minor damage to the building fabric to be made good should the unit be moved in the future. There is also a level access route to the unit from the Market Place.

I therefore consider that the potential benefit of the unit to the public as a means of saving lives far outweighs the minor impact the installation will have on the significance, character and appearance of the building, and I recommend that the application be approved.

## PLANNING POLICY

The National Planning Policy Framework (NPPF) introduced in March 2012 forms the national planning guidance on all matters including Historic buildings.

This states that 'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.' It also states 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting'.

## ASSESSMENT

It is considered that the proposed box does not adversely affect the amenity of the Listed Building and, as such, the application is therefore considered to accord with the provisions of the National Planning Policy Framework regarding historic buildings. In addition, the proposal provides a public benefit due to the nature of the development. It is recommended for approval.

### Recommendation:-

Approve

### Conditions

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

#### Reason

To comply with Sections 18 and 74 of the Planning (Listed Buildings and Conservation Areas) 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:-

- Market Hall Whitehaven Site Location Plan Scale 1:1250 received by the Local Planning Authority on 17 December 2014.
- Whitehaven Market Hall Defibrillator Ecopad Cabinet Plan Scale 1:200 received by the Local Planning Authority on 17 December 2014.

#### Reason

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

**Statement:**

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

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ITEM NO: 5.



To: PLANNING PANEL

Development Control Section

Date of Meeting: 25/02/2015

<b>Application Number:</b>	4/14/2502/OF1
<b>Application Type:</b>	Full : CBC
<b>Applicant:</b>	Mr D Christopherson
<b>Application Address:</b>	LAND TO SOUTH OF BOONWOOD FARM, DISTINGTON
<b>Proposal</b>	ERECTION OF A SINGLE 30M HUB WIND TURBINE WITH A TIP HEIGHT OF 48.01M
<b>Parish:</b>	Distington
<b>Recommendation Summary:</b>	Refuse



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## INTRODUCTION

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

This application was reported to the Planning Panel on 21 January 2015 with a recommendation that Members visited the site prior to determining the application. The site visit took place on 18 February 2015.

## PROPOSAL

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

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

The application states that it is seeking permission for the single turbine and associated development, however no details have been submitted regarding any building or hardstanding required on site and grid connection point. It is anticipated that it will produce 550,000 Kwh of electricity per annum, at the anticipated wind speed on the site of approximately 7m/s.

The planning statement details that the applicant is planning to use the renewable energy generated (equating to approximately 869 tonnes CO<sub>2</sub> per annum) from the proposed turbine to offset the farm's carbon footprint. The business's energy use currently equates to approximately 60 tonnes CO<sub>2</sub> per annum, based on energy consumption, fertiliser usage and on-site vehicles. The rest of the electricity produced will feed back into the grid, providing the business with vital diversified income to allow it to continue to operate in a time of intense competition from supermarkets.

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

The nearest dwelling to the site is the property, West Croft, which is approximately 280m to the southeast of the proposed turbine.

The application is accompanied by the following:-

- A site location plan
- An elevation plan of the turbine
- A planning statement incorporating a design and access statement
- A landscape and visual impact assessment including photomontages
- A community consultation document
- A noise impact assessment

## PLANNING POLICY

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

### National Planning Policy Framework

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

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

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

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

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

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

- Contribute to preserving and enhancing the natural environment and reducing pollution.
- Encourage the effective use of land by reusing previously developed 'brown field' land.
- Promote mixed use developments and encourage multiple benefits from its use.

Conserve heritage assets in a manner appropriate to their significance.

Actively manage patterns of growth.

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

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

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

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

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

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

#### Planning Practice Guidance

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

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

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

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

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

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

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



their setting;

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

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

#### **Copeland Local Plan 2013-2028**

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

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

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

Policy ST1 Strategic Development Principles,

Policy ST2 Spatial Development Strategy

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

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

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

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

appropriately.

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

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

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

#### Cumbria Wind Energy Supplementary Planning Document

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

#### Cumbria Landscape Character Assessment

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

### CONSULTATION RESPONSES

#### DISTINGTON PARISH COUNCIL

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

**HIGHWAY CONTROL OFFICER**

No comments received.

**ENVIRONMENTAL HEALTH OFFICER**

I object to the application due to lack of information. It is claimed that the noise levels from the turbine will be below 35dBA no evidence for this is given. The noise report included gives details of how loud the turbine itself is and not the noise levels at distance. A simplified noise assessment predicting the noise levels at all appropriate properties will be required and the assessment will need to take into account the cumulative effects from the existing/approved turbines at Fairfield, Watch Hill and Castlerigg.

**NATURAL ENGLAND**

Natural England does not object to the development.

**MOD**

No objections to the proposal.

**NATS**

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

**CAA**

No comments to make on the proposal.

**ARQIVA**

No objections to the proposal.

**Other**

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

- the turbine will be a dominant structure which will have an adverse visual impact on the character and appearance of the local area.
- the turbine will add another vertical structure into the landscape and will be seen with other existing turbines resulting in an adverse cumulative impact
- the turbines will have adverse impacts on residential properties, especially on the occupants of the nearest property West Croft in terms of noise, vibration and shadow flicker. This property is already significantly affected by the existing wind farm at Fairfield Farm

- The turbines will have no benefit to the local area
- The turbine will have an adverse impact on tourism and the economy of the area
- The local roads are not adequate for a large construction project
- Adverse impact on the local wildlife population within the area
- This proposal will set a precedent for other turbines within the area
- The need for a turbine on this site is questioned given the small amount of energy that it will produce

## ASSESSMENT

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

- 1) **Shadow Flicker:** The accompanying assessment concludes that none of the dwellings without a financial interest in the turbine will be affected by shadow flicker as all dwellings are more than 10 rotor diameters (192m) away from the turbine. A condition could be attached to any permission which would require mitigation measures to be implemented in the event of any complaint with regards to shadow flicker.
- 2) **Transport and Access.** Access to the site already exists and whilst construction would increase traffic movements to the site this would only be temporary and operational traffic will be insignificant.
- 3) **Heritage and Archaeology.** There are no conservation areas, ancient monuments or listed buildings likely to be affected in the vicinity.

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

### Noise

As noted above in the report, Environmental Health Officer is of the opinion that the noise assessment undertaken and submitted as part of this application is insufficient to fully ensure that the turbine would not have a significant adverse impact of nearby properties, especially when taking into account the cumulative noise impact from the existing turbines.

### **Landscape, Visual and Cumulative Impacts**

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

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

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

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

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

This proposal is for a tall structure, some 48.01 metres in overall height which, while being smaller than other turbines in the vicinity, would be sited in a prominent and elevated location which is open to views from both the immediate and wider locality.

There are already a number of turbines within this landscape. The proposed turbine will be located in close proximity to the existing Fairfield wind farm (consisting of 5 turbines) and the previously approved turbine at Watch Hill. In addition a further turbine at Castlerigg Farm, which is less than 600m from this site is also now under construction, and a turbine to the north at Stubbsgill Farm is also now constructed. The site will also have intervisibility with the more distant Lowca wind farm to the west and the other turbine development both on shore and off shore within this part of West Cumbria.

The presence of another turbine would add to the cumulative impacts of the existing and approved turbines in the landscape. The Wind Energy SPD identifies this landscape as having a moderate capacity to accommodate up to a small group of 3-5 turbines. This threshold has already been exceeded by the presence of the wind farm at Fairfield and the approved turbines at Watch Hill, Castlerigg and Stubbsgill. This is a total of 8 turbines, which is significantly above the range deemed appropriate in this SPD.

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

### **Benefits**

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

#### **Farm diversification**

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

### **Renewable Energy Generation**

The proposed turbine will provide 550,000 kWh of electricity per year which is enough to power approximately 140 homes.

### **Reduction of Carbon Emissions**

This would reduce the UK carbon emissions by approximately 869 tonnes of CO2 equivalent per year which will help to contribute to local and national emission reduction targets and help to tackle climate change.

### **CONCLUSION**

Being mindful of the policy context under which this application should be assessed, and the fact that the NPPF introduces a presumption in favour of such sustainable development with emphasised support for the delivery of renewable, providing that the impacts of such schemes are or can be made acceptable, this allows full weight to be given to the existing renewable energy policies of the Copeland Local Plan. Taking this and the above into account I am of the view that the proposed erection of this wind turbine in this location would have a significant adverse visual impact on the character and appearance of the surrounding landscape and also an unacceptable wider cumulative impact within the landscape. These impacts cannot be made acceptable by mitigation. In addition, there is potential for the noise level from the turbine, taking into account the existing turbines in the vicinity, to be unacceptable in relation to residential properties. On balance the benefits which would result from this proposal are not considered to be sufficient to outweigh these impacts. On this basis the proposal is considered to be contrary to Policy DM2 of the Copeland Local Plan 2013 – 2028 and the NPPF.

### **Recommendation:-**

**Refuse**

### **Reason for Refusal**

The proposed turbine would introduce an isolated, prominent feature, incongruous in its surroundings, which would have a materially harmful effect on the character and appearance of the surrounding rural landscape.

Due to its scale, prominence and proximity to the existing wind farm at Fairfield Farm and the approved turbines at Watch Hill, Castlerigg and Stubsgill is likely to have a significant landscape and visual impact and also an unacceptable wider cumulative impact within the landscape when seen in context with existing and approved wind turbines. There has also been insufficient information provided to demonstrate that it is not likely to be a potential noise nuisance to nearby residential properties.

The degree of harm is of a scale and character which prevents it being offset by the likely scale of benefits and it is concluded that the adverse effects of the proposal significantly and demonstrably outweigh the benefits of the proposal. As a consequence the proposal is considered to be contrary to Policy DM 2 of the adopted Copeland Local Plan 2013 - 2018 and the provisions of the National Planning Policy Framework.

#### Statement

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

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ITEM NO: 6.

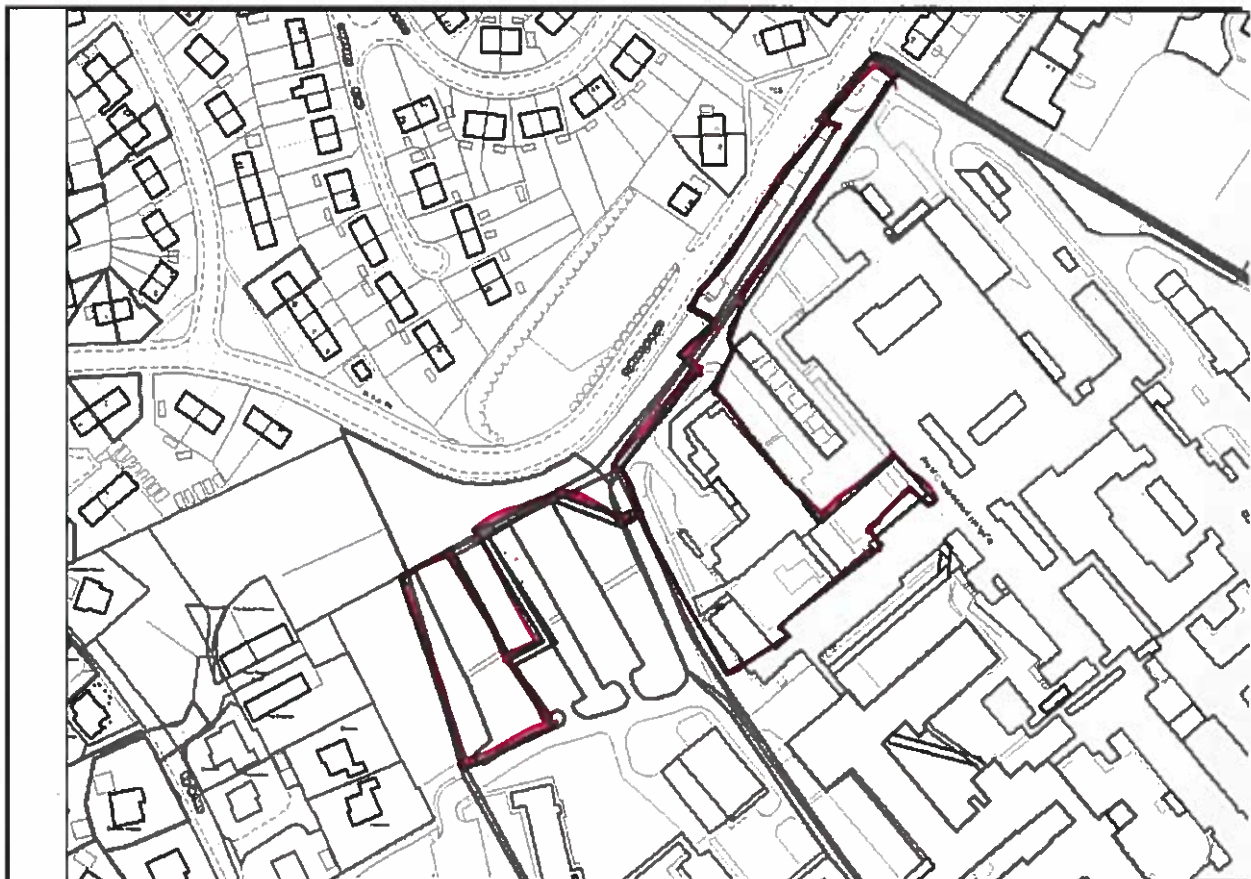


To: PLANNING PANEL

Development Control Section

Date of Meeting: 25/02/2015

<b>Application Number:</b>	4/14/2506/0F1
<b>Application Type:</b>	Full : CBC
<b>Applicant:</b>	North Cumbria University Hospitals NHS Trust
<b>Application Address:</b>	WEST CUMBERLAND HOSPITAL, HOMEWOOD ROAD, WHITEHAVEN
<b>Proposal</b>	CONSTRUCTION OF TEMPORARY CONTRACTORS COMPOUND AND SITE ACCESS ROAD
<b>Parish:</b>	Whitehaven
<b>Recommendation Summary:</b>	Approve



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## INTRODUCTION

Planning permission was granted for the creation of a site compound on land to the rear of Sneckyeat Industrial Estate for use in connection with the redevelopment of the West Cumberland Hospital in 2009 (application 4/09/2476/0 refers).

Planning permission was granted for the comprehensive redevelopment of the West Cumberland hospital site in 2011 (4/11/2265/0F1 refers).

A subsequent planning permission was granted in 2013 for a revision to the details of the access, internal roadway and landscaping (application 4/13/2086/0F1 refers).

## PROPOSAL

Planning permission is now sought for the construction of a temporary contractor's compound and site access road. It is anticipated that these will be required for a 4 year period and will allow Phase 2 of the hospital development to commence which involves the refurbishment of Blocks E and F.

The construction compound is to be housed on an area of land which is located to the south of the hospital site. This area of land is currently used for staff car parking, some hospital buildings and an access road.

The compound will be used as a base for Phase 2 of the construction period and will provide storage, car parking and accommodation in the form of a number of modular cabins. The compound will be bound with 2 metre high hoardings which are required for security purposes. These will help to provide a screen to the compound.

A new access is to be created from Homewood Road. This access is to be controlled by security personnel and a holding area is to be created just within the site to prevent large vehicles blocking Homewood Road when entering the site. An internal service road and footpaths will serve the various elements within the site. There will be separate vehicular entrances for hospital staff, visitors and construction traffic. The majority of the traffic routes will be one way with the exception of a short length between the construction traffic access and the entrance to the materials compound. The two lanes on this two way stretch will be separated by a barrier.

The original construction compound is to be converted into a staff car parking area to compensate for the loss of parking that will result from this application (4/15/2001/OF1 refers).

Once construction works are complete on the hospital site the areas covered by this application will be landscaped in accordance with the details approved under both the original planning permission for the redevelopment of the hospital (4/11/2265/0 refers) and the permission for a revised access and internal roadway (4/13/2086/0F1 refers).

## CONSULTATION RESPONSES

### Highways Control Officer

Originally had concerns about the arrangements as shown on the layout plan as they did not appear practical and insufficient information had been submitted to show that this was not the case. He requested the submission of additional information to clarify a number of points with regards to the temporary access arrangements, the footways for pedestrians, signage and turning facilities for HGVs and safety.

The applicant's agent has now submitted revised details which deal with these issues. The Highways Control Officer has responded by confirming that all his original concerns have been met with the exception of the raised platform at the bus stop on Homewood Road which needs to be moved to a more practical location at the same time as the bus shelter is relocated. Their positions can be made permanent and do not need to be subsequently relocated. These works can be covered by a condition with details to be agreed. The temporary works shall also be removed within a suitable timeframe.

