

PLANNING PANEL AGENDA – 26 FEBRUARY 2014

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SCHEDULE OF DELEGATED DECISIONS

104

ITEM NO: 1.



To: PLANNING PANEL

Development Control Section

Date of Meeting: 26/02/2014

Application Number:	4/13/2323/0F1
Application Type:	Full : CBC
Applicant:	Mr P Holywell
Application Address:	LAND TO REAR OF 108 MAIN STREET, HAVERIGG, MILLOM
Proposal	CONSTRUCTION OF A TWO STOREY DETACHED DWELLING
Parish:	Millom
Recommendation Summary:	Approve (commence within 3 years)



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INTRODUCTION

This application relates to an area of garden land to the rear of Main Street in Haverigg. The site is accessed from St Luke's Road and along an unmade lane that runs to the north of St Luke's Church and serves a neighbouring property and agricultural field to the west.

At the last meeting Members resolved to defer the application to enable them to carry out a site visit before determining the application. The site visit took place on Wednesday 15 January 2014.

Running along part of the southern site boundary is a dense hedgerow, part of which has been removed to allow access into the site.

PROPOSAL

Planning permission is sought for the erection of a detached dwelling towards the southern end of this site. The northern section of the garden will be retained by the existing terraced house.

The following information has been submitted with the application:-

- detailed layout and elevation plans to illustrate the proposed development
- detailed cross sections
- a design and access statement
- a flood risk assessment
- an ecological scoping survey report

The proposed dwelling will take the form of a two storey detached house incorporating a single storey porch and covering a floor area of 77.09 square metres.

Access will be achieved from the existing unmade lane which runs to the south. This will lead onto a surfaced parking/turning area.

The submitted layout shows the house being positioned 7.4m from the site frontage, 9.2m from the new northern boundary and at its closest point 2.5m and 1.0m from the east and west boundaries respectively. From corner to corner, the proposed dwelling would be 11.6m from Kintail Cottage, the closest neighbouring property situated to the immediate east.

Design wise, the house is to be faced with roughcast render and will have a grey tiled pitched roof and random stone faced porch. It has been designed to take account of the change in levels across the site and a cross section has been submitted to illustrate this.

CONSULTATION RESPONSES

Highways Authority

No objections from a highway point of view. The Council may want to consider agreeing a construction method statement to ensure the access lane remains unobstructed whilst the dwelling is built to minimise inconvenience to other users of the lane.

Millom Town Council

Strongly recommend a site visit due to apparent discrepancies in the plans and concerns regarding access and egress from the site. Following consultation on amended plans, they maintain their view.

United Utilities

Raise no objections and recommend that if possible, the site should be drained on a separate system with only foul drainage connected into the foul sewer. They also encourage the applicant to investigate the feasibility of draining surface water in line with the hierarchy outlined in Building Regulation H3 where surface water is drained in the most sustainable manner, for example, via an adequate soak away or some form of adequate infiltration system; or where that is not reasonably practicable via a watercourse.

Natural England

Statutory nature conservation sites – no objection.

This application is in close proximity to the Duddon Estuary Site of Special Scientific Interest (SSSI). Natural England advises the Council that the proposal, if undertaken in strict accordance with the details submitted, is not likely to have a significant effect on the interest features for which Duddon Estuary has been classified.

Protected species – no objections.

Based on the information provided, the proposed development would be unlikely to affect any European Protected Species. We have not assessed the survey for badgers, barn owls and breeding birds², water voles, white-clawed crayfish or widespread reptiles. These are all species protected by domestic legislation and you should use our protected species standing advice to assess the adequacy of any surveys, the impacts that may result and the appropriateness of any mitigation measures.

Biodiversity enhancements - this application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes.

Landscape enhancements - this application may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably; and bring benefits for the local community, for example through green space provision and access to and contact with nature.

Environment Agency

Direct consultation with the Environment Agency is not required for this application as their Flood Risk Standing Advice is applicable.

Other

There is strong local opposition to this application with eleven letters of objection having been received from neighbour property owners and the Church Warden. The grounds for objection can be summarised as follows:-

1. Overlooking/loss of privacy - the development will result in an invasion of privacy and loss of view from existing dwellings. Likewise, because of its position and proximity the house would overlook the church and churchyard and so spoil the ambience of the church.
2. Overshadowing/loss of light – the height and proximity of the proposed dwelling will cause significant overshadowing of adjacent gardens and windows resulting in an unacceptable impact on the occupier’s ability to use their gardens and homes to their full extent. May also impact on the effectiveness of existing solar panels.
3. Not in-keeping – a large two storey house is not in keeping with the other residential dwellings which include traditional terraced houses along Main Street and bungalows along St Luke’s Road.
4. Site layout – the proposal goes against Policy DEV 6 of the Local Plan as the house does not align with other properties in the area in terms of the plot size, housing design and density.
5. Separation distances set out in Policy HSG 8 of the Local Plan will not be met. The east elevation will have two windows which directly face the main bedroom and conservatory of Kintail Cottage. Windows in the north elevation will directly overlook

the garden of Kintail Cottage and having sight into the living room and upstairs bedroom.

6. Scale – at 9m high the house will be substantially higher than the immediate neighbouring properties, including Kintail Cottage and will have an overbearing impact on this property and its garden being visible from several rooms, the conservatory and garden.
7. Access - access would be via St Luke's Road and then a narrow private lane. The submitted drawing distorts the width of the private lane showing it to be 12.5 metres wide, when in reality it is 4.7 metres, narrowing to 3.0 metres.
8. The applicant has no legal right of access along the lane.
9. Traffic increase - the development will increase traffic along St Luke's Road an unmade, narrow private lane. There are already 16 dwelling on St Luke's Road with upwards of 20 vehicles using this un-adopted road each day in addition to commercial traffic, church visitors, dog walkers and people visiting the beach. The surface is uneven, has many potholes and in desperate need of resurfacing. Extra traffic, including construction traffic, would cause further deterioration without financial responsibility.
10. Safety concerns – additional traffic presents increased danger, hazardous to young children and vehicles reversing due to narrowness and limited view. It may also impact on emergency services.
11. Flooding/drainage – the dwelling is within a flood zone and will have a direct impact on the neighbouring garden and private lane due to increased run-off. The Flood Risk Assessment makes no reference to the preferred option to discharge to a soakaway.
12. Services - gas, water, electricity and telephone services run under the lane. Increased traffic, particularly heavy construction traffic would contribute to structural strain on these services
13. Turning the few remaining allotments in the village into concrete bases for houses should not be allowed. The development is going to swallow up garden land taking away wildlife and impacting on biodiversity.
14. The design does not afford adequate privacy for the occupiers of existing dwellings and allotments and is in breach of the Human Rights Act.
15. Overshadowing will impact upon fruit trees and favoured vegetable plot site.
16. Discrepancies within the application form, Design and Access Statement, Flood Risk Assessment and on the submitted plans.

17. The Design and Access Statement is misleading as the applicant's daughter and partner already own a property in the neighbouring village Silecroft and cannot be judged as first time buyers. This cannot be judged as providing affordable housing.
18. Works have already commenced. A point of access from the site to the lane was created during the week commencing 12 August 2013.
19. The proposal conflicts with local and national planning policy contained within the National Planning Policy Framework, adopted Copeland Local Plan and the Core Strategy and Development Management Policies DPD.
20. Garden land is now considered by PPS3 to be Greenfield or previously undeveloped which goes against Policy DEV4 of the Local Plan.
21. The proposal goes against the SHLAA which identified that existing sites with planning permission can meet housing need such as that at Poolside with permission for 81 dwellings.

Following consultation on amended plans, letters have been received from four of the neighbouring property owners who maintain their initial objections.

PLANNING POLICY

National Planning Policy Framework

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

In terms of housing, paragraph 49 clarifies that housing applications should be considered in the context of the presumption in favour of sustainable development. Paragraph 50

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

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

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

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

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

Adopted Copeland Local Plan 2013-2028

On 5 December 2013 Copeland Borough Council resolved to adopt the *Copeland Local Plan 2013-2028: Core Strategy and Development Management Policies*. This triggered a six week period during which the Council's decision could be legally challenged, based on procedural matters during its production.

The period of legal challenge ended on 16 January 2014 and no challenge was received.

This means that the *Copeland Local Plan 2013-2028: Core Strategy and Development Management Policies* is now the adopted Development Plan for the borough and should form the basis for determining planning applications.

The *Copeland Local Plan 2013-2028: Core Strategy and Development Management Policies* replaces all policies in the Copeland Local Plan 2001-2016, with the exception of those policies that allocate land (which are listed in Appendix 1 of the document).

Work is now beginning on Part 2 of the *Copeland Local Plan 2013-2028 – the Site Allocations and Policies Plan* – which will update and replace these remaining policies. This work is currently expected to be completed by Autumn 2016.

In relation to this application the following Policies of the new document are considered relevant:-

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

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

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

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

ASSESSMENT

The site lies within the development boundary for Haverigg one of the Boroughs Local Centres where small scale residential development is permitted.

Policy DEV 4 of the adopted Local Plan gives a presumption in favour of development within the development boundary. However the policy does give preference to the re-use of existing buildings and then previously developed land before Greenfield land is considered, which is also echoed in the NPPF and emerging Core Strategy.

Prior to the introduction of the NPPF government advice set out in the revised PPS 3 changed the definition of garden land from previously developed to green field land. Whilst this does not preclude development within the development boundary it does seek to readdress the balance between the efficient use of land and its impact on character and amenity.

Character and appearance

One of the key issues this application raises is whether the erection of a dwelling within the garden area of an existing property would have an adverse effect on the character and appearance of the area.

The built form locally consists of a strong frontage development along Main Street coupled with lower density development to the rear. In this respect, many existing properties occupy what could be classed as 'backland' locations including Kintail Cottage to the immediate east, Pennyfield to the southwest and properties on Glencoe Close to the west. Consequently, development of this site for a single dwelling, which fronts an established access lane, would not disrupt the existing built form and is considered unlikely to have a significant adverse effect on the character of the area.

Additionally, there are a variety of property styles within the immediate locality including traditional two storey terraced houses along Main Street, bungalows and dormer bungalows along St Luke's Road, together with St Luke's Church to the south. In this respect, a traditionally styled house with pitched roof, rendered walls and random stone detailing is not considered to be uncharacteristic of this area.

Scale

The proposed dwelling is considered to be modest in scale and has been designed to take into account the height and massing of existing dwellings including the two storey terraced houses along Main Street and the detached dormer bungalow to the east, as illustrated on the submitted cross section. In order to limit the impact on adjoining residential properties and their private outdoor amenity spaces, the overall height of the proposed house has been reduced by 1.5m, just 0.38m higher than the closest neighbouring property Kintail Cottage.

Layout

The submitted layout is considered to be acceptable and would meet the requirements set out in Policy HSG8 of the adopted Local Plan and emerging Development Management Policy DM12 thus limiting any adverse impact in terms of overlooking. The position of the house has been amended to move it 1.0m further west within the site. As a result, the house would be 11.6m from the Kintail Cottage, when measured from corner to corner.

Whilst compliance with separation distances is disputed, it must be stressed that the 21.0m separation distance set out in the above policies relates specifically to 'directly facing elevations' and not those positioned at oblique angles, as would be the case here.

Likewise, notwithstanding the presence of an existing close boarded timber fence which runs along the shared eastern boundary, ground floor windows in the eastern gable have been omitted to ensure there will be no direct overlooking of the private garden space serving Kintail Cottage. The only window within this gable would be a small bathroom window at first floor level which would be fitted with obscure glazing. In any case, a condition could also be attached to the grant of planning permission removing permitted development rights to control the provision of future openings on this elevation of the house.

The erection of additional solid timber fencing to the north and west will further help to define the boundary of the site and also provide greater protection of privacy.

Access/traffic

One of the main issues raised locally is the use of St Luke's Road and the existing lane to the south to access this development. Whilst it is understood that neither of these are adopted highways, this is not a basis on which to refuse planning permission. One additional dwelling is unlikely to generate a significant increase in traffic and the Highways Authority has raised no objections to the proposal. Whilst it is inevitable that there will be some disturbance during construction, this can be actively managed by agreeing a construction method statement prior to development commencing to ensure the access lane remains unobstructed whilst the dwelling is being built to minimise inconvenience to other users of the lane.

Whether or not the applicant has a legal right to use this access lane is not a material planning consideration.

Drainage/flooding

This site lies within Flood Zone 2 (medium vulnerability) and accordingly the application is accompanied by a Flood Risk Assessment. The development is classed 'more vulnerable' and in accordance with the NPPF this vulnerability classification is appropriate in this zone. In accordance with the Environment Agency's Standing Advice the finished floor level of the lowest habitable room has been raised by 300mm to ensure it will be 600mm above the 1 in 200 annual probability sea flood in any year.

Whilst United Utilities have raised no objections to the proposal, they suggest that the applicant investigate the feasibility of draining surface water in line with the hierarchy outlined in Building Regulation H3 where surface water is drained in the most sustainable manner. In response to this the applicant's agent confirms that it would be the applicant's preference to take the surface water to the combined sewer but if required it will be possible to use a soakaway system. Likewise, they also point out that hard surfaces will be permeable and the house will be set down at a slightly lower level than the access lane, and as such, there is unlikely to be any additional runoff as a result of this. In any respect, a suitably worded condition could be imposed on the grant of planning permission which requires a drainage scheme to be agreed with the Local Planning Authority before development commences.

Biodiversity

In response to concerns raised regarding biodiversity the applicants have commissioned an ecological scoping survey and a subsequent report has been submitted and forwarded to Natural England who raise no objections. Notwithstanding this response, and whilst the site is not the subject of any specific landscape or wildlife designations, the scheme has been amended to incorporate the use of bat slates in the roof and two nest boxes on the east facing elevation as recommended by Natural England.

Discrepancies

A number of concerns have been raised over the accuracy of the submitted documents, including the Design and Access Statement and it is suggested that certain statements are misleading including, for example, the circumstances of the applicant and the need for a local needs/affordable home. The content of any application for planning permission lies with an applicant and his/her agent. Whilst applications need to be on prescribed forms and cover specific issues to be properly considered, the applicant is entitled to make submissions in support of a proposal as he/she sees fit. Information is presented to others as it is received and it is not for the Local Planning Authority to edit such information even when others may consider that submissions do not necessarily aid the applicant's case.

CONCLUSION

On balance this is considered to be an acceptable proposal for this site which is located within the designated development boundary for Haverigg.

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:-

- Elevations, drawing no. R1119-P-003 Rev E, received on 26 November 2013.
- Section, drawing no. R1119-P-002 Rev C, received on 22 October 2013.
- Ecological Scoping Survey Report, Ref C355 R01, prepared by Lloydbore, dated September 2013, received on 18 October 2013.
- Plans, drawing no. R1119-P-001 Rev D, received on 26 September 2013.
- Flood Risk & Drainage Statement, Ref RO/13004 Version 2, prepared by Ross Oakley, RWO Associates dated July 2013, received on 8 August 2013.
- Design and Access Statement received on 8 August 2013.

Reason

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

3. Notwithstanding the details illustrated on drawing no. R1119-P-003 Rev D 'Elevations' received on 22 October 2013, the first floor bathroom window in the east facing side elevation of the house hereby approved shall be fitted with obscure glazing and so maintained thereafter.

Reason

In the interests of residential amenity.

4. Before any of the superstructure is erected full details of all materials to be used on the external surfaces of the development, including parking surfaces, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and so maintained thereafter.

Reason

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

5. Notwithstanding the details illustrated on the block plan, drawing no. R1119-P-001 Rev D received on 26 September 2013 full details of the proposed boundary treatments to be erected within the site shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of the dwelling hereby approved the boundary treatments shall be constructed in accordance with the approved details and so maintained thereafter.

Reason

To ensure the provision of a satisfactory boundary treatment.

6. The development shall implement all of the mitigation and compensation measures set out in the Ecological Scoping Survey Report (Ref: C355 R01) prepared by Lloydbore, dated September 2013, received on 18 October 2013 and illustrated on drawing no. R1119-P-003 Rev E 'Elevations' received on 26 November 2013 and submitted as part of the planning application. These measures shall be maintained at all times following their implementation.

Reason

To protect the ecological interests evident on the site.

7. Prior to the commencement of development a scheme for surface water and foul water drainage shall be submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the drainage scheme has been constructed in accordance with the approval details. The development shall be completed, maintained and managed in accordance with the approved details.

Reason

To ensure the provision of a satisfactory drainage scheme.

8. A Construction Method Statement shall be submitted for approval by the Local planning Authority in consultation with the Highway authority prior to the works commencing on site. The approved Statement shall be adhered to throughout the construction period. The Statement shall include:

- the means of access for construction traffic;
- retained areas for vehicle parking, manoeuvring, loading and unloading for their specific purpose during the development;
- the storage of plant and materials used in constructing the development;
- measures to prevent silt and other contaminants entering surface water drains; and
- a scheme for recycling/disposing of waste resulting from construction works.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason

For the avoidance of doubt and to ensure that the proposed development of the site is managed to avoid disturbance and inconvenience to local residents and road users.

9. 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 (including replacement windows and doors) or extensions, conservatories, dormer, or enlargement shall be carried out to the dwellings / buildings, nor shall any detached building, enclosure, domestic fuel containers, pool or hardstandings be constructed within the curtilage other than those expressly authorised by this permission.

Reason

To safeguard the character and appearance of the development in the interests of visual amenity.

Informative

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

Statement

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

ITEM NO: 2.

