



## COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/22/2419/OF1	
2.	Proposed Development:	ERECTION OF A TIMBER FOOTBRIDGE INCORPORATING HANDRAILS AND SPANNING 2.4M	
3.	Location:	LAND TO THE SOUTH OF PONSONBY TARN, PONSONBY	
4.	Parish:	Ponsonby	
5.	Constraints:	ASC;Adverts - ASC;Adverts, Flood Area - Flood Zone 2, Flood Area - Flood Zone 3, Safeguard Zone - Safeguard Zone, Coal - Off Coalfield - Data Subject To Change, DEPZ Zone - DEPZ Zone, Outer Consultation Zone - Sellafield 10KM	
6.	Publicity Representations &Policy	Neighbour Notification Letter	Yes
		Site Notice	Yes
		Press Notice	No
		Consultation Responses	See Report
		Relevant Policies	See Report
7.	Report:		
	Site and Location		
		This application relates to an area at Newmill Beck, immediately downstream of Ponsonby Tarn dam. The site is located approximately 1km to the south west of the small village of Ponsonby.	
	Proposal		
		This application seeks permission for the erection of a timber footbridge over the existing beck. The proposed footbridge will replace an existing informal wooden structure, comprising of a thick	

wooden beam over the beck, and will provide a safe crossing for walkers. The proposed bridge will span 2.4m with a width of 0.6m, and will benefit from handrails of 1.05m in height. The bridge will be of a timber construction and will sit on a concrete base on each side of the beck.

### **Relevant Planning History**

No relevant planning history.

### **Consultation Responses**

#### Ponsonby Parish Council

*8<sup>th</sup> November 2022*

Following this evenings Parish Council meeting we can confirm that there is no objection to this planning application.

However, the comments to be passed on are a general concern due to the large amount of funds being used to replace a footbridge which has very little community use as the surrounding footpaths are extremely overgrown. This is a footbridge which the local community would not necessarily use on a daily basis.

*19<sup>th</sup> December 2022*

The Parish Council of Ponsonby and Calderbridge have no objections to the proposal however we would request that Gosforth Parish Council have also been made aware of this as we understand that their Parish borders the proposed location.

#### Gosforth Parish Council

No comments received.

#### Cumbria County Council – Cumbria Highways & LLFA

*7<sup>th</sup> November 2022*

Local Highway Authority response:

The Local Highway Authority have no objections to this proposal.

Lead Local Flood Authority response:

The Lead Local Flood Authority have no objections to the principle of this application however we ask that full cross-sectional drawings of the proposed footbridge over the watercourse are submitted. These will need to show how and where the bridge abutments are located/built into the banks and whether or not any part of the structure will be required to be built into the watercourse bed.

The applicant should also note that they will require ordinary watercourse consent to be issued before commencing the works. They should contact [LFRM.consent@cumbria.gov.uk](mailto:LFRM.consent@cumbria.gov.uk) for information.

*14<sup>th</sup> December 2022*

I can confirm the LLFA have no objections to this proposal as the structure will not obstruct or restrict the flow of the watercourse. The applicant will need to seek consent from [LFRM.consent@cumbria.gov.uk](mailto:LFRM.consent@cumbria.gov.uk) to erect the structure within the banks.

Environment Agency

No comments received.

Copeland Borough Council – Flood and Coastal Defence Engineer

*26<sup>th</sup> October 2022*

Just to let you know that I have no comments on the above application.

I did note that the submitted Flood Risk Assessment is more an emergency plan for the reservoir than a suitable document for a planning application.

*16<sup>th</sup> December 2022*

With regards to the additional and amended information, I can confirm that I'm happy with the amended Flood Risk Assessment and that I have no objections to the proposed development.

Cumbria County Council – Footpaths Officer

No comments received.

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 SS4 – Community and Cultural Facilities

Policy SS5 – Provision of Access to Open Space and Green Infrastructure

Policy ER10 – Renaissance through Tourism

Policy T1 – Improving Accessibility and Transport

Policy ENV1 – Flood Risk and Risk Management

Policy ENV5 – Protecting and Enhancing the Borough's Landscapes

Policy ENV6 – Access to Countryside

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM22 – Accessible Developments

Policy DM24 – Development Proposals and Flood Risk

**Other Material Planning Considerations**

National Planning Policy Framework (2021)

National Design Guide (NDG).

Emerging Copeland Local Plan (ELP)

The emerging Copeland Local Plan 2017-2038 comprising the Publication Draft (January 2022) and Addendum (July 2022) have recently been submitted for examination by the Planning Inspector.

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.