## PLANNING POLICY

### National Planning Policy

The National Planning Policy Framework (NPPF), which came into effect in 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.

Paragraph 7 defines a social role as one of the three dimensions to sustainable development. A social role supports strong, vibrant and healthy communities by providing accessible local services that reflect the community's needs and support its health, social and cultural wellbeing.

Paragraph 17 outlines the core planning principles that underpin decision making. These include high quality design, encouraging the effective use of land by reusing land that has been previously developed and taking account of and support local strategies to improve health, social and cultural wellbeing for all and sufficient community and cultural facilities and services to meet local needs.

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

### Copeland Local Plan

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

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

The following policies are considered relevant to this application:-

- ST2 supports development in Whitehaven
- SS4 encourages the protection and extension of community facilities and services

The redevelopment of the hospital site is listed as a priority within the Whitehaven Locality.

Development Management Policies DM 11 and DM 21 set out detailed design requirements.

Policy DM 22 requires all development proposals to be both accessible to all users and also served by adequate car parking.

### ASSESSMENT

The creation of a new contractor's compound is essential to ensure that the redevelopment of the hospital can progress on a phased basis.

Works on the new build elements of the hospital under Phase 1 are nearing completion. Phase 2 involves the refurbishment of the existing blocks that are to be retained (Blocks E and F) and the demolition of the remaining redundant buildings. The new contractor's compound is required to facilitate Phase 2 of the works.

The applicant's agent has confirmed that these proposals will not involve the loss of public car parking spaces at the hospital. The only loss of car parking is for staff and this will be compensated for by utilising the original site compound as a temporary staff car park. The agent has confirmed that the temporary staff car park will be created before any of the existing staff car parking is removed.

The applicant's agent has submitted an amended drawing in response to the technical issues raised by the Highways Control Officer. The Highways Control Officer has confirmed that any outstanding issues can be adequately covered by suitably worded conditions.

This application is considered to be acceptable and will allow the completion of the redevelopment of the hospital.

As the consultation period for this application does not expire until 9<sup>th</sup> March 2015 Members are requested to authorise delegated powers to determine this application if they are prepared to accept the recommendation to approve this application

**Recommendation:-**

Members are recommended to authorise delegated powers to approve this application on the expiry of the consultation period subject to the following conditions: -

**Conditions**

1. This permission shall be limited to a period of time expiring on 31<sup>st</sup> December 2019. The temporary contractors compound and site access road shall be removed and the land restored to its former condition at or before the expiration of the period specified in this permission unless the prior written approval of the Local Planning Authority has been obtained for its continuation.

**Reason**

For the avoidance of doubt and to ensure that the site is adequately restored following the completion of the works to redevelop the hospital in the interests of the amenity of the area.

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 Temporary Site Accommodation and Access Arrangements, scale 1:2500, drawing number WCH-GDA-22-ZZ-DR-A-90-2003 Rev P1, received by the Local Planning Authority on 17<sup>th</sup> December 2014
- Site Logistics and Temporary Traffic Arrangements, scale 1:500, drawing number WCH-GDA-22-ZZ-DR-A-90-2005 Rev P1, received by the Local Planning Authority on 17<sup>th</sup> December 2014
- Temporary Site Access Arrangements, scale 1:500, drawing number WCH-GDA-22-ZZ-DR-A-90-2007 Rev P2, received by the Local Planning Authority on 11 February 2015
- Design and Access Statement prepared by Gilling Dod Architects, dated 08<sup>th</sup> December 2014 and received by the Local Planning Authority on 17<sup>th</sup> December 2014.

**Reason**

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

3. Prior to the first use of the site access road hereby approved the bus stop and associated raised platform shall be resited to an alternative location in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details thereafter.

**Reason**

In the interests of highway safety.

**Informatives**

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

Further information is also available on The Coal Authority website at [www.coal.decc.gov.uk](http://www.coal.decc.gov.uk)

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

2. The contractor should note that appropriate licences will be required for all works carried out within highway limits. No works shall commence on any part of the highway until receipt of an appropriate permit allowing such works. Enquiries should be made to Cumbria Highways, Highways Depot, Joseph Noble Road, Lillyhall Industrial Estate, Workington, CA14 4JH, Tel: 01946 506550

### Statement

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

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ITEM NO: 7.

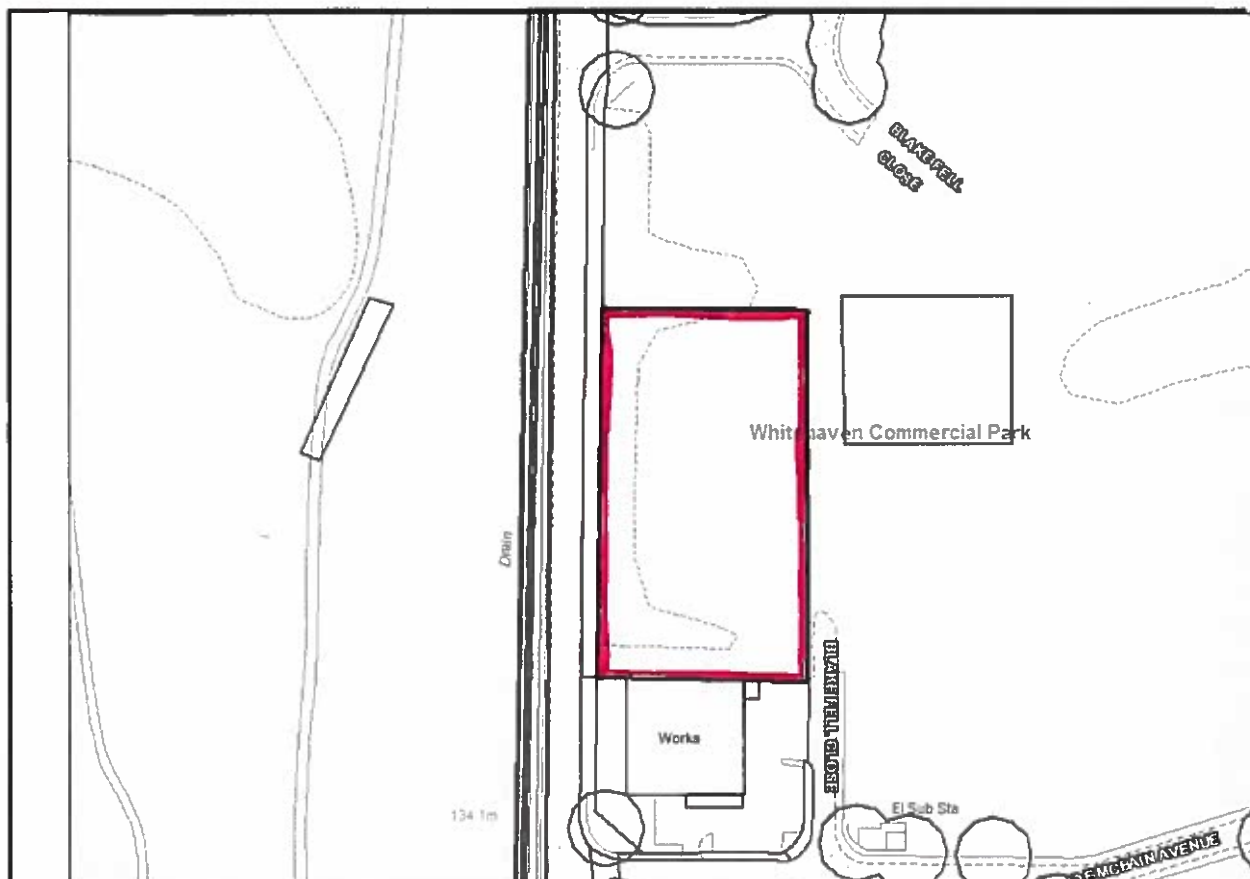


To: PLANNING PANEL

Development Control Section

Date of Meeting: 25/02/2015

<b>Application Number:</b>	4/14/2507/0F1
<b>Application Type:</b>	Full : CBC
<b>Applicant:</b>	Whitehaven Accident and Repair
<b>Application Address:</b>	UNIT 4 JOE MCBAIN AVENUE, MORESBY PARKS, WHITEHAVEN
<b>Proposal</b>	EXTENSION TO ACCIDENT AND REPAIR CENTRE AND ASSOCIATED PARKING AND HARDSTANDING (REVISED SCHEME FOR ORIGINAL APPROVAL 4/14/2091/0F1)
<b>Parish:</b>	Moresby
<b>Recommendation Summary:</b>	Approve (commence within 3 years)



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## INTRODUCTION

This application relates to an existing site within the confines of the Whitehaven Commercial Park at Moresby Parks, Whitehaven. This is an established commercial estate, situated to the south of the residential settlement of Moresby Parks, which is 3km to the east of Whitehaven.

Vehicular access to the site is via the Hensingham to Moresby road to the west of the site; while the site is itself is served by the main estate access road known as Joe McBain Avenue.

This particular site is located near to the western boundary of the Commercial Park and is immediately adjacent to the Hensingham to Moresby road. It currently comprises a level area of grassed land adjacent to the existing Whitehaven Accident Repair building.

This application is revised scheme for an application of the same title approved in May 2014 (4/14/2091/OF1 refers).

## PROPOSAL

The proposal is firstly to erect a large extension on the land to the north of the existing building on the site, rectangular in shape and measuring some 69.5m in length by 31.0m in width, with a pitched roof 7.1m high to the eaves and 8.1m high to the apex.

External materials to be used include light grey profiled metal cladding to walls and roof with matching trims to match the existing building on site. The wall cladding to the west elevation facing into the site will be varied between horizontal and vertical panels to break up the scale and massing of the building. Roller doors which will be situated on the north elevation will be galvanised steel. These finishes will match the neighbouring building as well as other buildings on the estate.

Internally the existing toilets, staff room, training room and storage space will be retained with the first floor area above this space there will be more staff space and offices. The majority of the rest of the building and extension will be open space which will include two spray booths, a parts storage area, a paint mixing area, a wet and dry valet area, an MOT testing area and the main area for striping and refitting panels.

This differs from the previous application as the proposed extension to the existing building is larger than previous but there is no longer a separate building proposed on site for 'total loss' cars. This would have provided storage for cars that are awaiting collection as they cannot be repaired, but these will now be contained in the covered open ended section of the proposed extension.

Externally, the site will still have 4 office parking spaces, 16 staff parking spaces, 12 customer parking spaces, and 4 MOT parking spaces, with the site utilising the existing access in accordance with the previous application. Also as previous, reinforcement of the existing screen planting onto the Moresby road will be undertaken.

## **CONSULTATION RESPONSES**

**Moresby Parish Council**

**No comments received.**

**Cumbria Highways**

**No objection, subject to a condition on any approval.**

**United Utilities**

**No objections.**

**Other**

**No other representations have been received in response to the statutory notification procedure.**

## **PLANNING POLICY**

### **National Planning Policy Framework**

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

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

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

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

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

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

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

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

### Copeland Local Plan 2013 - 2028

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

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

Policy ST1 of the Core strategy sets out the fundamental principles that will achieve sustainable development in the Borough, including support for development proposals which develop or retain jobs in suitable locations.

ST 2 Spatial Development Strategy and ST 3 Strategic Development Priorities - outline the overall spatial and regeneration strategies for the Borough. It sets a spatial development

strategy whereby development should be guided to the principle settlement and other centres and sustain rural services and facilities.

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

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

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

#### Adopted Copeland Local Plan 2001 – 2016

Although a new Local Plan has now been adopted, the policies that allocated land in the previous Local Plan are still relevant to decision making.

EMP 1: This policy of the previous adopted Local Plan detailed allocations of land for future employment uses, which this area and the wider Whitehaven Commercial Park was included in.

#### ASSESSMENT

The principle of this development was established through the grant of planning permission in 2014 for an extension to the existing building. Therefore while the change in layout and size of the extension is significant enough to require a revised submission, the impact of the development on the commercial estate and the wider surroundings will not be any different to the application previously approved by the Planning Panel.

Taking the above into account it is considered that the proposed building represents an acceptable form of development within this existing commercial estate in accordance with

the National Planning Policy Framework and the Copeland Local Plan 2013 -2028 and is therefore recommended for approval.

**Recommendation:-**

Approve

**Conditions**

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

**Reason**

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

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

- Site Location Plan Scale 1:1250 Drawing No 2009.399.LP received by the Local Planning Authority on 18 December 2014.
- Existing floor plans Scale 1:100 Drawing No 2009.399.01 received by the Local Planning Authority on 18 December 2014.
- Proposed floor plans Scale 1:100 Drawing No 2009.399.02 received by the Local Planning Authority on 18 December 2014.
- Proposed elevations Scale 1:100 Drawing No 2009.399.03 received by the Local Planning Authority on 18 December 2014.
- Site Layout Plan Scale 1:500 Drawing No 2009.399.04 received by the Local Planning Authority on 18 December 2014.

**Reason**

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

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

**Reason**

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

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

**Reason**

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

5. The extension hereby approved shall not be occupied until a schedule of landscape maintenance has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details for its implementation. Development shall be carried out in accordance with the approved schedule.

**Reason**

To ensure the implementation of a satisfactory landscaping scheme.

6. Prior to the development commencing, full details of the boundary treatments to the site shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented and so maintained thereafter.

**Reason**

To ensure satisfactory boundary treatments in the interests of amenity.

**Informative:**

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



Further information is also available on The Coal Authority website at [www.coal.decc.gov.uk](http://www.coal.decc.gov.uk)

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

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.

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**Statement:**

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

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ITEM NO: 8.



To: PLANNING PANEL

Development Control Section

Date of Meeting: 25/02/2015

<b>Application Number:</b>	4/14/2508/OF1
<b>Application Type:</b>	Full : CBC
<b>Applicant:</b>	North Cumbria University Hospitals NHS Trust
<b>Application Address:</b>	WEST CUMBERLAND HOSPITAL, HOMEWOOD ROAD, HENSINGHAM, WHITEHAVEN
<b>Proposal</b>	CONSTRUCTION OF NEW STAIR TOWER TO BLOCK F; RECLADDING OF EXTERNAL FACES OF BLOCKS E & F; GENERAL REFURBISHMENT OF BLOCKS E & F
<b>Parish:</b>	Whitehaven
<b>Recommendation Summary:</b>	Approve (commence within 3 years)



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## INTRODUCTION

Planning permission was granted for the comprehensive redevelopment of the West Cumberland Hospital in 2011 (application 4/11/2265/0F1 refers).

The approved scheme involved the demolition and replacement of a significant number of existing buildings and the retention and refurbishment of Blocks E, F and J.

The construction works are being carried out on a phased basis to enable the hospital to remain functional during this process.

Phase 1 which involved the construction of the new building elements of the scheme is now nearing completion. These buildings are currently in the process of being fitted out.

Phase 2 of the scheme involves the retention and refurbishment of blocks E, F and J which occupy the south western portion of the site. Once these buildings have been refurbished it will allow them to house the patients that are to be decanted from other existing buildings on site. This will then allow the demolition of these buildings.

## PROPOSAL

This application seeks planning permission for changes to the approved elevational treatment of Blocks E and F which have resulted from a reassessment of the internal arrangement of the patient rooms within these two buildings.

These blocks are to be clad externally with insulated panels to match the appearance of the new buildings on the site. As part of the refurbishment new windows are to be installed through these two blocks and a number of the window openings are to be resited for functional reasons to improve the layout of the patient bedrooms.

It is also proposed to install an extension onto the north west elevation of F Block to form a stair well. This will provide access to all levels within this Block.

## CONSULTATION RESPONSES

None received

## PLANNING POLICY

### National Planning Policy

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

Paragraph 7 defines a social role as one of the three dimensions to sustainable development. A social role supports strong, vibrant and healthy communities by providing accessible local services that reflect the community's needs and support its health, social and cultural wellbeing.

Paragraph 17 outlines the core planning principles that underpin decision making. These include high quality design, encouraging the effective use of land by reusing land that has been previously developed and taking account of and support local strategies to improve health, social and cultural wellbeing for all and sufficient community and cultural facilities and services to meet local needs.

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

#### Copeland Local Plan

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

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

The following policies are considered relevant to this application:-

- ST2 supports development in Whitehaven
- SS4 encourages the protection and extension of community facilities and services

The redevelopment of the hospital site is also listed as a priority within the Whitehaven Locality.

