

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/23/2215/0F1
2.	Proposed Development:	ERECTION OF A WOODEN YURT TO BE USED FOR THERAPEUTIC SERVICES SUCH AS MEDITATION, RELAXATION, YOGA
3.	Location:	LAND TO THE REAR OF PILLAR HOUSE, INGWELL DRIVE, MOOR ROW
4.	Parish:	Egremont
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change
6.	Publicity Representations &Policy	Neighbour Notification Letter: NO Site Notice: YES Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report: Site and Location <p>This application relates to Plot 5A on Westlakes Science and Technology Park in Whitehaven.</p> <p>The site is located to the southern edge of the Science Park and benefits from an existing access and it is screened by an existing belt of mature vegetation.</p> <p>The site currently operates as the Good Lives growing project by the charity, Home to Work and has several polytunnels and storage containers on site. A separate planning application is going to be submitted for the wider use of this plot by the Charity.</p>	

Proposal

Planning permission is sought for the erection of a wooden yurt which is to be used for therapeutic services such as meditation, relaxation and yoga.

The yurt will be located to the southern end of the site and it will measure 5 metres in diameter with a floor area of 18.6 square metres. It will have an overall height of 2.75 metres. It will be constructed of wooden sides and a canvas roof.

Home to Work charity operate the site and it is open 9am – 4pm Monday to Friday. The yurt will be open during these times for the charity learners to attend between 10am -2pm each day. The yurt may also operate slightly later for yoga or meditation group sessions for staff from the Science Park.

There would be 8 – 10 people using the yurt at any one time. The sessions are proposed to provide therapeutic value for relaxation and as a support for Learners that do not enjoy good mental health.

The application has been accompanied by the following:

- Site Location Plan;
- Site Plan;
- Proposed Plans and Elevations;
- Visual 3D Site Image;
- Supporting Statement.

Planning History

There has been no previous planning application on this plot. The wider Science Park has grown over a number of years and accommodates a number of large scale buildings which are used for employment purposes.

Consultation Responses

Egremont Town Council – No objections.

Environmental Health – No objections.

Public Representations

The application has been advertised by way of site notice – No comments have been received as part of this consultation.

As part of the site meeting with the applicant and site owner, support has been received for

the development from BEC which supports their social impact agenda. The following comments have been received:

- It's a very important community project for the Park and is well supported by BEC and a significant amount of the tenants on the Park, who also work closely with the Charity via their social impact teams and mental health champions.
- We see the temporary permission as being a pragmatic solution as we will also have a "redevelopment clause" within the lease to allow us to claim back the space at some point in future, etc if required.

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 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 ER5 – Improving the Quality of Employment Space

Policy ENV5 – Protecting and Enhancing the Borough's Landscapes

Development Management Policies (DMP)

Policy DM4 – Westlakes Science and Technology Park

Policy DM10 – Achieving Quality of Place

Policy DM22 – Accessible Developments

Policy DM26 – Landscaping

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.

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 E3PU – Westlakes Science and Technology Park

Assessment

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

Principle of Development

Policies ST1, ST2 and ER6 of the Copeland Local Plan concentrate development within the defined settlement boundaries in accordance with the Borough's settlement hierarchy. This site lies within Westlakes Science and Technology Park, which is located outside of any of the Borough's settlement boundaries. Policy ST2 seeks to restrict development outside of the defined settlement boundaries to that which has a proven requirement for such a location,

including existing major employment locations, especially Westlakes Science and Technology Park.

Policy DM4 only permits ancillary development of education by Research Institutes, Universities or similar bodies on the Science Park. Emerging Policy E3PU also restricts uses to E(g) and F1 use classes, although ancillary uses may be acceptable within the boundaries of the park (e.g. a gymnasium, café, crèche) to support the effective functioning of the Science Park and its employees, where a need can be demonstrated to the satisfaction of the Council.

The proposal seeks to erect a wooden yurt to be used for therapeutic services such as meditation, relaxation and yoga, as part of a wider Good Lives growing project on Westlakes. This is considered to be an ancillary development which delivers education through an established charity, Home to Work.

On this basis, the principle of the development is considered to be acceptable in accordance with Policies ST1, ST2 and DM4 and the NPPF guidance.

Justification for Development

Policy DM4 requires development proposals to demonstrate the significant benefits, in terms of developing knowledge-based economy. Emerging Policy E3PU requires developments to demonstrate the need for the development and its links to the effective functioning of the Science Park and its employees.

