

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/22/2477/DOC
2.	Proposed Development:	DISCHARGE OF CONDITIONS 3 AND 6 OF PLANNING APPLICATION 4/20/2048/0F1
3.	Location:	LAND ADJACENT TO ROCKSTONE RETREAT, INKERMANTERRACE, WHITEHAVEN
4.	Parish:	Whitehaven
5.	Constraints:	ASC;Adverts - ASC;Adverts, Conservation Area - Conservation Area, TPO - TPO, Coal - Standing Advice - Data Subject To Change
6.	Publicity Representations &Policy	<p>Neighbour Notification Letter: NO</p> <p>Site Notice: NO</p> <p>Press Notice: NO</p> <p>Consultation Responses: See report</p> <p>Relevant Planning Policies: See report</p>
7.	<p>Report:</p> <p>Site and Location:</p> <p>This application relates to an existing access located west of the dwelling known as Rockstone Retreat. The access leads from Inkerman Terrace into a small agricultural field and is defined by an existing farm gate.</p> <p>It is situated within the Whitehaven Conservation Area.</p> <p>Planning permission was granted in March 2020 for relocation and improvement of the existing field access (application reference 4/20/2048/0F1 relates).</p> <p>Proposal:</p>	

Planning Conditions imposed on application ref. 4/20/2048/0F1 state the following:

3. Prior to their first use on the development hereby approved, full details of all materials to be used, including the wall and access gate shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained as such at all times thereafter.

Reason

In order to ensure that the character of the Conservation Area and adjacent Listed Buildings are protected.

6. Prior to the commencement of the development hereby approved, full details of measures to prevent water discharging onto or off the highway shall be submitted to and approved by the Local Planning Authority. Any approved works shall be completed according to the approved plans and retained as such at all times thereafter.

Reason

In the interests of highway safety.

This application seeks to discharge the details of these conditions with the submission of the following information:

- Application form;
- Drainage information;
- Material details.

Consultee:	Nature of Response:
Conservation Officer	<u>1st response</u> I think the proposed material is going to stick out like a sore thumb and have quite a noticeable impact. The walls all thereabouts are red sandstone in a random rubble pattern and triangular copings. The wall at the entrance to Rockstone Retreat appears to have

been built from reclaimed material with extra to make up to form the visibility splays, with a flatter chamfered coping on top to assist with keeping it to 1.05m.

I'd suggest at this site that the splays should be constructed from material reclaimed from the widened opening and from the lowering of the wall across the visibility splays, with extra made up of the same type (i.e. red sandstone rubble, lime mortared). I presume the triangular copings are going to be retained, and that the section to be lowered to 1.05m is only at the turn-in/out of the drive?

2nd response

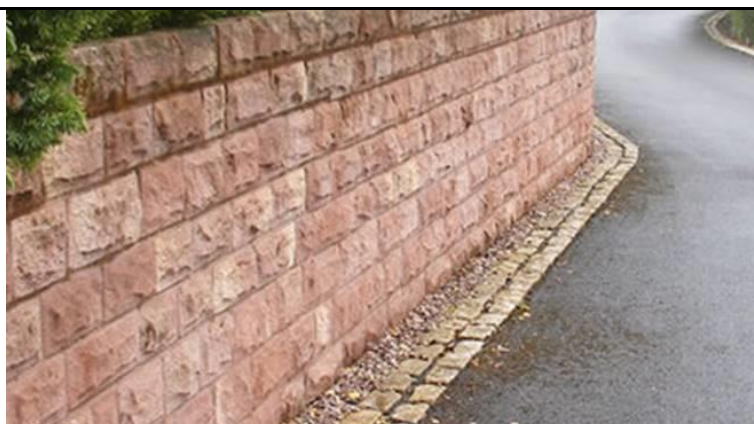
I think this might work, but am still a little unsure. There seem to be a couple of different copings shown but I'm not certain which will be used or whether either will match in with the existing ones.

The proposed masonry shown in the photos is known as coursed pitched face, with sawn edges, which will stand out in the context of the existing masonry. The existing is quite a rough, weathered rubble on the right side of the opening and a marginally more dressed but still pretty lumpy squared rubble on the left side.

This is what the existing masonry looks like



And the stone in the photos will come out something like this



The applicant mentions quite a lot of options in his email that aren't shown. For instance, he mentions odd stone (which is a lot cheaper) but notes that a more experienced mason would be needed. To be honest, for a sandstone wall in a conservation area and opposite listed buildings, at one of the busiest sites in Whitehaven, I would be wanting the most experienced mason I could get. Possibly the odd stone would be a better match?


I also have a couple of other questions.

Are the sides of the opening going to be straight (like those at the house next door) or curved inwards? If curved, the copings will need to be angled at their ends (so trapezoid in plan) rather than rectangular. Apologies for not recalling – I don't think there's a plan with the DOC application.

What mortar is proposed for the wall? I'm sure a good mason will be in a position to specify, but grey cement strap pointing is going to be very different to a soft biscuity lime pointing slightly brushed back.