Development Management Policies DM 11 and DM 21 set out the detailed design requirements that are applicable to this application.

## ASSESSMENT

The refurbishment of these two blocks is important to ensure that their appearance relates to the other modern new buildings which have been constructed on site. Blocks E and F are in need of repair and the proposed elevational changes will enhance their external appearance.

The erection of a new stair tower extension on to Block F is considered to be an acceptable form of development. It is of an appropriate design and will help to improve internal circulation within this building.

## 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 Phase 2 Redevelopment, scale 1:2500, drawing number WCH-GDA-22-ZZ-DR-A-90-2003 Rev P01, received by the Local Planning Authority on 18<sup>th</sup> December 2014
  - Level 2 Proposed GA Plan 1-200, scale 1:200, drawing number WCH-GDA-22-02-DR-A-20-2012 Rev T1, received by the Local Planning Authority on 18<sup>th</sup> December 2014

- Level 3 Proposed GA Plan 1-200, scale 1:200, drawing number WCH-GDA-ZZ-03-DR-A-20-2012 Rev T1, received by the Local Planning Authority on 18<sup>th</sup> December 2014
- Level 4 Proposed GA Plan 1-200, scale 1:200, drawing number WCH-GDA-ZZ-04-DR-A-20-2014 Rev T3, received by the Local Planning Authority on 18<sup>th</sup> December 2014
- Level 5 Proposed GA Plan 1-200, scale 1:200, drawing number WCH-GDA-ZZ-05-DR-A-20-2015 Rev T1, received by the Local Planning Authority on 18<sup>th</sup> December 2014
- Level 6 Proposed GA Plan 1-200, scale 1:200, drawing number WCH-GDA-ZZ-06-DR-A-20-2016 Rev T1, received by the Local Planning Authority on 18<sup>th</sup> December 2014
- Level 7 Proposed GA Plan 1-200, scale 1:200, drawing number WCH-GDA-ZZ-07-DR-A-20-2017 Rev T1, received by the Local Planning Authority on 18<sup>th</sup> December 2014
- Proposed Elevations Sheet , drawing number WCH-GDA-22-ZZ-DR-A-25-2011 Rev T5, received by the Local Planning Authority on 18<sup>th</sup> December 2014
- Proposed Elevations Sheet 2, drawing number WCH-GDA-22-ZZ-DR-A-25-20132Rev T2, received by the Local Planning Authority on 18<sup>th</sup> December 2014
- Proposed Elevations Sheet 3, drawing number WCH-GDA-22-ZZ-DR-A-25-2013 Rev T2, received by the Local Planning Authority on 18<sup>th</sup> December 2014
- Design and Access Statement prepared by Gilling Dod Architects and received by the Local Planning Authority on 18<sup>th</sup> December 2014

#### Reason

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

#### Informative

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

Further information is also available on The Coal Authority website at [www.coal.decc.gov.uk](http://www.coal.decc.gov.uk)

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

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**Statement**

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

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ITEM NO: 9.

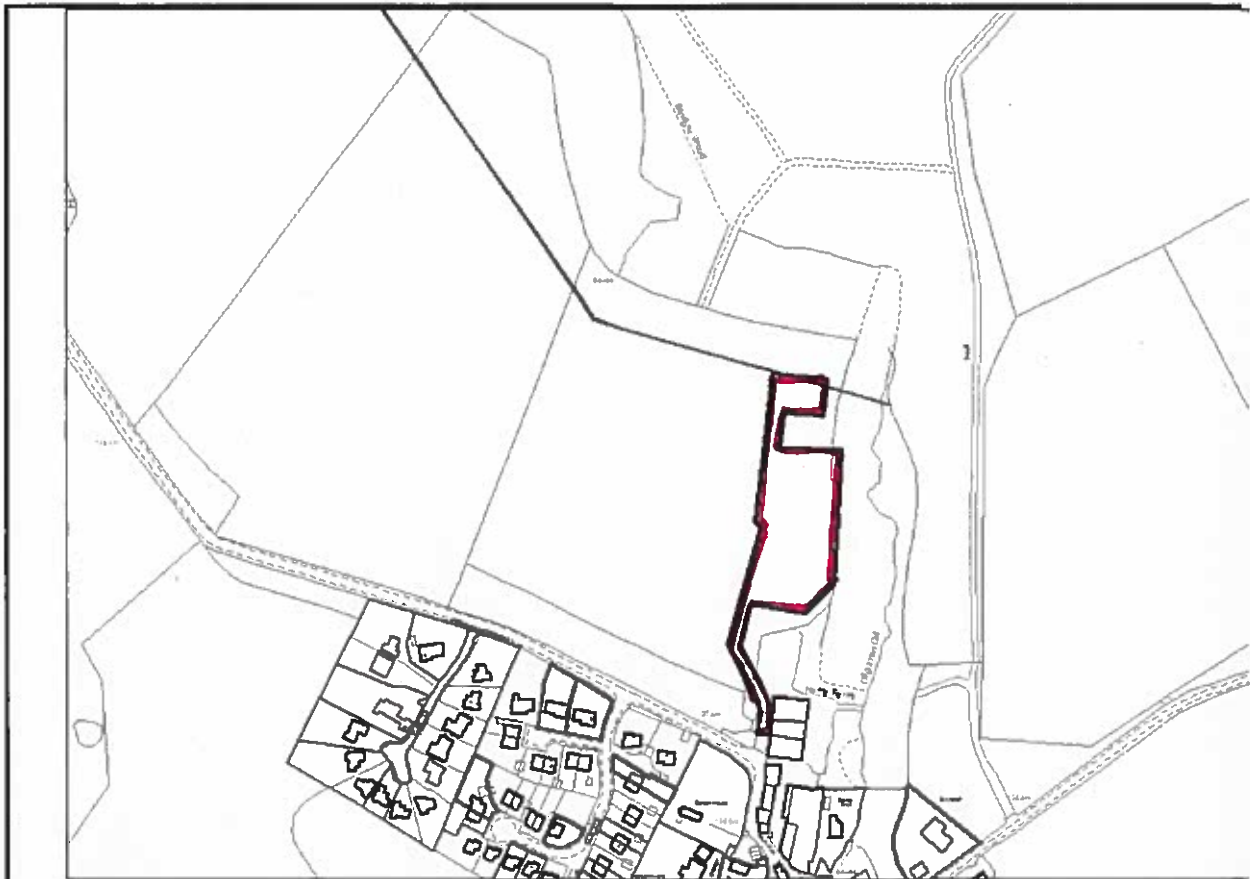


To: PLANNING PANEL

Development Control Section

Date of Meeting: 25/02/2015

<b>Application Number:</b>	4/14/2510/OF1
<b>Application Type:</b>	Full : CBC
<b>Applicant:</b>	W Gate and Son
<b>Application Address:</b>	HOME FARM, GILGARRAN
<b>Proposal</b>	ERECTION OF AN AGRICULTURAL ANAEROBIC DIGESTION PLANT TO COMPRISE 3 STORAGE CLAMPS, DIGESTER TANK, DIGESTATE STORAGE LAGOON, OPERATING BUILDING, SUBSTATION, SEPARATOR AND DRIER AND FLARE STACK
<b>Parish:</b>	Distington
<b>Recommendation Summary:</b>	Site Visit



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## INTRODUCTION

This application relates to an area of agricultural land which lies adjoining the village of Gilgarran. This land forms part of the applicants existing agricultural holding which comprises land to the north of the village east of Frizington around the applicants dwelling, Home Farm. The applicant also currently owns and uses some agricultural land in Frizington and Branthwaite.

## PROPOSAL

Planning permission is sought for the erection of an agricultural anaerobic digestion plant, which consists of three storage clamps, a digester tank, a digestate storage lagoon, an operating building, a substation, a separator, a drier and a flare stack on the 0.95 hectare site. The site will be formed on an existing area of agricultural land adjacent to the existing farm yard area.

The application site is 251m x 68m, with the largest structure proposed being the three storage clamps which are 50m x 20m each in size formed with concrete side panels. The digester is 26m in diameter with a height of 6m. The main operational building on site is 17m x 12m, with a height of 4m to the eaves and 6.2m to the ridge.

Access to the site is to be achieved from the existing farm access from the main road through Gilgarran. There is also a secondary farm access the north of the site from the unclassified road between Gilgarran and Pica. The site lies approximately 50 metres to the north of the nearest dwellings in Gilgarran.

All of the material used in the Anaerobic Digester (Farm yard manure, slurry and surplus silage) will be produced from the applicants existing farming operations.

The application is accompanied by the following:-

- A site location plan
- Elevation plans of the proposed buildings and structures
- A planning statement incorporating a design and access statement
- Landscape and visual photographs
- A coal mining risk assessment

## **PLANNING POLICY**

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

### **National Planning Policy Framework**

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

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

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

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

### **Copeland Local Plan 2013-2028**

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

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

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

Policy DM30 of the Development Management policies states that rural buildings will be permitted so long as they are well related to an existing settlement or farm building complex, are appropriate in design and scale, use materials and colours that enable the development to blend into its surroundings, do not adversely impact the local landscape character or built environment or do not significantly impact the amenity of any nearby residential properties.

## CONSULTATION RESPONSES

Environment Agency

Raise no objections to the proposal.

Distington Parish Council

After consideration, it was agreed that the Parish Council would like a site meeting for this proposal, on the grounds of the scale of the proposal is unclear and would be better understood on site.

United Utilities

Raise no objections to the proposal.

One objection has been received from a local resident whose main concern is the increase traffic that the development will cause.

## ASSESSMENT

As detailed in the comments received from the Distington Parish Council, this application raises issues with regards to the potential impacts on residential amenity in the village and it is considered appropriate for Members to visit the site to fully appraise all of the material planning considerations before determining the application.

### **Recommendation:-**

Site Visit

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ITEM NO: 10.

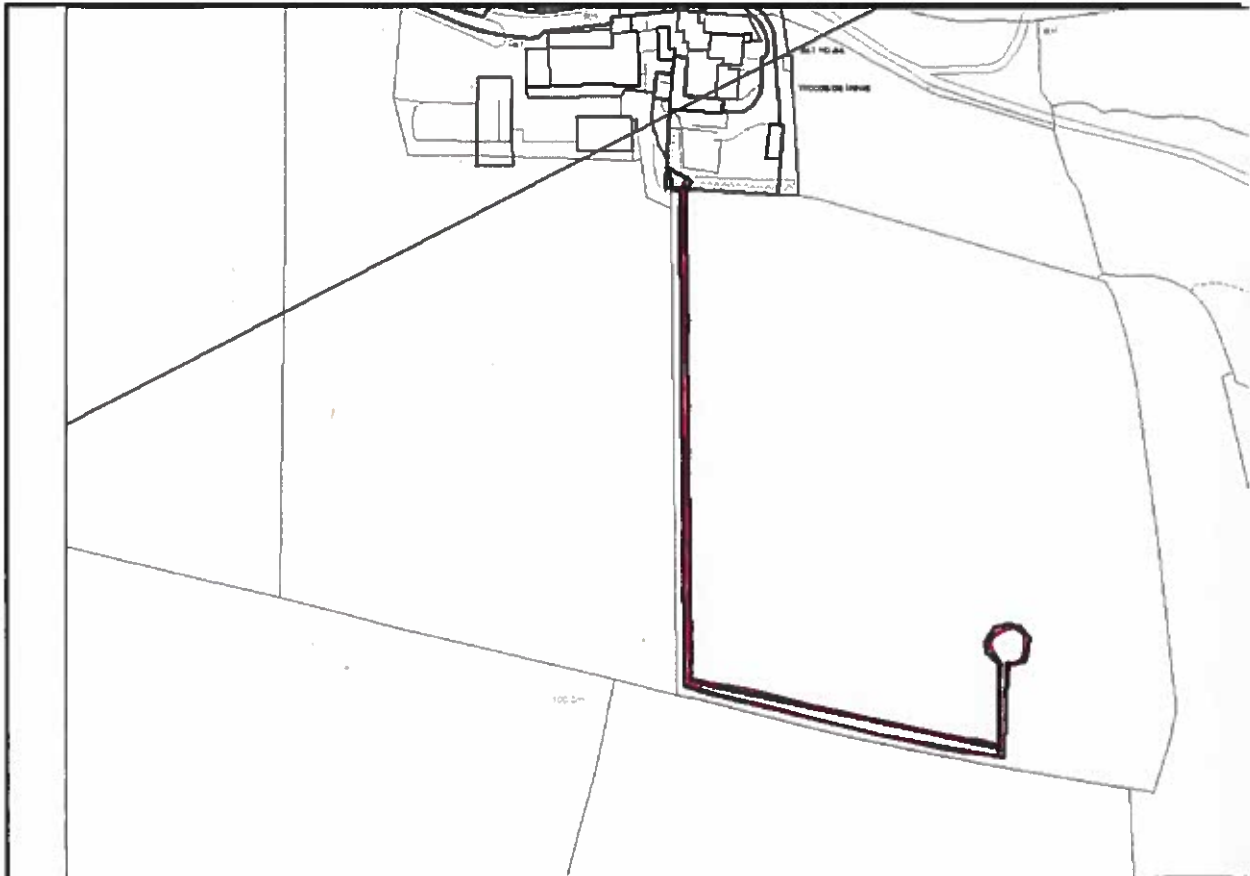


To: PLANNING PANEL

Development Control Section

Date of Meeting: 25/02/2015

<b>Application Number:</b>	4/14/2511/OF1
<b>Application Type:</b>	Full : CBC
<b>Applicant:</b>	Mr G Barwise
<b>Application Address:</b>	LAND TO SOUTH OF BELL HOUSE FARM, SANDWITH, WHITEHAVEN
<b>Proposal</b>	INSTALLATION OF ONE WIND TURBINE (MAXIMUM TIP HEIGHT 36.6M) AND ASSOCIATED INFRASTRUCTURE
<b>Parish:</b>	Whitehaven, St. Bees
<b>Recommendation Summary:</b>	Site Visit



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### **Site Location**

This proposal relates to an elevated green field site in open countryside some 240m southeast of the parent farm house at Bell House and 340m from the neighbouring bungalow 'Stanbalyn'.

There are a number of other non-associated dwellings situated within the vicinity of the site including 5 converted barns within the former farm building group at Bell House which neighbour the farm house, and Stanley House, an isolated detached property some 200m distant to the east.

### **Proposal**

It is proposed to erect one three bladed turbine on a single tapered tower matt pale grey in colour 24m high to hub with an overall ground to tip height of 36.6m. The precise model however has yet to be confirmed and it is requested that this could be covered by an appropriate condition.



It would be situated on a concrete foundation typically some 9.2 square metres in area and 2 m in depth with an adjacent hard-standing area and a small external transformer meter housing. Connection to the local grid would be via underground cabling.

Vehicular access to the site would be off the adjacent B5345 St Bees Road, along an existing agricultural hard core track leading to the farm. It will then extend southwards across fields for 200m before turning eastwards for 140m and then north for a distance of some 40m. Here it would be some 4.5m in width and constructed of crushed aggregate which will over a period of time allow grass to grow within it which will help assimilate it more readily into the landscape.

The application is accompanied by:

Design and Access Statement

Wind Turbine Acoustic Performance Test

Technical Information

Supporting Information for Visual and Landscape Impact Assessment including Photo montages

Statement of Community Involvement

### **Consultation Responses**

**St Bees Parish Council –Object.** The site is within an area designated as a Landscape of County Importance and the proposed turbine would be in a prominent position and clearly visible on the sky line from many local viewpoints, including from St Bees itself as well as from popular local walks. St Bees Head and the St Bees valley are important to the local tourism industry with many visitors coming to start the Coast to Coast Walk. Large turbines such as this have a serious detrimental impact on the landscape and have the potential to affect the economic benefits from tourism.

The Parish Council does not oppose small scale turbines which provide power solely for farming businesses themselves but does not believe that larger scale turbines such as the one proposed are appropriate in this location.

**MOD – No objection.**

**CAA – No comments.**

**NATS – No objection.**

**Highway Authority - awaited.**

**Historic Environment Officer -** records indicate that the proposed development affects an area of some archaeological sensitivity. The route of the cable from the proposed turbine will run across the site of an enclosure of possible medieval or prehistoric origin. The area of archaeological interest is marked on the attached plan.

I recommend that, in the first instance, consideration is given to re-routing the line of the cable to avoid this area and so protect the archaeological remains. If this can be achieved I would not request any archaeological work to be undertaken.