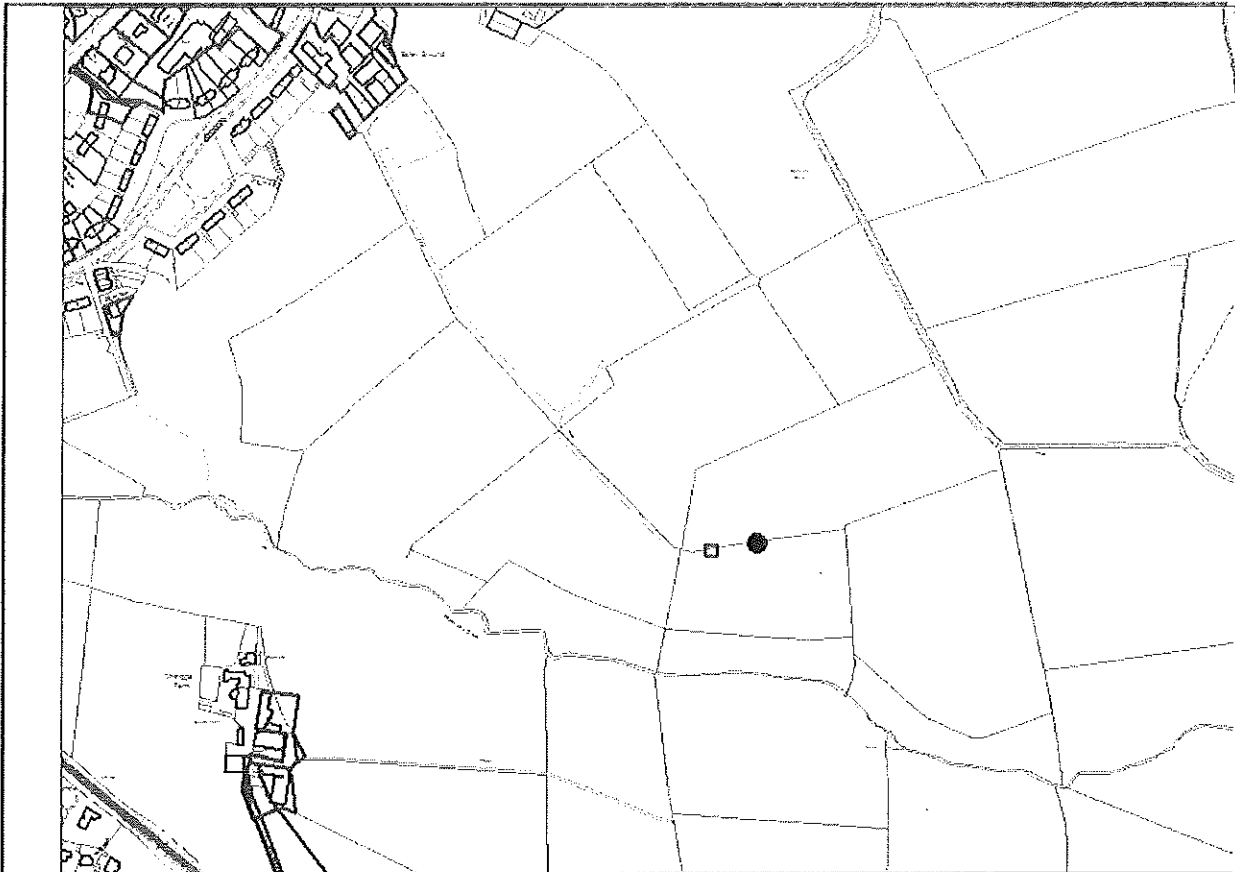


To: PLANNING PANEL

Development Control Section

Date of Meeting: 26/02/2014

Application Number:	4/13/2440/OF1
Application Type:	Full : CBC
Applicant:	Mr S Mawson
Application Address:	LAND AT BAILEY GROUND FARM, SANTON WAY, SEASCALE
Proposal	PROPOSED SITING OF 1 X 30M HIGH (HUB) ENDURANCE WIND TURBINE WITH A TIP HEIGHT OF 45M
Parish:	Seascale
Recommendation Summary:	Refuse



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Introduction

The proposal relates to a greenfield site in open countryside some 460m to the south east of Bailey Ground, a working farm building group situated on the edge of Seascale, just off Santon Way.

In terms of non-associated dwellings the nearest are Routen Syke, some 445m to the north east and Broadlea some 410m away to the south west. Santon Way, a residential estate on the edge of Seascale, of which the farm forms part, is situated some 510m to the north west of the site.

Members have recently had the benefit of a site visit which took place on Wednesday 15 January 2014.

The Proposal

Permission is sought for the erection of a single 225 kW wind turbine on the site. This would take the form of a three bladed turbine with a rotor diameter of 29.1m on a single tapered pole with a hub height of 30.5m, giving a total ground to tip height of 45.07m.

As regards output it would be capable of producing 200 MWh - 850MWh per year which is considered suitable for farms.

Access to the turbine would be via the existing agricultural track, off Santon Way, which links the farms land to the farm building group.

The purpose of the turbine is to generate enough electricity for the farm business with the surplus going to the local grid.

The application is accompanied by a:

- Design and Access Statement
- Photomontages
- Technical Details
- Noise Study

Planning History

A 39m (ground to tip) high twin bladed turbine mounted on a single pole was approved in May last year (4/12/2173/OF1 refers) on a neighbouring site some 50m to the west of the proposed site. This application is sought as a replacement and if considered favourably would be subject to a S106 Agreement to revoke the 2012 permission.

It should be noted that a 45.5m high (ground to tip) turbine was approved at Drigg Moorside Farm on a site some 1km distant to the south east in May last year. (4/13/2061/OF1 refers).

Consultations

Seascale Parish Council - wish to raise a number of objections:

- The application does not comply with Seascale Parish Council Planning Policy on Renewable Energy. No public consultation has been offered and no account has been taken of the requirement for community benefit to be discussed for a structure which will have adverse impacts on the surrounding area.
- The proposed turbine will have a greater visual impact than that of the previously approved two bladed structure. It will have a faster speed and be a more obvious intrusion on the landscape.
- It will also be noisier due to the additional blade and the increased speed.
- The photomontages give almost no impression of the views from Seascale, from

Santon Way, Wasdale Park or the Whitriggs area for example.

- No account has been taken of the Parish Council's own policy on alternative energy.
- No public consultation has been offered or community benefit.
- Concern that not all residents closest to the site had received notification letters in time for the parish Council meeting.

Scientific Officer - A response is awaited and will be reported verbally. However given the size of the turbine and its distance from non-associated residential properties it is considered that there is unlikely to be a noise or potential flicker issue.

Neighbours

Extensive neighbour consultations have been undertaken in the vicinity. To date twelve letters of objection have been received. Collective grounds include:

1. Detrimental cumulative impact with the nearby Drigg Moorside turbine.
2. Detrimental visual impact to the visual amenity of the local area and the National Park.
3. Parish Plan is against wind turbines.
4. Not green and not viable - over subsidised con.
5. Public consultation should have been carried out prior to the application and the local population should have a say and veto applications.
6. The people who will be subject to the visual and audible impact are the inhabitants of Seascale and many are customers of Bailey Ground Dairy - this could affect their business.
7. Concern there has been no public consultation, that the applicants did not consult the nearest neighbours to the turbine before submitting their application and that it is being rushed through.
8. Potential strobing effect on nearest residential properties.
9. Proposal will deprive residents of the only remaining unspoilt views they have of the valleys and fells to the east.
10. Benefits stated are exaggerated to make the case for wind power which is expensive and inefficient.
11. Negative effect on house prices.

12. Detrimental to health due to noise, flicker as well as ultrasound / low frequency noise. Would the applicants be prepared to pay compensation for any health issues arising from neighbouring residents?
13. Effect on wildlife.
14. Why should the actions of one affect the lives of so many.
15. Concern that it is a larger and different turbine to the one approved before.
16. The Government are no longer supporting land based turbines only those at sea.
17. The region is being turned into an industrial area.
18. Safety. Concern about potential loss of blades with frequent storm winds given the recent experience at Seascale School.
19. Industrialisation. The applicants have expanded their business and installed a milk packaging plant at the farm which has been a burden to local residents on Santon Way due to increased wagon traffic it would be unfair to increase this burden further.
20. Applicant fails to point out that he will be profiting by selling excess energy to the national grid. If there will be so much excess energy why can't a smaller turbine be erected to fulfil his needs.
21. Despite all the reassurances given by wind farm developers the potentially damaging effects have not been fully explored.
22. The power generated by this wind turbine is insignificant in the wider perspective – the answer is nuclear power. If we need another turbine then let it be out at sea.

The relevant material planning issues raised regarding potential visual impact, cumulative impact, effect on the character and appearance on the landscape, noise and flicker and wildlife will be addressed in the assessment section of the report.

As regards the other concerns raised the following comments are offered:

- Parish Council's alternative energy policy - Members are reminded that this has no planning status and should be given relatively little weight.
- Community consultation - at the time the application was submitted there was no requirement for the applicants to enter into pre application community engagement. New legislation governing this was subsequently introduced on 17 December 2013.
- Community benefit, although out with the planning system, is not normally offered for turbine development of this scale.
- Although there are concerns regarding the potential health effects of turbines these

are currently not proven.

- Need for the turbine and the effect on house values are not material planning considerations and should be disregarded. The NPPF is clear in that it states that in respect of assessing energy renewable projects there is no requirement for need to be demonstrated recognising that even small scale developments can make a valuable contribution to reducing greenhouse gas emissions.
- There have been no formal changes to Government Policy regarding wind turbines.

Planning Policy

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

National Planning Policy Framework

The National Planning Policy Framework (NPPF), which came into effect in 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. 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 it 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 it states that we should:

- Support the transition to a low carbon future in a changing climate, including encouraging the use of renewable resources by the development for example of renewable energy.
- Contribute to preserving and enhancing the natural environment and reducing pollution.
- Encourage the effective use of land by reusing previously developed 'brown field'

land.

- Promote mixed use developments and encourage multiple benefits from its use.
- Conserve heritage assets in a manner appropriate to their significance.
- Actively manage patterns of growth.
- Take account of and support local strategies to improve health, social and cultural well-being to meet local needs.

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

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

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

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

Ministerial Statement & Planning Practice Guidance for Renewable and Low Carbon Energy

The Government issued a Ministerial Statement in June 2013 followed by a practical guide for renewable energy development in July 2013. This guidance is a material consideration in determining planning applications and should be read in conjunction with the NPPF. It replaces the companion guide to PPS 22.

The guidance is useful in that it clarifies that the need for renewable energy does not automatically override environmental protections and the planning concerns of local communities. It advises that Local Planning Authorities should take into account the requirements of the technology, the potential impacts on the local environment including cumulative impacts. The views of local communities likely to be affected should also be listened.

It should be noted that this guidance and the Ministerial Statement has been given some weight in more recent appeal decisions affecting turbines.

Local Plan Policy

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 recently 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 ER 2 of the Core Strategy relates to Planning for the Energy Coast. It states that “the Council will seek to support and facilitate new renewable energy generating at locations which best maximise renewable resources and minimise environmental and amenity impacts.

The criteria on renewable energy development/generation are set out in Development Management Policy DM 2. This broadly duplicates the criteria contained in the former Local Plan but adds an additional requirement whereby mitigation measures and significant benefits for the community should be taken into account in considering the balance on renewable energy developments.

Policy DM2 sets out the following criteria that all renewable energy development must satisfy. It states:-

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 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.

Cumbria Wind Energy Supplementary Planning Document (SPD)

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

Cumbria Landscape Character Guidance and Toolkit

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 accompanying Design and Access Statement together with the rest of the submission puts forward the case that the proposed wind turbine development is compliant with local and national policy, with the benefits of the scheme in terms of providing a renewable energy source and the long term environmental benefits it brings outweighing any potential impacts, particularly in respect of shadow flicker, noise, electro-magnetic interference, ecology, archaeology, and heritage assets which is not disputed. However, in view of the turbines proposed scale and location the issues of visual impact and impact on the character and appearance of the landscape warrant further consideration.

Landscape Impact

The site forms part of a farmed coastal plain and in terms of capacity is assessed as being of moderate sensitivity. Although it does not benefit from any national or local designations, it is notably part of a wider uninterrupted landscape which has far reaching and expansive views into and out of the Lake District National Park, including the majestic fells to the east and south east including Wasdale and Eskdale, and the coastal plain to the west. The Wind Energy SPD and Cumbria Landscape Guidance and Toolkit, March 2011, identify the type as sub type 5b 'low farmland' a traditional farmed landscape generally large scale where views can be wide and long and where important views can be sensitive to tall infrastructure development and that without careful control large scale wind energy schemes could change its character. They advise that such development should be carefully sited and designed and

prominent locations avoided. Although one 39m high (ground to tip) turbine has already been approved nearby in this landscape, which this is sought as a replacement for, the erection of a taller vertical structure, albeit some 6.07m taller at 45.071m high would introduce a more significant structure /turbine into the landscape which would be more prominent in this elevated location as a result. Whilst it is noted that a similar scale turbine was approved at Drigg Moorside, in same landscape, this was mitigated by its intervening topography – being sited in a natural hollow which sufficiently reduced its prominence/ impact on the landscape to an extent to enable it to be supported. This proposal however is on an elevated open site which does not benefit from such natural mitigation.

Visual Impact

Whilst the Assessment of Landscape Visual Impact and the photomontages that accompany the application conclude that there is slight to moderate adverse harm with main views constrained to more local views from the immediate road network as a result of the proposal, this is not a view which is wholly shared. The increase in height is considered to be significant at this scale and would have an unacceptable impact on views from nearby residents from the edge of Seascale to the immediate west and north, and from those living and travelling along Drigg Road, as well as from further afield.

Cumulative Impact

In view of the fact that there are only potentially two turbines to take into account of in the vicinity, with the nearest being a domestic scale (15m high) one at the school in the centre of Seascale, just over 1 km away to the north west, and the other, an approved 45m high turbine yet to be erected at Drigg Moorside some 1km to the south east, it is unlikely at this scale and at these distances apart that cumulative impact will be significant.

Potential Benefits

Against the backdrop of potential impacts it is important in the overall planning balance to consider the potential wider benefits of the scheme which are identified as:

Farm Diversification / Renewable Energy Generation

The proposed wind turbine would satisfy the energy demands of the farm by providing a source of renewable energy that would allow the farm to operate in a more environmentally sustainable manner.

At this capacity the turbine is ideal for powering farms and will produce 200 MWh to 850 MWh in appropriate winds.

Reduction in Carbon Emissions

The scheme would result in significant carbon savings for the farm and indirectly the wider community with any excess electricity generated being fed into the national grid.

Conclusion

In order to arrive at a decision on this application it is important to consider:

- The effect of the proposal on the character and appearance of the landscape and its visual impact.
- Potential benefits of the scheme.
- Whether any identified harmful effects significantly outweigh the renewable energy benefits / environmental benefits.
- That there has been negative community feedback on the proposal including objections from the Parish Council.

It is considered that although the landscape does not benefit from any special designations, nevertheless, it is an important and highly valued landscape and that the introduction of a taller turbine in this locality, in this wide and open expanse, would be overly prominent in the landscape and to local and medium views to an unacceptable degree.

On balance it is important to weigh up the benefits of generating renewable energy in this location from the turbine against any potential harm. In this respect it is reiterated that there is strong national policy support in the NPPF 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 reduction in greenhouse gas emissions from the proposal.

However, the more recent Ministerial Statement of June 2013 and the subsequent policy guidance on renewable energy clearly state that the wider benefits of the scheme do not automatically override environmental protection. In particular they highlight the consideration of landscape impacts in assessing renewable energy proposals, and strongly advocate the use of landscape character assessments in decision making which reinforces the role and importance of the Wind Energy DPD and the Cumbria Landscape Character Toolkit. Emphasis in this report is placed on their importance.

Also of note is the fact that our new Copeland Local Plan 2013-2028 has recently been formally adopted. This is consistent with the NPPF and consequently now carries significant weight in decision making.

Taking this into account, it is my view that the local landscape although not formally designated, is a highly valued feature and that a turbine of this increased size in this elevated and open countryside location would cause unacceptable harm to its character and appearance which in my opinion outweighs the wider community benefits of the scheme contrary to Policies ER2 and DM2 of the Copeland Local Plan 2013-2028, the guidance contained in the NPPF, the Ministerial Statement June 2013 and Planning Practice Guidance on Renewable and Low Carbon Energy, July 2013.

Recommendation:-

Refuse

The proposed single turbine, 45.071m high (ground to tip), due to its scale and elevated location in this highly valued landscape would constitute a prominent and incongruous feature which would cause significant harm to the character and appearance of the landscape to an unacceptable degree, contrary to Policies ER2 and DM2 of the Copeland Local Plan 2013-2028, the guidance contained in the NPPF, the Ministerial Statement, June 2013 and Planning Practice Guidance on Renewable and Low Carbon Energy, July 2013.

Statement

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

ITEM NO: 3.

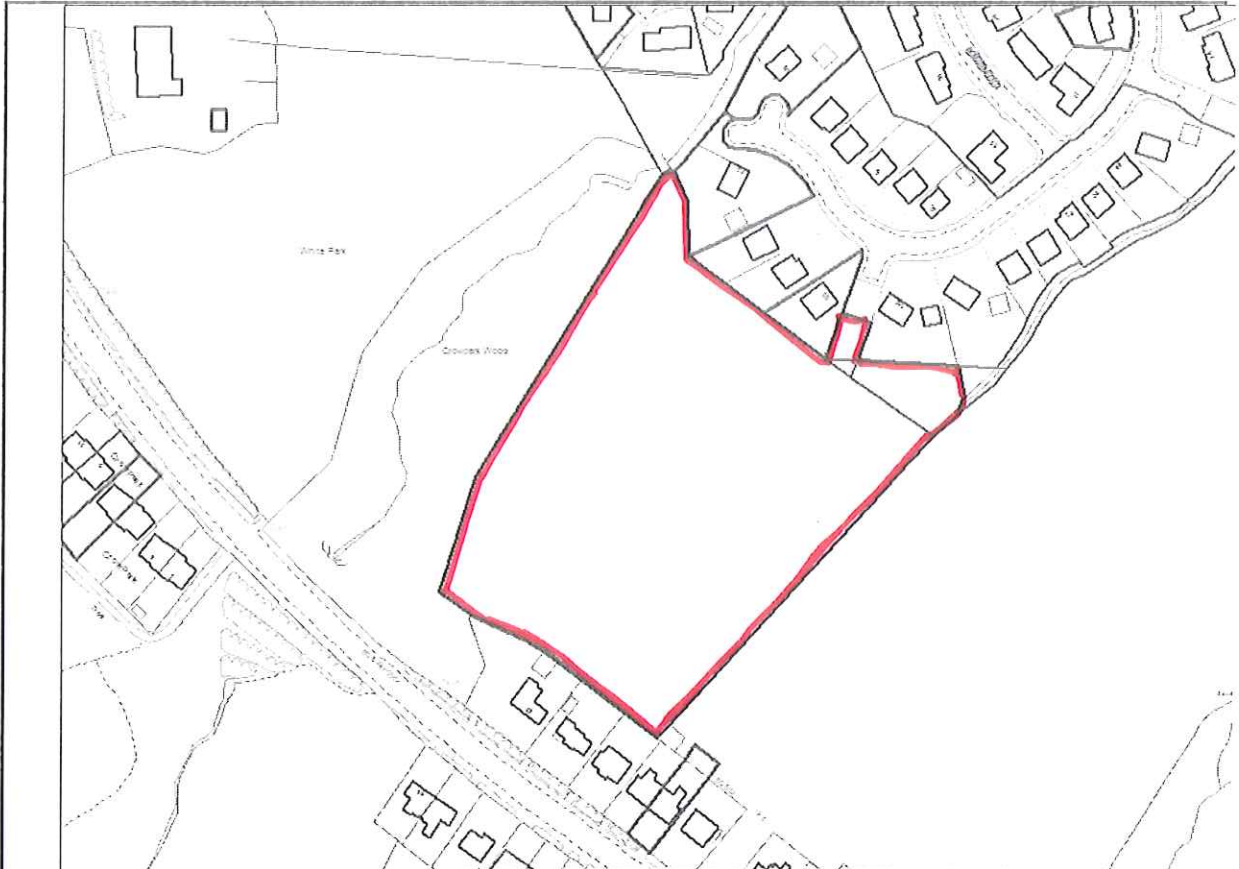


To: PLANNING PANEL

Development Control Section

Date of Meeting: 26/02/2014

Application Number:	4/13/2500/001
Application Type:	Outline : CBC
Applicant:	Persimmon Homes
Application Address:	LAND OFF LAUREL BANK, THE HIGHLANDS, WHITEHAVEN
Proposal	OUTLINE APPLICATION FOR UP TO 60 NEW RESIDENTIAL UNITS AND ASSOCIATED ACCESS
Parish:	Whitehaven
Recommendation Summary:	Refuse



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Introduction

This application relates to a steeply sloping area of green field, rectangular in shape, which is bounded to the north by Laurel Bank, part of the residential estate road of the Highlands, and to the south by frontage development on the Loop Road South. To the west it adjoins Crowpark Wood, a densely wooded ghyll and to the east it adjoins open green fields.

Members have recently had the benefit of a site visit which took place on Wednesday 12 February 2014.

Proposal

Outline permission is sought for the erection of up to 60 new residential units and associated access on this 1.5ha site. Consent for the point of vehicular access off an existing spur emanating from the residential road serving Laurel Bank between residential properties no. 100 and no. 55 is also sought.

