

## COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/21/2160/OF1
2.	<b>Proposed Development:</b>	ALLOW FLEXIBLE USES WITHIN CLASSES B2 (GENERAL INDUSTRIAL); AND/OR B8 (STORAGE/DISTRIBUTION) AND E(G(II AND III)) (COMMERCIAL, BUSINESS AND SERVICE)
3.	<b>Location:</b>	CUMBRIA STEELSTOCK LTD, WILLIAM PIT ROAD, 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: YES  Press Notice: NO  Consultation Responses: See report  Relevant Planning Policies: See report
7.	<b>Report:</b>  <b>SITE AND LOCATION</b>  This application relates to the existing building utilized for Cumbria Steelstock Ltd, situated on William Pit Road in Whitehaven.  The building is situated to the east of the railway line linking the west coast. There is a single residential property to the north, playing fields to the east and the access road to the south.  <b>PROPOSAL</b>  This application seeks planning permission for the change of use of the building from Class B8 to a mixed use comprising use classes B2 (general industrial), B8 (storage and distribution) and E(G)(II and III) (commercial, business and service). There will be no external alterations to the building and access and parking will remain as existing.	

## **RELEVANT PLANNING APPLICATION HISTORY**

Demolition of existing steel stockholding/distribution unit and replace with new larger unit, approved in 1994 (application reference 4/94/0007/0 relates).

## **CONSULTATION RESPONSES**

Whitehaven Town Council – No objections.

Cumbria County Highways – Initially raised concerns due to the intensification of the use of the local highway network and requested that a transport form could be filled in in order to assess any impact that may be had. On receipt of the form, no further objections were received.

Local Lead Flood Authority – No objections.

### Public Representation

The application has been advertised by way of a site notice and neighbour notification letters issued to 1 no. properties.

No responses have been received as a result of this advertisement.

## **PLANNING POLICIES**

Planning law requires 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

Policy ST2 – Spatial Development Strategy

Policy ER4 – Land and Premises for Economic Development

Policy ER5 – Improving the Quality of Employment Space

Policy ER6 – Location of Employment

Policy ER11 – Developing Enterprise and Skills

#### Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM22 – Accessible Developments

## **Other Material Planning Considerations**

National Planning Policy 2019 (NPPF)

### Emerging Copeland Local Plan

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**

### Principal of the development

The Copeland Local Plan is generally supportive of the expansion of businesses and the re-use of existing buildings. The site is located within Whitehaven, Copeland's Principal Town where the majority of the Borough's development should be directed in accordance with Policy ST2 of the Copeland Local Plan. The building has been used by Cumbria Steelstock for a number of years but currently sits vacant. The proposal intends to retain the existing uses of B2 and B8, but also allow for a Class E use for commercial, business and service.

The flexible use will be acceptable in this location, with the addition of commercial, business and service in keeping with the surrounding area where there are very few residential properties. The change of use will allow for the occupation of the building and for it to be utilized in the long term.

The proposal complies with Policies ST1 and ST2 of the Copeland Local Plan, with the location considered to be suitable for this type of development.

### Impact on the surroundings

The closest residential property is situated approximately 68 metres to the north. On this basis, there are unlikely to be any amenity issues for the surrounding properties with regards to noise or smell. Furthermore, there is an existing train track to the west therefore some disturbance is probably commonplace in this location. Traffic to the building will not pass the residential property as parking is situated to the south of the building. The addition of the commercial, business and service use is likely to have a lesser impact than the existing uses, as there would likely be less noise, vibration and smell associated with the use.

The application states that there will be no hazardous substances stored or used on site.

Overall, the application is considered to be in keeping with the surrounding area and will comply with

	<p>Policies ST1 and DM10.</p> <p><u>Access and parking</u></p> <p>Access to and parking on the property will remain as existing, taken from Bransty Road and along the narrow private access. Cumbria Highways initially raised concerns with the application stating the following:</p> <p><i>“We are apprehensive in regard to the intensification that the proposed change of use may bring to the local highway network, the U4440 Wagon Rd is narrow in nature without sufficient passing places and also forms part of the national cycleway, furthermore the access onto the C4032 Bransty Rd would not be considered ideal for further intensification.</i></p> <p><i>It is proposed that there will be a reduction in HGV traffic however this could lead to an increase in light vehicles, i have attached hereto our Transport Form and Code Of Practice for the applicant to provide further information in regard to current generation and possible proposed under the new flexible use of B2, B8 &amp; E (G ii and iii).”</i></p> <p>The Applicant’s Agent completed the Transport Form as requested by the Highways Officer which concluded that there was unlikely to be a material increase in the traffic movements than are existing. The Cumbria Highways department were satisfied with the information submitted and stated that the change of use is likely to have a negligible effect.</p> <p>Overall, it is considered that the application complies with Policy DM22 of the Copeland Local Plan and is unlikely to have a negative effect on the road network.</p> <p><u>Conclusion and planning balance</u></p> <p>There have been no objections to the proposal.</p> <p>Overall this is considered to be an acceptable form of development which accords with the policies set out within the local plan and the guidance contained in the NPPF.</p>
8.	<p><b>Recommendation:</b></p> <p>Approve (commence within 3 years)</p>
9.	<p><b>Conditions:</b></p> <ol style="list-style-type: none"> <li>1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.</li> </ol> <p>Reason</p> <p>To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.</p>

	<p>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: -</p> <p>Site Location Plan, received 6<sup>th</sup> April 2021;  Covering letter and supporting information, reference 14B902299, written by Amy Hordon at Avison Young, received 6<sup>th</sup> April 2021;  Transport Form, received 25<sup>th</sup> May 2021.</p> <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> <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: Sarah Papaleo</b>		<b>Date : 03/06/2021</b>
<b>Authorising Officer: N.J. Hayhurst</b>		<b>Date : 03/06/2021</b>
<b>Dedicated responses to:- N/A</b>		