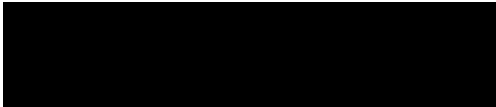


Christopher Kendall Town Planning Consultant

2 York Cottages
Elm Grove Road
Cobham
Surrey
KT11 3HG



Application by I Park Smart Ltd

For planning permission to construct a means of vehicular access, engineering operations to surface the site and use it as a pay and display car park

At

2 Senhouse Street, Whitehaven CA28 7ES

Supporting Documentation and Checklist

This report has been prepared by Christopher Kendall for I Park Smart Ltd . No responsibilities are accepted to any third party for the whole or part of its contents.

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Application by I Park Smart Ltd For engineering operations to surface the site and use it as a pay and display car park At
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1.0 General Introduction

1.1 This document is attached to and forms part of a formal application.

2.0 Brief Description of the proposed development.

2.1 The application seeks permission to construct a means of vehicular access, engineering operations to surface the site and use it as a pay and display car park.

3.0 Summary of Revisions

3.1

4.0 Conditions

If, during the course of the application, it becomes necessary to discuss conditions they will be discussed here.

Recommended by	Condition	Applicant response

5.0 Consultation Responses

If, during the course of the application, it becomes necessary to discuss consultee responses they will be discussed here.

Consultee	Comment	Applicant response

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Validity of Validation Checklist

NPPG includes

Local information requirements

What is the Government's policy on local information requirements?

The Government's policy on local information requirements can be found in the National Planning Policy Framework. Local planning authorities should take a proportionate approach to the information requested in support of planning applications.

See related policy.

Paragraph: 038 Reference ID: 14-038-20140306

Revision date: 06 03 2014

Can local planning authorities request information that must be provided with a planning application?

A local planning authority may request supporting information with a planning application. Its requirements should be specified on a formally adopted 'local list' which has been published on its website less than 2 years before an application is submitted. Local information requirements have no bearing on whether a planning application is valid unless they are set out on such a list.

Paragraph: 039 Reference ID: 14-039-20140306

Revision date: 06 03 2014

Can local planning authorities request any information from its local list?

The local list is prepared by the local planning authority to clarify what information is usually required for applications of a particular type, scale or location.

In addition to being specified on an up-to-date local list published on the local planning authority's website, information requested with a particular planning application must be:

reasonable having regard, in particular, to the nature and scale of the proposed development; and

about a matter which it is reasonable to think will be a material consideration in the determination of the application.

These statutory tests are set out in section 62 (4A) of the Town and Country Planning Act 1990 (inserted by the Growth and Infrastructure Act) and article 11(3)(c) of the

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Town and Country Planning (Development Management Procedure) (England) (Order) 2015.

Paragraph: 040 Reference ID: 14-040-20140306

Revision date: 06 03 2014

Name of Local Authority	Copeland Borough Council
Date of publication of validation checklist	There does not appear to be a local validation list
Evidence of consultation	Not online

Validation Checklist.

Item	Required	Provided
Identification whether this is a major application	No	Yes
Form	Yes	Yes
Fee	Yes	Yes
Certificate	Yes	Yes
Location plan	Yes	Yes
Design and Access Statement	No	No
Site plan	Yes	Yes
Existing and proposed floor plans	No	No
Existing and proposed elevations	No	No
Existing and proposed site sections	No	No
Roof plans	No	No
Affordable housing statement	No	No
Biodiversity report	No	No
Flood risk assessment	No	No
Foul and surface water assessment	No	No
Heritage statement – archaeology	No	No
Heritage statement – listed buildings	Yes	Yes
Heritage statement – conservation areas	Yes	Yes
Land contamination assessment	No	No

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Lighting assessment	No	No
Noise impact assessment	No	No
Open space assessment	No	No
Structural survey	No	No
Planning Statement	No	Yes
Town Centre Use Impact Assessment	No	No
Transport Assessment	No	No
Tree survey	No	No
Site waste management	No	No
Photographs etc	No	Yes
Planning obligations	No	No

Major Application

A major development is defined as;

“major development” means development involving any one or more of the following—

(a) the winning and working of minerals or the use of land for mineral-working deposits;

(b) waste development;