The application is accompanied by the following documentation:

Tree Survey Report

Transport Statement

Flood Risk & Drainage Assessment

Phase 1 Habitat and Scoping Survey for European Protected Species.

Phase 1 Desk Top Study Report

Planning Statement

Design and Access Statement

Landscape & Visual Impact Appraisal

Planning History

The previous planning history relating to this site is considered relevant.

Outline permission for housing on this and the neighbouring field to the south was refused in 1978 on highway grounds and the fact that the proposal at the time was considered premature. (4/78/522/001 refers)

In 2003 planning permission for residential development with access from Laurel Bank was refused on the grounds that it represented non-essential and inappropriate development on a site which is designated as protected urban green space in the adopted Copeland Local Plan. (4/03/0761/001 refers).

Consultations

Highways Agency - no objection. Request that the raw traffic flow data and details of the traffic survey be included within the transport statement for any subsequent full application and that 'Junctions 8' is used in the A595 /Highlands junction assessment.

Highway Authority – comments awaited and will be reported verbally.

Coal Authority - falls within a Development High Risk Area where there are potential coal mining features and hazards which pose a risk. Agree with the Phase 1 Desk Top Study Report submitted that intrusive site investigation works and possible remedial works if necessary be undertaken prior to commencement and that this should be imposed as a condition. Raise no objection if this is undertaken.

Historic Environment Officer, CCC, - no objections.

CCC Spatial Planning - do not consider the proposal to be a Category 1 application and therefore will not be responding from a strategic perspective. However they do offer the following summarised comments from their internal service areas:

Historic Environment - has a low potential to disturb significant archaeological remains.

Education - consider there is sufficient capacity within local schools to cope with the demand a development of up to 60 dwellings is likely to create, so no contribution would be sought.

Landscape and Visual - the site forms part of a wider strip of undeveloped land which separates the Highlands from the A595. This strip incorporates areas of established ancient and semi natural woodland. It comprises one of the `green spaces` identified in the CLCGT recognised for the wider linkages they create to the wider countryside and their function as `green lungs`. Whilst it is noted the visual impact may be restricted from where it is visible it will appear as a clear encroachment into rising, open undeveloped land, overlooking the town. Any development should seek to develop green infrastructure linkages and visual linkages to the adjacent woodland.

Consultant Arboriculturist: acknowledges the loss of one tree and that there are other trees on / adjacent to the site that need protecting. Recommends the imposition of a condition requiring an arboricultural method statement including all relevant details for the tree protective fencing relating to each phase of development.

Planning Policy - Object as set out in the following summarised response:

Contrary to the case put forward the Borough does now have an up-to-date Local Plan to the extent of having a recently adopted (December 2013) Core Strategy and Development Management Policies DPD.

The site is designated open space, and a part of the town's 'green infrastructure'.

Development of this site is contrary to the adopted *Core Strategy policy SS5: - 'Provision of and Access to Open Space and Green Infrastructure'*

This land provides a connecting open area and serves as a 'wildlife corridor' connecting the town centre to open countryside. This corridor would be severed, and the possibility of retaining the town-country connection, would be eliminated, if this development went ahead.

As green infrastructure this land is arguably irreplaceable.

Five year supply

The applicants' contention that the Borough does not have a five year supply of housing land is erroneous.

1. They incorrectly imply that the Borough should be allocating additional land to make up for 'underperformance' in recent years. This is not a requirement of current Government policy – the NPPF requires a five year supply plus twenty per cent 'buffer' to make up for past 'underperformance'. The Strategic Housing Land Availability Assessment demonstrates that there is enough deliverable and developable land to meet the target.
2. The SHLAA process has not been completed The Laurel Bank site has been 'discounted' in that process, on the grounds that it was protected open space (as allocated in the 2006 Local Plan).
3. Further, the Inspector's Report into the Core Strategy (Issue 3, paragraphs 48-61) concludes as follows: "... *there are no grounds to believe the Council would be unable to deliver its higher housing trajectory i.e. 300 dwellings per annum, because there is sufficient capacity identified in the SHLAA to meet needs for 21 years.*

Note that this conclusion is based also on the Inspector's acceptance of the independently-prepared viability evidence that was submitted (*GVA 2011*). That study concluded (*pp. 51 ff.*) that there was a demonstrable 6 year supply (which equates to 5 years plus 20%) at 230 dwellings per annum, but that the assessment would improve considerably with market uplift, as is now taking place.

Note also that the viability work was done at a point in time when the market was severely depressed. That circumstances are now improving is demonstrated by the recent granting of planning permission for the development of 650 homes on the land covered by the South Whitehaven SPD, including a range of s.106 obligations, on land which the viability study regarded as 'marginal'.

This leads to a further point.

Prematurity

Whilst prematurity is not in itself a clinching argument, there are many precedents in appeal case law where the Secretary of State has accepted that a development should not be permitted because it would unreasonably prejudice preparation of the Local Plan.

The Site-Specific Allocations and Policies Plan is the final part of the Local Plan and will add the site-related detail to the basis provided by the adopted Core Strategy. A concerted appraisal of SHLAA sites, along with others brought forward for consideration, is now at an advanced stage, with the intention of publishing the plan early in 2015.

The SHLAA demonstrates that there is enough land to meet the Borough's identified needs. All submitted sites, including those discounted, are now under review. The proper place to debate the merits of this site is the statutory planning process.

Representations

Extensive neighbour consultations have been undertaken and some 19 letters of objection have been received from neighbours who express concern on the following collective summarised grounds:

- Increase in traffic, Laurel Bank is a narrow residential cul-de-sac and the addition of up to 60 units would mean an increase in at least 120 vehicles and possibly more. It is often lined with parked cars on both sides of the road where houses only have single drives. There are also many children living nearby. Would create an unacceptable traffic hazard.
- Increase in noise levels associated with the increase in traffic especially early mornings and evenings.
- Will significantly disrupt the normal lives of those living on the whole of the estate especially those who reside on Laurel Bank. Surprised the application does not contain a risk assessment covering the health and safety impact on residents of the estate.
- Greenfield Development – should be re-using brownfield land.
- Loss of privacy and overlooking from proposed dwellings. Particularly for those backing onto the site and adjacent to the access.
- Increased danger during construction – increase in heavy construction traffic would present a hazard to the family environment currently enjoyed by Laurel Bank residents. Also the Highlands generally.
- Non-compliance with local Planning policies which identifies the land as protected open space.
- Impact on biodiversity. The adjacent woodland supports many resident species including buzzards, roe deer and bats.
- Use of green space would be detrimental to the character of the area.
- Unsuitable surface water drainage - likely to create flooding problems on adjacent land. Plans show an unguarded catchment pond to the rear of 43 Loop Road South.
- Maintaining the surface water system provided. Localised surface water flooding history for the area shows that the catchment pond proposed would be subject to much higher volumes of water than anticipated. During heavy rain the land floods resulting in a river of water behind neighbouring Loop Road properties a lot of this is attributable to poor maintenance of the drainage system on The Highlands.

- Open pond will provide an attraction for children living nearby.- - a potential danger.
- Potential danger to the town centre - the water course / culvert from Crow Park is not maintained - if additional water runs down this it could cause collapse and flooding downstream in the town centre.
- Query the disposal of soil from excavations.
- Point of access - it was expected if the area was developed that access would be from the main Loop Road not through a small no-through road.
- Proposed development has previously been rejected and all previous objections still apply. This is even worse as access is even further along Laurel Bank.
- Impact on mature hawthorn hedge running up the side boundary of the field.
- Query whether by law there has to be a ratio of developed land to green land.
- No recreational area provided for children.
- Significant loss of long established tranquillity and privacy at no 55, Laurel Bank resulting in negative visual impact and deterioration of outlook. Access road would only be 1m away from the objector's living room. Likewise for property opposite, no 100, access road and pavement would be a similar distance and it would be above eye line whilst sat in their lounge. Main bedroom would also look out onto it.
- Already insufficient open area in and around the Highlands without reducing it further.
- Non-compliance with local plan policies - would be in direct contradiction of Copeland Local Plan 2013-2028 policies SS5 and ST1.
- Effect on property values.

Planning Policy

National Planning Policy

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

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

Promoting sustainable transport is one of the key objectives. Paragraph 30 of the NPPF clarifies that local planning authorities should support a pattern of development which facilitates the use of sustainable modes of transport.

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

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

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

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

Paragraph 69 sets out that local planning authorities should promote healthy communities. This includes the provision of safe and accessible environments containing clear and legible routes and high quality public spaces which encourage the active and continual use of public areas.

Paragraph 72 clarifies that the Government considers education to be very important and attaches great weight to the need to create, expand or alter schools to ensure that a sufficient choice of school places is available to meet the needs of existing and new communities.

Paragraph 173 seeks to ensure viability and deliverability. It clarifies that pursuing sustainable development requires careful attention to viability and costs in decision taking. Development identified in Local Plans should be deliverable and therefore the scale of development identified should not be subject to such a scale of obligations and policy burdens which threaten their ability to be developed viably.

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

Copeland Local Plan 2013-2028

The Core Strategy and Development Management Policies DPD (th Copeland Local Plan 2013-2028) was recently 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.

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

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

Policy ST1 of the Core strategy sets out the fundamental principles that will achieve sustainable development. Among other things it 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 ST3 sets out the strategic development priorities for the Borough.

Policy ST4 relates specifically to providing infrastructure.

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 SS5 Provision and Access to Open Space and Infrastructure. This cites:

Adequate provision and access to open space, and the development of the Borough's green infrastructure will be promoted by:

- (a) Protecting against the loss of designated open space (including playing fields, play areas and allotments) within settlements and of access routes or wildlife corridors which connect them, whilst ensuring also that they are well maintained. Where it is necessary to build on land covered by this policy, equivalent replacement provision should be made.
- (b) Setting minimum open space standards for new development in accordance with Policy DM12.
- (c) Promoting the establishment, improvement and protection of green infrastructure networks connecting open spaces with each other and with the countryside.

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.

Policy ENV 5 seeks to protect the Boroughs landscape from inappropriate development.

Development Management Policies

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

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

Policy DM22 requires all development proposals to be accessible to all users.

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

Applicants Supporting Case

In support of their application the applicants put forward the supporting case that the following do not raise any contentious issues:

Trees - The accompanying tree survey report identifies a group of three trees, plus an oak and a substantial hedge to be retained with one tree at the point of access to be removed. It is accepted that the latter is of no amenity value as assessed by our arboriculturist.

Transport- The transport assessment reviews the accessibility of the site by a choice of travel modes and assesses the operating conditions of the adjacent highway network, potential impacts and identifies possible improvements. It concluded that the proposed development would generate relatively low volumes of vehicle trips, that the existing Highlands junction with the A595 is acceptable and that no highway works are necessary.

Flood Risk & Drainage - FRA submitted confirms that as the site is within Flood Zone 1 it is at relatively low risk of flooding and low to medium risk from overland flow. It would be drained via a gravity system draining to the south western part of the site from where it will discharge into a new detention pond which will then discharge via a suitable flow control device into an existing ghyll. The pond will be sized for a 1 in 100 year plus 30% allowance for climate change.

Ecology- A phase 1 Scoping Survey revealed that most of the habitats on the site were likely to be of low conservation importance. It concluded that any works were unlikely to impact on amphibians, roosting bats, badgers, brown hares, dormouse, barn owls, otters, red squirrels, and reptiles. It was recognised that there may be some impact on hedgehogs, breeding birds, bats using the area for foraging and mitigation measures are proposed which could be covered by appropriate conditions.

Contamination Report - This desk top study identifies low to medium risk and advises phase 2 ground investigation prior to commencing works which can be covered by an appropriate condition.

Landscape and Visual Impact Appraisal - This assesses the impact on landscape and views from a number of viewpoints. It identifies the site as being an obvious strip of undeveloped land between the Highlands and Loop Road South/ Standing Rise which serves no function. It also argues that the site is barely visible from surrounding area and is isolated from the rest of the undeveloped strip. Development here would link the Highlands more with Whitehaven. Acknowledge that residents looking onto site will experience the greatest magnitude of change. Development here would not cause undue impact on either the landscape or visual amenity and would not be contrary to the Core Strategy. This is an argument however which is disputed.

Notwithstanding the above, the case put forward in support of the application is considered fundamentally flawed for the reasons outlined below:

Status of the Plan

It fails to acknowledge that we now have an up to date local plan, Copeland Local Plan 2013-2028, to the extent that we have the Core Strategy and Development Management Policies

DPD, adopted in December 2013. Instead the case relies on the supremacy of the NPPF, which states that in making decisions on development proposals permission should be granted ` unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits of doing so`. The adoption of the Local Plan in December removes the primacy of the NPPF and formalises policy which protects the site as open space and therefore supports objection on policy grounds.

Designated Open Space.

The site is designated open space as part of the towns green infrastructure and as such has the policy status of protected urban green space. It is important as part of a network within the town of open and natural spaces contrary to the view put forward in the Landscape Assessment. The Site Specific Allocations and Policies Plan is now at an early stage of development and there is no policy thrust from the Core Strategy to review open space and there is no justification for de-allocating any open space in the Borough.

SS5 of the Core Strategy is the key policy against which this application should be assessed and should be given full weight. This protects such designated areas from inappropriate loss. This land is important because it provides a connecting open area between Crowpark Wood and an extended area of woodland and parkland to the northwest and Midgey Wood to the south east, and therefore clearly serves as a `wildlife corridor.` At present this extends further east connecting the town centre to open countryside. Its loss would sever this corridor and the means of retaining this town - country connection. The site is therefore considered irreplaceable.

Five Year Land Supply Argument

The contention that the Borough has a five year supply of housing land is refuted.

It is not a requirement of government policy to make up for `under-performance`. The NPPF requires a five year land supply plus twenty per cent buffer to make up for past under-performance. The Strategic Housing Land Availability Assessment (SHLAA) demonstrates there is enough deliverable and developable land to meet the fifteen year requirement for the Local Plan, as well as enough for the elevated target which the Core Strategy needs to allow for `uplift` arising from the nuclear sector development. The requirement of the NPPF that a supply be identified is met.

The SHLAA process is not yet complete. The site was discounted in that process on the grounds it was protected open space. The SHLAA therefore demonstrates that targets can be met without the need to develop this designated open space. It should also be noted that the Inspector's report into the Core Strategy referred to there being sufficient capacity in the SHLAA to meet the Boroughs elevated needs for 21 years.

It could also be argued that the approval of the development at this stage could unreasonably prejudice preparation of the Site Specific Allocations and Policies Plan which is the final part of the Local Plan. The SHLAA process is now at an advanced stage with publication intended for early 2015. Arguably, the place to debate merits of the site fully is via this statutory planning process.

Conclusion

In summary this application fails on planning policy grounds, the site being protected open space (2006 Local Plan Map) and part of Whitehaven's green infrastructure (Core Strategy policy SS5A).

It cannot be demonstrated that there is a necessity for this development which would justify overriding these policy objections, as the Core Strategy is recently adopted and is supported by a demonstrable 5 year supply (plus 20% 'buffer') meeting the requirements of the NPPF.

It is additionally not appropriate to allow this application in advance of the forthcoming public debate on the full range of sites being considered for inclusion in the Site-Specific Allocations and Policies Plan.

The site represents an important area of green space within the Borough's key settlement. Taking the above into account, the principle of developing this 1.5ha site for housing in Whitehaven which is formally designated 'open space', would result in its irreplaceable loss as important green infrastructure and a 'wildlife corridor', contrary to Policy SS5 of the adopted Copeland Local Plan 2013-2028 and the guidance contained in the NPPF.

Recommendation:-

Refuse

The principle of developing this 1.5ha site for housing in Whitehaven, which is formally designated 'open space', would result in its irreplaceable loss as important green infrastructure and a 'wildlife corridor', furthermore without a demonstrated need it would constitute non-essential housing contrary to Policy SS5 of the adopted Copeland Local Plan 2013-2028 and the guidance contained in the NPPF.

Statement

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

ITEM NO: 4.

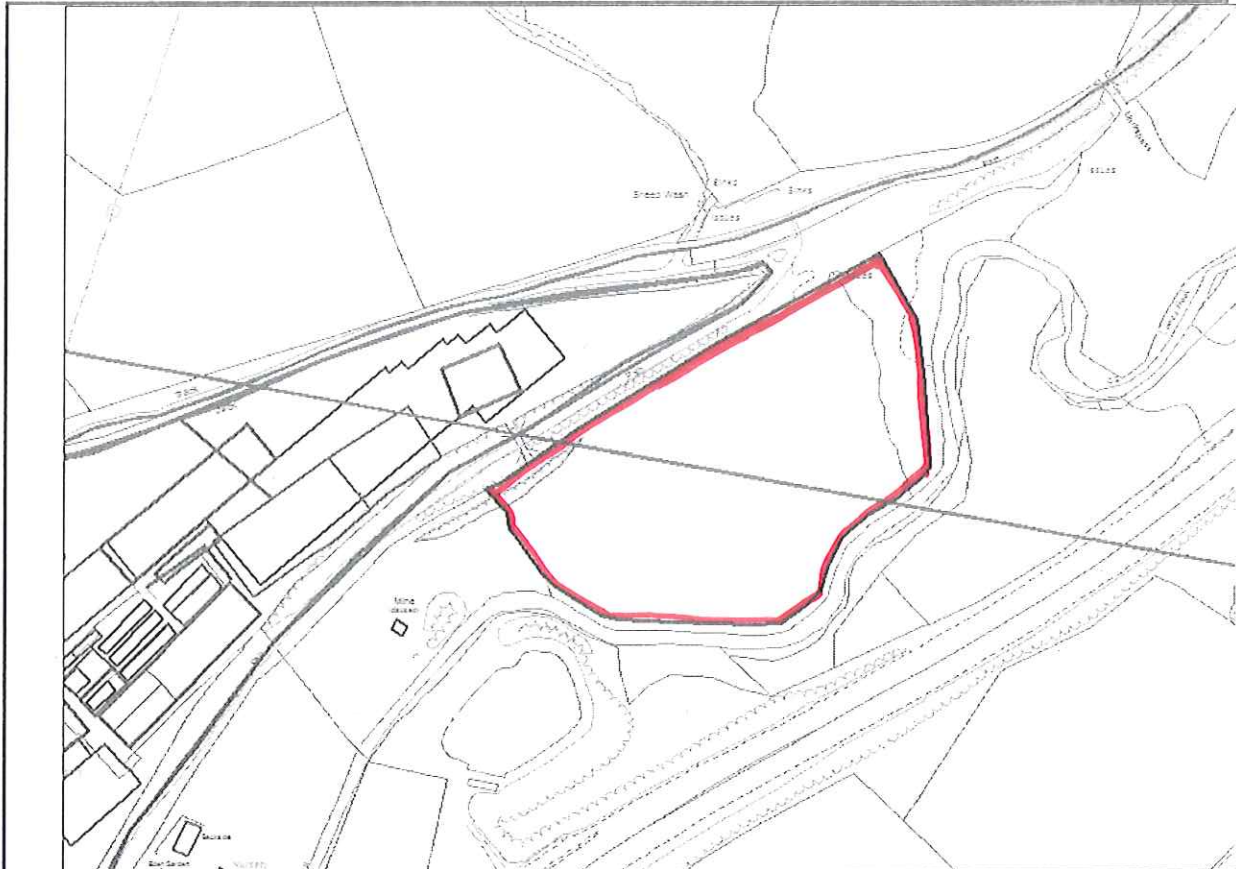


To: PLANNING PANEL

Development Control Section

Date of Meeting: 26/02/2014

Application Number:	4/13/2501/0F1
Application Type:	Full : CBC
Applicant:	Blomfields Ltd
Application Address:	WOODLAND NURSERIES, STAMFORD HILL, LOWCA, WHITEHAVEN
Proposal	ERECTION OF A GLASSHOUSE
Parish:	Lowca
Recommendation Summary:	Approve (commence within 3 years)



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INTRODUCTION

This application relates to Woodland Nurseries which is located at Stamford Hill on the eastern edge of Lowca. The commercial nursery has expanded incrementally over the last 20 years and comprises a number of large scale glass houses which currently cover 2.5 hectares of the 5.4 hectare site. The nursery provides bedding plants/ornamental plants which are sold directly to Local Authority Parks Departments, garden centres and retail outlets on a wholesale basis.