Additionally, I note that there's a considerable amount of plant life, ferns etc. growing out of the existing wall, so suggest this opportunity be taken to carefully remove it and repoint to full length as the pointing has clearly been left to disintegrate and the wall is now holding moisture below the coping stones, which will damage it over time.

3rd response

		<p>Thanks for the update. It's still a cement mortar however, just with a bag of lime added. This is quite often done to aid plasticity, which makes the wet mortar easier to work. I'd suggest using a suitably gauged hot mix lime in the first instance, but NHL3.5 with 1/4 or 1/3 of aggregate replaced with crushed limestone graded 1mm down to dust would probably be ok for this location too.</p> <p>There's quite a risk with hard cement and soft sandstone of ending up with it looking like this in a few years' time</p>  <p><u>4th response</u></p> <p>The last info I had from Ian was confirmation that he'd pass on the message about mortar specification to the contractor. I think it should be good enough with that being the case.</p>
	Flood and Coastal Drainage Engineer	<p>As far as I understand, the information provided satisfies Condition 6.</p> <p>However, as this is a matter relating to the highway, ultimately it would be for Cumbria Highways to advise.</p>
	Cumbria Highways and Local Lead Flood Authority	<p>Cumbria County Council as the Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) has reviewed the above planning reference and I can confirm the details provided show an ACO drain at the access which will connect to a soakaway. The LLFA have no objections to condition 6 being discharged.</p>

	Condition 3 - The LHA and LLFA did not recommend this condition therefore we have no comments to make.
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Neighbour Responses:

None received.

Development plan policies:

Copeland Local Plan 2013-2028 (Adopted December 2013):

Core Strategy (CS):

Policy ST1 – Strategic Development Principles

Policy ENV1 – Flood Risk and Risk Management

Policy ENV4 – Heritage Assets

Development Management Policies (DMP):

Policy DM10 – Achieving Quality of Place

Policy DM22 – Accessible Developments

Policy DM24 – Development Proposals and Flood Risk

Policy DM27 – Built Heritage and Archaeology

Other Material Planning Considerations

National Planning Policy Framework 2021 (NPPF)

The emerging Copeland Local Plan Publication Draft 2021-2038 (ELP)

The emerging Copeland Local Plan 2017-2038 comprising the Publication Draft (January 2022) and Addendum (July 2022) have recently been subject to an 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



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been developed in accordance with the provisions of the NPPF.

The policies relevant to this proposal are as follows:

Policy DS6PU: Design and Development Standards

Strategic Policy DS8PU: Reducing Flood Risk

Policy DS9PU: Sustainable Drainage

Strategic Policy BE1PU: Heritage Assets

Policy BE2PU: Designated Heritage Assets

Assessment:

Condition 3 – Materials

Policies ST1 and DM10 of the CS and DS6PU of the ELP place an emphasis on good design, with this being even more fundamental within the Conservation Area, as detailed in Policies ENV4 and DM27 of the CS and BE1PU and BE2PU of the ELP.

The materials initially proposed included tegula walling and a softwood double cross field gate. The Conservation Officer raised concerns with this approach and undertook discussion with the Applicant. As a result, the Applicant confirmed that the reclaimed stone would be used to build the widened sides with two end pillars. This stone would be held together with a hot lime mix solution (NHL 3.5 with 1/4 to 1/3rd crushed limestone of no greater than 1mm in size) and any other stone required would be odd shaped to match and sourced locally. New wooden gates would open into the field.

The proposed materials are both traditional in design and will reflect the existing situation without changing the character of the area. It is considered that they will cause less than substantial harm to the Conservation Area and will match the existing stone wall. The gate will provide betterment with wood being preferred over the existing metal field gate.

Condition 6 – Drainage

Policies ENV1 and DM24 of the CS and DS8PU and DS9PU of the ELP seek to prevent flooding either on or around the site due to development.

The Local Lead Flood Authority posed a condition on the approved application to ensure that surface water does not run from the site to the highway. The Applicant has submitted a plan

	<p>to show an aco drain channel to be installed at the entrance to the field, adjacent to the field side of the footpath. The aco channel will be routed to a soakaway under the new entrance apron in the field, therefore ensuring that no water will run onto the footpath or highway. The information was considered to be acceptable by both Copeland's Flood and Coastal Drainage Engineer and the Local Lead Flood Authority.</p> <p><u>Conclusion</u></p> <p>Overall, the proposed materials will respect the character of the agricultural field and the Conservation Area and adjacent Listed Buildings. The drainage is considered to be acceptable and should prevent any flooding to the highway. The details are considered to comply with the policies within the Copeland Local Plan and therefore conditions 3 and 6 can be discharged.</p>	
8.	<p>Recommendation: Approve discharge of conditions</p>	
Case Officer: Sarah Papaleo		Date : 03/04/2023
Authorising Officer: N.J. Hayhurst		Date : 04/04/2023
Dedicated responses to:- N/A		