(c) the provision of dwellinghouses where—

(i) the number of dwellinghouses to be provided is 10 or more; or

(ii) the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within sub-paragraph (c)(i);

(d) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or

(e) development carried out on a site having an area of 1 hectare or more;

“mining operations” means the winning and working of minerals in, on or under land, whether by surface or underground working;

This is not a major application

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A1. Application Forms

Yes

A2. Application Fee

Yes

A3. Ownership Certificate / Agricultural Holdings Certificate

Yes

Notice served on

Nicholas Twinn & Bethany Twinn
35 Springfield Avenue
Whitehaven
CA286TT

A4. Location Plan

Yes

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A5. Design and Access Statement

No

B. Information required for Outline Planning Applications

Not an outline application

C. Information required for Full Planning Applications**C1. Site plan**

Proposed

Yes

C2. Existing and proposed floor plans

Existing

No

Proposed

No

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C3. Existing and proposed elevations			
Existing	No	Proposed	No

C4. Existing and proposed site sections and finished floor and site levels			
Existing	No	Proposed	No

C5. Roof plans			
Existing	No	Proposed	No

F Affordable Housing Statement	
Not a residential application	

G Biodiversity and/or Geological Survey and Report	
Not applicable	

H Flood Risk Assessment	
	
Not required – not in a flood risk area.	

I Foul and Surface Water Assessment	
No foul drainage	
Surface water to connect to surface water sewer in Senhouse Street.	

J Heritage Statement	
-----------------------------	--

A. Archaeology	
Not applicable	

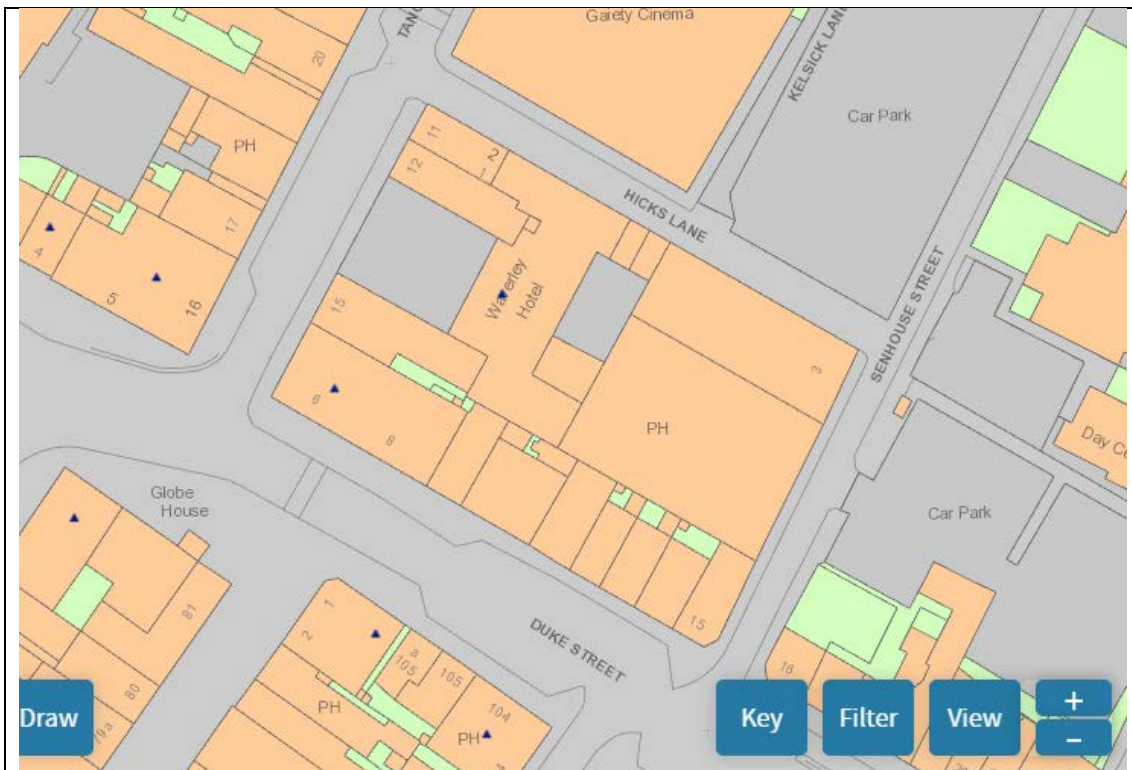
B. Listed Buildings	
S66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires a LPA to have regard to the effect of development on the setting of a listed building.	
The Historic England website has been checked.	