Strategic Policy DS1PU: Presumption in favour of Sustainable Development

Strategic Policy DS2PU: Reducing the impacts of development on Climate Change

Strategic Policy DS8PU: Reducing Flood Risk

Strategic Policy N6PU: Landscape Protection

Strategic Policy T1PU: Tourism Development

Policy SC5PU: Community and Cultural Facilities

Strategic Policy CO6PU: Countryside Access

### **Assessment**

The main issues raised by this application relate to the principle of the development

#### Principle of Development

Policy ST1, ST2, SS4, and SS5 of the Copeland Local Plan seek to support development that provides or contributes to the Borough's social and community infrastructure enabling everyone to have good access to jobs, shops, services, and recreational and sports facilities. Policy SS4 also allows for the expansion and/or the enhancement of existing community and cultural facilities to assist continuing viability. The proposed footbridge seeks to replace an existing informal structure currently used to cross the beck and provide access to the south of Ponsonby Tarn and the nearby PROW. The proposal seeks to provide a safe access point for walkers therefore the principle of the development is acceptable.

#### Impact of Development

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.

The proposed bridge will replace the informal structure currently sited over the beck. The replacement crossing point will be constructed from timber therefore the development is not considered to have a significant visual impact on the surrounding area. Although the proposed development is a new structure, it is modest in scale and the overall design and location of the development is considered to mitigate against any impacts on the character of this area. On the basis of the above it is considered that the proposal complies with Policies ST1 and DM10 of the Local Plan and section 12 of the NPPF.

#### Accessible Development

Policy ST1, SS4, SS5 and DM22 of the Copeland Local Plan require development proposals to be accessible to all users. Policy ENV6 seeks to ensure access to the countryside for residents and visitors and identifies opportunities to provide or improve access on routes and gateways. Policy SS4 of the Copeland Local Plan seek to support services and facilities which benefit the less mobile or more deprived members of the community and which maximise opportunities for people to improve their

	<p>health and well-being.</p> <p>The replacement bridge will establish a safe and convenient means for the public to cross the beck to provide access to the tarn and PROW, which will enhance accessibility for local users and for tourists in the Borough. Based on the above the proposal is considered to comply with Policy ST1, SS4, SS5 and DM22 of the Copeland Local Plan.</p> <p><u>Planning Balance and Conclusions</u></p> <p>On balance, the positive benefits that would result from this proposal outweigh any potential harm and the proposal represents a sustainable form of development which complies with the Policies set out on the Copeland Local Plan.</p>
8.	<p><b>Recommendation:</b></p> <p>Approve (commence within 3 years)</p>
9.	<p><b>Conditions:</b></p> <p><u>Standard Conditions:</u></p> <ol style="list-style-type: none"> <li>1. The development hereby permitted must be commenced before the expiration of three years from the date of this permission.</li> </ol> <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"> <li>2. Permission must relate 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"> <li>- Location Plan (Amended), Scale 1:1250, Drawing No: 001, Rev: A, received by the Local Planning Authority on the 16<sup>th</sup> November 2022.</li> <li>- Proposed Bridge Layout (Amended), Scale 1:100, Drawing No: 002, received by the Local Planning Authority on the 16<sup>th</sup> November 2022.</li> <li>- Footbridge, Scale 1:20, Drawing No: 003, Rev: A, received by the Local Planning Authority on the 16<sup>th</sup> November 2022.</li> <li>- Structural Drawings and Calculations: Timber Footbridge, Ref: 96.01, prepared by Redstone Consulting Engineers 15<sup>th</sup> July 2022, received by the Local Planning Authority on</li> </ul> </li> </ol>

the 19<sup>th</sup> October 2022.

- Structural Drawings and Calculations: Ponsonby Tarn Footbridge General Components, Ref: 1.1 top rail, prepared by Redstone Consulting Engineers 14<sup>th</sup> July 2022, received by the Local Planning Authority on the 19<sup>th</sup> October 2022.
- Structural Drawings and Calculations: Ponsonby Tarn Footbridge General Components, Ref: 1.4 Main Beam, prepared by Redstone Consulting Engineers 15<sup>th</sup> July 2022, received by the Local Planning Authority on the 19<sup>th</sup> October 2022.
- Planning Statement, received by the Local Planning Authority on the 19<sup>th</sup> October 2022.
- Design and Access Statement, received by the Local Planning Authority on the 19<sup>th</sup> October 2022.
- Flood Risk Assessment (Amended), Prepared by Avison Young 2<sup>nd</sup> December 2022, received by the Local Planning Authority on the 5<sup>th</sup> December 2022.

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:**

1. The applicant should note that they will require ordinary watercourse consent to be issued before commencing the works. They should contact [LFRM.consent@cumbria.gov.uk](mailto:LFRM.consent@cumbria.gov.uk) for information.
2. The applicant will need to seek consent from [LFRM.consent@cumbria.gov.uk](mailto:LFRM.consent@cumbria.gov.uk) to erect the structure within the banks

**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.

<b>Case Officer:</b> C. Burns	<b>Date :</b> 20.12.2022
<b>Authorising Officer:</b> N.J. Hayhurst	<b>Date :</b> 20.12.2022
<b>Dedicated responses to:-</b>	