

**COPELAND BOROUGH COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/21/2547/OF1	
2.	Proposed Development:	SITING OF 20FT STORAGE CONTAINER WITHIN CAR PARK ON A PERMENANT BASIS FOR USE IN CONNECTION WITH DALTON CUMBRIAN FACILITY (RETROSPECTIVE)	
3.	Location:	DALTON CUMBRIAN FACILITY, WESTLAKES SCIENCE AND TECHNOLOGY PARK	
4.	Parish:	Egremont	
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change	
6.	Publicity Representations &Policy	Neighbour Notification Letter	No
		Site Notice	Yes
		Press Notice	No
		Consultation Reponses	See Report
		Relevant Policies	See Report
7.	Report:		
	Site and Location		
	This application relates to the Dalton Cumbrian Facility, an existing office facility located within the north eastern corner of the Westlakes Science and Technology Park. This facility is known as Plot 9b and is located on the edge of the Science Park and benefits from a large car park which is well screened by existing vegetation.		
	Relevant Planning History		
	4/15/2186/OF1 – Existing flowerbed to the levelled and provision make for a bicycle shelter – Approved		
	4/14/2279/OF1 – Installation of a door to enable equipment installation – Approve		

Proposal

This application seeks retrospective planning permission for the siting of a 20ft storage container within the existing car park on a permanent basis for use in connection with Dalton Cumbrian Facility.

The container is located to the east of the car park, adjacent to the existing bike store. The container measures 2.43m x 6.05m, with a height of 2.59m. The container is already sited on the land therefore the application is retrospective. The development is to be used to store research equipment and consumables that cannot be stored within the main building due to space constraints.

Consultation ResponsesEgremont Parish Council

13th January 2022

No objections.

20th January 2022

Egremont Town Councillors do not endorse retrospective developments that have already been passed. However, there are no objections as long as the following Councillor comments can be considered and responded to:

The nature of the site is that there is very limited impact on the wider landscape and this container could cause an eyesore after a period of time.

Is there a time limit set in place to look at a more permanent solution of storage? If not would the owners consider cladding the container in wood, to fit in with surrounding buildings/landscape?

Cumbria County Council – Cumbria Highways & LLFA

7th January 2022

It is noted from the details supplied that the proposal will not lead to an increase in vehicular traffic to and from nor will it increase the flood risk for the site. I can therefore confirm that the Highway Authority and Lead Local Flood Authority have no objection to the proposal.

It is however noted from the plans that the proposed container is to be sited on a drain, we recommend that it is sited so that it does not obstruct the drain and hinder the existing drainage system.

24th January 2022

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.

United Utilities

United Utilities will request evidence that the drainage hierarchy has been fully investigated and why more sustainable options are not achievable before a surface water connection to the public sewer is acceptable.

Environment Agency

No objections to the proposal as submitted.

Resilience Unit

20th December 2021

No objections.

13th January 2022

No further comments to make.

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 ST2 – Spatial Development Strategy

Policy ER5 – Improving the Quality of Employment Space

Policy ER6 – Location of Employment

Policy T1 – Improving Accessibility and Transport

Policy ENV1 – Flood Risk and Risk Management

ENV5 – Protecting and Enhancing the Borough's Landscapes

Development Management Policies (DMP)

Policy DM4 – Westlakes Science and Technology Park

Policy DM10 – Achieving Quality of Place

Policy DM22 – Accessible Developments

Policy DM24 – Development Proposals and Flood Risk

DM26 – Landscaping

Other Material Planning Considerations

National Planning Policy Framework (2021)

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 permission for the siting of a storage container within a car park associated with an existing office site. The key issues raised by this application relate to the principle of the development, impact on landscape and visual amenity, impact on highways/parking, and drainage.

Principle of Development

Policies ST1, ST2 and ER6 of the Copeland Local Plan concentrate development within the defined settlement boundaries in accordance with the Borough's settlement hierarchy. This site lies within Westlakes Science and Technology Park, which is located outside of any of the Borough's settlement boundaries. Policy ST2 seeks to restrict development outside of the defined settlement boundaries to that which has a proven requirement for such a location, including existing major employment locations, especially Westlakes Science and Technology Park. The proposal seeks to provide additional storage for a well-established business on this employment site. As such the principle of development is considered to be acceptable.

Impact on Landscape and Visual Amenity

Policy ST1, DM10 and section 12 of the NPPF seeks protection of residential amenity, a high standard of design, fostering of quality places, and proposals, which respond to the character of the site.