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The Waverley Hotel to the rear of the site is Grade II.

TANGIER STREET 1. 1814 Waverley Hotel NX 9718 SW 6/183 II 2. Imposing 3-storeyed Victorian hotel, stuccoed, with cornice bands and basement, and top cornice on brackets. 5 dormers with open pediment/gables. Centre door way up 3 steps in pilastered doorcase, with wide pediment on ornamented brackets. 2 sash windows at each side in plain frames with similar pediments, and sills on brackets. 1st floor has 5 sash windows with Composite pilaster- jambs and panelled lintels. Top floor has 5 sash windows on moulded frames. Adjoins the rear of No 6 Duke Street.

Whittles Furniture Store (8 Duke Street) is also Grade II
DUKE STREET (North East Side) Whittle's Furniture Store

GV

II Dated 1889. Stuccoed, 3 storeys. Paired pilasters at ends, set in 3 tiers - Tuscan, Corinthian, and Tuscan. Ground floor has shop fronts. 1st floor has 5 windows (some 6-light cross type, others 2-light sashes, 3 with broken pediments). Top floor has 5 sashes with plain pediments. The 2nd bay is emphasised by a top dormer with scrolled pediment, pilasters and wings, and 1st floor by a swag on the pediment.

Nos 4, 5, the Co-operative Store, Whittle's Furniture Store, The Globe Hotel Nos 105 and 105A form a group.

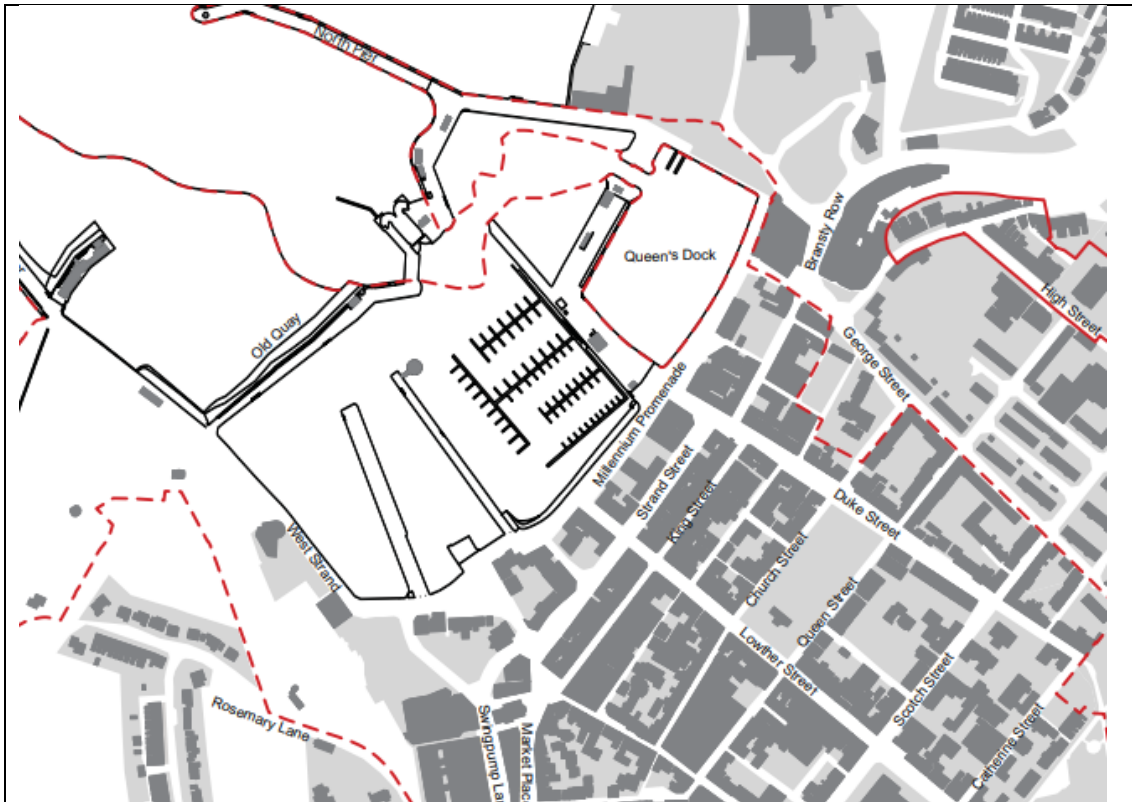
C. Conservation Areas

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The site is in the Town Centre Conservation Area