Members deferred this application at the Planning Panel on 22 January 2014 to enable them to visit the site. The site visit took place on 12 February 2014.

PROPOSAL

Planning permission is now sought for the erection of a large scale glass house structure extending up to 17,500 sq. metres to allow the business to grow to meet demand for their produce.

The proposed glasshouse would be sited on the lower agricultural land to the south east of the existing nursery and would be of a modular construction. The use of sectional components would allow the development to be constructed in phases. Each component would have a pitched roof which would extend to a maximum height of 4.9 metres.

Due to the sloping nature of the site it is proposed to excavate into the upper section of the slope to provide a level platform on which the modular section would sit.

Access to the site will be achieved using the existing entrance off a private lane which joins onto East Road and Stamford Hill Avenue to the west.

The application is accompanied by the following information:-

- Site location plan
- Layout plan
- Elevation plans
- A cross section
- Indicative building design plan
- Photomontage view
- Topographical survey
- Planning statement
- Flood risk and drainage assessment
- Transport note

CONSULTATION RESPONSES

Parish Council

The Parish Council have expressed concerns about the following issues:-

- The scale and prominence of the development
- The potential for increased vehicular movements associated with the site along an access track that is of a poor condition and deteriorating
- Impact on highway safety, especially potential danger to small children
- The timing of vehicular movements entering or leaving the site. It has been noted that wagons have arrived at the site at 2.00 a.m.
- Potential risk to flooding of the beck adjoining the site
- Question whether this use is classed as horticulture or agriculture
- Impact on wildlife.

United Utilities

No objections provided that the applicant adheres to the protective measures set out to ensure that the glasshouse can be built over the public sewer which crosses the site.

A condition should be attached to any planning permission which requires surface water drainage and means of disposal to be agreed.

Environment Agency

No objections. However the proposed development will only meet the requirements of the NPPF if the measures set out in the Flood Risk Assessment are implemented and secured by way of a planning condition.

Highways Agency

No objections

PLANNING POLICY

National Planning Policy Framework

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

It sets out that there are three dimensions to sustainable development; economic, social and environmental.

An economic role contributes to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure.

Paragraph 19 sets out that the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.

Paragraph 28 clarifies that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote and support a strong rural economy, plans should:

- Support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings
- Promote the development and diversification of agriculture and other land based rural businesses

Paragraph 32 states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of developments are severe.

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

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 economic development.

Policy ST2 sets out a Spatial Development Strategy for the Borough. It seeks to provide for and facilitate growth in the local economy and encourages appropriately scaled development in the defined Local Centres. Lowca is listed as one of these Local Centres.

Policy ER6 seeks to locate employment in the correct locations. Outside the main settlements small scale economic development proposals will be considered on their merits, with the following matters being particularly important:-

- Justification for rural location
- Transport impact
- Vulnerability to flooding
- Impact on residential amenity
- Impact on landscape character, settlement character and biodiversity.

Policy ENV5 seeks to protect the landscape from inappropriate change by ensuring that development does not threaten or detract from the character of the area and that when any benefits outweigh the potential harm adequate mitigation is provided to minimise this impact.

ASSESSMENT

This application relates to an existing commercial nursery that has operated from the current site since 1948. It has grown incrementally over the years and currently comprises a number of large glass house structures that cover approximately 2.5 hectares in area. The current proposal represents a significant major expansion to the business and is driven by demand from existing customers.

The proposed glasshouse is of a large scale. The only land that is under the applicants ownership which could accommodate a development of this scale lies immediately to the south east of the existing glasshouses. This land slopes in an easterly direction which means that an element of excavation of the upper slope is required to enable a level platform to be created to house the glasshouse structure. The glasshouse is to be of a modular design with each element having a pitched roof. This will help to limit the overall height of the structure. The modular design will also enable the glasshouse to be erected in phases.

Whilst these factors will help to reduce the overall visual impact of the development, a structure of the scale proposed will inevitably be visible within the landscape. However the siting of the glasshouse on land below the existing glass houses will limit views of the structure mainly to the east and south of the site, especially from the local road network.

Most of the views from the highway are interrupted by the existing vegetation which lines these routes. In particular the earth mounding and tree planting that was introduced as part of the Distington by pass scheme provides significant elements of screening to views of the site from large sections of this trunk road when travelling both in a northerly and a southerly direction. As this vegetation matures it will enhance the level of screening present. The recent site visit will have aided Members in their assessment of the likely visual impact of the proposal.

It is also relevant to consider the context of the site which lies on the urban fringe of Lowca. Lowca is recognised as one of the “local centre” in the adopted Copeland Local Plan 2013-2028 where development is anticipated. Any views of the site from the highway network would be seen in conjunction with the existing nursery complex and also the trunk road. The addition of a large glasshouse structure on this site is considered to be an acceptable form of development in this context.

The other main issue raised by this application relates to access and traffic movements. The Parish Council have expressed some concerns about the likely increased traffic movements that will result from the proposed expansion of the building, although it should be noted that no objections have been received from local residents.

Any traffic generated by this development has to pass through Lowca. The existing access arrangements will be retained with wagons using East Road and then the private road which leads to the nursery.

This application is accompanied by a Transport Statement which sets out that the maximum increase in vehicular movements would be 2 per day during the peak season which lasts for approximately 1 month per year. During the other times the increase in traffic movements is negligible with a likely increase of only 1 vehicle trip per day.

The applicant's agent has also confirmed that his client owns an existing 1 acre site near Penrith which is currently used to grow plants. These plants are currently transplanted at Lowca and then taken to Penrith. Once the crop has grown it is brought back to Lowca for labelling and packing prior to being delivered to the customer. The Penrith site is currently cropped three times per year which results in a total of 135 vehicle movements associated with this remote site. The applicant's agent has confirmed that if the current proposal is allowed then the remote site at Penrith will be closed. This will reduce the number of traffic movements associated with the business and will help to mitigate any increase in traffic movements that will result from the proposed extension.

The Highways Agency has confirmed that they have no objections to the proposal. Whilst the County Council Highways Officer has yet to respond any increase in traffic movements associated with this development would not represent any significant increase in vehicle movements that would have a material impact on the adjoining highway network. The NPPF makes it clear under paragraph 32 that development should only be prevented or refused on transport grounds where the cumulative impact would be severe.

CONCLUSION

This proposal involves the extension of a long established rural business and will create an additional 15-20 full time jobs. Both the NPPF guidance and Local Plan policies support economic growth and the diversification of the rural economy.

Whilst the proposed glasshouse is of a considerable scale and will be visible from the surrounding area the site lies on the edge of Lowca and is well related to the existing business. Lowca is also reasonably placed in relation to both Distington and Whitehaven and is deemed to be a sustainable location in terms of the development strategy outlined in Policy ST2 of the Core Strategy.

The siting of the glasshouse on the land below the existing nursery and also the nature of the existing landform and extent of the vegetation cover, particularly the screening that has been created as part of the Distington by pass will help to mitigate the overall visual impact of the development.

Overall the positive benefits of the proposal in terms of permitting the growth of a local rural business and creation of additional full time employment opportunities are considered to outweigh this impact.

Recommendation:-

Approve subject to

Conditions

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

Reason

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

2. Permission shall relate to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them:-
 - Location Plan, scale 1:2500, drawing number 11/081/1, received on 06 December 2013
 - Proposed Block Plan, scale 1:1250, drawing number Fig 02, received on 06 December 2013
 - Photomontage views, reference Fig 5, received on 06 December 2013
 - Indicative building design, reference Figure 4, received on 06 December 2013
 - Elevations and Sections, scale 1:500, reference Figure 3, received on 06 December 2013
 - Layout plan
 - Topographical survey, scale 1:250, drawing number TAY-001-001, received on 06 December 2013
 - Proposed footprint of glass houses, scale 1:250, drawing number TAY-001-002, received on 06 December 2013
 - Transport Note prepared by SBA dated 18th September 2013
 - Flood Risk and Drainage Assessment, reference RO/13054.5, prepared by RWO Associates, dated November 2013
 - Planning Statement, reference SG/J/C11/081, prepared by Taylor and Hardy, dated November 2013
 - Design and Access Statement, reference SG/J/C11/081, prepared by Taylor Hardy, dated November 2013

- E mail and photographs from Sam Grieg at Taylor Hardy dated 13 February 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. No surface water, land drainage, or highway drainage shall discharge to the public sewerage system, directly or indirectly.

Reason

To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

4. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) RWO Associates, Proposed Glasshouse, Woodland Nurseries, Lowca, Whitehaven, dated November 2013 and the following mitigation measures detailed within the FRA:

- Limiting the surface water run-off generated by the 1 in 100 year critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site. The proposed surface water attenuation as described in Section 8.0 of the Flood Risk Assessment will require approval by the Environment Agency prior to any works commencing on site.
- Finished floor levels are set no lower than 29.200m above Ordnance Datum (AOD).

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reasons

To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to reduce the risk of flooding to the proposed development and future occupants.

5. If the development is to be carried out in phases then a phasing plan shall be submitted to and approved in writing by the Local Planning Authority before development on that phase of the scheme commences.

Reason

For the avoidance of doubt and to ensure a satisfactory form of development.

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

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>>

2. Under the terms of the Water Resources Act 1991, and the Land Drainage Byelaws, prior written consent of the Environment Agency is required for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of the Lowca Beck, designated a 'main river'.

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: 5.

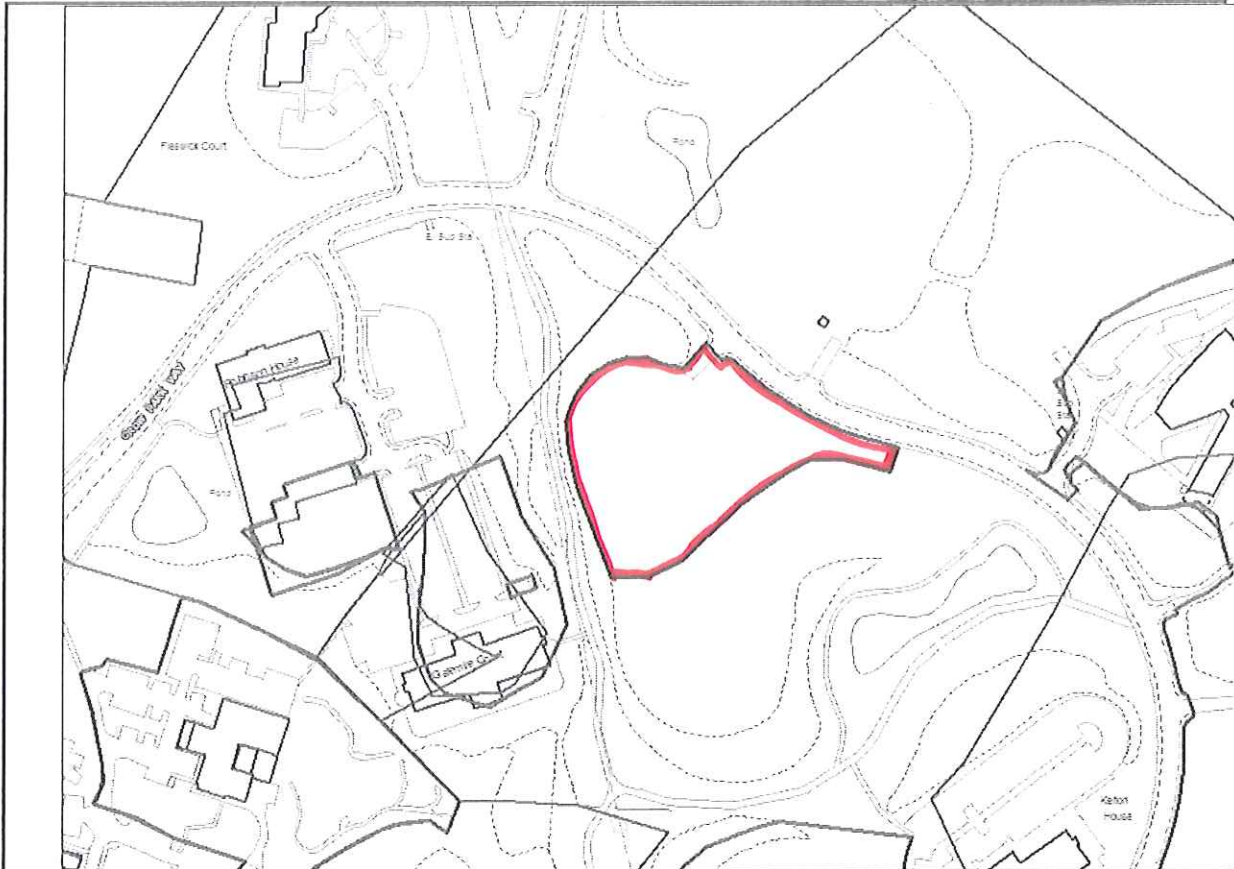


To: PLANNING PANEL

Development Control Section

Date of Meeting: 26/02/2014

Application Number:	4/13/2504/OF1
Application Type:	Full : CBC
Applicant:	Henry Boot Developments Ltd
Application Address:	PLOT 7A, CROW PARK WAY, WESTLAKES SCIENCE & TECHNOLOGY PARK, MOOR ROW
Proposal	NEW TWO STOREY OFFICE BUILDING WITH ASSOCIATED CAR PARKING AND LANDSCAPING
Parish:	Egremont
Recommendation Summary:	Approve (commence within 3 years)



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Introduction

A major application for the creation of a new purpose built B1 office facility on plot, 7A Crow Park Way, Westlakes Science and Technology Park ('The Park') near Whitehaven.

The site is vacant and irregular in shape measuring some 0.67 hectares in area. It is relatively flat and currently consists of lightly vegetated land with some bushes and occasional trees. Bounded to the north by Crow Park Way, with a vacant plot, 10, and trees to the north east, open land to the south east in the form of plot 7B. It neighbours two developed plots, Galemire Court and Robinson House to the south west.

The plot is fully serviced with access, drainage, and utility connections and strategic planting.

The application is accompanied by:

Design and Access Statement

Planning Statement

Phase 1 Ground Investigation Report

Transport Statement

Phase 1 Habitat and Scoping Survey

Air Quality Assessment

Foul Water Drainage Statement

The Proposal

The erection of a new two storey office building, some 2002 square metres in floor area is proposed, along with associated landscaping and car parking, including a roof top plant area. This will take the form of a contemporary designed rectangular shaped building with a flat roof centred around a shared circulation and central services and core containing a passenger lift, stairs, toilets and showers. This will service four offices / departments of the company occupying the premises. Each office floor consists of two wings accessed from the central core. Externally proposed materials to be used include:

- Local slate feature wall to the entrance.
- White render walls to the main elevations ground floor windows.
- Composite wall and roof cladding to gable ends and south east elevation.
- Dark grey aluminium framed windows to ground floor and aluminium rainwater goods.
- Dark grey glazed curtain walling to all elevations.

In terms of layout the building will be positioned in the southern corner of the site, with the majority of the remainder being utilised for a 150 space car park, including 7 accessible bays located near the main entrance. Also proposed are electrical vehicle charging bays, covered cycle store, motor cycle and visitor parking and vehicle control barriers. Soft landscaping

within the site is also proposed. Additional external facilities also to be provided include a smoking shelter, refuse and recycling store and an electricity substation.

Vehicular access will be via a direct access to the car park off the adjacent Crow Park Way.

Use

The office will provide accommodation for some 200 staff, around 90 of which will be relocated from an existing rented property on the Park, the remaining 110 will be new jobs. The company occupying the premises work in the nuclear supply chain industry.

Planning History

The previous planning history relating to the site and the Park in general are relevant and material to the assessment of this application.

The Park has been developed over the last 22 years in a phased manner, commencing in 1990 with the conversion of the former Ingwell Hall School and new build pavilions as phase 1 along with the Babcock Environmental Laboratories.

Phase 2 included the development of the UCLAN research and education facilities (Princess Royal Building) and a post graduate centre (Samuel Lindow Building)

The current phase of development as an extension to the Park to the east was granted outline consent in 1998 by virtue of planning permission 4/98/0271/001 which approved in effect a Masterplan for the Park. This permitted development of land for B1, B2 and B8 uses.

Consultations

Egremont Town Council – no objections but are concerned that new buildings are being built when there are lots of empty premises in and around Copeland that could be utilised.

Environment Agency – no comment.

CCC Spatial Planning Team – no comment do not consider it to be a category 1 application as the principle of developing the site has already been established by virtue of planning permission 4/98/0271 and the approved Masterplan for the site.

Highway Authority – response awaited and will be reported verbally.

Scientific Officer – no objections. The Phase 1 site investigation highlights no issues of concern regarding contamination and the air quality assessment indicates that the development would only have a negligible effect on air quality. No conditions are required.

Coastal and Flood Defence Engineer – comments awaited and to be reported verbally.

Planning Policy Team – consider that the following are the main planning policy considerations.

The *Copeland Local Plan 2013-2028: Core Strategy and Development Management Policies* was adopted by the Council on 5th December 2013 and is now the Development Plan for the borough and should therefore form the basis for determining planning applications.

Policy ST2 advocates a settlement based approach to deliver sustainable development, which is reinforced specifically for the location of employment in **Policy ER6**. While Westlakes Science and Technology Park is not located within the current settlement boundary for Whitehaven its proximity to the town and status as a strategic employment site are recognised in **Policies ST2C(iv)** and **ER6C**.

Policy DM4 then provides details of the uses allowed on Westlakes Science and Technology Park, with offices, research and development... (i.e. the B1 Use Class) together with ancillary development of education by research institutes, universities or similar bodies (within the D1 Use Class) as the allowed uses. The policy goes on to say that “*development proposals should otherwise demonstrate significant benefits, in terms of developing knowledge-based economy in the borough or advancing progress towards the objectives of the Energy Coast Master Plan*”. It may be argued that the proposal for office space for an expanding company within the nuclear supply chain meets the B1 uses prescribed in **Policy DM4**.

It should be noted that Paragraphs 4.7.6 to 4.7.8 in the supporting text to **Policy ER6** also stress the importance of high standards of design and landscaping to retain Westlakes Science and Technology Park’s status as a flagship for university research, high value

business and inward investment. Design requirements for developments are covered by Policies DM10 and DM11, whilst Policy DM25 covers landscaping.

Planning Policy

National Planning Policy

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 21 stresses the importance of facilitating investment and that policies should be flexible enough to accommodate needs not anticipated in the plan as well as supporting flexible working practices.

The NPPF also recognises that planning has a social role in supporting strong, vibrant and healthy communities. This is emphasised in Section 8 and paragraph 69. Paragraph 70 identifies what planning should do to deliver the facilities communities need including ensuring that there is an integrated approach to considering the location of economic uses, community facilities and services.

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 (Paragraph 196).

