

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/23/2207/0F1
2.	Proposed Development:	PERMENANT RETENTION OF EXISTING WOODEN LODGE CLASSROOM PREVIOUSLY APPROVED ON A TEMPORARY BASIS UNDER PLANNING REFERENCE 4/12/2321/0F1
3.	Location:	ST GREGORYS AND ST PATRICKS RC INFANTS SCHOOL, ESK AVENUE, WHITEHAVEN
4.	Parish:	Whitehaven
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change
6.	Publicity Representations &Policy	Neighbour Notification Letter: YES Site Notice: YES Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report:	
	Site and Location	This application relates to St Gregorys and St Patricks RC Infants School, located on Esk Road in Whitehaven. The site is located in a residential area, bound by Bleng Avenue to the east and residential properties to the north along Esk Avenue and to the south along Snebro Road.
	Proposal	Planning permission is sought for the retention of the small detached classroom building which is sited on an area of land adjacent to the main school building complex. The

classroom has been on the site since 2012. It was initially granted planning permission for a temporary period in 2012 and this was subsequently renewed in 2018

The classroom covers a floor area of 54 sq metres and extends up to a height of 3.5 metres. It is clad in timber and has a grey sheeted pitched roof. It is accessed via a stepped access which leads into a cloakroom.

Planning History

Planning Permission has previously been granted on a temporary basis for the timber framed modular classroom (refs: 4/12/2321/0F1 and 4/18/2041/0F1).

Consultation Responses

Consultees

Whitehaven Town Council – No response.

Public Representations

The application has been advertised by way of site notice and neighbour notification letters issued to 7 no. properties.

One letter of objection was received as a result of the consultation which raised the following concerns:

- Concerns regarding the previous temporary permissions and the conditions for removal have not been complied with;
- Concerns that the permissions have expired;
- Question suitable structure if originally temporary - How can a temporary building that was given a shelf life of 5 years in 2012 still be fit for purpose?
- Concerned the decision has already been made in the schools favour.

Planning Policy

Planning law requires applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Development Plan

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



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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

Policy ST1 – Strategic Development Principles

Policy ST2 – Spatial Development Strategy

Policy SS4 – Community and Cultural Facilities and Services

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM21 – Protecting Community Facilities

Policy DM22 – Accessible Developments

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

Emerging Copeland Local Plan 2021-2038 (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 issued her 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.

The following policies are relevant to this proposal:

Policy DS1PU – Presumption in favour of Sustainable Development

Policy DS6PU – Design and Development Standards

Policy SC5PU – Community and Cultural Facilities

Assessment

An objection has been received which raised concerns that the application has already been determined in the school's favour. This application is based on the merits of the information submitted as part of the application and a full assessment of the proposal is considered below.

The key issues raised by this proposal are the principle of development, its scale and design and the potential impact of the development.

Principle of Development

Policy SS4 seeks to enhance the existing community facilities in order to meet the demand created by new development and Policy DM21 seeks to protect community facilities, subject to detailed criteria, which are considered below.

The proposed application relates to St Gregor's and St Patrick's Infant School which is located within the settlement boundary of Whitehaven and it seeks to retain an existing wooden lodge classroom, previously approved on a temporary basis. The cabin was erected to provide an additional teaching space for 30 children to accommodate the demand for places at the school and also to enhance the range of existing facilities. The need for this building is still applicable.

On this basis, the principle of the development is therefore considered to be acceptable and the extension satisfies Policies ST2, SS4 and DM21 and the NPPF guidance.

Scale and Design

Policy ST1 and section 12 of the NPPF seek to promote high quality designs. Policy DM10 seek to ensure development is of an appropriate scale and design which is appropriate to their surroundings.

The proposed classroom is appropriately located to the rear of the school and it is relatively modest in scale. The modular design is considered to be suitable for its use and it meets the needs of the school. This building has been in situ since 2012 and therefore the use will not be intensified above its current level with its retention.

Despite concerns regarding the lifespan of the structure, the cabin has been constructed from sustainable materials in order to ensure it is fit for purpose. The application does not include



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	<p>any upgrade of materials so is considered to be appropriate for permanent retention.</p> <p>On this basis, the proposal is considered to comply with Policy DM10 and the NPPF guidance.</p> <p><u>Impact of Development</u></p> <p>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.</p> <p>The proposed classroom is located to the rear of the existing main school building and it is not in a prominent visual position for the surrounding properties. It will also be viewed in the context of the existing school complex, and as such will not have a detrimental impact on the surrounding area.</p> <p>The proposal is therefore considered to comply with Policies ST1 and DM10 of the Local Plan and section 12 of the NPPF.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The proposed permanent retention of the classroom is a suitable form of development within the school grounds. The need for the building still applies and it is considered to be of an appropriate design and will not have any detrimental impact on the surrounding area.</p> <p>The comments relating to the retention of the building beyond the removal date stated on the permission have been noted, however this issue has been rectified with the submission of this planning application.</p> <p>Overall, it represents an acceptable form of development which facilitates the provision of enhance education at this school and accords with the policies set out within the adopted Local Plan and the guidance in the NPPF.</p>
8.	<p>Recommendation:</p> <p>Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <p>1. This permission relates to the following plans and documents as received on the respective dates and development must be carried out in accordance with them: -</p> <p>Application Form, received 19th July 2023;</p> <p>Site Location Plan, scale 1:1250, drawing no. SL/StG&P-06 Rev 1, received 19th July 2023;</p> <p>Site Block Plan, scale 1:500, drawing no. SL/StG&P-05 Rev 1, received 19th July</p>

2023;

Proposed Site Plan, scale 1:200, drawing no. 2280-02-G, received 19th July 2023;
Proposed Floor Plan and Elevations, scale 1:100 and 1:50, drawing no. GSL/AD/01,
received 19th July 2023.

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 Note

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.

Further information is also available on the Coal Authority website at:

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: C. Wootton

Date : 11/09/2023

Authorising Officer: N.J. Hayhurst

Date : 11/09/2023

Dedicated responses to:- N/A