

**COPELAND BOROUGH COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/21/2528/OF1	
2.	Proposed Development:	RESTORE THE GRADE II LISTED MILESTONE BY INSTALLING NEW PLAQUES AND REPAINT THE MILESTONE AS WELL AS MOUNT THE STONE ON A PLINTH AND INCREASE THE AREA OF GRAVEL SURROUNDING IT	
3.	Location:	JUNCTION BETWEEN DALZELL STREET AND A595	
4.	Parish:	Egremont	
5.	Constraints:	ASC;Adverts - ASC;Adverts, Listed Building - Listed Building, Coal - Standing Advice - Data Subject To Change, Key Species - Potential Area for Great Crested Newts, Outer Consultation Zone - Sellafield 10KM	
6.	Publicity Representations & Policy	Neighbour Notification Letters	No
		Site Notice	Yes
		Press Notice	No
		Consultation Responses	See Report
		Relevant Policies	See Report
7.	Report:		
	Site and Location		
	This application relates to the Grade II Listed Milestone located at the junction between Dalzell Street and the A595 to the south east of Bigrigg. This is one of four Milestones along the southern portion of the A595. The Milestone is in poor condition after recently being hit by a vehicle, leaving it toppled and missing its plaque.		
	Relevant Planning History		

No relevant planning history for this site.

Proposal

This application seeks planning permission to restore the Grade II listed milestone by recasting and installing the missing plaques and repainting the Milestone in its original white and black colours. The application also seeks to mount the Milestone on a plinth measuring 600m x 600m by 200mm high, attaching the stone by two steel pins. It is also proposed that the existing vegetation will be cut back and the gravel area surrounding the stone extended to improve its setting.

The proposed works have been commissioned by National Highways. This planning application is being considered alongside a Listed Building Consent application for the same works, ref: 4/21/2529/0L1.

Consultation Responses

Egremont Town Council

No objections. Councillors are in support of this.

Cumbria County Council – Cumbria Highways & LLFA

21st December 2021

Please could the applicant confirm the height of the milestone when mounted onto the plinth.

21st January 2022

Although gravel isn't an ideal material to be used next to the A595, considering the size of the development Cumbria County Council as the Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) can confirm that we have no objection to the proposed development as it is considered that it will not have a material effect on existing highway conditions nor will it increase the flood risk on the site or elsewhere.

Highways England

No objections.

Copeland Borough Council – Conservation and Design Officer

No objections.

It is proposed to recast the plates using records of their appearance and text from photos and maps, and to slightly relocate the milestone onto a small plinth. Although this will change the position, it will only be a small change, and will protect the milestone from vehicle strikes while allowing it still to be visible. This will also correct a misorientation that has occurred. The stone will also be repainted and an area of local 30-50mm gravel established to enhance its setting.

The proposals will enhance and protect this asset for the future.

Public Representation

This application has been advertised by way of a site notice. 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

Policy T1 – Improving Accessibility and Transport

Policy ENV4 – Heritage Assets

Development Management Policies (DMP)

Policy DM22 – Accessible Developments

Policy DM27 – Built Heritage and Archaeology

Other Material Planning Considerations

National Planning Policy Framework (2021)

National Design Guide (NDG)

Planning (Listed Building and Conservation Areas) Act 1990

Emerging Copeland Local Plan (ELP):

The emerging Copeland Local Plan 2017-2035 was recently the subject of a Preferred Options Consultation which ended on 30 November 2020. 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

This application seeks planning permission for works to an existing dilapidated Listed Milestone on the south east edge of Bigrigg. These works include installation of new plinths, repainting, mounting the Milestone on a stone and increasing the area of surrounding gravel. The main issue the application raises relates to the principle of the development and its impact on the heritage asset, and impact on the adjacent highway.

Principle of the Development and Impact on the Heritage Asset

Policy ST1, ENV4, DM27 of the Copeland Local Plan seek to protect, conserve and where possible enhance the historic, cultural and architectural character of the Borough's historic sites.

The Planning (Listed Buildings and Conservation Areas) Act 1990 establishes a need "in considering whether to grant listed building consent for any works [for the Local Planning Authority to] have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest" [Section 16(2)]. This requirement also applies to the granting of planning permission affecting a listing building or its setting [Section 66(1)].

NPPF para. 194 states that "In determining applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation..."

NPPF para. 199 states, in the case of designated heritage assets, "great weight should be given to the asset's conservation", irrespective of whether potential harm is substantial, less-than-substantial, or total loss. Where harm to a designated heritage asset is less-than-substantial, it should be weighed against the public benefits of the proposal (para. 202).

The Listed Milestone is currently in a poor condition after recently being hit by a car. The structure is tilted and no longer includes the historic plaques which have now fallen off. The proposed works to this structure seeks to recast the plaques using historic records and relocating the milestone to a small plinth. The stone will also be repainted and the gravel surround increased to improve its setting. These proposed works are considered to enhance the existing heritage asset.

The Council's Conservation Officer has offered no objections to the proposal and considers the proposals will enhance and protect the asset for the future.

The proposal is therefore considered to comply with the relevant policies of the Copeland Local Plan and NPPF.

Impact on Highway Safety

Policy DM22 of the Copeland Local Plan requires developments to be accessible to all users and to meet adopted car parking standards, which reflect the needs of the Borough in its rural context. Section 9 of the NPPF promotes sustainable transport.

	<p>The Milestone is located upon the junction of Dalzell Street and the A595. The structure is currently in poor condition as it has recently been hit by a car. The restoration works have been commissioned by National Highways.</p> <p>Cumbria Highways originally requested additional details with regard to the overall height of the development once mounted on the proposed stone. Following the receipt of this information Cumbria Highways have confirmed that they have no objections as the development will not have a material effect on existing highway condition.</p> <p>The proposal is therefore considered to comply with the relevant policies of the Copeland Local Plan and NPPF.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The proposed works to this dilapidated Grade II Listed Milestone, will ensure the heritage asset is reinstated to its previous condition following a recently car collision. The works are considered to enhance and protect the asset for the future. The Council’s Conservation Officer has offered no objections to this proposal. The development is also not considered to have a significant adverse impact on highway safety. The proposed development will have an overall positive impact on the Grade II Listed Milestone.</p> <p>In all aspects, the proposed development is compliant with the objectives of Policies ST1, ENV4, DM22 and DM27 of the Copeland Local Plan 2013-2018 and the relevant provisions of the National Planning Policy Framework and LBCA Act.</p>
8.	<p>Recommendation:</p> <p>Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <ol style="list-style-type: none"> 1. The development hereby permitted must be commenced before the expiration of three years from the date of this permission. <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> <ol style="list-style-type: none"> 2. This permission relates to the following plans and documents as received on the retrospective dates and development shall be carried out in accordance with them:- <ul style="list-style-type: none"> - Bigrigg Milestone Location Plan, Scale 1:1250, Drawing No COA130886_LS-01a, Rev: P01.1, received by the Local Planning Authority on the 10th January 2022.

- Bigrigg Milestone Landscape Proposals, Scale 1:200, Drawing No COA130886-LS-01, Rev: P01.1, received by the Local Planning Authority on the 18th January 2022.
- Design, Access, and Heritage Impact Assessment, COA130886/Rev 1, Prepared by ameyconsulting on the 27th October 2021, received by the Local Planning Authority on the 6th December 2021.

Reason

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.

Informative:

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.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

Statement

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.

Case Officer: C. Burns	Date : 24.01.2022
Authorising Officer: N.J. Hayhurst	Date : 27/01/2022
Dedicated responses to:- N/A	