

**COPELAND BOROUGH COUNCIL  
DELEGATED PLANNING DECISION**

1.	<b>Reference No:</b>	4/21/2232/OF1
2.	<b>Proposed Development:</b>	PROVISION OF A 20FT STORAGE CONTAINER TO THE REAR OF THE SITE TO HOUSE MATERIALS AND EQUIPMENT TO SUPPORT THE LOCAL TELECOMS INFRASTRUCTURE.
3.	<b>Location:</b>	BRITISH TELECOM, THE GINNS, WHITEHAVEN
4.	<b>Parish:</b>	Whitehaven
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Coal - Development Referral Area - Data Subject to Change, Coal - Standing Advice - Data Subject To Change
6.	<b>Publicity Representations &amp;Policy</b>	Neighbour Notification Letter: No Site Notice: YES Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	<b>Report:</b>  <b>INTRODUCTION</b>  <p>The application site is located within a mixed-use area included retail, industrial and residential. The site forms that of a rectangular shaped area that is located to the western side of Preston Street. Vehicular access is made to the south of the site from Preston Street. The use of the site is that of a long standing local Telecoms infrastructure site that is classed as a B8 storage and distribution site.</p>  <b>PROPOSAL</b>  <p>This application seeks planning permission for the erection of a storage container that would measure approximately 2.5 metres in width, 6 metres in depth and would have an overall height of 2.6 metres</p>	



## **CONSULTATION RESPONSES**

### Whitehaven Town Council

No reply.

### The Coal Authority

No reply

### Cumbria Rights of Way Officer

Public Footpath 431059 follows an alignment to the south of the proposed development area and must not be altered or obstructed before or after the development has been completed. If the Footpath is to be temporarily obstructed, then a formal temporary closure will be required, there is a 12 week lead in time for this process.

### Cumbria County Council – Highways and LLFA

I can confirm that the Highway Authority and Lead Local Flood Authority has no objection to the proposed development as it is considered that the proposal will not have a material affect on existing highway conditions nor does it increase the flood Risk on the site or elsewhere.

### **Public Representation**

The application has been advertised by way of a Site Notice erected at the site on the 7<sup>th</sup> June 2021.

No comments have been received as a result of this public consultation process.

## **PLANNING POLICY**

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



## **Other Material Planning Considerations**

NPPF 2019

### Emerging Copeland Local Plan

The emerging Copeland Local Plan 2017-2035 was recently 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**

### Principle of Development

The Copeland Local Plan is generally supportive of the expansion of businesses. The site forms that of a long established local Telecoms Infrastructure site and is located within a mixed use area with a Supermarket located to the north, a Chapel located to the south and residential dwellings located on the eastern side of Preston Road.

### Impact of Proposal

In terms of the impact of the proposed development, the use is for the storage of equipment and materials and it is considered that this use would not have any adverse impact upon the amenity of the occupiers of the adjacent sites. In terms of the visual impact, the site is enclosed with a 2 metre security fence which does shield views into the site from the public realm. The agent has confirmed that the container would be of a blue or green colour and so would not be overly prominent within the existing site.

It is considered that in terms of the character of the local area, the container would enable more materials and equipment that are currently stored outside to be removed from the public view and would therefore add to a general improvement to the visual amenity of this mixed-use area. The design and scale of the container is considered appropriate within the site and would not lead to any loss of onsite vehicle parking.

On this basis, the proposal is considered to meet the aims and objectives of DM10 policy and the NPPF guidance.

### Planning Balance

The proposed container is modest in scale and of an appropriate design for this mixed use site. Overall, this is considered to be an acceptable form of development which accords with the policies set out within the adopted Local Plan and the guidance in the NPPF.



8.	<p><b>Recommendation:</b> Approve (commence within 3 years)</p>
9.	<p><b>Conditions:</b></p> <ol style="list-style-type: none"> <li> <p>The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.</p> <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> </li> <li> <p>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>The Site Location Plan Title 001: Scale 1:1250 @ A4 – as received with the valid planning application on the 19<sup>th</sup> May 2021</p> <p>The Block Plan Title 003: Scale 1:500 @ A3 – as received with the valid planning application on the 19<sup>th</sup> May 2021</p> <p>The Site Plan as Proposed Title 00: Scale 1:1250@ A4 – as received with the valid planning application on the 19<sup>th</sup> May 2021</p> <p>The Planning Drawings Dated the 29.03.2021 Scale 1:50 @ A3 – as received with the valid planning application on the 19<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> </li> </ol> <p><b>Informative</b></p> <p>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 0345 762 6848.</p> <p>Further information is also available on the Coal Authority website at:</p> <p><a href="http://www.gov.uk/government/organisations/the-coal-authority">www.gov.uk/government/organisations/the-coal-authority</a></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>
<p><b>Case Officer: A. Adams</b></p>	<p><b>Date : 02/07/2021</b></p>
<p><b>Authorising Officer: N.J. Hayhurst</b></p>	<p><b>Date : 05/07/2021</b></p>
<p><b>Dedicated responses to:- N/A</b></p>	