In the event that the cable cannot be re-routed, and so has the potential to disturb the site of the archaeological remains, I recommend the ground works of the cable trench are subject to an archaeological watching brief. I advise that this should be commissioned and undertaken at the expense of the developer and can be secured through the inclusion of an appropriate condition in any planning consent.

**Scientific Officer** - Objects to the application due to lack of information. A simplified noise assessment is needed to show that the flat 35dB LA90 condition can be met.

**Natural England** – No objection as the proposal is unlikely to affect any protected sites or landscapes.

No neighbour/ other responses have been received to date.

### **Planning Policy**

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

#### **National Planning Policy Framework**

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

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

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

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

minimise waste and pollution and mitigate and adapt to climate change including moving to a low carbon economy. Paragraph 8 confirms that these three roles should not be taken in isolation because they are mutually dependent.

### **Renewable Energy**

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

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

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

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

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

Conserve heritage assets in a manner appropriate to their significance.

Actively manage patterns of growth.

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

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

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

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

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

### **Conserving and Enhancing the Natural Environment**

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

### **Planning Practice Guidance**

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

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

Energy of July 2013 is cancelled.

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

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

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

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

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

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

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

### **Copeland Local Plan 2013-2028**

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

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

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

#### **Core Strategy:**

**Policy ST1 Strategic Development Principles,**

**Policy ST2 Spatial Development Strategy**

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

**Policy ENV 5 Protecting and Enhancing the Borough's Landscapes.** It recognises

that Copeland has some spectacular landscapes and seeks to ensure that these are protected and enhance and seeks to protect them from inappropriate change.

#### **Development Management Policies DPD**

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

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

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

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

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

**Policy DM26 Landscaping** This sets out a requirement for all new developments to consider landscape their potential impact on the landscapes to ensure that it is protected and existing features enhanced.

#### **Cumbria Wind Energy Supplementary Planning Document**

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

on landscape character, sensitivity and value.

### **Cumbria Landscape Character Assessment**

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

### **Assessment**

In view of the setting of this proposed turbine, within a sensitive landscape adjacent to St Bees Valley, and its proximity to nearby residences, it is recommended that Members take the opportunity to visit the site to appraise all material planning considerations before determining the application.

### **Recommendation:-**

Site Visit

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**ITEM NO: 11.**

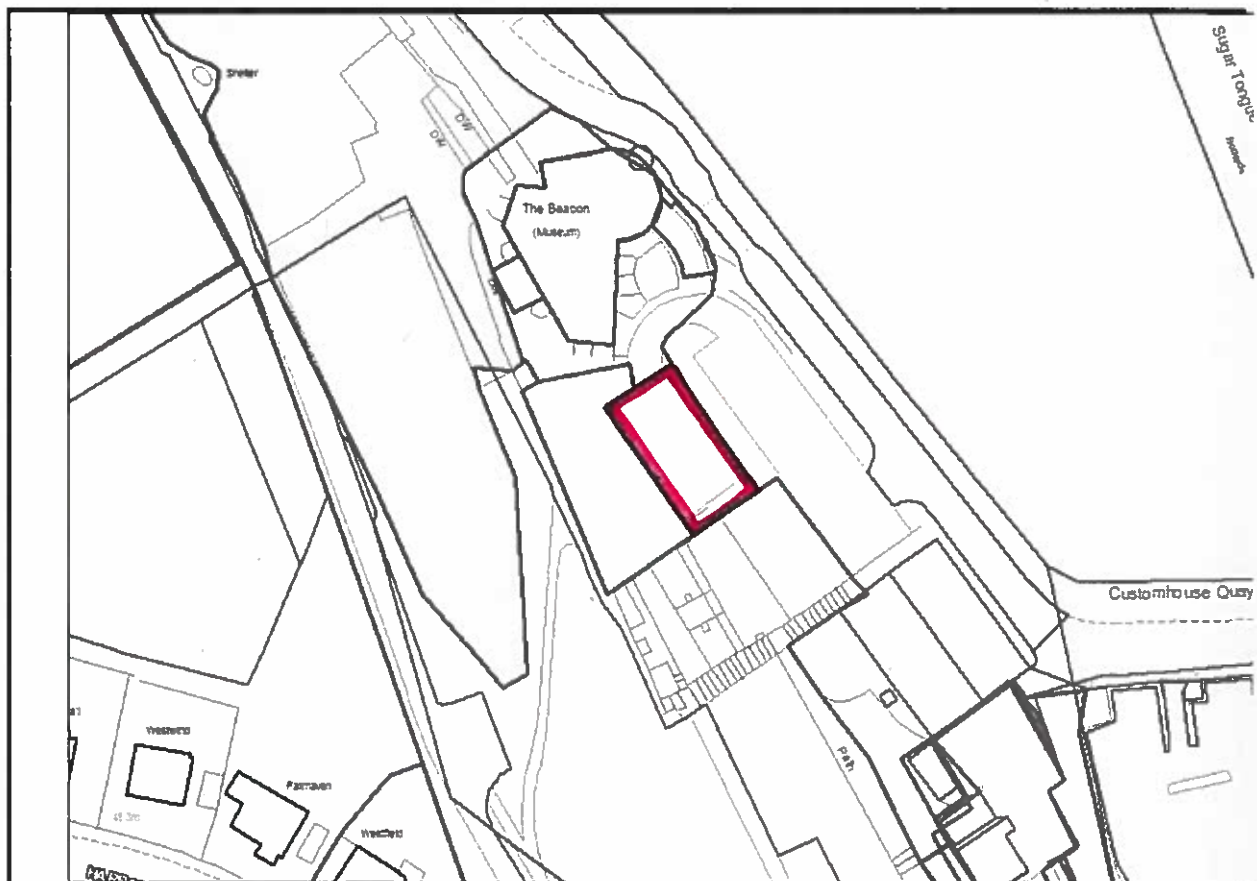


**To: PLANNING PANEL**

**Development Control Section**

**Date of Meeting: 25/02/2015**

<b>Application Number:</b>	4/14/2525/OF1
<b>Application Type:</b>	Full : CBC
<b>Applicant:</b>	Copeland Borough Council
<b>Application Address:</b>	THE BEACON MUSEUM, WEST STRAND, WHITEHAVEN
<b>Proposal</b>	NEW SINGLE STOREY CONFERENCE CENTRE WITH ACCESS DECKING TO BE CONSTRUCTED IN THE EXISTING UPPER CAR PARK
<b>Parish:</b>	Whitehaven
<b>Recommendation Summary:</b>	Approve (commence within 3 years)



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## INTRODUCTION

This application relates to The Beacon and the adjoining car park area. The building was constructed in 1993 and is a museum and exhibition centre. It is located on West Strand, which is to the south west of Whitehaven harbour. It is location within the Whitehaven Town Centre Conservation Area.

The site has a split-level car park to the south of the building, and is adjoined by a steep bank which includes areas of public open space to the west and north. The car park is accessed off West Stand to the frontage of the site.



Planning permission was granted in August 2014 for an extension over the existing roof space of the 3<sup>rd</sup> floor to the main building and also the erection of a new single storey conference centre (4/14/2335/OF1 refers). This application is an amended scheme for the single storey conference centre.

## PROPOSAL

The proposed new single storey building is to be utilised as a conference centre and will have an approximate floor area of 95 sqm. It is predominantly circular in shape and will be located on part of the upper section of the car park, with an area of external decking to provide a level access. This will be finished with render cladding and masonry blockwork and glazing to match the main building. Internally, the majority of the building will be an open space area, but it will have a small kitchen area and toilet facilities.

It differs from that previously approved as the building now has a square additional section adjoining the main circular structure. This will house the entrance lobby, kitchen area, store room and toilet facilities. This will ensure that the main circular space can be utilised in its entirety as a conference centre which will improve the usability of the facility. The additional section will be visible to the east (facing the harbour) and will be finished with a mixture of stone work and glazing, with the Beacon logo attached to the stone work. It will have a lower roof height than the main building.

There will remain an overall net loss of 7 parking spaces on the site through this proposal, which is consistent with the previously approved application.

## PLANNING POLICY

### National Planning Policy Framework

The National Planning Policy Framework (NPPF), which came into effect in 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 outlines that there are three dimensions to sustainable development; economic, social and environmental. A social role includes support for cultural facilities.

Paragraph 17 sets out a number of core planning principles which. Amongst other things, seeks to secure high quality designs and also conserving heritage assets in a manner appropriate to their significance.

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

Paragraph 70 seeks to deliver social, recreational and cultural facilities and services.

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

### Copeland Local Plan 2013-2028

The Core Strategy and Development Management Policies DPD (known as the Copeland Local Plan 2013-2028) was adopted by the Council in December 2013.

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

The following Core Strategy policies are considered relevant to this application:-

ST 1 sets out the Strategic Development Principles that underpin the planning policies. This places an emphasis on supporting development that provides or contributes to the Boroughs social and community infrastructure and also seeks to protect and enhance the Boroughs cultural and historic features and their settings.

Policy ER 10 seeks to maximise the potential of tourism within the Borough by supporting appropriate developments which improve and enhance the quality of the tourism product.

Policy SS4 seeks to protect community and cultural facilities. Specifically this policy allows the expansion and or enhancement of existing cultural facilities to assist continuing viability, particularly in areas where new development will increase the demand for facilities.

Policy DM 22 seeks to secure developments which are accessible to all users.

## CONSULTATION RESPONSES

### Highway Control Officer

Reiterates the previous concerns regarding the proposed loss of parking to the facility. For a development of the completed facility's size, a total of 50 parking spaces would be expected and this proposal only includes 16 spaces post development. However it is recognised that the site does not directly link to the highway network, therefore the statutory response is that the proposal doesn't affect the highway.

They have also commented that a Construction Method Statement should be supplied prior to the development commencing if The Beacon is to remain open during the works.

### Copeland Disability Forum

CDF have confirmed that they wish to support the application.

### Conservation Officer

Now raised no objections to the proposal, following the submission of an amended plan which details minor changes.

## ASSESSMENT

The principle of this development was established through the grant of planning permission in 2014 for an extension to the existing building and a detached conference centre.

Therefore while the change in layout and size of the building is significant enough to require a revised submission, the impact of the development on the exiting Beacon and wider Harbourside and Conservation Area will not be any different to the application previously approved by the Planning Panel.

Taking the above into account it is considered that the proposed building represents an acceptable form of development in accordance with the National Planning Policy Framework and the Copeland Local Plan 2013 -2028 and is therefore recommended for approval.

**Recommendation:-**

Approve

**Conditions**

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

**Reason**

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

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

- Existing Site Plan Scale 1:200@A2 Drawing No 2123.04.202 Rev A received by the Local Planning Authority on 22 December 2014.
- Proposed Site Plan Scale 1:200@A2 Drawing No 2123.04.203 received by the Local Planning Authority on 22 December 2014.
- Proposed Plan Scale 1:50@A1 Drawing No 2123.04.310 Rev A received by the Local Planning Authority on 22 December 2014.
- Proposed Elevations Scale 1:50@A1 Drawing No 2123.04.410 Rev D received by the Local Planning Authority on 11 February 2015.
- Proposed Section Scale 1:20@A1 Drawing No 2123.04.510 Rev D received by the Local Planning Authority on 11 February 2015.
- Proposed Roof Plan Scale 1:50@A1 Drawing No 2123.04.311 Rev A received by the Local Planning Authority on 22 December 2014.

**Reason**

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

3. Prior to the commencement of development, a construction method statement regarding the proposed site works shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented and so maintained thereafter.

**Reason**

For the avoidance of doubt.

**Informative:**

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

Further information is also available on The Coal Authority website at [www.coal.decc.gov.uk](http://www.coal.decc.gov.uk)

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

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**Statement:**

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

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ITEM NO: 12.



To: PLANNING PANEL

Development Control Section

Date of Meeting: 25/02/2015

<b>Application Number:</b>	4/14/2526/OF1
<b>Application Type:</b>	Full : CBC
<b>Applicant:</b>	North Cumbria University Hospitals NHS Trust
<b>Application Address:</b>	WEST CUMBERLAND HOSPITAL, HENSINGHAM, WHITEHAVEN
<b>Proposal</b>	AMENDMENT OF CONDITION 2 OF PLANNING APPROVAL 4/13/2004/OF1 TO ALLOW THE RETENTION OF THE OLD ENERGY CENTRE FOR A TEMPORARY PERIOD OF 4 YEARS
<b>Parish:</b>	Whitehaven
<b>Recommendation Summary:</b>	Approve



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## INTRODUCTION

The West Cumberland Hospital is currently undergoing a major redevelopment. As part of this redevelopment planning permission was granted in 2013 for the construction of a new energy centre to serve the new hospital (application 4/13/2004/OF1 refers).

This permission was subject to the following condition:-

**"The existing energy centre including the boiler house, chimney and oil tanks shall be removed from the site within six months of the new energy centre hereby permitted being first used. The land shall be restored following the removal of the existing buildings and structures in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and maintained as such thereafter."**

## PROPOSAL

This application seeks to amend the wording of this condition to allow the existing energy centre to be retained on site for an extended period of time. The suggested amended wording for the condition that has been put forward is as follows:-

“The existing energy centre including the boiler house, chimney and oil tanks shall be removed from the site by the 31<sup>st</sup> December 2018. The land shall be restored following the removal of the existing buildings and structures in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and maintained as such thereafter.”

The applicant’s agent has set out that this amendment is being sought for practical reasons. The hospital must remain operational and fit for purpose at all times during its redevelopment. The old buildings are all heated by the existing energy centre. Some of these buildings are to be retained and refurbished as part of the approved development. These will not be transferred across to the new energy centre until all of the building works are complete on site. The new buildings which are now nearing completion are all to be served by the new energy centre. Following decommissioning the old energy centre will be demolished and the land restored. Therefore the time period during which the old energy centre needs to be extended to accommodate this requirement.

## PLANNING POLICY

### National Planning Policy

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

Paragraph 7 defines a social role as one of the three dimensions to sustainable development. A social role supports strong, vibrant and healthy communities by providing



accessible local services that reflect the community's needs and support its health, social and cultural wellbeing.

Paragraph 17 outlines the core planning principles that underpin decision making. These include high quality design, encouraging the effective use of land by reusing land that has been previously developed and taking account of and support local strategies to improve health, social and cultural wellbeing for all and sufficient community and cultural facilities and services to meet local needs.

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

Planning Policy Guidance was issued by the Government on 06 March 2014. It sets out the procedure for amending a planning condition under Section 73 of the Town and Country Planning Act 1990. It clarifies that only the relevant condition should be considered and does not allow a complete reconsideration of the original scheme.

#### Copeland Local Plan

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

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

The following policies are considered relevant to this application:-

- ST2 supports development in Whitehaven
- SS4 encourages the protection and extension of community facilities and services

The redevelopment of the hospital site is listed as a priority within the Whitehaven Locality.

Development Management Policies DM 11 and DM 21 set out detailed design requirements.

## **ASSESSMENT**

The redevelopment of the hospital site is a major project. It is being undertaken on a phased basis to ensure that the existing hospital can remain functional throughout this period.

It is imperative that the existing hospital remains fit for purpose whilst the redevelopment works are carried out. This can only be practically achieved by retaining the old energy centre until the new building works and the refurbishment of the existing buildings which are to be retained are complete. Once these works are complete the existing buildings which are to be demolished can be vacated and the use of the old energy centre becomes surplus to requirements.

The existing energy centre comprises a modest building, a compound containing several oil tanks and a chimney. It is located adjacent to the new energy centre and is not widely visible when viewed from outside the site. Its retention for an extended period up to the end of 2018 will not have any significant impacts within the locality when seen in connection with the wider hospital development. It will facilitate the continued running of the hospital during its redevelopment which is a significant factor in supporting this application.

### **Recommendation:-**

Approve

### **Conditions**

1. The existing energy centre including the boiler house, chimney and oil tanks shall be removed from the site by 31 December 2018. Following their removal the land shall be restored and developed in accordance with the details agreed under planning permission reference 4/13/2086/OF1. Development shall be carried out in accordance with the approved details and maintained as such at all times thereafter.

**Reason**

For the avoidance of doubt and in the interests of visual amenity.

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**Statement**

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

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ITEM NO: 13.