Copeland Local Plan 2013-2028

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

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

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

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

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.

ST2C (iv) specifically recognises that Westlakes Science and Technology Park is an existing major employment location in the Borough.

Policy ST3 sets out the strategic development priorities for the Borough.

Policy ER6 Location of Employment - criterion C recognises and promotes the Park as a focus for a knowledge campus of international significance in line with the requirements of Policy DM4 as regards uses and design standards.

Policy DM4 Westlakes Science and Technology Park – this sets out the detailed approach towards the appropriate development of the Park.

Policy DM10, DM11 covers design requirements and DM25 covers landscaping.

Assessment / Conclusion

The Local Plan recognises that the Park is a regionally important employment site and of great importance to the Borough as a focus for the development of research based companies specialising in nuclear technologies and skills and their technological transfer.

The contemporary design offers high quality office accommodation commensurate with the requirements of this Parks environment in accordance with Policies DM10 and DM11 of the Local Plan.

This major application for a nuclear related company to relocate and expand via new office development on an approved vacant plot within the site is welcomed, it raises no issues of concern as demonstrated in the submission, and it is considered that the B1 use proposed sits comfortably within the definition of B1 offices with a nuclear related function in full compliance with Policies ST2, ER6 and DM4.

Recommendation:-

Approve, subject to:

Conditions

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

Reason

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

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

Design and Access Statement, by Hurd Rolland Partnership, dated 2 December 2013, received 10 December 2013.

Phase One Habitat and Scoping Survey for European Protected Species, by Openspace, Cumbria, dated November 2013, received 10 December 2013.

Air Quality Assessment by Integra, ref 2725, dated November 2013, received 10 December 2013.

Phase 1 geo-environmental ground investigation report by Integra, ref 2725, dated November 2013, received 10 December 2013.

Transport Statement by SBA, ref A081732, dated 27 November 2013, received 10 December 2013.

Surface Water Drainage Statement, by Integra, received 10 December 2013.

Foul Water Drainage Statement, by Integra, received 10 December 2013.

Site Location Plan, drwg no L(01)01, scale 1:500, received 10 December 2013.

Proposed Site Plan, drwg no L(02)04, scale 1:200, received 10 December 2013.

Proposed Ground Floor plan, drwg no L(02)30, scale 1:100, received 10 December 2013.

Proposed First Floor plan, drwg no L(02)31, scale 1:100, received 10 December 2013.

Proposed Elevations, drwg no L(03)11, scale 1:100, received 10 December 2013.

Proposed Roof Plan, drwg no L(02)32, scale 1:100, received 10 December 2013.

Topographical Survey Plan, drwg no 13J192_2D, scale 1:500, received 10 December 2013.

Proposed Drainage Connection Points, drwg no SK001 P1, scale 1:200, received 10 December 2013.

Reason

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

3. All the recommendations and mitigation measures identified in Section 5 of the Phase One Habitat and Scoping Survey for European Protected Species shall be implemented in full in the scheme.

Reason

To protect and enhance the biodiversity of the site.

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

Reason

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

5. 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.

Reason

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

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

Reason

To ensure the implementation of a satisfactory landscaping scheme.

7. No development approved by this permission shall be brought into use until the access and parking requirements have been constructed, drained and lit in accordance with the approved details. Any such access and parking provision shall be retained and capable of use when the development is completed and shall not be removed or altered.

Reason

To ensure satisfactory parking provision is provided and maintained.

Informative

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

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: 6.



To: PLANNING PANEL

Development Control Section

Date of Meeting: 26/02/2014

Application Number:	4/13/2511/0F1
Application Type:	Full : CBC
Applicant:	Mr J Hewiston
Application Address:	LAND NEAR YEORTON HALL FARM, HAILE, EGREMONT
Proposal	ERECTION OF SINGLE WIND TURBINE 57 METRES TO BLADE TIP HEIGHT, METERING UNITS AND ASSOCIATED ACCESS TRACK, CRANE AND ASSEMBLY AREAS
Parish:	Haile
Recommendation Summary:	Refuse



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Introduction

This proposal relates to a greenfield site in open countryside, currently forming part of an agricultural holding, some 70m (nearest point) to the west of Beckermet Industrial Estate, recently renamed as 'The Energy Coast Business Park' and some 500m north of the applicants farm building group at Yeorton Hall.

The development involves the use of the existing industrial estate road and the applicant's farm road for access to the site with a new 4m wide x 330m length of access road constructed to the turbine location across the field.

The nearest non associated dwellings are Winscales Reservoir, some 480m to the north west, and the hamlets of Winscales and Woodlea, some 520m to the north west and 600m distant to the south west respectively.

The Proposal

Permission is sought for the erection of a single 500kw wind turbine on the site. This would be situated on a tapered tubular tower pale matt grey in colour with a hub height of 35m. The turbine would be three bladed with a blade diameter of 44m giving a total ground to tip height of 57m.

It would be fixed onto a 16m diameter cylindrical base some 1.4m in depth.

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

The application is accompanied by a:

Design and Access Statement

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

Extended Phase 1 Habitat Survey

Assessment of Environmental Noise.

Technical Information.

Supporting Case

This application constitutes a replacement turbine for the 45.5m high one granted last year (see planning history). The applicant's agent in support of this higher turbine puts forward the case that the permitted turbine is inefficient and would not be suitable from a technical point of view due to the weak grid structure in this part of Cumbria, it also has an outdated gearbox mechanism which cannot adapt to grid fluctuations and is noisier than first anticipated. The turbine now proposed overcomes the problem of the weak grid structure by utilising a synchronised generation system instead of a gearbox and has an excellent track record.

Planning History

The recent planning history relating to this application and site is relevant.

Initially a proposal for the development of three domestic scale turbines sited nearer the farm building group, some 400m distant from the application site to the south east, was refused then allowed on appeal (4/11/2183/OF1 refers). These are now in situ and operational.

Notably, planning permission for a large single wind turbine, some 79.6m ground to tip height, on the same site was then refused by the Planning Panel in April 2012. (4/12/2123/OF1 refers). The grounds of refusal were as follows:

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

This decision was upheld on appeal, the Inspector considered that the proposed turbine would have a wide ranging visual impact which, irrespective of the industrial estate, would cause significant harm. She was of the opinion that larger wind turbine proposals would not be readily absorbed into these scenic rural surroundings. She felt that its large scale and height and its inevitable utilitarian nature would have a significant presence and would appear discordant in this fairly remote location. It would, in this prominent location, loom high and dominate the landscape appearing intrusive and incongruous. As a consequence it would significantly harm the landscape character of the area. There was also insufficient information to assess whether the predicted noise levels at the nearest independent property would be acceptable which added to her concerns.

It should be noted that the Inspectors decision was then challenged in the High Court (judicial review) but the case was dismissed.

Planning permission has since been granted for a smaller 45.5m (ground to tip) high wind turbine on the site in June last year (4/13/2091/OF1 refers) but has not been erected. This application seeks to replace this and if successful it’s revocation could be secured via a S106 Agreement. A further permission granting an extension of the length of permission for the 45.5m turbine from 20 years to 25 years was subsequently approved in December last year. (4/13/2451/OF1 refers)

Consultations

Haile & Wilton Parish Council - strongly object to this application. The height of the turbine will not only have a visual impact for a large proportion of the parish and residents in surrounding areas, it will also be greatly visible from the National Park. A parish questionnaire was carried out in March 2013 regarding wind turbines, and the results showed that 90% of residents who replied, were totally against wind turbines of this size.

Highway Authority – no objection.

DIO / MOD – no objection.

Lake District National Park – comments awaited.

Arquiva – no objection

Scientific Officer – comments awaited and will be reported verbally.

Neighbours & Other Representations

Two letters of objection have been received, one from a local resident, who express concern on the following collective grounds:

- No need. The farm already has three smaller turbines in operation.
- Height will be an eyesore in an area already congested with turbines. We can see a turbine now in almost every direction from our home.
- Potential impact of shadow flicker taking into account the high volumes of traffic that go past their property, also vibration and noise.
- Situated close to the National Park.
- There is a need to preserve the landscape as it will harm the amenity value of the area and spoil the countryside.
- Community should benefit i.e. free electricity and the farmer should be required to tidy his farm.
- Where will it stop! They will apply next for an even higher one.
- Not green energy - still need fossil fuels.

Ward Councillor & County Councillor – support the Parish Council in their objection to the application. Consider it would be an unacceptable intrusion into the rural landscape and due to its height would be highly visible from the National Park. Request that Members consider visiting the site.

Planning Policy

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

National Planning Policy Framework

The National Planning Policy Framework (NPPF), which came into effect in 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. 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 it is out of date or not consistent with the NPPF.

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

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

As regards renewable energy developments it states that we should:

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

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

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

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

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

Ministerial Statement & Planning Practice Guidance for Renewable and Low Carbon Energy

The Government issued a Ministerial Statement in June 2013 followed by a practical guide for renewable energy development in July 2013. This guidance is a material consideration in determining planning applications and should be read in conjunction with the NPPF. It replaces the companion guide to PPS 22.

The guidance is useful in that it clarifies that the need for renewable energy does not automatically override environmental protections and the planning concerns of local communities. It advises that Local Planning Authorities should take into account the requirements of the technology, the potential impacts on the local environment including cumulative impacts. The views of local communities likely to be affected should also be listened to.

It should be noted that this guidance and the Ministerial Statement has been given some weight in more recent appeal decisions affecting turbines.

Local Plan Policy

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 recently 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 ER 2 of the Core Strategy relates to Planning for the Energy Coast. It states that “the Council will seek to support and facilitate new renewable energy generating at locations which best maximise renewable resources and minimise environmental and amenity impacts.

The criteria on renewable energy development/generation are set out in Development Management Policy DM 2. This broadly duplicates the criteria contained in the former Local

Plan but adds an additional requirement whereby mitigation measures and significant benefits for the community should be taken into account in considering the balance on renewable energy developments.

Policy DM2 sets out the following criteria that all renewable energy development must satisfy. It states:-

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 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.

Cumbria Wind Energy Supplementary Planning Document (SPD)

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

Cumbria Landscape Character Guidance and Toolkit

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

Assessment

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

Ecology – the desk top study and field survey undertaken revealed no evidence of habitats that could support protected species. The site is also not likely to be of value to overwintering birds. It also does not support any statutory or non statutory designated sites, although there were a number within 5km of the site. It was considered that the linear hedgerows could provide foraging areas for bats however as the turbine would be situated at least 67.5m away from the nearest hedgerow which exceeds the minimum separation distance recommended by Natural England.

Noise – contends that there would be no impact from noise at any of the nearby non associated properties but accepts that a noise condition may be imposed to ensure control of this.

Shadow Flicker – this has been shown to only occur within 10 rotor diameters of a turbine. As this turbine has a rotor diameter of 44m potential effect from flicker would only impact on dwellings up to 440m away from the turbine. As the nearest non associated dwelling in this instance is sited some 480m away impact from the flicker is unlikely to occur.

Cultural Heritage & Archaeology – asserts there are no nearby interests that would be affected by this proposal.

Transport & Access – there will only be minor increase in local traffic during the construction phase. Operational traffic will be insignificant.

Aviation & Communications – no objections have been raised by statutory operators and it is unlikely to affect telecommunications.

The technical need for replacing the approved turbine with a larger turbine, some 11.5m higher, whilst noted and helps set the context, is not a material planning consideration and should not be attributed any weight in reaching a decision.

In view of the turbines proposed scale and location however the issues of visual impact and impact on the character and appearance of the landscape warrant further consideration.

Landscape Impact

The key issue here is whether the additional 11.5m in height proposed by this application would create a significant impact on the character and appearance of the landscape to an unacceptable degree and be visually unacceptable.

The Wind Energy SPD and the Cumbria Landscape Guidance and Toolkit identify the site as lowland low farmland, a large open scale landscape where views can be wide and long distance. It is sensitive to tall infrastructure development and has a moderate capacity to accommodate turbines but there is concern that without careful control wind energy schemes could alter the areas character. Such schemes here should be carefully sited and designed to prevent it becoming an energy landscape and advises that prominent and elevated locations should be avoided and appropriate mitigation used. Whilst it is noted that the site is adjacent to an existing Industrial Estate at some 50m distant to the west and north west including a tall rig building, these are not in such an elevated open position on the landscape as the turbine site. Arguably their very presence could serve to accentuate the turbines height. Despite the industrial buildings and the domestic scale turbines adjacent this is a panoramic landscape, although not subject to any special designation, nevertheless, it is a highly valued one in which a larger turbine at the scale proposed could not be readily absorbed into.

It is my opinion that the proposal would introduce a much taller and vertically more significant structure into the landscape than previously approved, which would be overly prominent in this elevated position.

Visual Impact

A specific landscape and Visual Impact Assessment does not accompany this application. It is considered however that a 57m high (ground to tip), which represents an 11.5m increase in height is significant in this location. It would be sited on elevated land above the ground level of the existing industrial buildings adjacent and would tower above them. At this scale it would be seen from a range of vantage points both near and far, including residences at Carleton, Winscales and Haile some of which directly overlook the site and would be clearly visible from many viewpoints along the local road network. A wind turbine of this increased height in this location would as a result be conspicuous and have a significant presence and be dominating both from a landscape and visual impact point of view.

Cumulative Impact

In view of the fact that there are only three domestic scale turbines to take into account of in the vicinity, at a height of 20m (ground to tip), sited some 166m to the south west, it is unlikely taking into account the scale and location it will result in any significant cumulative impact.

Potential Benefits

Against the backdrop of potential impacts it is important in the overall planning balance to consider the potential wider benefits of the scheme which are identified as:

Farm Diversification / Renewable Energy Generation

The proposed wind turbine would satisfy the energy demands of the farm by providing a source of renewable energy that would allow the farm to operate in a more environmentally sustainable manner. It would reduce the financial overheads and also contribute to a reduction in its carbon footprint.

Reduction in Carbon Emissions

The scheme would result in significant carbon savings for the farm, estimated at 795 tons annually, with any excess electricity generated being fed into the national grid.

Conclusion

In order to arrive at a decision on this application it is important to consider:

- The effect of the proposal on the character and appearance of the landscape and its visual impact.
- Potential benefits of the scheme.
- Whether any identified harmful effects significantly outweigh the renewable energy benefits / environmental benefits.
- The change in policy context since the previous permission for a 45.5m high turbine was granted.
- That there has been negative community feedback on the proposal including objections from the Parish Council.

It is considered that although the landscape does not benefit from any special designations, it is an important and highly valued landscape and that the introduction of a taller turbine in this location, in such a wide and open rolling countryside, would be overly prominent and incongruous and its wide ranging visual impact would cause significant harm to an unacceptable degree.

On balance however it is 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 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 reduction in greenhouse gas emissions from the proposal.

However, the more recent Ministerial Statement of June 2013 and the subsequent policy guidance on renewable energy clearly state that the wider benefits of the scheme do not automatically override environmental protection. In particular they highlight the consideration of landscape impacts in assessing renewable energy proposals, and strongly advocate the use of landscape character assessments in decision making which reinforces the role and importance of the Wind Energy SPD and the Cumbria Landscape Character Toolkit. Emphasis in this report is placed on their importance.

Also of note is the fact that the Copeland Local Plan 2013-2028 has now been formally adopted, is consistent with the NPPF and now carries significant weight in decision making.

Taking this into account, it is my view in this instance that the local landscape although not formally designated, is a highly valued feature and that a turbine of this increased size in this elevated and open countryside location would cause significant harm to its character and appearance and would be visually dominant which in my opinion outweighs the wider community benefits of the scheme contrary to Policies ER2 and DM2 of the Copeland Local Plan 2013-2028, the guidance contained in the NPPF, the Ministerial Statement June 2013 and Planning Practice Guidance on Renewable and Low Carbon Energy, July 2013.

Recommendation:-

Refuse

The proposed single turbine, 57 metres high (ground to tip), due to its scale and elevated location in this highly valued landscape would introduce a prominent and incongruous feature which would cause significant harm to the character and appearance of the landscape and associated visual amenity to an unacceptable degree, contrary to Policies ER2 and DM2 of the Copeland Local Plan 2013-2028, the guidance contained in the NPPF, the Ministerial Statement, June 2013 and Planning Practice Guidance on Renewable and Low Carbon Energy, July 2013.

Statement

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



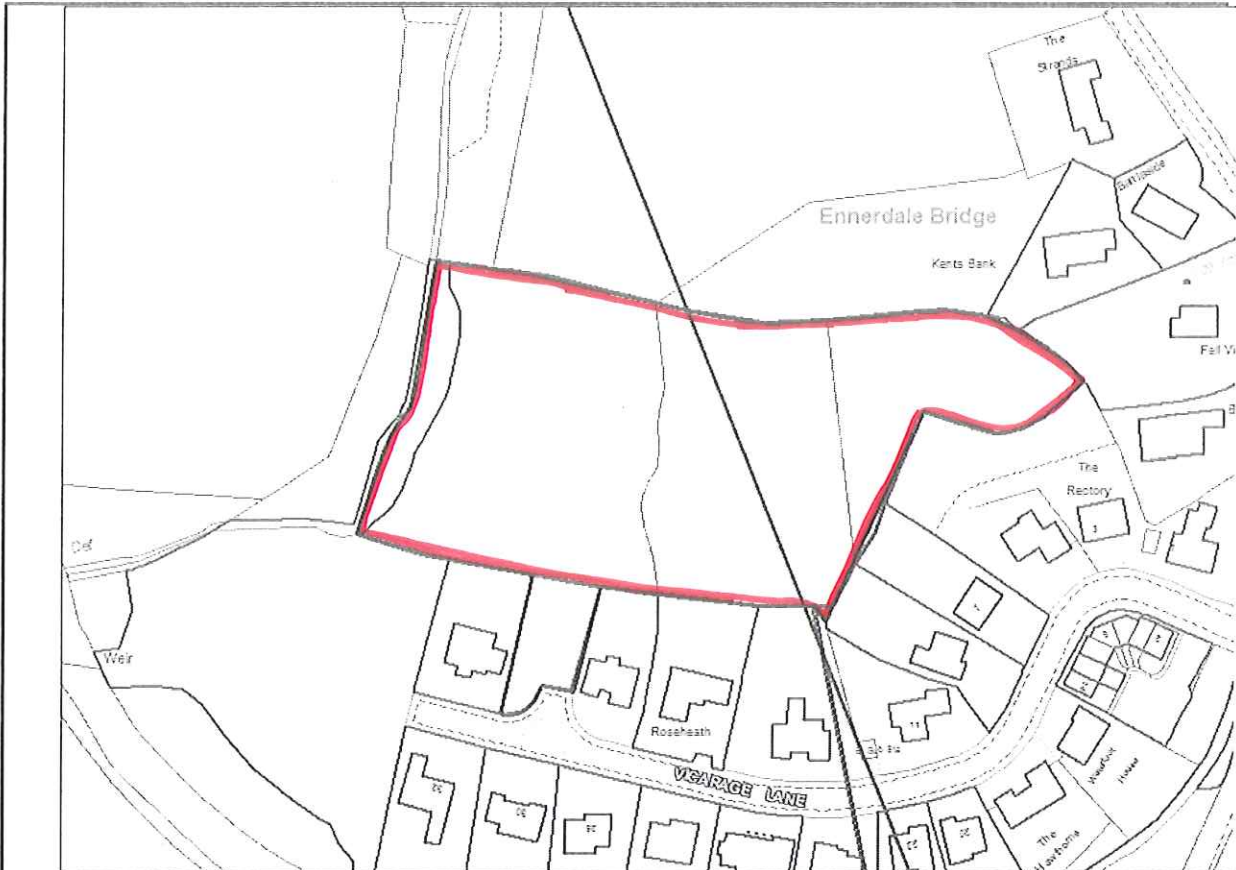
ITEM NO: 7.

