

## COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/20/2467/OA1	
2.	<b>Proposed Development:</b>	1 x PETROL PRICING TOTEM	
3.	<b>Location:</b>	SPAR STORES, MAIN STREET, HENSINGHAM, WHITEHAVEN	
4.	<b>Parish:</b>	Whitehaven	
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change	
6.	<b>Publicity Representations &amp;Policy</b>	Neighbour Notification Letter	Yes
		Site Notice	No
		Press Notice	No
		Consultation Responses	See Report
		Relevant Policies	See Report
7.	<b>Report:</b>  <b>Site and Location</b>  <p>This application relates primarily to the site of the former G &amp; M Suppliers unit at Ivy Mill, Main Street, Hensingham, Whitehaven. The site has previously been vacant after the demolition of a single storey building which formally housed a catering and kitchen suppliers business, however the land is currently being developed following the granted on planning permission for a petrol station and retail store.</p> <p>The site is accessed from Hensingham Main Street. The application site also encompasses the existing Spar retail unit to the south of Ivy Mill, fronting onto Richmond Hill Road, and a smaller derelict site on the junction of Main Street and Richmond Hill, which formally sited two dwellings.</p> <b>Planning History</b>  <p>4/20/2399/OA1 – 1 x Facia at the front of the building reading SPAR, Whitehaven, and 1 x Fascia at</p>		

front of the building reading Cash Machine

4/20/2283/OB1 – S73 application to revise approved plans for a new retail store building and petrol station and the conversion of the former spar store into two no. retail units relating to revised elevations of the new store, car park layout, fuel station canopy height, plant area, retaining wall, installation of roof mounted solar panels and variation of condition 16 for boundary treatment details – Approved

4/18/2545/OB1 – Variation of condition 10 of planning permission 4/18/2313/OF1 – Approved

4/18/2313/OF1 – Construction of new Spar Convenience store, petrol filling station and car parking etc – Approved

4/16/2167/OF1 – Demolition of existing building to facilitate redevelopment of the site – Approved

### **Proposal**

This application seeks advertisement consent for the display of a petrol pricing totem which is to be located to the north west of the site, adjacent to Main Street. The proposed sign will measure 7m x 2m x 0.4m, and will be internally illuminated. The development will be constructed from steel, aluminium, acrylic, and vinyl.

### **Consultation Responses**

#### Whitehaven Town Council

No objections.

#### Cumbria County Council – Cumbria Highways & Lead Local Flood Authority

The Highway Authority and Lead Local Flood Authority have no objection to the proposed development as it is considered that the proposal will not have a material effect on existing highway conditions nor does it increase the flood risk on the site or elsewhere.

#### Copeland Borough Council – Scientific Officer

No objections to the application but the Officer has requested a condition about meeting the ILP guidance on the reduction of obtrusive light.

#### Public Representation

This application has been advertised by way of neighbour notification letters issued to two properties. No comments have been received in relation to the statutory notification procedure.

## **Planning Policy**

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

## **Development Plan**

Copeland Local Plan 2013 – 2028 (Adopted December 2013)

### Core Strategy

Policy ST1 – Strategic Development Principles

### Development Management Policies (DMP)

Policy DM29 - Advertisements

## **Other Material Planning Considerations**

National Planning Policy Framework (2019)

The Town and County Planning (Control of Advertisement) (England) Regulations 2007

### Emerging Copeland Local Plan (ELP):

The emerging Copeland Local Plan 2017-2035 has recently been the subject of a Preferred Options Consultation. The Preferred Options Consultation builds upon the completed Issues and Options Consultation, which finished in January 2020. Given the stage of preparation, the emerging Copeland Local Plan 2017-2035 has only limited weight in decision making, but provides an indication of the direction of travel of the emerging planning policies, which themselves have been developed in accordance with the provisions of the National Planning Policy Framework.

## **Assessment**

Policy DM29 of the Copeland Local Plan, and section 12 of the NPPF, seeks to ensure that advertisements are of a reasonable scale and appearance, having regard to the nature and situation of the land or building to which they relates, and also they would not harm public safety.

The proposed totem sign is considered to be of a similar scale and appearance of those expect to support a petrol station. Given that the sign will be set back from the road within the petrol station, the development is not considered to be a dominant feature within the streetscene. In this location is the sign is not considered to have an adverse impact on highway safety. The Highway Authority has not raised any objections to the erection of the proposed sign in this location.

### Conclusion

The proposal is considered compliant with the policies of the Copeland Local Plan and the provisions of the NPPF.

8.	<p><b>Recommendation:</b></p> <p>Approve Advertisement Consent</p>
9.	<p><b>Condition(s):</b></p> <ol style="list-style-type: none"> <li>1. This consent will expire in 5 years from the date of this notice. <p>Reason</p> <p>To accord with Regulation 14 (7) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and in the interest of amenity and public safety.</p> </li> <li>2. The permission relates to the following plans and documents as received on the retrospective dates and development must be carried out in accordance with them:- <ul style="list-style-type: none"> <li>- Site Location Plan, Scale 1:1250, received by the Local Planning Authority on the 19<sup>th</sup> November 2020.</li> <li>- Shell GEM Whitehaven PID, Rev A, received by the Local Planning Authority on the 19<sup>th</sup> November 2020.</li> </ul> <p>Reason</p> <p>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.</p> </li> <li>3. The floodlights hereby approved should be in line with the Guidance Notes for the Reduction of Obtrusive Light produced by the Institute of Lighting Professionals. <p>Reason</p> <p>To minimise potential disturbance to nearby residences and to safeguard the amenities of the locality.</p> </li> </ol> <p><b>Statement:</b></p> <p>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.</p>

<b>Case Officer:</b> C. Burns	<b>Date :</b> 11.01.2021
<b>Authorising Officer:</b> N.J. Hayhurst	<b>Date :</b> 12/01/2021
<b>Dedicated responses to:- N/A</b>	