

## CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/22/2219/DOC
2.	<b>Proposed Development:</b>	DISCHARGE OF CONDITIONS 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, 15 AND 18 OF PLANNING APPROVAL 4/21/2294/0F1  CONDITION 10
3.	<b>Location:</b>	WEST CUMBERLAND HOSPITAL, HOMEWOOD 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>	N/A.
7.	<b>Report:</b>	<p><b>Site and Location</b></p> <p>The Application Site comprises part of the West Cumberland Hospital, Homewood Road, Whitehaven.</p> <p>The West Cumberland Hospital is a general hospital with 191 inpatient beds providing 24 hour A and E, a consultant-led maternity unit and special baby unit, and, a range of specialist clinical services and outpatient clinics.</p> <p>The hospital site is bound to the north by the dwellings fronting onto Homewood Road and the industrial buildings within Sneckyeat Road Industrial Estate; to the east by agricultural land; and, to the south by further dwellings.</p> <p>The primary access to the hospital is via Homewood Road, which connects to both Cleator Moor Road and the A595.</p> <p>An internal access road runs around the wider hospital site and connects to a number of</p>

vehicle parking areas.

Bus stops are located on Homewood Road.

### **Proposal**

This Application comprises an application for approval of details reserved by Planning Conditions 3, 4, 5, 6, 7, 8, 9, 10, 11, 14 and 18 of Application Ref. 4/21/2294/0F1.

This report relates to the approval of the details reserved by Planning Condition 10 of Application Ref. 4/21/2294/0F1 only.

Planning Condition 10 states the following:

*10. No development shall commence until details of any external plant to be installed and an assessment of the noise impact of the proposed development on existing residential dwellings has been submitted to and approved in writing by the local planning authority. The assessment shall address the potential for noise to occur which may impact upon the amenity of the occupier(s) of the dwellings and shall identify fully all measures which are required to control the impact of that noise.*

*All approved control measures shall be implemented prior to first occupation of the building and shall be retained as such thereafter. A verification report shall be submitted to and approved in writing by the local planning authority confirming that all measures in the approved assessment have been implemented in full prior to first occupation of the building.*

### **Information Submitted In Support of Application**

Covering Letter dated 26<sup>th</sup> September 2023

Plant Noise Assessment – Report Number: 43048-SRL-YA-RP-006-S2-P1

### **Consultation Responses**

Cumberland Council – Environmental Health Officer

This adequately satisfies condition 10 of the planning application and I consider that condition to be duly discharged.

### **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**



## Cumberland Council

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 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 2013-2028 (Adopted December 2013):

#### Core Strategy (CS):

Policy ST1 – Strategic Development Principles

#### Development Management Policies (DMP):

Policy DM10 – Achieving Quality of Place

#### Emerging Copeland Local Plan (ELP):

Cumberland Council are continuing the preparation and progression to adoption of the emerging Copeland Local Plan 2017-2038.

The emerging Copeland Local Plan 2017-2038 comprising the Publication Draft (January 2022) and Addendum (July 2022) have recently been examined by the Planning Inspector and their report on the soundness of the plan currently remains awaited.

The Planning Inspector has now issued their post hearing letter, which identifies the next steps for the Examination. This includes proposed modifications to the plan to ensure a sound plan on adoption.

As set out at Paragraph 48 of the National Planning Policy Framework (NPPF), Local Planning Authorities may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan; the extent to which objections to relevant policies have been resolved; and the degree to which emerging policies are consistent with the NPPF.

Given the stage of preparation of the emerging Copeland Local Plan 2017-2038 some weight can be attached to policies where no objections have been received or objections have been resolved. The Publication Draft (January 2022) and Addendum (July 2022) 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 NPPF.

Policy DS6PU: Design and Development Standards

### **Other Material Planning Considerations**

National Planning Policy Framework (NPPF).

Planning Practice Guidance (PPG).

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

### **Assessment**

The development has commenced and construction is well advanced.

Whilst Planning Condition 10 is a pre-commencement condition, given the nature of the matters to which it relates, it does not run to the heart of the planning permission, which continues to remain extant and capable of implementation.

A Plant Noise Assessment has been prepared and submitted.

The Assessment concludes that the noise from the proposed plant at the nearest residential buildings will have a low impact, in accordance with BS4142:2014+A1:2019 and guidance from the Association of Noise Consultants' BS 4142:2014+A1:2019 Technical Note (March 2020, Version 1.0).

The cumulative plant noise levels are lower than the guideline limits provided in HTM 08-01 and therefore the impact of noise from the plant on the hospital itself is also expected to be low.

The predicted plant noise levels meet the BREEAM requirement for plant noise during daytime hours. During the night time period the predicted plant noise levels exceed the BREEAM requirement by 1dB at the rear of a single residential dwelling closest to the new building (the predicted noise levels at all other receptors meet the night time Pol 05 requirement).

The aim of Pol 05 is *"To reduce the likelihood of noise arising from fixed installations on the new development affecting nearby noise-sensitive buildings"*. On the basis that the BS 4142:2014+A1:2019 assessment indicates a low impact, it is concluded that the aims of Pol 05 to have been achieved.

The Assessment confirms that no measures are required to control the impact of plant noise. As such a verification report confirming that all measures in the approved assessment have been implemented in full prior to first occupation of the building is not required.

The Cumberland Council – Environmental Health Officer has reviewed the Plant Noise



**Cumberland  
Council**

	Assessment and has confirmed that the this adequately satisfies the requirements of Planning Condition 10.  <b>Conclusion</b>  Condition 10 – Approve the requirements of the planning condition.
8.	<b>Recommendation:</b>  Condition 10 – Approve the requirements of the planning condition.
9.	<b>Condition(s):</b>  N/A
<b>Case Officer:</b> Chris Harrison	
<b>Date :</b> 29.09.2023	
<b>Authorising Officer:</b> N.J. Hayhurst	
<b>Date :</b> 02/10/2023	
<b>Dedicated responses to:-</b> N/A	