To: PLANNING PANEL

Development Control Section

Date of Meeting: 26/02/2014

Application Number:	4/14/2001/0F1
Application Type:	Full : CBC
Applicant:	Charles Church Developments Lancashire
Application Address:	VICARAGE LANE, ENNERDALE BRIDGE
Proposal	CONSTRUCTION OF 22 DWELLINGS AND ASSOCIATED INFRASTRUCTURE
Parish:	Ennerdale and Kinniside
Recommendation Summary:	Site Visit



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INTRODUCTION

This application relates to an area of sloping land which lies to the north of Vicarage Lane on the edge of Ennerdale Bridge. Vicarage Lane is flanked by a number of modern houses and terminates in a turning head at its western end.

PROPOSAL

Planning permission is sought for the erection of an extension to the existing residential development to form an additional 22 units. The proposed dwellings are to be large scale detached units which comprise either 4 or 5 bedrooms. A range of housing types are proposed which are to be faced externally with a combination of render/stone and pitched slate roofs to match the existing dwellings on Vicarage Lane.

Access into the site is to be achieved Lane across a vacant piece of land that divides numbers 17 and 19 Vicarage Lane from an existing turning head. The proposed dwellings will be arranged around a central estate road and will be served by individual driveways. A garage and off road car parking are to be provided to serve each dwelling.

The application is accompanied by the following information:-

- Site location plan
- Layout plan
- Elevation and floor plans
- A cross section
- Tree survey and root protection areas
- Landscape and Visual Impact Appraisal
- Ecological Survey and Assessment
- Transport Statement
- Phase 1 Desk Top Study
- Flood Risk Assessment
- Planning Statement
- Design and Access Statement

CONSULTATION RESPONSES

This application is subject to an extensive consultation process with both technical bodies and the local community.

A brief summary of the responses received to date are set out below:-

United Utilities

Concerned about the capacity of the existing wastewater facility to accommodate this development.

County Ecologist

The applicants have not provided mitigation to reduce/prevent the impacts and compensation for the habitat losses. The submitted documents do not provide sufficient information to achieve the NPPF Policy and the Natural England Standing Advice.

Friends of the Lake District

Object on the basis of green field development and the loss of existing woodland, hedgerows, marshy grassland and landscape features. Also note the lack of affordable housing provision in the submitted scheme.

Tree Officer (Capita)

Has raised concerns about the loss of visually significant trees and the proximity of the development to the woodland on the western edge of the site.

Cumbria County Council

The current local schools have adequate capacity to receive the number of pupils that would result from this development.

County Archaeologist

No objections

Parish Council

Strong opposition as this would not represent a sustainable form of development and would have an adverse impact upon watercourses and localised flooding, inadequate drainage facilities, adverse landscape and visual impact, loss of privacy, highway safety.

Other

27 letters of objection have been received from local residents which reiterate the concerns raised by the Parish Council

ASSESSMENT

As this application represents a significant residential extension to Ennerdale Bridge and raises a number of planning issues 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

ITEM NO: 8.

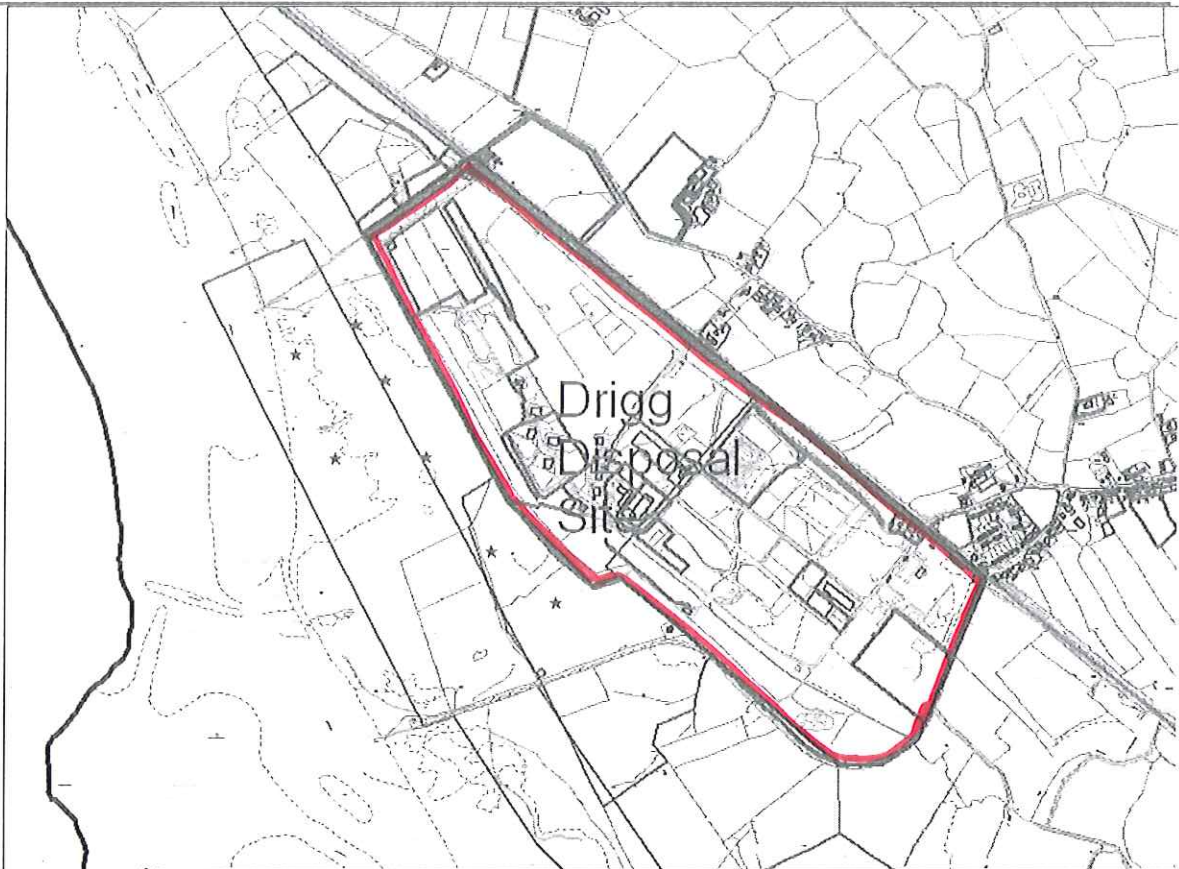


To: PLANNING PANEL

Development Control Section

Date of Meeting: 26/02/2014

Application Number:	4/11/9007/0F2
Application Type:	Full : County
Applicant:	LLW Repository Ltd
Application Address:	LOW LEVEL WASTE DISPOSAL SITE, SHORE ROAD, DRIGG, HOLMROOK
Proposal	PHASED CONSTRUCTION OF VAULTS 9a TO 14 & FOR THE DISPOSAL OF LOW LEVEL RADIOACTIVE WASTES WITHIN THESE NEW VAULTS AND WITHIN THE EXISTING VAULT 9 WITH HIGHER STACKING, FOR THE RETENTION OF TEMPORARILY HIGHER STACKED CONTAINERS IN VAULT 8 WITH ADDITIONAL HIGHER STACKING. PHASED CONSTRUCTION OF A PERMANENT ENGINEERED CAPPING LAYER OVER TRENCHES 1 TO 7 & VAULTS 8 TO 14, WITH OTHER ANCILLARY WORKS
Parish:	Drigg and Carleton, Seascale
Recommendation Summary:	County Council Approved



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Introduction

The proposed site currently operates as the UK's national facility for the disposal of Low Level Waste (LLW). Owned by the Nuclear Decommissioning Authority (NDA), it is licensed to and operated by LLW Repository Ltd who manages the site on behalf of the NDA.

The waste disposed of at this facility typically comprises paper, cardboard, plastic, protective clothing, soil, rubble, and metal. It is disposed of in engineered concrete vaults and most is compacted into half height ISO freight containers before being placed in the vaults.

The waste disposal operations are located within the northern most part of the site and currently comprise a series of 7 trenches into which low level waste was initially tipped into until the 1990's when it was containerised and placed in engineered vaults. These trenches have since been covered with an interim cap in the form of a rounded mound.

Vault 8 is the first engineered vault commissioned in 1988 and is located at the most northern most point of the site adjacent to the trenches. An open multi concrete barrier structure partially set into the ground with concrete lined walls.

The sites current permit only allows disposals into the site's current Vault 8. Vault 9 to the south is currently receiving waste stacked at 4 containers high. Currently the operators only have authorisation to stack containers up to 4 high in both these vaults, and this planning application seeks permission for higher stacking.

During the period this planning application has been on pause an inspection of containers in Vault 8 has identified a number of potential issues with containers at the tops of stacks, in particular with the level of grout in some containers and with possible softening of the grout. Following an extensive investigation related to this issue a requirement for an additional 1m of profiling material has been identified to minimise the risk of differential settlement affecting the performance of the final cap.

Background

Planning application number 4/11/9007 for *"Proposed phased construction of Vaults 9a to 14 and for the disposal of low level radioactive wastes within these new Vaults and within the existing Vault 9 with higher stacking, for the retention of temporarily higher stacked containers in Vault 8 with additional higher stacking. Phased construction of a permanent engineered capping layer over Trenches 1 to 7 and Vaults 8 to 14, with other ancillary works at the Low Level Waste Repository, near Drigg, Holmrook, Cumbria, CA19 1XL"* was submitted by LLW Repository Ltd on 30th June 2011 and registered as valid by Cumbria County Council (CCC) 7th July 2011.

Copeland Borough Council was originally consulted on the planning application on the 08th July 2011.

The application was accompanied by an Environmental Statement (ES) prepared in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 1999 (as amended).

As the requirement for additional profiling fill was not identified in the Environmental Statement (ES) which accompanied the planning application, a Supplementary ES has been submitted which assesses the environmental impact of increasing pre-settlement cap levels.

The application has been on hold since October 2011 to allow the applicant to respond to a request for further information from the Environment Agency and County Council. The EA objected to the application on grounds of lack of information and requested further information on the following topics:

- Hydrogeology of near Surface Groundwater
- Biodiversity and designated Habitats
- Landscaping, Long Term Access and End Use
- Design Elements
- Geotechnical Stability
- Capping
- Material Budgets
- Stockpiled material
- Control of Suspended Solids
- Environmental Management Plan
- Environmental Monitoring
- Coastal Defences.

The planning application is being considered by the County Council at the same time as the Environment Agency (EA) is Considering the Repository's Environmental Safety Case (ESC) which has been submitted to the EA.

The ESC provides the information bases upon which the EA will determine the LLWR application to vary their existing permit. The permitting and planning are independent processes and at the same time that Cumbria County Council are consulting on the planning application the Environment Agency are also determining and consulting on the permitting process.

Whilst the planning application and the ESC are part of separate regulatory regimes, they are interrelated and, to a degree, inter-dependant on each other.

On 28th November 2011 CCC wrote to LLW Repository Ltd. to request the submission of further environmental information on

- Waste arising's and timescale;
- Design details;
- Wildlife;
- Air quality

The LLWR has provided all additional information requested and Cumbria County Council recommenced the consultation process on the 18th November 2013.

The Proposal

The application seeks permission via an application to Cumbria County Council, as the waste planning authority, for a series of works to secure the long term optimisation of LLWR disposal capacity in order to extend its lifespan and for the final phased capping of the site until approximately 2080. These works comprise:

- Phased construction of 6 new vaults on the site – numbers 9a, 10, 11, 12, 13 & 14.
- Retention of containerised stored waste and permit disposal of low level waste in Vault 9.
- Phased disposal of low level waste in the new vaults over the period 2014 – 2079.
- An increase in the permitted height of the half height ISO freight containers stacked in Vault 8 up to the equivalent of 8 in height.
- Installation of the remaining sections of `vertical cut off wall` around the perimeter of the reference disposal area.
- Installation of southern extension of `secant pile wall` adjacent to trench 3 and proposed vaults 10 – 14.
- Phased installation of final restoration cap over existing trenches 1 – 7 and proposed vaults including 8 – 14.
- Diversion of a length of Drigg Stream adjacent to the proposed Vaults 9a – 14 to the perimeter of the reference disposal area.
- Ancillary works and temporary construction facilities including landscaping and tree planting, formation of material stock piles, contractors compounds prior to each phase of construction, associated access roads, hard standings and construction mitigation works.

The application proposes a phased approach to the development and capping of the site as detailed below:

- Phase 1 – site preparation (2013 to 2015), including northern and eastern cap shoulders and profile filling of northern part of trenches;
- Phase 2 – construct part of western cap shoulder, cap Vault 8 and northern part of trenches , construct Vaults 9A and 10 and profile fill central part of trenches (2018 to 2022);
- Phase 3 – construct part of western cap shoulder, cap Vault 9/9A and adjacent trenches , construct Vault 11 and profile fill south of trenches (2023 to 2026);

- Phase 4 – construct part of western cap shoulder, cap Vault 10 and adjacent trenches and construct Vault 12 (2027 to 2029);
- Phase 5 – construct part of western cap shoulder, cap Vault 11 and adjacent trenches , construct Vault 13 and complete profile filling of trenches (2031 to 2033);
- Phase 6 – cap Vault 12 and adjacent trenches (2035 to 2036);
- Phase 7 – construct southern shoulder to trenches, cap Vault 13 and remainder of trenches and construct Vault 14 (2050 to 2055); and
- Phase 8 – cap Vault 14 and construct southern shoulder to vaults. (2078 to 2079).

Phase one will commence as soon as possible and will involve the removal of the vegetation and woodlands to the north and west of the site to allow for the profiling of the site and to prepare for capping. Replacement tree coverage will be planted (although not on the western side) as soon as possible after the works have been completed.

Changes from original Application

As previously stated since the submission of the original planning application potential issues have been identified in Vault 8 and the application proposes to increase the thickness of profile fill to accommodate settlement. This will require the importation of up to an additional 300,000 m3 of profiling material to the site.

The supplementary ES, submitted with the application, investigates the impacts of the proposed increase on a summary of the issues identified are:

- **Transport** - Importing an additional 300,000 m3 of profiling fill will therefore require a 20% increase in the number of train movements required. However, there will be no increase in the maximum number of trains importing construction materials per day and LLW Repository Ltd. confirms that there will be sufficient capacity at the on-site railway sidings over the lifetime of the development to accommodate this increase in railway traffic within the proposed timetable for the development. There will be no additional HGV movements by road.
- **Noise and Vibration** - it concludes that since the noise levels predicted in the ES were considered acceptable it follows that this remains the case if the landform is raised by 1m.
- **Landscape and Visual** - An increase in 1 m over the final post-settlement landform would be most apparent from viewpoints in close proximity, (Summer View and bridleway on northern boundary of the site).
- **Surface Water Management** - A system of perimeter ditches around the pre-settlement landform will be created as its creation progresses with sufficient capacity to convey both surface and sub-surface runoff to a point to the south of the final landform

There will be sufficient space available to the south of the vaults and to the southwest of the Drigg Stream to construct an attenuation pond of sufficient size to accommodate run-off from a storm with return period of 1 in 200 years.

The pond can also be designed as a silt trap and pollution control feature with a hydraulic control to limit the rate of discharge into Drigg Stream to a value equivalent to the "natural" runoff from the undeveloped site.

There will not be a permanent flow attenuation and control facility that will be left in place after the final phase of dome construction

Planning Context

The Cumbria Minerals and Waste Development Framework's (MWDF) Core Strategy and Generic Development Control Policies (adopted April 2009) are the principal minerals and waste policy documents currently in force. The County Council is in the process of producing a Minerals and Waste Local Plan which will supersede the existing MWDF documents.

The Minerals and Waste Local Plan incorporates much of the content of the Cumbria Minerals and Waste Development Framework (MWDF) documents. These documents were prepared under the previous development plan system and are the MWDF Core Strategy and Generic Development Control Policies, which were formally adopted by the County Council in 2009, and the further work which was being undertaken on the MWDF Site Allocations Policies and Proposals Map.

Following a successful legal challenge the version of Site Allocations Policies and Proposals Map adopted in January 2011 were subsequently quashed by the High Court.

The County Council had originally sought to allocate two sites for the management and storage of both LLW and VLLW. The Inspector requested that these two sites were deleted as they were not included in the Core Strategy and he was of the view that the Allocations DPD could not be used as a vehicle for changing part of the Core Strategy.

The Inspector did agree to the allocation of the existing sites at Sellafield and LLWR at Drigg but these were restricted to the management of low level waste only.

The Inspector acknowledged that the LLWR at Drigg is a valuable resource which should be preserved for the management, storage and disposal of LLW. He concluded that the use of this highly engineered facility for VLLW would be a waste of valuable capacity.

In taking this approach the Inspector agreed with the County Council that since the issue of the national policy position statement it would be appropriate to carry out a review on its spatial strategy for dealing with LLW and VLLW and the identification of appropriate sites.

The saved Structure Plan policies, Minerals and Waste Development Framework Core Strategy and the adopted Copeland Local Plan policies are directly relevant to this case.

Planning Policy

The following documents and policies are relevant to the consideration of this application:

National Policy for the Long Term Management of Solid Low Level Radioactive Waste in the UK

The national policy framework - establishes the need for continued low level waste disposal capacity and the need to optimise the use of the national facility at Drigg to extend its lifetime.

It recognises that "Use of centralised facilities, such as the Low Level Waste Repository (LLWR) near Drigg in Cumbria, or any similar future facility, may be the appropriate point of disposal for much LLW"

“To ensure that the necessary safety standards are maintained, plans for the provision of long term storage or disposal facilities for LLW should take due account of the potential future effects of climate change, in particular from rising sea levels, and to other foreseeable long term environmental changes, for example, glaciation”

The LLW policy statement required the Nuclear Decommissioning Agency (NDA) to develop a UK-wide strategy for the management of solid low level radioactive wastes arising from the nuclear industry.

UK Strategy for the Management of Solid Low Level Radioactive Waste (LLW) from the Nuclear Industry

The NDA strategy is not a policy document, however it was developed as a direct requirement of the LLW policy statement and as such it carries some weight and is considered a material planning consideration.

The strategy recognises the importance of the LLWR as “the UK’s only management route for certain LLW, and the only facility in the UK that can accept a wide range of LLW from numerous waste producers” as such recognising it as a nationally important site.

The strategy seeks to protect the use of this resource and optimise its use by implementation of the waste hierarchy and where possible diverting wastes to other waste streams and therefore reducing the volumes of waste received by the LLWR.

Minerals and Waste Development Framework

Policy 1 of the Cumbria Minerals and Waste Development Framework Core Strategy requires all waste facilities to have a sustainable location and design. In particular the site should be located to minimise the waste road miles unless other environmental/sustainability considerations override this aim.

Policy 2 of the Core Strategy relates to economic benefit. It states that waste proposals should demonstrate that they would realise their potential to provide economic benefits and also would not prejudice other regeneration and development initiatives.

Policy 3 of the Core Strategy states that where national waste facilities particularly in the nuclear industry are proposed community benefits will be sought to offset the impacts of hosting such facilities.

Policy 12 Provision will be made for the Low Level Repository, near Drigg to continue to fulfil a role as a component of the UK's radioactive waste management capability. Proposals for very long term storage or disposal of waste will have to demonstrate that they are feasible in relation to the long term integrity of the site with regard to sea level rise and coastal erosion.