To: PLANNING PANEL

Development Control Section

Date of Meeting: 25/02/2015

<b>Application Number:</b>	4/14/2527/0F1
<b>Application Type:</b>	Full : CBC
<b>Applicant:</b>	North Cumbria University Hospitals NHS Trust
<b>Application Address:</b>	WEST CUMBERLAND HOSPITAL, HENSINGHAM, WHITEHAVEN
<b>Proposal</b>	AMENDMENT OF CONDITIONS 2, 3, 4 & 6 OF PLANNING APPROVAL 4/13/2086/0F1 R.E. ACCESS, LANDSCAPING AND INSTALLATION OF BOLLARDS
<b>Parish:</b>	Whitehaven
<b>Recommendation Summary:</b>	Approve



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## INTRODUCTION

Planning permission was granted for the comprehensive redevelopment of the West Cumberland Hospital in 2011 (application 4/11/2265/0F1 refers).

A subsequent planning permission was granted in 2013 for a revision to the details of the access, internal roadways and landscaping (application 4/13/2086/0F1 refers). This permission was subject to a number of planning conditions which set out timescales for the implementation of these works.

All of these works are to take place on land to the front of the hospital site, some of which is currently occupied by buildings.

## **PROPOSAL**

This application seeks to amend the wording of conditions 2, 3, 4 and 6 of the planning permission that was granted in 2013.

Condition 2 required the improved access off Homewood Road to be fully implemented before the occupation of the new hospital.

Condition 3 required the landscaping to be fully implemented before the occupation of the new hospital.

Condition 4 required all of the external hard landscaped area to be surfaced and available for use prior to the first occupation of the new hospital building.

Condition 6 required bollards to be installed adjacent to the pedestrian crossing leading from the car park to the main entrance to the hospital to be installed prior to the first occupation of the new hospital building.

The applicants agent has requested that all of these conditions are amended to facilitate the phasing of the redevelopment of the hospital. He has stressed that the hospital must remain operational at all times during the development process and ensure the well being and safety of the patients. Due to the phasing of the hospital patients will be decanted to and from different parts of the retained estate until blocks E and F have been refurbished (Phase 2). Once Phase 2 is complete then the patients will be transferred into Blocks E and F which will allow the other buildings to be vacated and then demolished. The improvement works to the access and internal roadway including landscaping cannot take place until these buildings are demolished.

## CONSULTATION RESPONSES

Highways Control Officer

I have no objections to the amendment to conditions 2, 3 and 4.

With regards to condition 6 I can only assume that they propose to occupy parts of the new building before the entrance is finished. I would raise no objections to this, but if this is the case, it is not clear how they will secure safe access for the public. This should be agreed.

## PLANNING POLICY

### National Planning Policy

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

Paragraph 7 defines a social role as one of the three dimensions to sustainable development. A social role supports strong, vibrant and healthy communities by providing accessible local services that reflect the community's needs and support its health, social and cultural wellbeing.

Paragraph 17 outlines the core planning principles that underpin decision making. These include high quality design, encouraging the effective use of land by reusing land that has been previously developed and taking account of and support local strategies to improve health, social and cultural wellbeing for all and sufficient community and cultural facilities and services to meet local needs.

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

### Planning Policy Guidance

Planning Policy Guidance was issued by the Government on 06 March 2014. It sets out the procedure for amending a planning condition under Section 73 of the Town and Country

Planning Act 1990. It clarifies that only the relevant condition should be considered and does not allow a complete reconsideration of the original scheme.

### Copeland Local Plan

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

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

The following policies are considered relevant to this application:-

- ST2 supports development in Whitehaven
- SS4 encourages the protection and extension of community facilities and services

The redevelopment of the hospital site is listed as a priority within the Whitehaven Locality.

Development Management Policies DM 11 and DM 21 set out detailed design requirements.

### ASSESSMENT

The redevelopment of the hospital site is a major project. It has been undertaken on a phased basis to ensure that the existing hospital can remain functional throughout this period.

It is imperative that the existing hospital remains fit for purpose whilst the redevelopment works are carried out. Due to the phasing of the hospital patients will be decanted to and from different parts of the retained estate until Phase 2 of the hospital is complete. At this time the estate due to be demolished can be vacated and the buildings taken down. Once the demolition has been completed then the revised access, new car parking areas and



landscaping to the front of the hospital can be constructed in accordance with the previously approved plans.

To facilitate this it is considered appropriate to agree to the rewording of the conditions as proposed.

**Recommendation:-**

**Approve**

**Conditions**

1. The proposed development works to the vehicular entrance into the site off Homewood Road hereby approved shall be fully implemented within six months of the completion of all of the demolition works on site following the first occupation of phase 2 of the retained refurbished buildings known as Block E and Block. The approved access shall be maintained at all times thereafter.

**Reason**

For the avoidance of doubt in the interest of highway safety

2. The landscaping proposals hereby permitted shall be fully implemented within 6 months of the completed demolitions following occupation of phase 2 of the retained refurbished buildings known as Block E and Block F. The landscaping shall be maintained at all times thereafter in accordance with the agreed management and maintenance plan.

**Reason**

To ensure a satisfactory form of development in the interests of visual amenity

3. All the external hard landscaping areas shall be surfaced and available for use within six months of the completion of all of the demolition work on site and prior to the first occupation of the new hospital building and Blocks E and F of the existing estate following their refurbishment. Development shall be carried out in full in accordance with the approved details and shall be maintained as such at all times thereafter.

**Reason**

To ensure a satisfactory form of development in the interests of visual amenity

4. Prior to the use of the new main entrance to the new hospital building, bollards shall be installed adjacent to the pedestrian crossing leading from the car park into the main entrance into the hospital in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and shall be maintained at all times thereafter.

**Reason**

For the avoidance of doubt in the interest of highway safety

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**Statement**

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

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ITEM NO: 14.



To: PLANNING PANEL

Development Control Section

Date of Meeting: 25/02/2015

<b>Application Number:</b>	4/15/2001/0F1
<b>Application Type:</b>	Full : CBC
<b>Applicant:</b>	North Cumbria University Hospitals NHS Trust
<b>Application Address:</b>	LAND AT WEST CUMBERLAND HOSPITAL, HENSINGHAM, WHITEHAVEN
<b>Proposal</b>	CONSTRUCTION OF TEMPORARY CAR PARK (APPROX 4 YEARS) FOR USE BY NHS TRUST STAFF DURING THE REFURBISHMENT OF THE HOSPITAL
<b>Parish:</b>	Whitehaven
<b>Recommendation Summary:</b>	Approve



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## INTRODUCTION

Planning permission was granted for the creation of a site compound on land to the rear of Sneckyeat Industrial Estate for use in connection with the redevelopment of the West Cumberland Hospital in 2009 under reference 4/09/2476/0.

Planning permission was subsequently granted for the comprehensive redevelopment of the hospital in 2011 (application 4/11/2265/0F1 refers).

## **PROPOSAL**

Works are progressing on site and Phase 1 of the redevelopment is nearing completion.

The remaining works to the hospital are to be focused on the refurbishment of the existing buildings that are to be retained (Blocks E and F) and the demolition of the remaining redundant buildings. To facilitate this it is necessary to relocate the site compound from the land off Sneckyeat Road to a site to the west of the site off Homewood Road which is currently used as staff car parking. A separate planning application has been submitted for these works (reference 4/14/2506/OF1 refers).

Planning permission is sought for the use of the existing compound as a temporary staff car park until the redevelopment works at the hospital are complete. A 4 year time period has been specified on this application.

The existing access off Sneckyeat Road is to be retained and a total of 269 parking spaces are to be created. The car parking spaces will be surfaced using the existing hardcore on the site and will be accessed of a central service road which is to be covered in tarmac.

The existing 2 metres high hoardings which were constructed as part of the original development to form a site compound are to be retained as a boundary treatment.

It is also proposed to install a number of lighting columns to illuminate the parking area. No details of these have been provided with the application.

## **CONSULTATION RESPONSES**

Highways Control Officer

Taking account of the existing use of the site and the information submitted it is considered that the proposal will be unlikely to have a material affect on the existing highway conditions. On this basis the Highway Authority has no objections to this proposal.

## **PLANNING POLICY**

### **National Planning Policy**

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

Paragraph 7 defines a social role as one of the three dimensions to sustainable development. A social role supports strong, vibrant and healthy communities by providing accessible local services that reflect the community's needs and support its health, social and cultural wellbeing.

Paragraph 17 outlines the core planning principles that underpin decision making. These include high quality design, encouraging the effective use of land by reusing land that has been previously developed and taking account of and support local strategies to improve health, social and cultural wellbeing for all and sufficient community and cultural facilities and services to meet local needs.

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

### **Copeland Local Plan**

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

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

The following policies are considered relevant to this application:-

- ST2 supports development in Whitehaven

- SS4 encourages the protection and extension of community facilities and services

The redevelopment of the hospital site is listed as a priority within the Whitehaven Locality.

Development Management Policies DM 11 and DM 21 set out detailed design requirements.

Policy DM 22 requires all development proposals to be both accessible to all users and also served by adequate car parking.

## ASSESSMENT

The phased programme of works for the redevelopment of the hospital require the site compound to be relocated to an alternative location within the hospital grounds for practical purposes. A consequence of this move is the loss of some staff car parking provision at the hospital.

The compound site is already surfaced with hardcore and has a defined access off Sneckyeat Road which is capable of accommodating two passing vehicles. It is bound by hoardings and secure fencing which provide a screen.

The site is well related to the existing hospital and the provision of an off-site staff car park will help to minimise the disruption to the hospital which is to remain functional throughout the redevelopment process. The car park will cease to function once the redevelopment works are complete and the land will be restored to its original condition.

Overall this proposal for a staff car park for a temporary 4 year period is considered to be acceptable and will ensure that the remaining car parking within the hospital grounds is available solely for use by the public during the construction period for the redevelopment of the hospital.

**Recommendation:-**

Approve

**Conditions**

1. This permission shall be limited to a period of time expiring on 31<sup>st</sup> December 2019. The car park shall be removed and the land shall be restored to its former condition at or before the expiration of the period specified in this permission unless the prior written approval of the Local Planning Authority has been obtained for its continuation.

**Reason**

For the avoidance of doubt and to ensure that the site is adequately restored following the completion of the works to redevelop the hospital in the interests of the amenity of the area.

2. Upon cessation of the use of the land as a car park the new entrance to the highway off Sneckyeat Road shall be permanently closed off and the highway crossing and boundary shall be reinstated in accordance with details which have been submitted to and approved in writing by the Local Planning Authority.

**Reason**

For the avoidance of doubt and in the interests of highway safety.

3. The car park shall be lit by external lighting columns in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority. The approved lighting columns shall be installed and fully operational prior to the first use of the car park hereby approved and shall be maintained as such at all times thereafter until the use of the land as a car park ceases at which point they should be removed from the site.

**Reason**

For the avoidance of doubt and in the interests of highway safety.



4. Prior to the first use of the land as a staff car park a detailed scheme indicating the provision of disabled car parking spaces shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details at all times thereafter.

**Reason**

To ensure that adequate parking provision is made for all users.

**Informatives**

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

Further information is also available on The Coal Authority website at [www.coal.decc.gov.uk](http://www.coal.decc.gov.uk)

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

2. The applicant should enter into discussions with the Highway Authority regarding the repair of the access road. Details should be agreed with Highway Engineer Kevin Thompson (Tel No 01946 506550).

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**Statement**

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

ITEM NO: 15.

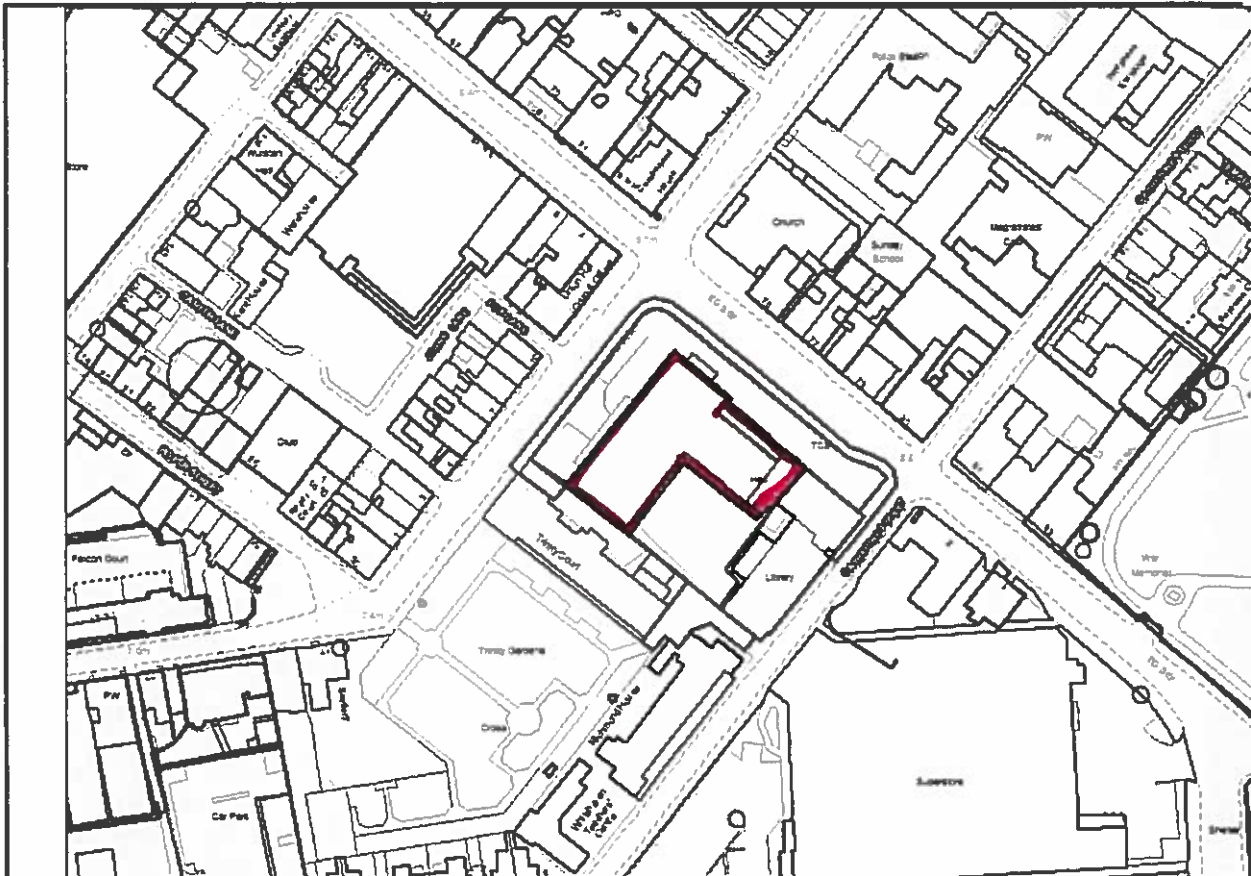


To: PLANNING PANEL

Development Control Section

Date of Meeting: 25/02/2015

<b>Application Number:</b>	4/15/2005/OF1
<b>Application Type:</b>	Full : CBC
<b>Applicant:</b>	Copeland Borough Council
<b>Application Address:</b>	CIVIC CENTRE, LOWTHER STREET, WHITEHAVEN
<b>Proposal</b>	IT IS PROPOSED THAT THE EXISTING PERMITTED USE OF THE CIVIC HALL BUILDING BE EXTENDED TO INCLUDE OFFICE ACCOMMODATION (CLASS B1) AND PROVISION OF ANCILLARY CAFE FACILITIES (CLASS A3). THE CONSIDERED PERMITTED USE OF THE BUILDING IS CONSIDERED TO BE WITHIN USE CLASSES D1/D2
<b>Parish:</b>	Whitehaven
<b>Recommendation Summary:</b>	Approve (Regulation 3)



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## INTRODUCTION

This application relates to the Civic Hall, a prominent building which fronts onto both Lowther Street and Irish Street. The building was constructed in the 1960s and is located within the Whitehaven Conservation Area.

The building closed on 31<sup>st</sup> October 2013 and has remained vacant ever since.

## PROPOSAL

The lawful use of the building as a Civic Hall covers a mixture of uses which broadly fall within Uses Classes D1 (Non-Residential Institutions) and D2 (Assembly and Leisure). Planning permission is now sought to extend this range of uses to include offices (Class B1) and a café in addition to the existing use.

No external changes are proposed and all alterations to the building to accommodate these additional uses would be restricted to the interior of the building only. The existing access off Lowther Street would also be retained in its current form and remain as the main pedestrian entrance.

