

COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/22/2494/DOC	
2.	Proposed Development:	DISCHARGE OF CONIDITIONS 3 AND 4 OF PLANNING APPLICATION 4/22/2110/0B1	
3.	Location:	FORMER ROMAR FACTORY, IVY MILL, MAIN STREET, HENSINGHAM, WHITEHAVEN	
4.	Parish:	Whitehaven	
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change	
6.	Publicity Representations &Policy	Neighbour Notification Letter	No
		Site Notice	No
		Press Notice	No
		Consultation Responses	See Report
		Relevant Policies	See Report
7.	Report:		
	Site and Location		
	This application relates to the Ivy Mill Site, formally utilised as The Romar Innovate Factory from 2001 – 2016. It is situated within the centre of Hensingham, and is located to the east of Copeland’s Principal Town Whitehaven. The site covers an area of 0.95 hectares and is currently brownfield land. The site was previously occupied by a large redundant factory unit and two associated office buildings, however these buildings have now been demolished. The site has a change in levels across its length, with the highest point within the southwestern corner.		
	The site is fronts Main Street and is bound to the south by existing residential properties which front onto Muncaster Road and Queens Close. The site was previously bounded to the northeast and south west by redundant sites, however these have now been developed to form a sixty bed care facility (ref: 4/17/9001/0F2) and a fuel forecourt and associated convenience store and parking (ref:		

4/16/2167/0F1).

The site is currently served by two existing accesses from Main Street, one of these will continue to be used to allow access to the existing electrical substation located to the north of the site.

Relevant Planning History

4/17/2143/001 – Demolition of factory and outline planning for erection of dwellings – Approved in Outline

4/20/2334/OR1 – Reserved matters application for 26 dwellings and associated infrastructure following outline approval 4/17/2143/001 – Approved

4/22/2110/0B1 – Variation of condition 2 (revised house types) of planning approval 4/20/2334/OR1 – Reserved matters application for 26 dwellings and associated infrastructure following outline approval 4/17/2143/001 – Approved

4/22/2189/DOC – Discharge of conditions 3 and 4 of planning approval 4/20/2334/OR1 – Approved

4/22/2238/DOC – Discharge of conditions 4, 5, 7, 8 and 10 of planning approval 4/17/2143/001 – Approved

4/23/2018/DOC – Discharge of conditions 6, 9, 11 and 12 of planning permission 4/17/2143/001 – Ongoing

Proposal

In November 2021 an application for the approval of Reserved Matters was granted (ref: 4/20/2334/OR1) for 26 dwelling and associated infrastructure following the previous outline approval ref: 4/17/2143/001. In June 2022, planning permission was granted (ref: 4/22/2110/0B1) to vary condition 2 of planning approval 4/20/2334/OR1. This variation of condition application related to the approved plans for the original approval and sought to change the external appearance of the all the house types previously approved at the site.

This current application seeks to discharge conditions 3 and 4 of the variation of conditions application associated with the reserved matters planning approval reference 4/22/2110/0B1. These conditions state the following:

3. Before development commences at this site a Light Assessment based around the night-time operations of the adjacent commercial garage must be submitted to and approved in writing by the Local Planning Authority. Any approved remedial action identified within this assessment must be implemented before the development is first occupied and must be

retained at all times thereafter.

Reason

To protect residential amenity.

4. Before development commences, a Construction Management Plan must be submitted to and approved in writing by the Local Planning Authority. This plan must include provide details of dust emissions, noise and vibration, and must identify remedial action to prevent nuisance. The development must be carried out in accordance with the approved details at all times thereafter.

Reason

In order to protect residential amenity.

The information submitted in support of the application comprises the following:

- Application Form, received by the Local Planning Authority on the 20th December 2022.
- Construction Management Plan, Prepared by: Elizabeth Sturman, Date: March 2022, Revision: Version 1, received by the Local Planning Authority on the 20th December 2022.
- Light Impact Assessment, Prepared by Pettit Singleton Associates March 2022, Ref: 7976/JC/1, received by the Local Planning Authority on the 20th December 2022.

Consultation Responses

Copeland Borough Council – Environmental Health

The Light Impact Assessment and the Construction Management Plan that have been submitted in relation to the above are satisfactory and I consider that they adequately discharge conditions 3 and 4 of planning application 4/22/2110/0B1.

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 ST3 – Strategic Development Priorities

Policy ST4 – Providing Infrastructure

Policy ER10 – Land and Premises for Economic Development

Policy ER5 – Improving Quality of Employment Space

Policy ER6 – Location of Employment

Policy SS1 – Improving the Housing Offer

Policy SS2 – Sustainable Housing Growth

Policy SS3 – Housing Needs, Mix and Affordability

Policy T1 – Improving Accessibility and Transport

Policy ENV1 – Flood Risk and Risk Management

Policy ENV3 – Biodiversity and Geodiversity

Policy ENV5 – Protecting and Enhancing the Borough's Landscapes

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM11 – Sustainable Development Standards

Policy DM12 – Standards of New Residential Developments

Policy DM22 – Accessible Developments

Policy DM24 – Development Proposal and Flood Risk

Policy DM26 – Landscaping

Policy DM28 – Protection of Trees

Other Material Planning Considerations

National Planning Policy Framework (2021)

	<p>National Design Guide (NDG).</p> <p>Cumbria Development Design Guide (CDG)</p> <p>Strategic Housing Market Assessment 2021 (SHMA)</p> <p>The Conservation of Habitats and Species Regulations 2017 (CHSR).</p> <p>Copeland Borough Council Housing Strategy 2018 – 2023 (CBCHS)</p> <p>The Cumbria Landscape Character Guidance and Toolkit (CLGC)</p> <p><u>Emerging Copeland Local Plan (ELP):</u></p> <p>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.</p> <p>Assessment</p> <p>Following the submission of a Light Impact Assessment, and Construction Management Plan, the Council's Environmental Health team have confirmed that they have no objections to the application, therefore both conditions 3 and 4 can be discharged.</p> <p><u>Conclusion</u></p> <p>Discharge conditions 3 and 4.</p>	
8.	<p>Recommendation:</p> <p>Approve discharge of conditions</p>	
Case Officer: C. Burns		Date : 03.02.2023
Authorising Officer: N.J. Hayhurst		Date : 03.02.2023
Dedicated responses to:- N/A		