Proposals for additional storage or disposal facilities will have to demonstrate that they are within the site's radiological capacity.

The acceptance, by the County Council, of a national role for the Repository is on the basis of the NDA's and the site operator's initiatives for reducing the proportions of waste that are consigned to it. The success of those initiatives will be monitored closely, in part through the Council's membership of the national Low Level Waste Strategy Group.

Copeland Local Plan 2013 - 2028

Policy ER1 – Planning for the Nuclear Sector

The Council will support the nuclear sector's contribution to low carbon energy production in the Borough, including the following:

- A Accept in principle major nuclear energy-related expansion, including new generating capacity, in accordance with relevant national policy
- B Work with partners to identify whether there is community support for locating a nuclear repository for higher activity radioactive waste within the Borough, and that it can be justified in terms of safety. If a repository is supported, agree appropriate compensation or mitigation to ensure that any negative impacts on the residents, businesses, environment or image of Copeland are minimised. (See also Policy DM5)

- C Maximise opportunities from the proposed nuclear decommissioning phase for the Borough to become a centre of excellence for knowledge and skills in this important sector – with Sellafield and the Westlakes Science and Technology Park as centres of research and development
- D Accommodate any new reprocessing in the nuclear fuel cycle within existing Sellafield site boundaries subject to an appropriate and satisfactory safety case
- E Work with Cumbria County Council and the site operators of the Low Level Waste Repository and the Sellafield site in the development and management of waste facilities and associated infrastructure requirements (see also Policy DM1 for detailed planning considerations)
- F Work with Sellafield Ltd and companies operating at Sellafield to optimise the number of functions and jobs that do not have to be based on site and can be located at, or relocated to, sustainable locations in the Borough's towns.

In applying this policy the Council will seek to ensure that all investment in the nuclear sector is accompanied by appropriate financial or in kind contributions to mitigate any potentially detrimental impacts of development, and has community support.

Policy ENV5 – Protecting and Enhancing the Borough's Landscapes

The Borough's landscapes will be protected and enhanced by:

- (a) Protecting all landscapes from inappropriate change by ensuring that development does not threaten or detract from the distinctive characteristics of that particular area
- (b) Where the benefits of the development outweigh the potential harm, ensuring that the impact of the development on the landscape is minimised through adequate mitigation, preferably on-site
- (c) Supporting proposals which enhance the value of the Borough's landscapes

Policy DM5 of the adopted Copeland Local Plan relates specifically to radioactive waste storage and disposal. It states –

“The Council’s approach to dealing with proposals for nuclear reprocessing and waste management in the Borough is to work with operators of facilities at the Sellafield licensed site and the LLWR at Drigg and Cumbria County Council to ensure that:

- (a) Operations (other than monitoring, maintenance and investigatory work necessarily done off-site) will be retained within existing boundaries at Sellafield and the LLWR at Drigg.
- (b) At Sellafield further development related to the nuclear fuel cycle will only be permitted where it contributes to a long term strategy for the future management of the site.
- (c) With the exception of irradiated fuel and the transfer of waste from the LLWR at Drigg no radioactive waste is imported for treatment or storage on the Sellafield licensed site unless the proposal represents the best practical environmental option and is an interim proposal pending agreement on a national disposal route
- (d) No non-waste management –related operations are introduced on the LLWR at Drigg.
- (e) Proposals for any new facilities are submitted with long term management plans to set out operations will be co-ordinated to minimise any harmful effects and mitigate or compensate for physical environmental impacts.
- (f) Proposals include provision for adequate infrastructure to support new facilities
- (g) Proposals involve and secure the support of the local community and stakeholders
- (h) Proposals include measures to meet local community needs and to mitigate the adverse effects of the proposed development on the social and economic wellbeing of the community.

Assessment

The planning application for the LLWR was submitted in tandem with a permitting application to the Environment Agency. The EA as the regulators will assess the Environmental Safety Case (ESC) submitted with the permitting application which addresses

the key issues of coastal erosion, potential environmental impacts, surface water issues and flood risk issues.

The planning application is assessed against a range of material considerations including impact of the construction, operation and the remediation of the site. As such some of the key areas for consideration relate to the direct impacts on the local residential community and the local environment including potential implications for air quality, noise and visual impacts, an increase in traffic and lorry movements, impact upon the natural environment and visual impacts associated with the operations and final capping of the site.

One of the key areas for concerns on the original planning application in 2011 was the lack of information surrounding the issue of coastal erosion. Further work has since been carried out and a report submitted into 'the evolution of the Drigg coast SAC and SSSI in relation to the LLWR site' by the applicant. The report finds that 'no definitive projection can be made for the future development of the spit or the evolution of the coastal dunes'.

This is due to the wide variety of factors which will directly and indirectly effect the level and speed of coastal erosion including future policy decisions on climate change, uncertainty regarding the timing, rate and degree of sea-level rise and coastal erosion, the transient nature of dune formations, the formation of new dunes and designation of the dunes as a SAC/SSSI.

The ESC concluded that the site will be eroded in around 1,500 to 2,000 years as a result of coastal erosion and sea-level rise. This estimate is a best guess and is based on a wide range of uncertainties the largest of which is climate change.

In the assessment of the likely dune system formation it is hypothesised that as dunes form around obstacles offering resistance to sand that the LLWR site itself in the future may provide a location for dune formation. It is suggested that by passing the sites care after the period of authorisation to Natural England or its successor bodies or similar wildlife conservation bodies, offers the potential to incorporate the area of the LLWR site into a future SSSI or equivalent protected area.

This approach appears consistent with Policy 12 of the adopted Core Strategy states that the LLWR at Drigg will continue to fulfil its role as a component of the UKs radioactive waste management capability and that proposals for very long term storage or disposal of waste will have to demonstrate that they are feasible in relation to the long term integrity of the site with regard to sea level rise and coastal erosion.

Within the coastal erosion report the applicant argues that:

"We consider that continued disposals at the site as required to support the NDA waste strategy, with landscaping, planting and management to reflect natural vegetation offers the optimum potential for habitat preservation. Sympathetic end-management of the site after the Period of Authorisation, for example by or in consultation with Natural England, its successor bodies or other conservation body, may offer further potential to actively incorporate the site into a future SAC/SSSI."

The Council is aware of the LLWR role as a vital component of the UKs radioactive waste management capability as recognised in the UK LLWR National Policy for the Long Term Management of Solid Low Level Radioactive Waste in the UK – as being the only waste stream for certain LLW.

Local Planning policy consistently recognises the key role which this part of West Cumbria plays in supporting the country's nuclear sector in terms of waste management and decommissioning. It is critical to recognise that this on-going relationship is crucial to economic growth and securing wider socio-economic benefits which flow from economic activity across West Cumbria and the wider county. Policy support for the development reflects this long standing position.

Assessing the impacts and potential harm coastal erosion may cause in the vicinity or directly to the LLWR against the impacts of removing the only national LLW management stream, the proliferation of waste and the impacts on economic activity is an immense task due to the time frames involved and the levels of uncertainty surrounding the available data and information. Therefore a pragmatic approach is to allow an opportunity to review the information and the ESC at set points within the permitting and planning consents. This will allow for the continued use of this nationally important site whilst allowing room to re-

evaluate and reassess the impacts as the environment changes and more certainty can be gained surrounding the baseline information.

The LLWR is in a sensitive location and likely to have significant visual impacts over the short and long term operation of the site particularly during the capping phase.

The landscape & visual Impact Assessment (VIA) submitted with the original application assessed the level of impact caused by the capping on the surrounding landscape and receptors. The primary receptors and key viewpoints are from the bridleway which runs along the northern boundary of the site to the north eastern corner of the site to the short row of cottages and the northern section of Drigg village.

The capping of the site would take place in phases with the removal of the perimeter woodlands on the northern and eastern boundaries to take place during phase one.

The removal of the woodlands will cause an increase in the visual effect on view point 2 (the Bridleway) and viewpoint 6a (dunes between shore road and Carl Craig) to moderate in the first year and will have a slight impact on 4 other viewpoints in the first year. However by year 10 the effects are greatly reduced with only 4 of the viewpoints being assessed as having a slight impact as the planting will have reached sufficient maturity.

The Council is satisfied that based on guidance provided by Natural England and the Environment Agency that there will be no long-term restoration on the western boundary.

While it is recognised that there will be a slight to moderate visual impact on a limited number of receptors, due to the permanent works it is assessed that the severity of the impact and the duration are not substantive to warrant the refusal of this application. Furthermore the measures proposed to future screen operations using the landform and where possible replanting of woodland is consistent with ENV5 of the Local Plan ensuring the impact of the development on the development is minimised and the benefits of the development outweigh the potential harm.

The initial VIA was based upon a 3m cap, in the interim period from the original application, it has been assessed that an additional 1m over the final post settlement cap is required due to further investigation into settlement in vault 8. The applicant submitted an additional ES

to assess the additional impacts. The additional 1m is considered to have an impact on receptors in close proximity that of VP1 (Summer View) and VP2A/2B (bridleway on northern boundary of the site). The additional impact caused due to the increase in height and potential slight extension of duration in time is not considered substantial when considered in the context of the existing landscape and the proportion of change it will incur.

It is recognised that there will be an increase in noise disturbance particularly to the residential community to the north east of the site during phase one which involves the clearance on the vegetation. However as these works are temporary and of short duration the Council is satisfied that the impact can be controlled through adequate conditions being imposed as to the times and duration of activities.

The level of noise generated during site operations is rated as negligible as assessed by the consultants URS, on behalf of the applicant, under the noise assessment completed as part of this planning application. As the site is currently operating within controlled operating hours, it is assessed that the continued use of the site within its permitted hours will not cause any additional impact. The Council would recommend that the level of noise and its impact are monitored and regulated through the use of effective planning conditions.

The additional impact caused by traffic movement is considered to be minimal as during both the construction and operational phases of the development the transport strategy makes maximum use of the existing rail network in the delivery of construction materials.

The transport assessment concludes 'that provided that use of the existing rail network is maximised, the development will not produce any significant traffic impacts on the adjacent highway network, in terms of congestion or delays.' In the 'Site Optimisation and Closure Works' assessment carried out by the applicant's consultants, it is estimated that there will be a up to ten deliveries per week required throughout the periods of Vault construction and five deliveries per week for capping. It is considered that the level of increase in site traffic will not have a significant negative impact on Drigg or the neighbouring villages.

The supplementary ES states that the additional material for capping will not cause an increase in the maximum number of trains importing construction material movements per day.

The site operator has confirmed capacity at the on-site railway sidings over the lifetime of the development to accommodate this increase in railway traffic within the proposed timetable for the development and that there will be no additional HGV movements by road.

The Council is satisfied that sufficient planning conditions can be put in place to insure that the operators maximise the use of the rail network and restrict the deliveries to the LLWR by road therefore limiting the transport and movement impacts.

Conclusion

The application site is currently operating as a Low Level Waste Repository and has been operating as such for a substantial length of time. The approval of the current planning application will allow for the site to remain operational and to regularise and control the site through effective planning conditions.

The application to retain the higher stacking in Vault 8 and allow for disposal of material currently stored in vault 9 will allow this current activity to be regulated and will not involve any significant transformation of the site. Therefore the Council is of the opinion that approving the planning application will allow the authorities greater control over the site through seeking to regularise activities through adequate planning conditions.

It is therefore considered that the majority of the impact of this application will be through the phased construction of vaults 9a to 14 and the phased construction of a permanent engineered capping layer.

The first phase will see the removal of existing woodlands and vegetation which will have the most significant impact on local receptors both visually and in levels of noise impact. This phase of work is anticipated to take up to two years. In the context of the overall duration of site operations this is a relatively short period of time. It is recognised that the removal of the woodland will have a visual impact, however, the Council is satisfied that the reasons for the removal of the woodland are necessary and that the impact can be controlled by placing strict planning conditions requiring the replanting to take place within a set time frame after the necessary works have been carried out. Furthermore it is

considered that the use of the created landform to screen the site is a practical means of reducing the visual and noise impact associated with the site.

Advice from the Environment Agency on the management of flood risk issues should be adhered to when stock piling top soil and creating the land form to insure that there is no increase in flood risk issues to adjoining land from surface water runoff and the realignment of the Drigg Stream.

Natural England has been consulted on this application and has been working with the applicant prior to submission on the detail and design of the replanting of the woodland. Natural England is the authority in this aspect and it is recommended that any planning permission granted has suitable conditions in place to insure that the site operator will implement a replanting and landscaping scheme in line with Natural England recommendations. The vegetation on the western boundary will not be replanted following discussions with Natural England as it has been suggested that the remediation of the trenches and vaults to acidic grassland and the removal of the screening tree belt along the western boundary will result in greater habitat connectivity between the LLWR site and the SSSI, and may encourage natural colonisation of the site by a more natural dune vegetation profile.

The LLWR is a key employer in the area, the approval of the current planning application will secure the retention of existing jobs and the potential for creation of new job opportunities through the phased construction and capping of the new and existing vaults.

The LLWR makes financial contribution to the local community in the form of Community Benefits (CB) which are currently administered through the Copeland Community fund. Whilst these contributions are made in recognition of the impact of the development and activities which take place on the site, negotiation for the retention and level of CBs to be paid by the LLWR is not a material consideration which can be taken as a definitive factor in the determination of this application.

The LLWR is the only site in the UK which currently accepts this level of waste and as such is instrumental in the NDA strategy for decommissioning. The CBs paid to the local community are in recognition of this national contribution made to the decommissioning efforts. If it were to be considered that the development required financial or other contribution to

mitigate the impacts of the development, these should be considered outside of the CB scheme.

Copeland Borough Council recognises the importance of the LLWR site in the need to facilitate the UK LLW policy. Having a waste provider for LLW is also instrumental for the NDA decommissioning strategy. The LLWR is therefore intrinsically linked to realising these strategies and indirectly to facilitate Copeland in becoming a centre of excellence for knowledge and skills in the decommissioning sector in line with policy ER1.

The Council concludes that the applicant has taken, as far as reasonably possible, due consideration of the environmental concerns including that of coastal erosion. On reviewing the revised information the EA has since removed their original objection to lack of information in relation to coastal defences although they have requested further information on other issues.

The Council would advocate that the LLWR site operators continue to work closely with regulators such as the Office Nuclear Regulation, the Environment Agency and Natural England to insure that the ESC is a living document that can adapt to take account of new information and is constantly maintained and monitored.

The Council would recommend that a legal agreement to provide a mechanism for securing break points or review points at which a planning permission that had been granted for all of the proposed works is secured to allow a level of confidence that if circumstances change significantly in the future there will be a means of reviewing the application in the light of any proposed changes to the inventory, waste volumes or types of waste accepted by the LLWR.

Proposed Conditions

The Council is of the opinion that the proposed application should be approved. It is believed that the site can be best regulated through the effective use of planning conditions to monitor and mitigate the impact on the local community and the local environment. Any planning Permission granted should include strict conditions with regard to:

- Detailed landscape planting scheme and time constraints for completion
- Noise
- Boundary Treatment
- Restriction of traffic movements
- Obligation to utilize railway network
- Surface water management
- Landscape and visual impact
- Air quality
- And for the protection of local wildlife

Recommendation:-

Recommend that the application be approved and the County Council be advised of the lack of objection to the proposed development – subject to the CCC as waste planning authority imposing conditions as described above.

List of Delegated Decisions

Selection Criteria:

From Date: 14/01/2014

To Date: 17/02/2014

Printed Date: Monday, February 17, 2014

Printed Time: 3:19 PM

Application Number	4/13/2293/TPO
Applicant	Coombe and Sharpe Landscaping
Location	LAND NEAR TO THE VICARAGE, JERICO PLANTATION, OAKFIELD COURT, WHITEHAVEN
Proposal	FELLING OF TWO SYCAMORE TREES PROTECTED BY A TREE PRESERVATION ORDER
Decision	Approve
Decision Date	8 January 2014
Dispatch Date	17 January 2014
Parish	Whitehaven

Application Number	4/13/2304/OF1
Applicant	Mr D Ditchburn
Location	BETHSHAN NURSING HOME, YEWBARROW CLOSE, MIREHOUSE, WHITEHAVEN
Proposal	EXTENSION TO ELDERLY CARE HOME
Decision	Approve (commence within 3 years)
Decision Date	31 January 2014
Dispatch Date	6 February 2014
Parish	Whitehaven

Application Number	4/13/2315/OF1
Applicant	Mr Suleyman Korucu
Location	17 KING STREET, WHITEHAVEN
Proposal	CHANGE OF USE FROM A1 (RETAIL) TO A3 (RESTAURANTS & CAFES) AND EXTERNAL DUCTING
Decision	Approve (commence within 3 years)
Decision Date	31 January 2014
Dispatch Date	6 February 2014
Parish	Whitehaven

Application Number	4/13/2344/OL1
Applicant	Mr and Mrs A Cardwell
Location	17 INKERMAN TERRACE, WHITEHAVEN
Proposal	LISTED BUILDING CONSENT FOR SIDE BOUNDARY WALL
Decision	Withdrawn
Decision Date	4 February 2014
Dispatch Date	4 February 2014
Parish	Whitehaven

Application Number	4/13/2366/OF1
Applicant	Mr J Hoey
Location	INGLENOOK CARAVAN PARK, LAMPLUGH
Proposal	PROPOSED EMBANKMENT REINFORCEMENT WORK TO WATERCOURSE (RAKEGILL BECK) -RETROSPECTIVE
Decision	Withdrawn
Decision Date	29 January 2014
Dispatch Date	29 January 2014
Parish	Lamplugh

Application Number	4/13/2375/OF1
Applicant	House of Linda Ann Ltd
Location	CROWGARTH HOUSE, 48 HIGH STREET, CLEATOR MOOR
Proposal	CHANGE OF USE FROM OFFICE PREMISES TO RETAIL UNITS AND REPLACEMENT OF TIMBER WINDOWS WITH UPVC WINDOWS

Decision	Approve (commence within 3 years)
Decision Date	16 January 2014
Dispatch Date	29 January 2014
Parish	Cleator Moor

Application Number	4/13/2392/0F1
Applicant	Mr D Walker
Location	LAND AT OXENRIGGS FARM, EGREMONT, GRID REFERENCE (EASTINGS 302771, NORTHINGS 510144)
Proposal	PROPOSED SITING OF 1 x 24.8M HIGH (HUB) WIND TURBINE WITH A TIP HEIGHT OF 34.5M
Decision	Approve
Decision Date	22 January 2014
Dispatch Date	23 January 2014
Parish	Haile

Application Number	4/13/2434/0F1
Applicant	Mr M Ashori Demochali
Location	28 MAIN STREET, EGREMONT
Proposal	CHANGE OF USE FROM CAFE (A3) TO TAKEAWAY (A5) AND INSTALLATION OF EXTRACTION SYSTEM TO REAR
Decision	Approve (commence within 3 years)
Decision Date	16 January 2014
Dispatch Date	17 January 2014
Parish	Egremont

Application Number	4/13/2443/0F1
Applicant	Beckermest Estates Ltd
Location	THE ENERGY COAST BUSINESS PARK, HAILE, EGREMONT
Proposal	PROPOSED ENGINEERING WORKSHOP AND PALISADE FENCE AROUND SITE BOUNDARY
Decision	Approve (commence within 3 years)
Decision Date	22 January 2014
Dispatch Date	23 January 2014
Parish	Haile