K Land Contamination Assessment

Not applicable

L Lighting Assessment

Not applicable.

M Noise Impact Assessment

Not close to any noise sources	Not a significant generator of noise
--------------------------------	--------------------------------------

NPPF includes

187. Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.

A car park will not affect the operation of existing businesses in the area.

N Open Space Assessment

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A. <u>Loss of existing open space or built sports facilities</u>
Does not result in loss of open space

B. <u>Open space required as part of new development for other purposes</u>
Not a residential application

O <u>Structural Survey</u>
Not applicable

Planning Statement
No – see Design and Access Statement

- 1.0 Introduction
- 1.1 The Planning Statement discusses the application under the following headings;
 - 2.0 Descriptive
 - 3.0 Development Plan
 - 4.0 National Planning Policies
 - 5.0 Discussion
- 2.0 Descriptive
 - 2.1 The application site is on the west side of Senhouse Street.
 - 2.2 The site has an area of 440 sq m.
 - 2.3 The site was previously occupied by a pub/night club, Captain Sennys which has now been demolished.
 - 2.4 On the 31 March 2015 permission was granted for;
 - DEMOLITION OF EXISTING LICENSED BUILDING, INCLUDING MANAGERS FLAT; CONSTRUCTION OF 9 NO. FLATS AND 1 NO. DWELLING HOUSE
 - 4/14/2S28/0F1
 - 2.5 The building has been demolished, which was sufficient to initiate the development, and there were no conditions precedent. It is therefore likely that the permission is still active.
 - 2.6 The applicants propose to clear and level the site, surface it with tarmac, mark it out and use it as pay and display car park.
- 3.0 Development Plan
 - 3.1 The development plan is the Copeland Local Plan (2013).
 - 3.2 The site is within the Whitehaven development limit. There is no special notation;

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3.3 Policy DM22 states;

Policy DM22 – Accessible Developments

The Council will require development proposals to be accessible to all users and accord with the following principles:

A The layout of the development responds positively to existing movement patterns in the area by providing or contributing towards:

- i) Permeable and legible layouts which are convenient for access into and through the site for pedestrians, cyclists and disabled people
- ii) Access for public transport
- iii) Access for emergency and service vehicles

B Incorporate innovative approaches to managing vehicular access and parking with:

- i) Standards incorporated into the design of the development which manage traffic access and speeds without excessive engineering measures
- ii) Incorporate car parking, through a variety of on street and off street arrangements which avoid vehicles dominating the street scene, whilst meeting adopted car parking standards which reflect the needs of the Borough in its rural context

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Where necessary the potential transport implications of development will be required to be supported by a Transport Assessment and a Travel Plan to manage any significant transport implications.

3.4 Policy ENV4 deals with Heritage Assets

The Council's policy is to maximise the value of the Borough's heritage assets by:

A Protecting listed buildings, conservation areas and other townscape and rural features considered to be of historic, archaeological or cultural value

B Supporting proposals for heritage led regeneration, ensuring that any listed buildings or other heritage assets are put to an appropriate, viable and sustainable use

C Strengthening the distinctive character of the Borough's settlements, through the application of high quality urban design and architecture that respects this character and enhances the settings of listed buildings

Policy DM27 supports this policy, setting out the Council's approach to development which affects built heritage and archaeology.