An existing car park to the rear of the building would be retained for use in connection with the Civic Hall.

## CONSULTATION RESPONSES

### Highways Control Officer

The Highway Authority has no objections to the proposed development as it is considered that the proposal does not affect the highway.

### Other

19 individual letters have been submitted in opposition to this application. The main issues raised are summarised below:-

- Loss of a valuable community asset which will affect many local groups and organisations
- There is no other venue within Whitehaven that is able to accommodate large scale concerts/events
- The plans should at least retain the stage and bar so that the building could have a mixed use and retain facilities for public entertainment events
- There is sufficient office space already available elsewhere within the town centre
- Inadequate parking facilities are available for the proposed office use
- Offices will attract an increase in volumes of traffic within the town centre

- Potential adverse impact on residential amenity by reasons of noise and disturbance
- Adverse impact on the character of the neighbourhood

In addition to this 41 proforma letters have been received from the Whitehaven Youth Group which express their concern about the loss of a venue for their group. They stress that the Civic Hall has provided a stage to showcase local talent for many years.

## PLANNING POLICY

### National Planning Policy Framework

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

In terms of delivering sustainable development paragraphs 18, 19 and 20 are relevant and advocate this. They emphasise the commitment towards building a strong, competitive economy. Paragraph 19 states in particular that planning should operate to encourage and support sustainable economic growth.

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

Paragraph 70 sets out that planning policies should deliver the social, recreational and cultural services that the community needs.

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

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

### Copeland Local Plan 2013 - 2028

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

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

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

Policy ST 2 sets out the Spatial Development Strategy for the Borough. It seeks to encourage growth in the local economy and concentrate development within the major settlements. Whitehaven is classified as the principle settlement where the largest scale development and regeneration will be concentrated.

Policy ST 3 sets out the Strategic Development Priorities for the Borough. The town centre of Whitehaven is listed a priority for regeneration.

Policy SS4 seeks to protect the range of community and cultural facilities and services serving the communities within the Borough.

Policy ER4 seeks to ensure that sufficient land is available for economic development. In addition to allocating land it identifies the retention of existing employment sites and also the reuse of existing sites for alternative uses as elements of providing sufficient floor space for employment purposes.

Policy ER5 seeks to improve the quality of employment space to ensure that good quality premises and an attractive environment for business which will help economic regeneration. It prioritises high quality office provision within Whitehaven.

Policy ER6 advocates supporting economic development within Whitehaven.

Policy ER 8 encourages a range of developments within the Whitehaven Town Centre.

#### Development Management Policies

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

Policy DM 3 seeks to safeguard employment areas.

Policy DM 6A promotes the vitality and viability of the town centre.

Policy DM 21 seeks to protect the loss of existing social, community and cultural or sports facilities where there is evidence that there is a demand for that facility which is unlikely to be met elsewhere.

## ASSESSMENT

The decision to close the Civic Hall was made by the Full Council and the building formally closed on 31<sup>st</sup> October 2013.

Since its closure the Council has been in discussion with a number of parties who have expressed an interest in reopening the Civic Hall as a community facility. The Council has consistently indicated that potential use by a community group would be considered subject to demonstration of a sound financial plan. No such viable potential use has been demonstrated to date and this has led to the Council investigating alternative uses.

In November the Councils Executive agreed that the Civic Hall could be used in the short term as an available space for commercial and community services as part of the Councils accommodation review. Any reuse of the building would generate an income rental which could then be used to reinvest in Council services.

The lawful use of the building permits a number of functions within the Hall. This application will not prevent community uses being housed within the building but will provide greater flexibility in terms of the number of uses that are permitted. This is likely to make it more attractive to potential occupants. Alteration to the building is limited and does not prevent the building reverting to its historic use should circumstances arise which makes this acceptable and viable.

The reuse of the building is welcome and will ensure that it is maintained in an adequate condition. The addition of office use and a café in this town centre location is considered to be acceptable in planning terms and is consistent with the Policies contained within the adopted Local Plan which seeks to encourage economic growth and consolidate the role of Whitehaven as the principal settlement within the Borough. Use of the building would ensure continued vitality in an important part of the town centre.

As this application has been submitted by the Council any permission would only exist whilst the building remains within the Councils ownership. Consequently if the ownership did change in the future then any use of the building as an office or café would cease to exist and it would revert back to its original use as a Civic Hall (Use Classes D1 and D2).

**Recommendation:-**

Approve (Regulation 3)

**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.

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**Statement**

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

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ITEM NO: 16.

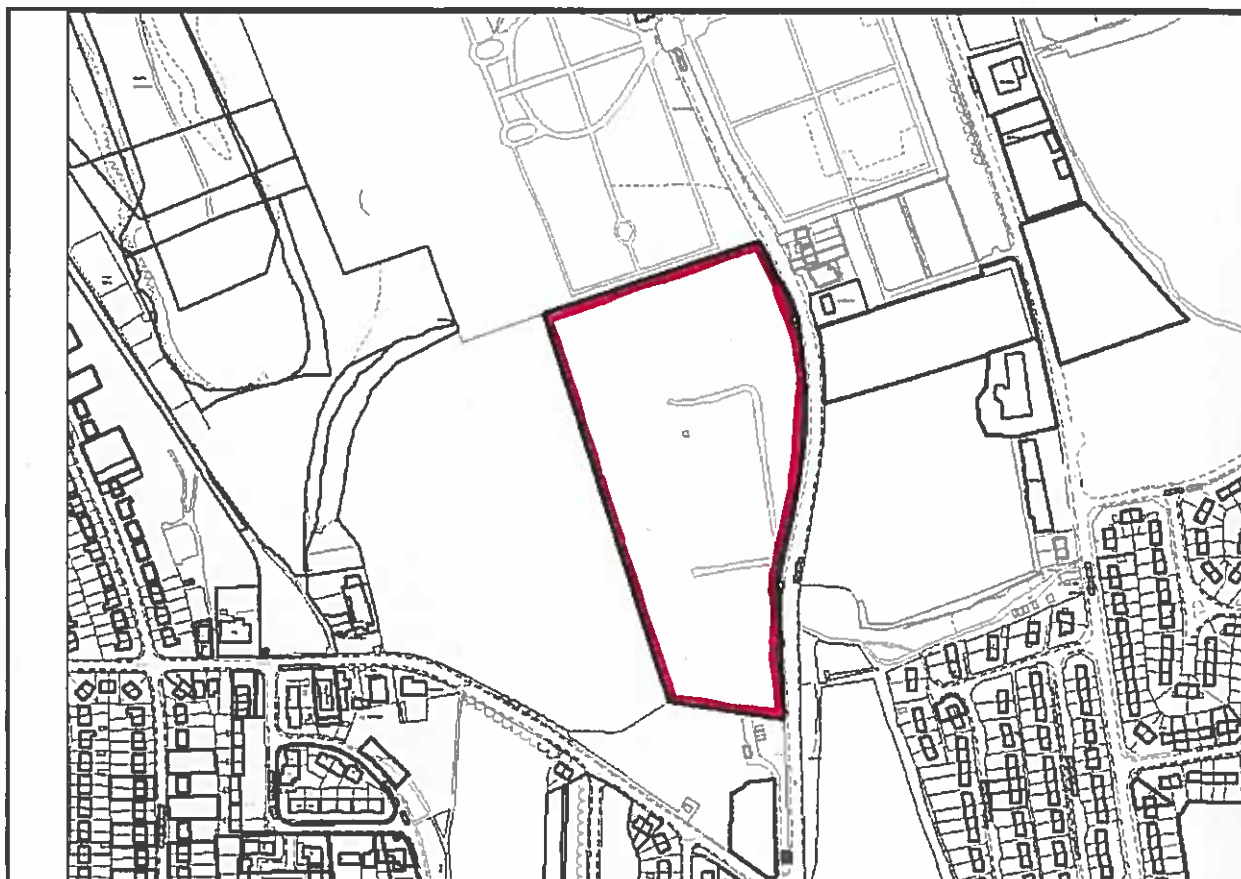


To: PLANNING PANEL

Development Control Section

Date of Meeting: 25/02/2015

<b>Application Number:</b>	4/15/2007/0F1
<b>Application Type:</b>	Full : CBC
<b>Applicant:</b>	Astime Properties Ltd
<b>Application Address:</b>	LAND AT LOW ROAD, WHITEHAVEN
<b>Proposal</b>	RESIDENTIAL DEVELOPMENT (110 DWELLINGS)
<b>Parish:</b>	Whitehaven
<b>Recommendation Summary:</b>	Site Visit



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## INTRODUCTION

This application relates to an area of scrub land which fronts onto Low Road and lies adjacent to the cemetery. It covers an area of approximately 3.4 hectares.

Outline planning permission was granted for the development of this site for residential development in 2006 (application 4/06/2457/0 refers). The timescale for the implementation of this consent was subsequently approved in 2011 (application 4/11/2375/001 refers).

## PROPOSAL

Planning permission is now sought for the redevelopment of the site to form 110 dwellings. The proposed dwellings are to be a mix of 2, 3 and 4 bedroomed detached and semi-detached units. The development has been designed to take advantage of the slope across the site which falls to meet Low Road on its eastern boundary. This will allow the inclusion of a variation in heights between 2 and 3 storeys.

The dwellings are to be constructed in a mixture of brick and render and will have tiled pitched roofs. The houses are to be arranged around a circular estate road which will be accessed off Low Road using an existing entrance.

Eleven of the units are to be affordable.

Several areas of open space and landscaping are to be provided within the layout. The open space nearest to Low Road is to contain a detention pond which will be used to control surface water run-off from the site. A footpath is also to be created to provide access from the site onto Low Road.

An existing belt of vegetation is to be retained along the western boundary to provide a soft edge to the development with the cemetery.

The application is accompanied by the following information:-

- Site Location Plan
- Proposed Site Plan
- Proposed Street Elevations and Sections
- Existing Site Survey
- Elevational and Layout Plans for each dwelling type
- Drainage Strategy Layout
- Transport Assessment
- Phase 1 Desk Study
- Coal Mining Risk Assessment
- Ecological Appraisal
- Design and Access Statement
- Tree Report

- Flood Risk Assessment

## CONSULTATION RESPONSES

The application is currently out for consultation with a number of technical bodies and also the local residents who live in close proximity to the site. To date no responses have been received.

## PLANNING POLICY

### National Planning Policy

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

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

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

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

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.

## Local Plan Policies

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

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

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

Policy ST2 sets a spatial development strategy whereby development should be guided to the principle settlement and other centres and sustain rural services and facilities. It sets out that the largest scale of development shall be focussed on Whitehaven which is designated as the principal settlement within the Borough.

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

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

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

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

Policy ENV 1 sets out an approach to ensure that new build development is not prejudiced by flood risk. Any risk should be managed appropriately.

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

### Development Management Policies

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

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

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

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

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

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

## ASSESSMENT

This application relates to a large scale residential development on a vacant site within the Whitehaven settlement boundary. As this proposal raises a number of planning issues it is considered appropriate for Members to undertake a site visit to fully appraise all of the material planning considerations prior to the determination of this application.

### **Recommendation:-**

Site Visit

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ITEM NO: 17.



To: PLANNING PANEL

Development Control Section

Date of Meeting: 25/02/2015

<b>Application Number:</b>	4/15/2010/OF1
<b>Application Type:</b>	Full : CBC
<b>Applicant:</b>	North Cumbria University Hospitals NHS Trust
<b>Application Address:</b>	WEST CUMBERLAND HOSPITAL, HENSINGHAM, WHITEHAVEN
<b>Proposal</b>	VARIATION OF CONDITION 5 OF PLANNING APPROVAL 4/13/2086/OF1 R.E. TIMING FOR CONSTRUCTION OF CAR PARKING AREAS AT HOSPITAL
<b>Parish:</b>	Whitehaven
<b>Recommendation Summary:</b>	Approve





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## INTRODUCTION

Planning permission was granted for the comprehensive redevelopment of the West Cumberland hospital site in 2011 (4/11/2265/OF1 refers).

A subsequent planning permission was granted in 2013 for a revision to the details of the access, internal roadways and landscaping (application 4/13/2086/OF1 refers). This permission was subject to a number of planning conditions which set out timescales for the implementation of these works. Condition 5 referred to the provision of new car parking areas within the site.

## PROPOSAL

This application seeks planning permission for the rewording of condition 5.

The original wording of this condition was as follows:-

**“The car parking areas hereby approved shall be constructed and available for use prior to the first occupation of the new hospital building. Development shall be carried out in full accordance with the approved details and shall be maintained as such at all times thereafter.”**

This condition was imposed to ensure that adequate car parking is available to serve the hospital in the interests of highway safety.

The redevelopment of the hospital is being undertaken on a phased basis. Phase 1 covered the erection of the new buildings which are now nearing completion. Phase 2 relates to the refurbishment of existing Blocks E and F.

The applicants agent has set out that due to the phasing of the works it will not be possible to construct the main area of car parking in front of the hospital adjacent to Homewood Road as the buildings which currently occupy this part of the site are required to accommodate the patients that will be decanted from Blocks E and F to allow their refurbishment. A separate planning application relating to the refurbishment of these two blocks is included on the schedule (reference 4/14/2508/OF1 refers).

Once blocks E and F are fully refurbished the patients will be rehoused within these two blocks and the remaining existing buildings will be demolished. Once demolished this land to the front of the hospital will be developed as the main visitor car park.

To facilitate this it is proposed to reword condition 5 as follows:-

**“The car park hereby approved shall be constructed and available for use within 6 months from the completion of all of the demolition works on site. Development shall be carried out in full accordance with the approved details and shall be maintained as such at all times thereafter.”**

## **CONSULTATION RESPONSES**

**Highways Control Officer**

Whilst I would raise no objections to the proposal in principle, as the works are off the highway, I am mindful of the fact that any loss of on-site car parking particularly disabled parking provision, though temporary, could adversely impact on the adjacent highway network given the location of bus stops and the use of the road for ambulances. In addition to this there will also be the need to secure suitable on site footways for use by the public and disabled during and after the changes.

The Local Planning Authority may wish to agree more details on this matter as part of this proposal.

## **PLANNING POLICY**

### **National Planning Policy**

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

Paragraph 7 defines a social role as one of the three dimensions to sustainable development. A social role supports strong, vibrant and healthy communities by providing accessible local services that reflect the community’s needs and support its health, social and cultural wellbeing.

Paragraph 17 outlines the core planning principles that underpin decision making. These include high quality design, encouraging the effective use of land by reusing land that has been previously developed and taking account of and support local strategies to improve health, social and cultural wellbeing for all and sufficient community and cultural facilities and services to meet local needs.

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

Planning Policy Guidance was issued by the Government on 06 March 2014. It sets out the procedure for amending a planning condition under Section 73 of the Town and Country Planning Act 1990. It clarifies that only the relevant condition should be considered and does not allow a complete reconsideration of the original scheme.

#### Copeland Local Plan

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

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

The following policies are considered relevant to this application:-

- ST2 supports development in Whitehaven
- SS4 encourages the protection and extension of community facilities and services

The redevelopment of the hospital site is also listed as a priority within the Whitehaven Locality.

Development Management Policies DM 11 and DM 21 set out the detailed design requirements that are applicable to this application.

Policy DM 22 requires development proposals to be both accessible to all users and also served by adequate car parking.

## ASSESSMENT

The redevelopment of the hospital site is a major project. It has been undertaken on a phased basis to ensure that the existing hospital can remain functional throughout this period.

It is imperative that the existing hospital remains fit for purpose whilst the redevelopment works are carried out. Due to the phasing of the hospital patients will be decanted to and from different parts of the retained estate until Phase 2 of the hospital is complete. At this time the estate due to be demolished can be vacated and the buildings taken down. Once the demolition has been completed then the car park to the front of the hospital can be constructed in accordance with the previously approved plans.

To facilitate this it is considered appropriate to agree to the rewording of the condition as proposed.

The applicant's agent has confirmed that the majority of the car parking spaces will be retained within the site to serve the hospital during this phase of the redevelopment. However in order to increase capacity a temporary car park is to be created to the rear of the hospital off Sneckyeat Road for use exclusively by staff. A separate planning application is included on the schedule for this proposal (reference 4/15/2001/OF1 refers).

Although this proposal will result in the relocation of several parking spaces within the site the overall total number of car parking spaces remains unchanged from the previously approved scheme. Overall the amended wording of the condition is considered to be appropriate and will allow works to progress which will help to contribute towards the provision of an enhanced health facility on the site.

