

**COPELAND BOROUGH COUNCIL  
DELEGATED PLANNING DECISION**

1.	<b>Reference No:</b>	4/22/2369/0F1
2.	<b>Proposed Development:</b>	EXTENSION OF EXISTING INDUSTRIAL BUILDING TO PROVIDE MEZZANINE FLOOR, INCLUDING RAISING THE OVERALL HEIGHT OF THE BUILDING BY 2 METRES (MAX)
3.	<b>Location:</b>	UNIT 3 FRIZINGTON INDUSTRIAL ESTATE, FRIZINGTON ROAD, FRIZINGTON
4.	<b>Parish:</b>	Arlecdon and Frizington
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change
6.	<b>Publicity Representations &amp;Policy</b>	Neighbour Notification Letter: YES  Site Notice: YES  Press Notice: NO  Consultation Responses: See report  Relevant Planning Policies: See report
7.	<b>Report:</b>  <b>SITE AND LOCATION</b>  This application relates to Unit 3 on Frizington Industrial Estate which is situated off Frizington Road on the southern edge of Frizington. The site comprises a small collection of commercial units and is bound by an area of open land to the west with Frizington Road beyond.  <b>PROPOSAL</b>  Planning Permission is sought for alterations to the building to create a mezzanine floor internally. These alterations include the raising of the roof by 2m and the addition of windows to the east and west elevations.	

## **RELEVANT PLANNING APPLICATION HISTORY**

There have been no previous planning applications on the site.

## **CONSULTATION RESPONSES**

### Arlecdon and Frizington Parish Council

No response received.

### Cumbria Highways

#### 1<sup>st</sup> response

The Local Highway Authority have no objections to the principle of this development, however we do have concerns about the limited parking associated with the site. It would be useful if the applicant could give some further information on the intended use of the extended office space i.e. staff/customer numbers. I would recommend they complete the attached transport form allowing us to assess the parking requirements.

#### 2<sup>nd</sup> response

Following the submission of the completed transport form stating there will be no changes to staffing numbers I can confirm the Local Highway Authority raise no objections to this proposal.

### Public Representation

The application has been advertised by way of a site notice and neighbour notification letters sent to 4 no. properties.

No written responses have been received to the advertisement.

## **PLANNING POLICIES**

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 ER5 – Improving the Quality of Employment Space

Policy ER6 – Location of Employment

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM22 – Accessible Developments

**Other Material Planning Considerations**

National Planning Policy Framework 2021 (NPPF)

Planning Practice Guidance (PPG)

Emerging Copeland Local Plan (ELP):

The emerging Copeland Local Plan 2017-2035 has recently been the subject of a Publication Draft Consultation. The Publication Draft Consultation builds upon the previously completed Issues and Options and Preferred Options consultations. Given the stage of preparation of the Copeland Local Plan 2017-2035 some weight can be attached to policies within the Publication Draft where no objections have been received. The Publication Draft 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.

The policies relevant to this application are as follows:

Strategic Policy DS1PU: Presumption in favour of Sustainable Development

Policy DS6PU: Design and Development Standards

Strategic Policy E2PU: Location of Employment

Policy E7PU: Safeguarding of Employment Sites

Policy CO7PU: Parking Standards and Electric Vehicle Charging Infrastructure

**ASSESSMENT**

Principle of development

The Borough's Strategic Development Principles are set out in Policy ST1 of the CS and DS1PU of the ELP. These policies seek to support the retention and expansion of existing businesses. Policy ER5 of the CS and Policy E7PU seeks to improve the quality of employment space, with Policy ER6 of the CS and E2PU of the ELP allowing employment development outside Whitehaven based on their merits.

Ben Rowland's music has been established on the site for many years, with a gradual expansion having taken place. The proposed works are to provide an office space on a mezzanine floor internally which will be achieved by the raising the roof by 2m. As the building for development is to be on an existing employment site, the justification for the rural location is established.

On this basis the principle of the expansion of this business is considered to be acceptable.

#### Impacts on Visual and Residential Amenity

Policy DM10 of the CS and DS6PU of the ELP seek to achieve a high standard of design and protect neighbouring amenity.

The extension to the building is modest in scale and proportionate to the existing building and situated in a position that is unlikely to create amenity issues for any surrounding properties. Despite the Applicant's plans showing the closest dwelling as Robin Hood Villa, this property has been demolished and therefore the closest residential property "Abondale" is situated 30 metres to the southwest. In view of this distance, there is unlikely to be any overshadowing or loss of light created by the increase in height and the property is therefore unlikely to be affected by the proposal.

Additional windows are proposed on the newly built first floor on the east and west elevations. These windows will face onto an area of open land to the east with the property known as Beckside 43 metres east, beyond and towards another commercial unit to the west. As there will be no windows on the south elevation facing the nearby residential properties, the proposal will not change the existing situation.

The extension will be seen in context with the existing building complex. Overall, it is unlikely to have a significant impact on the landscape character of the area.

On this basis the proposal is considered to comply with policies DM10 of the CS and DS6PU of the ELP.

#### Design and Materials

The proposed extension has been designed to be in keeping with the existing building, utilizing similar materials and a consistent design. The building will reflect the other units on the commercial site.

It is considered that the proposal will align with Policy DM10 of the CS and DS6PU of the ELP in relation to design, providing an appropriate extension which is proportionate and of a similar and unobtrusive design.

#### Highway Issues

Policy DM22 of the CS and CO7PU of the ELP seek to ensure that developments are accessible for all.

The unit benefits from a car park of 5 spaces to the west of the site which will be retained for use and unaffected by the proposal. Following completion of a transport form, Cumbria Highways concluded that the road network is suitable and there is unlikely to be a material change to the existing situation.

Overall, it is considered that the proposal accords with Policy DM22 of the CS and CO7PU of the ELP and will provide an accessible development.

#### Planning Balance and Conclusion

The proposal seeks to develop the existing unit and enhance it further allowing for the longevity of its use and expansion of the existing business. This is supported by the policies within the Local Plan

	<p>which seek to retain and develop employment opportunities and encourage their usage.</p> <p>The proposed extension is modest in scale and of an appropriate design. It is unlikely to have any significant impacts on residential amenity or highway safety.</p> <p>No objections to the proposal have been received</p> <p>This development is considered to be acceptable form of sustainable development that is consistent with the policies set out in the Copeland Local Plan.</p>
8.	<p><b>Recommendation:</b></p> <p>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>Site Location Plan, scale 1:1250, drawing number D.04, received 9<sup>th</sup> September 2022;  Site Plan, scale 1:200, drawing number D.03, received 9<sup>th</sup> September 2022;  Proposed Plans and Elevations, scale 1:100, drawing number D.02, received 9<sup>th</sup> September 2022.</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>

[www.gov.uk/government/organisations/the-coal-authority](http://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: Sarah Papaleo**

**Date : 03/11/2022**

**Authorising Officer: N.J. Hayhurst**

**Date : 04/11/2022**

**Dedicated responses to:- N/A**