

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/21/2489/NMA	
2.	Proposed Development:	RESIDENTIAL DEVELOPMENT OF 37 DWELLINGS	
3.	Location:	LAND WEST OF CLEATOR MOOR ROAD, WHITEHAVEN	
4.	Parish:	Whitehaven	
5.	Constraints:	N/A	
6.	Publicity Representations & Policy	Neighbour Notification Letter	No
		Site Notice	No
		Press Notice	No
		Consultation Responses	See Report
		Relevant Policies	See Report
7.	Report: Site and Location <p>This application relates to a brownfield site located off Cleator Moor Road, located within the centre of Hensingham to the east of Whitehaven. The regular shaped site covers an area of 1.21 hectares and is generally flat. The application site previously sited the Sekers factory which was demolished in 2010 and currently benefits from two access points onto Cleator Moor Road.</p> <p>The application site is bounded to the north east by Cleator Moor Road, to the north west by The Gables care home, to the south east by existing residential estates, and to the south west by another brownfield site which benefits from planning permission (ref: 4/17/2143/001,</p>		

4/20/2334/0R1 & 4/22/2110/0B1) for 26 dwellings also under the applicants ownership.

Relevant Planning History

4/07/2706/0 – Change of use from industrial (B2) to residential development comprising 118 No. 1, 2, 3 and 4 bedroom dwellings – Withdrawn.

4/10/2359/0O1 – Outline application for proposed 58 bed space care home and residential development with associated highway access – Approve in outline.

4/13/2159/0O1 – Application for a new planning permission to replace extant planning permission (4/10/2359/0O1) – Outline application for proposed 58 bed space care home and residential development with associated highway access – Withdrawn.

4/17/2143/0O1 – Demolition of factory and outline planning permission for erection of dwellings – Approved in outline (adjacent site).

4/20/2334/0R1 – Reserved matters application for 26 dwellings and associated infrastructure following outline approval 4/17/2143/0O1 – Approved reserved matters (adjacent site).

4/21/2489/0F1 – Residential development of 37 dwellings – Approved subject to S106 agreement.

4/22/2110/0B1 – Variation of condition 2 (revised house types) of planning approval 4/20/2334/0R1 - Reserved matters application for 26 dwellings and associated infrastructure following outline approval 4/17/2143/0O1 – Approved (adjacent site).

4/24/2271/0B1 – Variation of condition 2 (plans) to amend the external appearance of the house types on the site of planning approval 4/24/2489/0F1 residential development of 37 dwellings – Withdrawn.

4/22/2110/NMA – Non-material amendment – Variation of condition 2 (revised house types) of planning approval 4/20/2334/0R1 – Reserved matter application for 26 dwellings and associated infrastructure following outline approval 4/17/2143/0O1 – Ongoing (adjacent site).

Proposal

In May 2024, planning permission (ref: 4/21/2489/0F1) was granted at this site for a residential development of 37 houses. This approval was subject to a S106 agreement.

This current application is for a non-material amendment to revise the house type elevations for this development. The proposed amendments will change the house type elevations from the previously approved 'contemporary' house types to 'urban' elevations.

Planning Policy



Cumberland Council

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

Development Plan

On 1st April 2023, Copeland Borough Council ceased to exist and was replaced by Cumberland Council as part of the Local Government Reorganisation of Cumbria.

Cumberland Council inherited the local development plan documents of each of the sovereign Councils including Copeland Borough Council, which combine to form a Consolidated Planning Policy Framework for Cumberland.

The inherited the local development plan documents continue to apply to the geographic area of their sovereign Councils only.

The Consolidated Planning Policy Framework for Cumberland comprises the Development Plan for Cumberland Council until replaced by a new Cumberland Local Plan.

Copeland Local Plan 2021 - 2039 (LP):

Cumberland Council continued the preparation of the LP as commenced by Copeland Borough Council.

The LP was adopted by Cumberland Council on the 5th of November 2024 replacing the Copeland Local Plan 2013-2028 and the saved policies of the Copeland Local Plan 2021-2016.

Planning approval 4/21/2489/0F1 was determined under the previous Local Plan, however this current non material amendment application is being considered under the Copeland Local Plan 2021-2016 as this now forms the development plan.

Strategic Policy DS1: Settlement Hierarchy

Strategic Policy DS2: Settlement Boundaries

Policy DS4: Design and Development Standards

Policy DS5: Hard and Soft Landscaping

Strategic Policy DS6: Reducing Flood Risk

Policy DS7: Sustainable Drainage

Policy DS8: Soils, Contamination and Land Stability

Strategic Policy H1: Improving the Housing Offer

Strategic Policy H2: Housing Requirement

Strategic Policy H3: Housing Delivery

Strategic Policy H4: Distribution of Housing

Strategic Policy H5: Housing Allocations

Policy H6: New Housing Development

Policy H7: Housing Density and Mix

Strategic Policy N1: Conserving and Enhancing Biodiversity and Geodiversity

Strategic Policy N2: Local Nature Recovery Networks

Strategic Policy N3: Biodiversity Net Gain

Strategic Policy BE1: Heritage Assets

Policy BE2: Designated Heritage Asset

Strategic Policy CO4: Sustainable Travel

Policy CO5: Transport Hierarchy

Policy CO7: Parking Standards

Other Material Planning Considerations

National Planning Policy Framework (2024)

National Design Guide (NDG).

Cumbria Development Design Guide (CDG)

The Conservation of Habitats and Species Regulations 2017 (CHSR).

Copeland Borough Council Housing Strategy 2018-2023 (CBCHS)

Strategic Housing Market Assessment 2021 (SHMA)

Copeland Borough Council - Strategic Housing Market Assessment and Objectively Assessed Housing Need (SHMA).

Assessment

The non-material amendment seeks to revise the house type elevations for this development

The amended elevation treatments are appropriate to the design and form of the proposed development and surrounding properties. The amended elevations will not alter the location of openings and therefore will not impact on existing residential amenity.

All other details of the application will stay the same.

In the context of the approved development, the proposed comprises a non-material amendment.

Overall, this is considered to be an acceptable form of development which accords with the guidance set out in the NPPF and the adopted Local Plan.



Cumberland Council

8.	Recommendation: Approve Non Material Amendment	
Case Officer: C. Burns		Date : 14.02.2025
Authorising Officer: N.J. Hayhurst		Date : 17.02.2025
Dedicated responses to:- N/A		