**Recommendation:-**

Approve

**Conditions**

1. The car park hereby approved shall be constructed and available for use within 6 months of the completion of all of the demolition works on site. Development shall be carried out in full accordance with the approved details and shall be maintained as such at all times thereafter.

**Reason**

To ensure that adequate car parking is available to serve the hospital in the interests of highway safety

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**Statement**

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

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**ITEM NO: 18.**

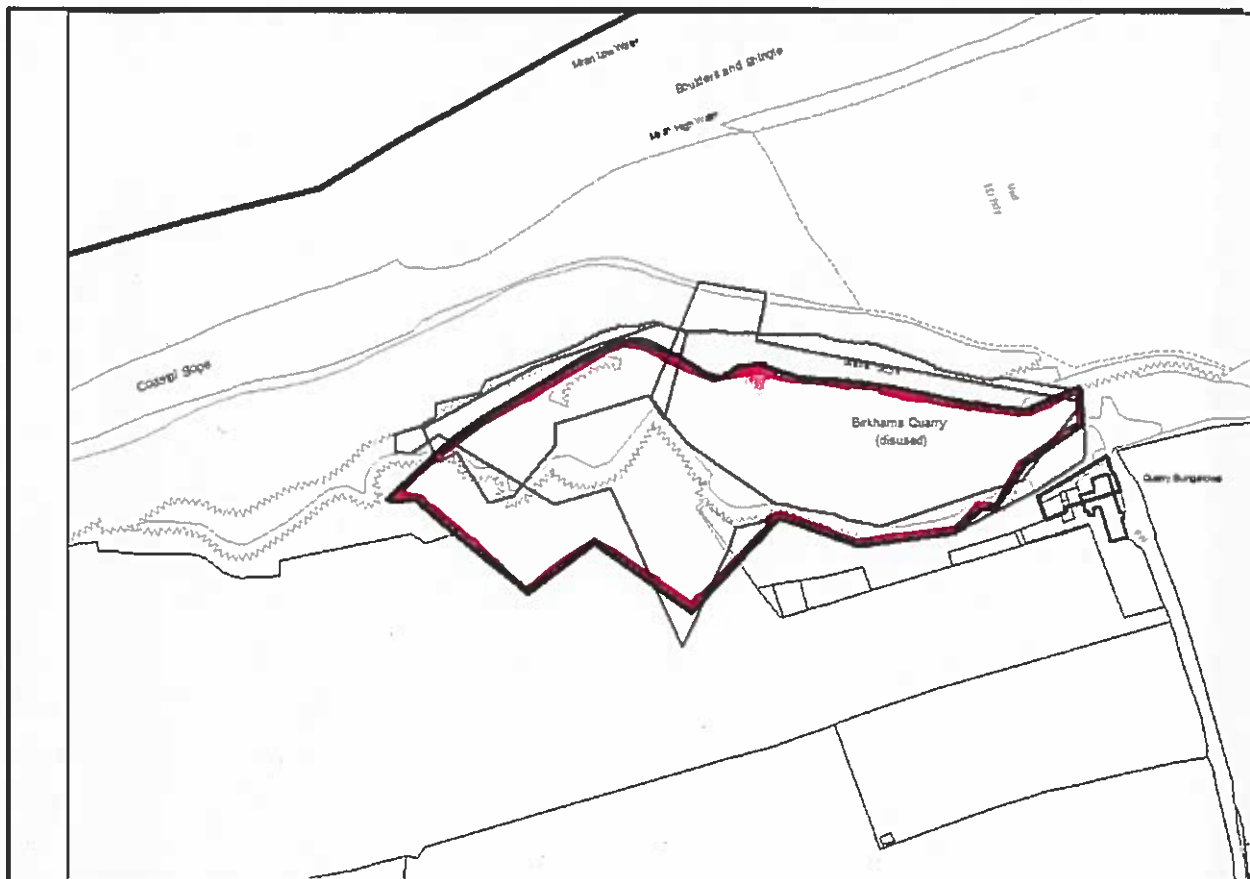


**To: PLANNING PANEL**

**Development Control Section**

**Date of Meeting: 25/02/2015**

<b>Application Number:</b>	4/15/9001/0F2
<b>Application Type:</b>	Full : County
<b>Applicant:</b>	Marshalls Stancliffe Stone Ltd
<b>Application Address:</b>	BIRKHAMS QUARRY, SANDWITH, WHITEHAVEN
<b>Proposal</b>	SECTION 73 APPLICATION TO VARY CONDITION 2 OF PLANNING PERMISSION 4/02/9022 IN ORDER TO EXTEND THE TIMESCALE FOR MINERAL WORKING BY 15 YEARS TO 31 JULY 2030
<b>Parish:</b>	St. Bees, Whitehaven
<b>Recommendation Summary:</b>	County Council Approved



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### **The Proposal**

A County Matter application which seeks permission to vary condition 2 of planning permission 4/02/9022 relating to Birkhams Quarry, St Bees. The quarry has been in operation since 18<sup>th</sup> Century and produces high quality sandstone blocks. It is located on St Bees Head and is accessed via 1km of private lane from Sandwith. It should be noted that there are two residential properties, known as Quarry Cottages, situated close to the cliff face and within relatively close proximity, circa 200m of the extraction area.

The proposal is to extend the timescale for working by a further 15 years to 31 July 2030. Planning permission was granted in 2003 for an extension to the Quarry which successfully involved diverting a public footpath. At the time the old quarry reserves were almost worked out and this permission was to enable further reserves to be accessed and extended the quarry life until 2015. Since 2003 however the reserves have largely remained in situ due to reduced demand for natural stone this extension of the time limit will permit



extraction to continue at a rate of 5,000 tonnes per annum till the reserves are exhausted and restoration can commence. No other change is proposed and the operational activity on site, i.e. working hours, transport arrangements and restoration will remain as approved.

### **Potential Impacts**

In terms of key potential impacts arising from the proposal, the site is sensitive in landscape and ecological terms being situated within St Bees Heritage Coast, a national designation and a Landscape of County Importance. It is also within a SSSI. Close by there are two residential properties and any potential adverse effect on them from continued working, such as noise/ disturbance / dust etc. has to be taken into account.

### **Assessment / Conclusion**

As the application proposes no new working area but continued extraction of an existing working no new landscape or ecological impacts are envisaged other than those associated with extending the time period, i.e. it is a continuation of an existing activity approved in 2003, which are considered to be relatively limited. The NPPF and Planning Practice Guidance supports slow/ intermittent working of such activities as these may lead to reduced impacts as opposed to intensive working over a shorter timeframe.

In terms of Copeland Local Plan 2013-2028 Policies ENV2 relating to coastal management and DM26 Landscaping are the most relevant policies. The application as submitted does not appear to conflict with either of these.

### **Recommendation:-**

#### **Recommendation**

Raise no objection subject to adequate controls over noise, landscaping, restoration being retained and adequate mitigation measures were appropriate.

**ITEM NO: 19.**



**To: PLANNING PANEL**

**Development Control Section**

**Date of Meeting: 25/02/2015**

<b>Application Number:</b>	4/15/9002/OF2
<b>Application Type:</b>	Full : County
<b>Applicant:</b>	Highways and Transport
<b>Application Address:</b>	LAND ADJACENT TO THE GARDENS, COACH ROAD, WHITEHAVEN .
<b>Proposal</b>	CONSTRUCTION OF 70 SPACE CAR PARK WITH NEW ROAD ACCESS; CREATION OF NEW DISABLED PARKING FACILITIES AND PEDESTRIAN AND CYCLE LINKS TO CORKICKLE STATION; NEW HARD AND SOFT LANDSCAPING
<b>Parish:</b>	Whitehaven
<b>Recommendation Summary:</b>	County Council Approved



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## THE SITE

This application relates to an area of scrub land which fronts onto Coach Road and flanks a number of residential properties on The Gardens in Corkicle. The land lies in close proximity to Corkicle railway station and forms part of the wider area of land known as "Pow Beck Valley".

## THE PROPOSAL

Planning permission is sought for the creation of a car park which is to be used in connection with Corkicle Railway Station to provide a transport hub. The works are designed to provide the station with improved, accessible facilities for a range of users including pedestrians, cyclists, motorists and the disabled.

The car park is to contain spaces for 70 spaces and 4 motorcycles bays. The spaces will be laid out with four rows of end on bays and a row of side on bays. The car park will be surfaced with black bitumen.

The car park is to be accessed using an existing entrance off Coach Road which is to be widened to 7.3 metres in width. This will improve the visibility splays and also enable two vehicles to pass at its entrance.

The carriageway leading into the car park is to be lit by 8 x 5metre high columns and 9 x 5metre columns are to be installed on the car park itself.

The existing site is uneven and it is proposed to raise the land levels to provide an even surface to accommodate the car park. This will help to minimise the excavation of potentially contaminated material on site and will also facilitate sustainable surface water drainage.

Extensive landscaping is proposed around the edges of the car park to soften its visual appearance and also to provide screening for the nearby residential properties on The Gardens.

The car park is to be linked to the station by a 3 metre wide shared footway/cycleway which is to be lit by 3 lighting columns.

4 Blue badge parking bays are to be created in a roadside layby along the south side of The Gardens. This is nearer to the station platform than the proposed car park.

The application is accompanied by the following information:-

- Detailed layout plans
- Landscaping plans including a tree survey
- Supporting Statement
- Design and Access Statement
- Transport Statement
- Ecology Report (incorporating Phase 1 Habitat Survey)
- Reptile Presence/Absence Report
- Ground Investigation Report (incorporating Land Contamination, Geotechnical and Hydrogeological Assessments)
- Tree Report
- Japanese Knotweed Management Plan
- Archaeological Statement (incorporating cultural heritage)
- Utilities Statement
- Lighting Statement
- Preliminary Environmental Studies & Appraisal Report (incorporating Level 1 Flood Risk Assessment)
- Flood Risk Assessment - Level 2

## PLANNING POLICY

### National Planning Policy Framework

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

In terms of delivering sustainable development paragraphs 18, 19 and 20 are relevant and advocate this. They emphasise the commitment towards building a strong, competitive economy. Paragraph 19 states in particular that planning should operate to encourage and support sustainable economic growth.

Paragraph 34 sets out that plans and decisions should ensure developments that generate significant movements are located where the need to travel will be minimized and the use of sustainable transport modes can be maximized.

Paragraph 35 specifically seeks to encourage developments that exploit opportunities for the use of sustainable transport modes for the movement of goods or people.

The NPPF also proposes the need to seek improvements in the quality of parking in town centres in regard to convenience, safety and security, including appropriate provision for motorcycles. It also emphasises the importance of prioritising access for pedestrians, cyclists and people with disabilities to public transport. It does not provide specific guidance on the standards (Paragraph 40).

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

#### Copeland Local Plan 2013 – 2028

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

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

Policy ST1 of the Core strategy sets out the fundamental principles that will achieve sustainable development in the Borough, including support for development proposals which develop or retain jobs in suitable locations. It advocates the minimisation of the need to travel and supports the provision of sustainable transport infrastructure and measures that encourage its use.

Policy ST 2 sets out the Spatial Development Strategy for the Borough. It seeks to encourage growth in the local economy and concentrate development within the major settlements. Whitehaven is classified as the principle settlement where the largest scale development and regeneration will be concentrated.

Policy ST 3 sets out the Strategic Development Priorities for the Borough. The town centre of Whitehaven and Pow Beck Valley are listed as priority sites for regeneration.

Policy ER6 advocates supporting economic development within Whitehaven.

Policy T1 supports transport improvements that maximise accessibility for all users of transport but particularly by foot, cycle and public transport. Priority will be given to improving the accessibility of the Boroughs key development and regenerations sites, town centres, service, employment and transport hubs. In particular it outlines that land will be allocated or safeguarded to facilitate maintaining and improving stations, infrastructure and services on the Cumbrian Coastal Railway.

It also sets out that the Council will support schemes which improve transport including park and ride facilities for areas of employment.

#### Development Management Policies

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

Policy DM 10 seeks to achieve high standards of design in all development proposals.

Policy DM 22 requires development proposals to be accessible to all users, including access for public transport.

Policy DM 26 requires all development proposals to be adequately landscaped.

## ASSESSMENT

Cumbria County Council has a long standing commitment towards the Cumbrian Coast Line. It is acting in partnership with rail operators, users and owners to promote the services on the line and improve station and other facilities.

This application forms part of the County Councils initiative to develop a number of transport connectivity schemes which incorporates car parking facilities at key stations along the line.

It is anticipated that stations such as Corkicle will act as transport hubs and improve usage of the railway. This is seen as an important initiative to improve economic investment and also support key environmental and transport objectives such as reducing the reliance on the private car, promoting public transport, reducing congestion and lowering traffic pollution levels.

Corkicle station is located within the urban area of Whitehaven and is currently underused. The creation of a car park adjacent to the station is considered to be a key factor in increasing demand for the use of the railway locally. The line is important for Sellafield workers and could make a significant contribution to the increased travel requirements if the new nuclear power station at Moorside is progressed.

The additional demand for vehicle parking associated with the anticipated growth in passenger numbers cannot be accommodated within the existing arrangements. The new dedicated accessible parking facilities proposed are considered necessary to accommodate this demand and prevent additional parking problems arising in the immediate area around the station.

The proposed car park is modest in scale and is to be set back within the site to improve the separation with the residential properties on The Gardens immediately to the north east. The use of extensive landscaping and formal green spaces will also help to soften the appearance of the hard surfaced areas.

Although the car park is to be lit the lighting columns have been designed to face inwards around the perimeter of the site which will direct the light away from the houses. It is also proposed to use LED lighting to reduce the lux levels.



The site is currently covered in scrub and there some is some Japanese Knotweed present on the land. It is proposed to treat this species to ensure that it is removed as part of the development proposals.

The information submitted with the application demonstrates that there are no significant constraints which would prevent the development of the site. However mitigation measures are necessary to deal with the ground conditions and also provide protection for lizards, slow worms and breeding birds which are present on the site. These issues can be dealt with by way of suitably worded conditions.