Policy ENV5 states that the Borough's landscapes will be protected and enhanced by: protecting all landscapes from inappropriate change by ensuring that the development does not threaten or detract from the distinctive characteristics of that particular area; that where the benefits of the development outweigh the potential harm, ensuring that the impact of the development on the landscape is minimised through adequate mitigation, preferably on-site; and, supporting proposals which enhance the value of the Borough's landscapes.

The Dalton Cumbria Facility is located to the north east edge of the Westlakes Science and Technology Park, and lies adjacent to vacant plots that have not been built out. The container has been located within the car park to the rear of the building and adjacent to an existing bike storage building. The development is well screened by the existing building and the existing vegetation surrounding the application site, therefore the development is not considered to have a significant detrimental impact on the landscape or visual amenity. The Local Planning Authority would not however wish for this type of development to be a permanent feature within this site, therefore a condition is proposed to limit the permission to a three year period. After this timescale the container and all other material would need to be removed and land restored in accordance with a scheme submitted to the Local Planning Authority. The inclusion of this condition will also address the concerns raised by the Town Council and the long terms impacts on the visual amenity of the area if the container was to cause an eyesore.

Based on the inclusion of this condition the proposed is considered to comply with Policies ST1, ENV5 and DM10 of the Local Plan and section 12 of the NPPF.

Impact on Highway/Parking

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.

The storage container is located adjacent to the existing bike store within the existing car park for this office facility, however it does not result in the loss of any existing parking spaces. Cumbria Highways have offered no objections to this development, as it is not considered that the proposal would lead to an increase in vehicular traffic to and from the application site.

On this basis, the proposal is considered to be compliant with the Policy DM22 of the Copeland Local Plan and Section 9 of the NPPF.

Drainage

Policy ST1B(ii) and paragraph 163 of the NPPF seek to focus development on sites that are at least risk of flooding and where development in flood risk is unavoidable, ensure that the risk is minimised or mitigated through appropriate design. Policy ENV1 and DM24 of the Copeland Local Plan reinforces the focus of protecting development against flood risk.

	<p>The application site is located within Flood Zone 1. The LLFA stated that they have no objections to the development as the proposal is not considered to increase the flood risk for the site. The LLFA however advised that the plans indicated that the container is to be sited on a drain, therefore it was recommended that the container is sited so that it does not obstruct the drain and hinder the existing drainage system. These concerns were forwarded to the agent who was able to provide evidence that the container had been sited in a way to ensure the existing drains were not obstructed. The submitted plans were therefore amended to show the exact location that the container had been placed on the site.</p> <p>On this basis, the proposal is therefore considered to comply with policies ST1, ENV3 and DM24 of the Copeland Local Plan and provision of the NPPF.</p> <p><u>Planning Balance & Conclusion</u></p> <p>This application seeks to provide an additional storage facility for an existing office building within the Westlakes Science and Technology Park. The proposed is located to ensure the development does not have an impact on the existing parking or drainage facilities. The site for the container has been chosen to limit the impacts on the landscape and visual amenity, however this is a temporary storage solution and does not represent the type of development which the Local Planning Authority would wish to encourage on a permanent basis. A condition has therefore been proposed which limits this permission to a three year period only.</p> <p>On this basis the proposal is considered to be an acceptable form of sustainable development which is compliant with policies of the Copeland Local Plan and the provisions of the NPPF.</p>
8.	<p>Recommendation: Approve</p>
9.	<p>Conditions:</p> <p><u>Standard Conditions</u></p> <ol style="list-style-type: none"> 1. This permission relates to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them:- <ul style="list-style-type: none"> - DCF Storage Container: Location Plan (Amended), Scale 1:1250, Rev 1, received by the Local Planning Authority on the 14th January 2022. - Site Ownership Plan (Amended), Scale 1:500, Drawing No P 5116L(00)07, received by the Local Planning Authority on the 14th January 2022. - General Assembly, Drawing No RXTC-20DBC-000C, received by the Local Planning

Authority on the 15th 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.

2. This permission shall expire on the 3rd February 2025. At or before the expiration of this period the container, and all other materials and equipment brought onto the land in connection with its use must be removed and the land restored in accordance with a scheme previously submitted to and approved in writing by the Local Planning Authority unless prior written approval of the Local Planning Authority has been obtained for its continued siting.

Reason

The site is not appropriate for the long term retention of the container or fence hereby approved due to the detrimental impact on visual amenity.

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 : 03.02.2022

Authorising Officer: N.J. Hayhurst

Date : 03.02.2022

Dedicated responses to:-