Application Number	4/13/2448/0F1
Applicant	Mr H Harper
Location	COMMONGATE, LOW MORESBY, WHITEHAVEN
Proposal	CHANGE OF USE FROM A REDUNDANT AGRICULTURAL BYRE TO A SINGLE DWELLING, WITH MINOR EXTENSION AND AMENDMENTS TO EXISTING ROOF AND ELEVATIONS
Decision	Approve (commence within 3 years)
Decision Date	10 February 2014
Dispatch Date	12 February 2014
Parish	Moresby

Application Number	4/13/2450/0F1
Applicant	Mr S Shepherd
Location	LAND AT DRIGG MOORSIDE FARM, DRIGG, HOLMROOK
Proposal	VARIATION OF CONDITIONS 2 AND 5 OF PLANNING APPROVAL 4/13/2061/0F1 (SINGLE WIND TURBINE)
Decision	Approve
Decision Date	22 January 2014

Dispatch Date	23 January 2014
Parish	Drigg and Carleton

Application Number	4/13/2458/0L1
Applicant	Mr E McAllister
Location	FLAT 5, 4 DUKE STREET, WHITEHAVEN
Proposal	LISTED BUILDING CONSENT FOR SMALL SATELLITE DISH ON WALL ABOVE FLAT
Decision	Approve Listed Building Consent (start within 3yr)
Decision Date	22 January 2014
Dispatch Date	29 January 2014
Parish	Whitehaven

Application Number	4/13/2462/0F1
Applicant	St Bees Parish Council
Location	PLAY AREA, LAND ADJACENT TO MAIN BEACH, ST BEES
Proposal	RENOVATION OF EXISTING PLAY AREA, INCLUDING IMPROVEMENTS TO DRAINAGE, INSTALLATION OF NEW PLAY EQUIPMENT, SEATING AND FENCING
Decision	Approve (commence within 3 years)
Decision Date	22 January 2014
Dispatch Date	23 January 2014
Parish	St. Bees

Application Number	4/13/2468/0A1
Applicant	New Look Group plc
Location	34 KING STREET, WHITEHAVEN
Proposal	ADVERT CONSENT FOR ONE ILLUMINATED FASCIA SIGN AND ONE INTERNALLY ILLUMINATED PROJECTING SIGN
Decision	Approve Advertisement Consent
Decision Date	16 January 2014
Dispatch Date	29 January 2014
Parish	Whitehaven

Application Number	4/13/2471/0F1
Applicant	Mr T Bunning
Location	TREE TOPS, LOW MORESBY, WHITEHAVEN
Proposal	EXTENSIONS TO SIDE AND REAR AND CONVERT EXISTING GARAGE TO HABITABLE ROOM (RESUBMISSION OF PLANNING APPROVAL 4/13/2206/0F1)
Decision	Approve (commence within 3 years)
Decision Date	8 January 2014
Dispatch Date	21 January 2014
Parish	Moresby

Application Number	4/13/2473/0F1
Applicant	Mr C McLean
Location	30 BORDER AVENUE, CLEATOR MOOR
Proposal	REMOVAL OF EXISTING SIDE GARAGE, CONSTRUCTION OF A TWO STOREY EXTENSION
Decision	Approve (commence within 3 years)
Decision Date	23 January 2014
Dispatch Date	29 January 2014
Parish	Cleator Moor

Application Number	4/13/2477/0F1
Applicant	Reed Graham Properties Ltd
Location	GARLIESTON MEWS, LAND ADJACENT TO GARLIESTON COURT, WHITEHAVEN
Proposal	2 NO. DETACHED HOUSES AND GARAGES ON SITE OF EXISTING APPROVAL 4/08/2251/0
Decision	Approve (commence within 3 years)
Decision Date	20 January 2014
Dispatch Date	29 January 2014
Parish	Whitehaven

Application Number	4/13/2478/0F1
Applicant	Home Group Ltd
Location	THE LIMES, THE ELMS, THE LAURELS, THE OAKS, THE WILLOWS & THE LILACS, EGREMONT
Proposal	PRIOR NOTIFICATION OF PROPOSED DEMOLITION OF GARAGES
Decision	Approve (commence within 3 years)
Decision Date	17 January 2014
Dispatch Date	21 January 2014
Parish	Egremont

Application Number	4/13/2480/0F1
Applicant	Mr J Irving
Location	LOW FARM, MOOR ROW
Proposal	ERECTION OF GENERAL PURPOSE AGRICULTURAL BUILDING (RETROSPECTIVE)
Decision	Refuse
Decision Date	28 January 2014
Dispatch Date	29 January 2014
Parish	Egremont

Application Number	4/13/2482/0F1
Applicant	John Swift Homes Ltd
Location	THE OLD SCHOOL, MAIN STREET, DISTINGTON
Proposal	REGULARISATION OF HOUSE TYPES FOR PLOTS 8, 9 AND 10
Decision	Approve (commence within 3 years)
Decision Date	14 January 2014
Dispatch Date	21 January 2014
Parish	Distington

Application Number	4/13/2486/0F1
Applicant	Mr E Hewitson
Location	19 HOLLINS PARK, MOOR ROW
Proposal	PROPOSED BOUNDARY WALL TO GARDEN (REVISION OF PREVIOUS APPLICATION 4/13/2486/0F1)
Decision	Refuse
Decision Date	13 January 2014
Dispatch Date	14 January 2014
Parish	Egremont

Application Number	4/13/2490/0F1
Applicant	Mr and Mrs B L Penrice
Location	101 WHINLATTER ROAD, WHITEHAVEN

Proposal	TWO STOREY SIDE/REAR EXTENSION WITH SINGLE STOREY REAR EXTENSION
Decision	Approve (commence within 3 years)
Decision Date	20 January 2014
Dispatch Date	21 January 2014
Parish	Whitehaven

Application Number	4/13/2491/0E1
Applicant	Mr M Armstrong
Location	10 OSPREY GARDENS, MORESBY PARKS, WHITEHAVEN
Proposal	CERTIFICATE OF LAWFULNESS FOR THE ERECTION OF A DWELLING RELATING TO PLANNING PERMISSION REFERENCE 4/02/1295/0
Decision	Approval of Certificate of Lawfulness
Decision Date	14 January 2014
Dispatch Date	14 January 2014
Parish	Moresby

Application Number	4/13/2492/0F1
Applicant	Mr I Fowler
Location	FORMER NHS ADVICE CENTRE, FELL VIEW AVENUE, WOODHOUSE, WHITEHAVEN
Proposal	REDEVELOPMENT INTO THREE NO. 2 STOREY DWELLINGS AND ONE NO. SINGLE STOREY DWELLING INCORPORATING A FIRST FLOOR EXTENSION AND ASSOCIATED STRUCTURAL RECONFIGURATION WORKS
Decision	Approve (commence within 3 years)
Decision Date	28 January 2014
Dispatch Date	3 February 2014
Parish	Whitehaven

Application Number	4/13/2494/0F1
Applicant	Mr M Birmingham
Location	LANCASTER HOUSE, 5 FINKLE STREET, ST BEES
Proposal	ERECTION OF PRE-FABRICATED GARAGE AND RE-LAYING OF DRIVEWAY
Decision	Approve (commence within 3 years)
Decision Date	22 January 2014
Dispatch Date	23 January 2014
Parish	St. Bees

Application Number	4/13/2495/0F1
Applicant	Mrs F Parkinson
Location	MANDALAY, SCOTCH STREET, WHITEHAVEN
Proposal	EXTENSION TO DORMER BUNGALOW
Decision	Approve (commence within 3 years)
Decision Date	9 January 2014
Dispatch Date	17 January 2014
Parish	Whitehaven

Application Number	4/13/2498/0F1
Applicant	Millom Network Centre
Location	SOCIAL SERVICES BUNGALOW, LAPSTONE ROAD, MILLOM
Proposal	CONVERSION OF FORMER NHS OFFICE TO TWO SEMI DETACHED BUNGALOWS

Decision	Approve (commence within 3 years)
Decision Date	28 January 2014
Dispatch Date	28 January 2014
Parish	Millom

Application Number	4/13/2499/0F1
Applicant	Mr D Ormston
Location	THE OLD PUMP HOUSE, GREEN ROAD, THE GREEN, MILLOM
Proposal	ERECTION OF LOUNGE AND BEDROOM EXTENSION AND PROVISION OF HARDSTANDING FOR 2 VEHICLES (DEMOLITION OF GARAGE)
Decision	Approve (commence within 3 years)
Decision Date	29 January 2014
Dispatch Date	29 January 2014
Parish	Millom Without

Application Number	4/13/2502/0F1
Applicant	Mrs D Heppinstall
Location	PLOT 2, FORMER ANCHOR INN SITE, MAIN STREET, FRIZINGTON
Proposal	RETROSPECTIVE APPLICATION FOR FOUR BEDROOMED DETACHED DWELLING
Decision	Approve (commence within 3 years)
Decision Date	30 January 2014
Dispatch Date	31 January 2014
Parish	Arlecdon and Frizington

Application Number	4/13/2503/0L1
Applicant	Mrs L Whiteley
Location	17 VALE VIEW, EGREMONT
Proposal	LISTED BUILDING CONSENT TO REPLACE BROKEN WESTMORELAND SLATES ON PART OF THE ROOF WITH WELSH SLATE
Decision	Approve Listed Building Consent (start within 3yr)
Decision Date	28 January 2014
Dispatch Date	3 February 2014
Parish	Egremont

Application Number	4/13/2505/0F1
Applicant	Messrs Hewitson
Location	YEORTON HALL FARM, EGREMONT
Proposal	REMOVE CONCRETE FRAME BUILDINGS AND REPLACE WITH NEW PORTAL FRAME ROOF - SINGLE SPAN, WITH SMALL EXTENSION TO SAME
Decision	Approve (commence within 3 years)
Decision Date	29 January 2014
Dispatch Date	3 February 2014
Parish	Haile

Application Number	4/13/2507/0F1
Applicant	Mr G Parker
Location	54 HOLLY BANK, THE HIGHLANDS, WHITEHAVEN
Proposal	DOUBLE AND SINGLE STOREY EXTENSIONS
Decision	Approve (commence within 3 years)
Decision Date	3 February 2014

Dispatch Date	4 February 2014
Parish	Whitehaven

Application Number	4/13/2508/OF1
Applicant	Mr G McKinlay
Location	2 STONYHURST DRIVE, WHITEHAVEN
Proposal	ERECTION OF FENCE (RETROSPECTIVE)
Decision	Approve (commence within 3 years)
Decision Date	3 February 2014
Dispatch Date	4 February 2014
Parish	Whitehaven

Application Number	4/13/2509/OR1
Applicant	Messrs Thompson
Location	LAND ADJACENT TO ROSE COTTAGE, SPRINGFIELD FARM, BIGRIGG, EGREMONT
Proposal	PROPOSED FOUR BEDROOMED DETACHED DWELLING
Decision	Approve (commence within 3 years)
Decision Date	5 February 2014
Dispatch Date	5 February 2014
Parish	Egremont

Application Number	4/13/2510/TPO
Applicant	Mr S Smith
Location	CROFT HOUSE, HIGH HOUSE ROAD, ST BEES
Proposal	FELLING OF TWO TREES SITUATED WITHIN A CONSERVATION AREA
Decision	TREE PRESERVATION APPROVE
Decision Date	15 January 2014
Dispatch Date	15 January 2014
Parish	St. Bees

Application Number	4/13/2512/OF1
Applicant	Mr G Johnson
Location	REAR GARDEN AREA OF 55 GOSFORTH ROAD, SEASCALE
Proposal	DETACHED FOUR BEDROOMED DWELLING (RESUBMISSION)
Decision	Approve (commence within 3 years)
Decision Date	20 January 2014
Dispatch Date	29 January 2014
Parish	Seascale

Application Number	4/13/2513/OF1
Applicant	Mr A Woodburn
Location	5 GREEN CLOSE, SEASCALE
Proposal	TWO STOREY EXTENSION TO THE SIDE
Decision	Approve (commence within 3 years)
Decision Date	27 January 2014
Dispatch Date	29 January 2014
Parish	Seascale

Application Number	4/13/2516/OF1
Applicant	Mr J Tregidga
Location	LAND TO SOUTH OF PARKSIDE FARM, FRIZINGTON

Proposal	ERECTION OF TWELVE (12' X 12') WOODEN STABLES ON EXISTING CONCRETE BASE IN LOWER PADDOCK AND TWO (10' X 12') WOODEN STABLES ON EXISTING CONCRETE BASE IN UPPER PADDOCK
Decision	Approve (commence within 3 years)
Decision Date	4 February 2014
Dispatch Date	7 February 2014
Parish	Arlecdon and Frizington

Application Number	4/13/2517/TPO
Applicant	Mr G Wilkinson
Location	MOORLANDS, RHEDA PARK, FRIZINGTON
Proposal	APPLICATION FOR VARIOUS TREE WORKS ON TREES PROTECTED BY A TREE PRESERVATION ORDER
Decision	Approve
Decision Date	16 January 2014
Dispatch Date	17 January 2014
Parish	Arlecdon and Frizington

Application Number	4/13/2518/OF1
Applicant	Mr J Winder
Location	SITE OF FORMER COMMUNITY HALL, POOLSIDE, HAVERIGG, MILLOM
Proposal	ERECTION OF NEW TWO STOREY DWELLING AND DETACHED GARAGE
Decision	Withdrawn
Decision Date	24 January 2014
Dispatch Date	24 January 2014
Parish	Millom

Application Number	4/13/2519/OF1
Applicant	Ms M Inglesfield
Location	55 THORNY ROAD, THORNHILL, EGREMONT
Proposal	REVISED APPLICATION FOR A SINGLE STOREY EXTENSION AND RAMP
Decision	Approve (commence within 3 years)
Decision Date	6 February 2014
Dispatch Date	7 February 2014
Parish	Beckermet with Thornhill

Application Number	4/13/2520/TPO
Applicant	Home Group Ltd
Location	49 CHURCH STREET, WHITEHAVEN
Proposal	FELLING OF CHERRY TREE SITUATED WITHIN A CONSERVATION AREA
Decision	TREE PRESERVATION APPROVE
Decision Date	27 January 2014
Dispatch Date	29 January 2014
Parish	Whitehaven

Application Number	4/13/9013/OF2
Applicant	Cumbria Waste Management Ltd
Location	FRIZINGTON HWRC, YEATHOUSE QUARRY, YEATHOUSE, FRIZINGTON

Proposal	VARIATIONS OF CONDITIONS 1 AND 3 OF PLANNING PERMISSION 4/09/9012 FOR EXTENSION TO OPERATIONAL TIME OF HWRC SITE AND RESTORATION
Decision	No Objection
Decision Date	17 January 2014
Dispatch Date	29 January 2014
Parish	Arlecdon and Frizington

Application Number	4/14/2007/0F1
Applicant	Mr P Evens
Location	UNIT C3, HAIG ENTERPRISE PARK, HIGH ROAD, KELLS, WHITEHAVEN
Proposal	CHANGE OF USE INTO A TANNING SALON
Decision	Approve (commence within 3 years)
Decision Date	4 February 2014
Dispatch Date	11 February 2014
Parish	Whitehaven

Application Number	4/14/2008/0F1
Applicant	Trevaskis Racing Ltd
Location	55 MEADOW ROAD, MIREHOUSE, WHITEHAVEN
Proposal	CHANGE OF USE FROM HAIRDRESSERS TO BETTING OFFICE
Decision	Approve (commence within 3 years)
Decision Date	13 February 2014
Dispatch Date	13 February 2014
Parish	Whitehaven

Application Number	4/14/2010/0F1
Applicant	Mr and Mrs R Reed
Location	LAND TO SOUTH OF CARTGATE HOUSE, CARTGATE ROAD, HENSINGHAM, WHITEHAVEN
Proposal	DETACHED DWELLING (RESUBMISSION OF 4/11/2309/0F1)
Decision	Approve
Decision Date	10 February 2014
Dispatch Date	11 February 2014
Parish	Whitehaven

Application Number	4/14/2012/0F1
Applicant	Mr S Jennings
Location	6 ROUND CLOSE PARK, WHITEHAVEN
Proposal	ALTERATIONS AND EXTENSIONS TO PROVIDE UTILITY ROOM, LIVING ROOM EXTENSION, FIRST FLOOR BEDROOM AND DRESSING ROOM
Decision	Approve (commence within 3 years)
Decision Date	30 January 2014
Dispatch Date	4 February 2014
Parish	Whitehaven

Application Number	4/14/2012/0F1
Applicant	Mr S Jennings
Location	6 ROUND CLOSE PARK, WHITEHAVEN
Proposal	ALTERATIONS AND EXTENSIONS TO PROVIDE UTILITY ROOM, LIVING ROOM EXTENSION, FIRST FLOOR BEDROOM AND DRESSING ROOM

Decision	Approve (commence within 3 years)
Decision Date	30 January 2014
Dispatch Date	4 February 2014
Parish	Moresby

Application Number	4/14/2015/0F1
Applicant	Copeland Borough Council
Location	PUBLIC CONVENIENCES, JAMES STREET, WHITEHAVEN
Proposal	PRIOR NOTIFICATION OF PROPOSED DEMOLITION
Decision	Approve (commence within 3 years)
Decision Date	7 February 2014
Dispatch Date	11 February 2014
Parish	Whitehaven

Application Number	4/14/2016/HPAE
Applicant	Miss Peel
Location	44 LOWTHER ROAD, MILLOM
Proposal	PRIOR NOTIFICATION FOR ERECTION OF REAR CONSERVATORY
Decision	Permitted Development
Decision Date	31 January 2014
Dispatch Date	31 January 2014
Parish	Millom

Application Number	4/14/2019/0F1
Applicant	Mr S Shepherd
Location	LAND AT DRIGG MOORSIDE, DRIGG, HOLMROOK
Proposal	ERECTION OF WIND TURBINE 57 METRES TO BLADE TIP HEIGHT, TWO METERING UNITS, ACCESS TRACK, CRANE AND ASSEMBLY AREAS (AS A REPLACEMENT FOR PREVIOUSLY APPROVED 45.5M TURBINE 4/13/2061/0F1)
Decision	Withdrawn
Decision Date	20 January 2014
Dispatch Date	20 January 2014
Parish	Drigg and Carleton

Application Number	4/14/2026/0F1
Applicant	Mr J Williamson
Location	HIGH WATH, WATH BROW, CLEATOR
Proposal	TWO STOREY EXTENSION TO GABLE END
Decision	Approve (commence within 3 years)
Decision Date	12 February 2014
Dispatch Date	13 February 2014
Parish	Cleator Moor

Application Number	4/14/2030/HPAE
Applicant	Mr J Robson
Location	14 QUEENS CLOSE, WHITEHAVEN
Proposal	PRIOR NOTIFICATION FOR A GROUND FLOOR BEDROOM AND SHOWER ROOM
Decision	Permitted Development
Decision Date	13 February 2014
Dispatch Date	13 February 2014
Parish	Whitehaven

Application Number	4/14/2036/001
Applicant	Mr and Mrs T Conoley
Location	GARDEN LAND ADJACENT TO GHYLL BANK HOUSE, INKERMAN TERRACE, WHITEHAVEN
Proposal	OUTLINE APPLICATION FOR A DWELLING
Decision	Withdrawn
Decision Date	17 February 2014
Dispatch Date	17 February 2014
Parish	Whitehaven

Application Number	4/14/9001/0F2
Applicant	Frizington Nursery School
Location	FRIZINGTON NURSERY SCHOOL, MAIN STREET, FRIZINGTON
Proposal	SINGLE STOREY CLASSROOM EXTENSION
Decision	No Objection
Decision Date	7 February 2014
Dispatch Date	7 February 2014
Parish	Arlecdon and Frizington