**Recommendation:-**

No Objections subject to the following:-

- Appropriate recoding of any archaeology or historic interest on the site
- Removal of the Japanese Knotweed prior to the commencement of development
- The implementation of the full mitigation strategy for lizards and slow worms in accordance with the details outlined in the reports which were submitted as part of the planning application
- The restriction of site clearance works to avoid the bird nesting season
- The implementation of the measures set out in the ground condition survey
- Full implementation of the drainage scheme detailed in the application
- Agreement of a parking management scheme which seeks to ensure that the car park is principally used by railway users

Date From 11/12/2014

Date To 21/01/2015

View Report

1 of 9 100% Find | Next

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### List of Delegated Decisions

**Selection Criteria:**

**From Date: 11/12/2014**

**To Date: 21/01/2015**

**Printed Date: Tuesday, February 17, 2015**

**Printed Time: 10:47 AM**

<b>Application Number</b>	4/14/2254/001
<b>Applicant</b>	Father Paul Johnstone
<b>Location</b>	ST BEGAS RC CHURCH, WHITEHAVEN ROAD, CLEATOR MOOR
<b>Proposal</b>	OUTLINE APPLICATION FOR DEMOLITION OF EXISTING CHURCH HALL AND ERECTION OF 10 NO. DWELLINGS
<b>Decision</b>	Withdrawn
<b>Decision Date</b>	11 February 2015
<b>Dispatch Date</b>	11 February 2015
<b>Parish</b>	Cleator Moor

<b>Application Number</b>	4/14/2388/0F1
<b>Applicant</b>	Mr and Mrs T Newsham
<b>Location</b>	BARN AT KEEKLE GROVE, CLEATOR MOOR
<b>Proposal</b>	PROPOSED AMENDMENTS TO APPLICATION 4/06/2630/0F1 (CONVERSION OF TRADITIONAL BARN TO FORM A SINGLE DWELLING)
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	8 December 2014
<b>Dispatch Date</b>	16 January 2015
<b>Parish</b>	Cleator Moor

<b>Application Number</b>	4/14/2413/0F1
<b>Applicant</b>	Mr J Hanlon
<b>Location</b>	22 WELLINGTON ROW, WHITEHAVEN
<b>Proposal</b>	SINGLE STOREY REAR EXTENSION
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	5 January 2015
<b>Dispatch Date</b>	16 January 2015
<b>Parish</b>	Whitehaven

<b>Application Number</b>	4/14/2414/001
<b>Applicant</b>	Mr D Long
<b>Location</b>	LAND TO REAR OF 17 SALTHOUSE ROAD, MILLOM
<b>Proposal</b>	OUTLINE PLANNING PERMISSION FOR RESIDENTIAL DEVELOPMENT
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	6 January 2015
<b>Dispatch Date</b>	21 January 2015
<b>Parish</b>	Millom

<b>Application Number</b>	4/14/2415/0F1
<b>Applicant</b>	Mr G Elliott
<b>Location</b>	CASA MIA, HARRAS ROAD, WHITEHAVEN
<b>Proposal</b>	TWO STOREY EXTENSION AND INTERNAL MODIFICATIONS
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	2 January 2015
<b>Dispatch Date</b>	16 January 2015
<b>Parish</b>	Whitehaven

<b>Application Number</b>	4/14/2446/001
<b>Applicant</b>	Minotaur Constructions Ltd
<b>Location</b>	LAND ADJACENT TO FRIZINGTON VETERANS CLUB, LINDOW STREET, FRIZINGTON

<b>Proposal</b>	OUTLINE APPLICATION FOR THE ERECTION OF 5 NO. THREE BEDROOMED TERRACED FAMILY HOMES WITH PRIVATE REAR PARKING INCLUDING FULL DETAILS RELATING TO ACCESS, LANDSCAPING AND LAYOUT
<b>Decision</b>	Approve in Outline (commence within 3 years)
<b>Decision Date</b>	22 December 2014
<b>Dispatch Date</b>	16 January 2015
<b>Parish</b>	Arlecdon and Frizington

<b>Application Number</b>	4/14/2454/OF1
<b>Applicant</b>	Ms M Clarke
<b>Location</b>	75 MAIN STREET, HAVERIGG, MILLOM
<b>Proposal</b>	NEW EXTENSION TO FRONT ELEVATION REPLACING THE EXISTING PORCH WITH A NEW PORCH & ROOM EXTENSIONS
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	21 January 2015
<b>Dispatch Date</b>	21 January 2015
<b>Parish</b>	Millom

<b>Application Number</b>	4/14/2456/OF1
<b>Applicant</b>	Bronze Investments 3 Ltd
<b>Location</b>	SIR CHRISTOPHER HARDING HOUSE, NORTH SHORE, WHITEHAVEN
<b>Proposal</b>	PROPOSED CAR PARK
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	3 February 2015
<b>Dispatch Date</b>	5 February 2015
<b>Parish</b>	Whitehaven

<b>Application Number</b>	4/14/2461/OF1
<b>Applicant</b>	Mr M Dobinson
<b>Location</b>	22 HIGH GROVE, WHITEHAVEN
<b>Proposal</b>	EXTENSION TO SINGLE STOREY DWELLING
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	2 January 2015
<b>Dispatch Date</b>	16 January 2015
<b>Parish</b>	Whitehaven

<b>Application Number</b>	4/14/2464/OF1
<b>Applicant</b>	Mr D Fitzsimmons
<b>Location</b>	GALEMIRE SAWMILL, GALEMIRE, CLEATOR MOOR
<b>Proposal</b>	TWO STOREY L-SHAPED EXTENSION AND DETACHED GARAGE & WORKSHOP; DEMOLITION OF EXISTING OUTBUILDINGS & GARAGE (SITING OF SHIPPING CONTAINER THROUGHOUT BUILDING WORKS)
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	2 January 2015
<b>Dispatch Date</b>	15 January 2015
<b>Parish</b>	Weddicar

<b>Application Number</b>	4/14/2465/001
<b>Applicant</b>	KBE (Homes) Ltd
<b>Location</b>	FORMER CASTLE CINEMA SITE, BOOKWELL, EGREMONT
<b>Proposal</b>	OUTLINE APPLICATION FOR PROPOSED DEVELOPMENT OF 8 HOUSES

<b>Decision</b>	Approve in Outline (commence within 3 years)
<b>Decision Date</b>	6 January 2015
<b>Dispatch Date</b>	21 January 2015
<b>Parish</b>	Egremont

<b>Application Number</b>	4/14/2466/OF1
<b>Applicant</b>	Mr M Maxwell
<b>Location</b>	FIELD TO THE SOUTH OF THE BARN, BECK GREEN, DISTINGTON
<b>Proposal</b>	ERECTION OF STABLES AND ALL WEATHER RIDING ARENA, CHANGE OF USE TO EQUESTRIAN
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	14 January 2015
<b>Dispatch Date</b>	28 January 2015
<b>Parish</b>	Distington

<b>Application Number</b>	4/14/2468/OF1
<b>Applicant</b>	Mr and Mrs C Tyson
<b>Location</b>	LAND ADJACENT TO THORN BANK, ARLECDON ROAD, ARLECDON. FRIZINGTON
<b>Proposal</b>	ERECTION OF DETACHED DWELLING
<b>Decision</b>	Withdrawn
<b>Decision Date</b>	28 January 2015
<b>Dispatch Date</b>	28 January 2015
<b>Parish</b>	Arlecdon and Frizington

<b>Application Number</b>	4/14/2471/OF1
<b>Applicant</b>	Mr D Foote
<b>Location</b>	55 MOOR ROAD, MILLOM
<b>Proposal</b>	DEMOLISH EXISTING GARAGE AND CONSTRUCT TWO STOREY GABLE AND SINGLE STOREY FRONT EXTENSIONS
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	28 January 2015
<b>Dispatch Date</b>	4 February 2015
<b>Parish</b>	Millom

<b>Application Number</b>	4/14/2473/OF1
<b>Applicant</b>	Mr N and Mrs D Clarkson
<b>Location</b>	2 HIGH ROAD, THORNHILL, EGREMONT
<b>Proposal</b>	TWO STOREY SIDE AND REAR EXTENSION WITH RAISED DECK TO REAR
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	28 January 2015
<b>Dispatch Date</b>	16 February 2015
<b>Parish</b>	Beckermet with Thornhill

<b>Application Number</b>	4/14/2477/OF1
<b>Applicant</b>	Mr R Murray
<b>Location</b>	LAND AT KIRKLAND HOWE FARM, ARLECDON, FRIZINGTON
<b>Proposal</b>	COVER EXISTING CATTLE PENS AND MUCK MIDDEN
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	12 January 2015
<b>Dispatch Date</b>	15 January 2015
<b>Parish</b>	Arlecdon and Frizington

<b>Application Number</b>	4/14/2478/ON1
<b>Applicant</b>	Mr R Murray
<b>Location</b>	LAND AT KIRKLAND HOWE FARM, ARLECDON, FRIZINGTON
<b>Proposal</b>	ERECTION OF AGRICULTURAL BUILDING FOR THE STORAGE OF HAY & STRAW AND HAY MAKING EQUIPMENT (NOTICE OF INTENTION)
<b>Decision</b>	Approve Notice of Intention
<b>Decision Date</b>	12 January 2015
<b>Dispatch Date</b>	15 January 2015
<b>Parish</b>	Arlecdon and Frizington

<b>Application Number</b>	4/14/2479/TPO
<b>Applicant</b>	Copeland Borough Council
<b>Location</b>	CASTLE PARK, FLATT WALKS, WHITEHAVEN
<b>Proposal</b>	FELLING OF TWO HORSE CHESTNUT TREES SITUATED WITHIN A CONSERVATION AREA
<b>Decision</b>	TREE PRESERVATION APPROVE
<b>Decision Date</b>	12 January 2015
<b>Dispatch Date</b>	15 January 2015
<b>Parish</b>	Whitehaven

<b>Application Number</b>	4/14/2483/OF1
<b>Applicant</b>	Mr Oldham
<b>Location</b>	72 BANK HEAD, HAVERIGG, MILLOM
<b>Proposal</b>	REPLACEMENT PORCH
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	12 January 2015
<b>Dispatch Date</b>	15 January 2015
<b>Parish</b>	Millom

<b>Application Number</b>	4/14/2489/HPAE
<b>Applicant</b>	Mr J Toman
<b>Location</b>	36 LING ROAD, EGREMONT
<b>Proposal</b>	PRIOR NOTIFICATION FOR REAR CONSERVATORY
<b>Decision</b>	Permitted Development
<b>Decision Date</b>	8 January 2015
<b>Dispatch Date</b>	15 January 2015
<b>Parish</b>	Egremont

<b>Application Number</b>	4/14/2490/OF1
<b>Applicant</b>	Mr P Mair
<b>Location</b>	ROWLEE HOUSE, NETHERTOWN, EGREMONT
<b>Proposal</b>	ERECTION OF CONSERVATORY TO SIDE OF PROPERTY
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	22 January 2015
<b>Dispatch Date</b>	23 January 2015
<b>Parish</b>	Lowside Quarter

<b>Application Number</b>	4/14/2492/OF1
<b>Applicant</b>	Mr S Kay
<b>Location</b>	ENNERDALE VIEW, BIRKS ROAD, CLEATOR MOOR
<b>Proposal</b>	VARIATION OF CONDITION 1 OF PLANNING PERMISSION 4/12/2297/OF1 TO INCLUDE ADDITIONAL PARISH
<b>Decision</b>	Approve

<b>Decision Date</b>	4 February 2015
<b>Dispatch Date</b>	5 February 2015
<b>Parish</b>	Cleator Moor

<b>Application Number</b>	4/14/2493/0N1
<b>Applicant</b>	Mr R Gate
<b>Location</b>	FIELD 5812, OPPOSITE SNECKYEAT FARM, HENSINGHAM, WHITEHAVEN
<b>Proposal</b>	ERECTION OF AGRICULTURAL STORE FOR THE STORAGE OF MACHINERY AND SUNDRIES (NOTICE OF INTENTION)
<b>Decision</b>	Approve Notice of Intention
<b>Decision Date</b>	2 January 2015
<b>Dispatch Date</b>	15 January 2015
<b>Parish</b>	Weddicar

<b>Application Number</b>	4/14/2494/0F1
<b>Applicant</b>	Mr M Dunford
<b>Location</b>	LAND TO REAR OF 47 HOLBORN HILL, MILLOM
<b>Proposal</b>	ERECTION OF TWO SEMI-DETACHED UNITS AND TWO DETACHED HOUSES (SIX DWELLINGS)
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	28 January 2015
<b>Dispatch Date</b>	29 January 2015
<b>Parish</b>	Millom

<b>Application Number</b>	4/14/2495/0F1
<b>Applicant</b>	HSBC Group plc
<b>Location</b>	HSBC BANK, 69 LOWTHER STREET, WHITEHAVEN
<b>Proposal</b>	REMOVE AND REPLACE EXISTING EXTERNAL ATM AND ASSOCIATED GLAZING
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	6 January 2015
<b>Dispatch Date</b>	15 January 2015
<b>Parish</b>	Whitehaven

<b>Application Number</b>	4/14/2499/0F1
<b>Applicant</b>	Mr Mackie
<b>Location</b>	4 MARKET SQUARE, MILLOM
<b>Proposal</b>	CHANGE OF USE FROM FIRST FLOOR AND GARAGE FROM COMMERCIAL TO RESIDENTIAL
<b>Decision</b>	Withdrawn
<b>Decision Date</b>	23 January 2015
<b>Dispatch Date</b>	23 January 2015
<b>Parish</b>	Millom

<b>Application Number</b>	4/14/2500/0L1
<b>Applicant</b>	Miss S Skelly
<b>Location</b>	GEORGIAN HOUSE HOTEL, 8-11 CHURCH STREET, WHITEHAVEN
<b>Proposal</b>	LISTED BUILDING CONSENT FOR WORKS ASSOCIATED WITH CONVERSION OF UPSTAIRS LOUNGE AREA INTO 2 EN-SUITE BEDROOMS
<b>Decision</b>	Approve Listed Building Consent (start within 3yr)
<b>Decision Date</b>	2 February 2015
<b>Dispatch Date</b>	2 February 2015

<b>Parish</b>	Whitehaven
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<b>Application Number</b>	4/14/2501/0F1
<b>Applicant</b>	Miss S Skelly
<b>Location</b>	GEORGIAN HOUSE HOTEL, 8-11 CHURCH STREET, WHITEHAVEN
<b>Proposal</b>	CONVERSION OF EXISTING UPSTAIRS LOUNGE AREA INTO 2 EN-SUITE BEDROOMS
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	2 February 2015
<b>Dispatch Date</b>	2 February 2015
<b>Parish</b>	Whitehaven

<b>Application Number</b>	4/14/2503/0F1
<b>Applicant</b>	Mr and Mrs D Coyles
<b>Location</b>	HEATHERLEA, LOW MORESBY, WHITEHAVEN
<b>Proposal</b>	SINGLE STOREY REAR EXTENSION AND RAISED DECK TO REAR
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	28 January 2015
<b>Dispatch Date</b>	2 February 2015
<b>Parish</b>	Moresby

<b>Application Number</b>	4/14/2504/0F1
<b>Applicant</b>	Mr A Cornthwaite
<b>Location</b>	THE STABLES, RHEDA PARK, FRIZINGTON
<b>Proposal</b>	AMENDMENT OF CONDITIONS 6, 11, 12, 13, AND 15 OF PLANNING APPROVAL 4/11/2310/0F1 (RENOVATION OF DOWER HOUSE TO FORM 4 DWELLINGS
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	19 January 2015
<b>Dispatch Date</b>	5 February 2015
<b>Parish</b>	Arlecdon and Frizington

<b>Application Number</b>	4/14/2509/0F1
<b>Applicant</b>	Mr T Fail
<b>Location</b>	63 GOSFORTH ROAD, SEASCALE
<b>Proposal</b>	ERECTION OF FOUR FOOT FENCE TO FRONT OF PROPERTY
<b>Decision</b>	Refuse
<b>Decision Date</b>	5 February 2015
<b>Dispatch Date</b>	6 February 2015
<b>Parish</b>	Seascale

<b>Application Number</b>	4/14/2514/0F1
<b>Applicant</b>	Mr I Brannon
<b>Location</b>	PLOT 5, FORMER WHITE SCHOOL SITE, KELLS, WHITEHAVEN
<b>Proposal</b>	ERECTION OF A DWELLING
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	6 February 2015
<b>Dispatch Date</b>	9 February 2015
<b>Parish</b>	Whitehaven

<b>Application Number</b>	4/14/2516/0F1
<b>Applicant</b>	Home Group



<b>Location</b>	78 BRANSTY ROAD, BRANSTY, WHITEHAVEN
<b>Proposal</b>	CONSTRUCTION OF A RAMP TO REAR AND NEW CONCRETE DRIVEWAY TO FRONT
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	4 February 2015
<b>Dispatch Date</b>	5 February 2015
<b>Parish</b>	Whitehaven

<b>Application Number</b>	4/14/2519/OF1
<b>Applicant</b>	Mr K Banks
<b>Location</b>	5 CROFTLANDS, BIGRIGG, EGREMONT
<b>Proposal</b>	TWO STOREY & SINGLE STOREY EXTENSION AND DETACHED GARAGE
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	12 February 2015
<b>Dispatch Date</b>	12 February 2015
<b>Parish</b>	Egremont

<b>Application Number</b>	4/14/2523/OF1
<b>Applicant</b>	Mr and Mrs A Sharp
<b>Location</b>	HOLME CROFT FARM COTTAGE, BRAYSTONES, BECKERMET
<b>Proposal</b>	RENEWAL OF PLANNING PERMISSION 4/10/2258/OF1 FOR THE PROPOSED CONVERSION OF BARN TO TWO RESIDENTIAL UNITS
<b>Decision</b>	Approve (commence within 3 years)
<b>Decision Date</b>	4 February 2015
<b>Dispatch Date</b>	12 February 2015
<b>Parish</b>	Lowside Quarter

<b>Application Number</b>	4/14/9014/OF2
<b>Applicant</b>	Cumbria Waste Management Ltd
<b>Location</b>	FRIZINGTON HWRC, YEATHOUSE QUARRY, FRIZINGTON
<b>Proposal</b>	VARIATION OF CONDITIONS 1 AND 3 OF PLANNING PERMISSION 4/13/9013 FOR EXTENSION TO OPERATIONAL TIME OF HWRC SITE AND RESTORATION
<b>Decision</b>	No Objection
<b>Decision Date</b>	2 February 2015
<b>Dispatch Date</b>	2 February 2015
<b>Parish</b>	Arlecdon and Frizington