3.5 Policy DM27, referred to in ENV4, states

A Development proposals which protect, conserve and where possible enhance the historic, cultural and architectural character of the Borough's historic sites and their settings will be supported. This will be particularly relevant in the case of:

- i) Scheduled Ancient Monuments
- ii) Conservation Areas
- iii) Listed Buildings and structures
- iv) Non-listed buildings and structures or landscape features of local heritage and archaeological value
- v) Surface and below ground archaeological deposits

B Development proposals which have a significant adverse effect on a Scheduled Ancient Monument or its wider site or setting will not be permitted

C Development within Conservation Areas will only be permitted where it preserves or enhances the character or appearance of the area and, where appropriate, views in and out of the area. The Council will pay particular attention to:

- i) How new development respects the character of existing architecture and

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any historical associations, landscape features, open spaces, trees, walls and quality of townscape

- ii) The impact of any proposed works to trees with regard to policy DM28
- iii) The design of any proposals for new or altered shopfronts and / or signage, which should be an integral part of the design and avoid the use of internally illuminated signage

D Development which affects Listed Buildings or their setting will only be permitted where it:

- i) Respects the architectural and historic character of the building
- ii) Avoids any substantial or total demolition, or any demolition that is not related to proposed development affecting the building
- iii) Does not have a significant adverse effect on the setting or important views of the building
- iv) Involves a change of use to all or part of the listed building which contributes to the conservation and overall economic viability of the building, and the use can be implemented without any adverse alterations to the building

E Any development proposal which is considered to affect an existing or potential site of archaeological importance will be required to be accompanied by an archaeological assessment. Where archaeological deposits are evident, below ground or on the surface, evidence should be recorded and where possible preserved in-situ. Proposals for development where archaeological interest has been established will not be approved until evidence has been provided that the risk of archaeological disturbance has been adequately investigated and has been minimised. Planning permission will not be granted if the impact on potential archaeology is unacceptable.

3.6 The Council is preparing a replacement Local Plan. This is at an early stage and is not a material consideration.

3.7 A study has been carried out into parking in Whitehaven. The status of this is not clear,. It is not listed in the Local Plan evidence base. It cannot be found on the Council website.

4.0 National Planning Policies

4.1 NPPF includes

4. Decision-making

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38. Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

108. Maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or for optimising the density of development in city and town centres and other locations that are well served by public transport (in accordance with chapter 11 of this Framework). In town centres, local authorities should seek to improve the quality of parking so that it is convenient, safe and secure, alongside measures to promote accessibility for pedestrians and cyclists.

- 5.0 Discussion
- 5.1 Neither the applicants nor the current owners had any involvement with the previous application.
- 5.2 The owners purchased the site with the intention of using it as a car park for the adjacent Waverley Hotel, which they owned at the time. They no longer own the Waverley and wish to dispose of the site.
- 5.3 The applicants are specialists in providing and managing car parks.
- 5.4 The car parking study, despite questions over its status, identifies a need for further off-street parking in Whitehaven.
- 5.5 Despite aspirations that visitors to town centres, whether shoppers or workers, will use public transport the reality is that town centres need convenient and attractive parking.
- 5.6 This site is currently vacant with no immediate prospect of redevelopment.
- 5.7 The condition detracts from the conservation area and the setting of the Waverley Hotel.

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- 5.8 Whilst a full redevelopment may be the ideal solution for the site it has not happened since the permission was granted and in view of the current economic climate, is unlikely to be a realistic prospect for a considerable time.
- 5.9 The proposed car park would improve the appearance of the site, would represent a small but significant enhancement of the Conservation Area and setting of the Waverley hotel and would provide a facility for users of the town centre.
- 5.10 The Council is therefore asked to approve the application.

P	Town Centre Use Impact Assessment
The development will enhance the town centre by the provision of convenient parking for shoppers and persons employed in the town centre.	

Q	Transport Assessment
Not applicable	

R	Tree Survey/Assessment
----------	-------------------------------

A. Tree Survey	
Not applicable	

S	Site Waste Management Plan
Not applicable	

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Photographs, Photomontages and Models



The cleared site with the Waverley Hotel in the background.

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Waverley Hotel



Whittles Furniture

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Car park between Senhouse Street and Church Street.



Senhouse Street car park

Planning Obligations – Draft Heads of Terms

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Not applicable

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Dip TP MRTPI

12 December 2022

Appendix

List of Submitted Documents

<u>Number</u>	<u>Description</u>	<u>Submitted</u>	<u>Comment</u>
20221212	Application statement	12 December 2022	
	1:1250 location plan	12 December 2022	
	Site layout	12 December 2022	

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