The site visit with the applicant and site owner set out the connections to the other operations on Plot 5A and the wider Westlake site. There are clear links to the Community Impact projects, linked to BEC (the landowner) and other companies on the Westlakes site. The site benefits from volunteer days and financial donations from the companies on site.

A Supporting Statement has also been submitted which sets out the need for the development and how it will operate. The justification from the charity is considered to be acceptable, although a Personal Permission to Home to Work charity will ensure the ancillary link to education remains in place. A temporary permission will also ensure that the land is not prevented from being redeveloped for employment purposes in the future.

On this basis, the proposal is considered to be suitably demonstrate the need for the development and the links to the wider Westlakes site in accordance with Policy DM4 and Emerging Policy E3PU.

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 yurt will be appropriately located to the rear of the site and it will be modest in

scale. It will be located behind the existing polytunnels, and it will be well screened by the existing boundary vegetation.

The scale with 8-10 users at any one time is considered to be appropriate and the opening hours are considered to be suitable. Environmental Health haven't raised any concerns and the operation can be secured by the use of a planning condition.

On this basis, the proposal is considered to comply with Policy DM10 and the NPPF guidance.

Impact of Development

Policy ST1, DM10 and section 12 of the NPPF seeks to achieve a high standard of design, the fostering of quality places, and proposals, which respond to the character of the site.

Policy ENV5 states that the Borough's landscapes will be protected and enhanced by: protecting all landscapes from inappropriate change by ensuring that the development does not threaten or detract from the distinctive characteristics of that particular area; that where the benefits of the development outweigh the potential harm, ensuring that the impact of the development on the landscape is minimised through adequate mitigation, preferably on-site; and, supporting proposals which enhance the value of the Borough's landscapes.

The site is located to the southern edge of the Westlakes Science and Technology Park and it relates to a charity garden which currently houses polytunnels and a small cabin. The yurt development is considered to be well screened by the existing structures and the existing vegetation surrounding the wider site which restrict views of it from outside the Science Park. The development is not considered to have any significant detrimental impact on the landscape or visual amenity of the area.

The proposal is therefore considered to comply with Policies ST1, ENV5 and DM10 of the Local Plan and section 12 of the NPPF.

Planning Balance and Conclusion

Despite the policy restrictions on Westlakes Science and Technology Park, the proposed wooden yurt is considered to be an acceptable form of ancillary development within Plot 5A. The need and benefits of the proposal have been suitably justified and the yurt is of an appropriate scale and design and will not have any detrimental impact on the surrounding area. The yurt will have suitable links to the wider Westlakes park and

To ensure that the development is carried out in accordance with the details submitted and ensure it remains ancillary to education, planning conditions are attached.

Overall, it represents an acceptable form of development which accords with the policies set out within the adopted Local Plan and the guidance in the NPPF.

The site owners BEC have a long-term growth plan for Westlakes Science and Technology Park and are currently preparing a masterplan to facilitate this. As it is important that any use on this plot does not restrict its long term redevelopment for employment purposes a

	temporary permission for five years is considered to be reasonable. The temporary five-year planning permission will also reflect the five-year lease from the land owner, BEC.
8.	Recommendation: Approve (commence within 3 years)
9.	Conditions: <ol style="list-style-type: none"> The development hereby permitted shall be for a limited period of five years from the date of this decision. At the end of this period the use shall cease, all materials and equipment brought onto the land in connection with the development shall be removed from the site on or before this date and the land restored to its former condition. Reason The development hereby approved is not considered suitable as a permanent form of development in order to safeguard the amenities of the locality. 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: - Application Form, received 19th July 2023; Site Location Plan, scale 1:1250, received 19th July 2023; Site Block Plan, scale 1:200, received 19th July 2023; Proposed Plans and Elevations, received 19th July 2023; Visual 3D Site Image, received 19th July 2023; Supporting Statement, received 12th September 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. The hours of opening shall be restricted to Mondays to Fridays 09:00 to 17:00 and not at all on Saturdays or Sundays. Reason

	<p>In order to safeguard the amenities of the locality.</p> <p>4. The yurt hereby permitted shall be operated in accordance with the details set out in the Supporting Statement, received by the Local Planning Authority on 12th September 2023. The operating measures must carried out and maintained thereafter.</p> <p>Reason</p> <p>In order to safeguard the amenities of the locality.</p> <p>5. The yurt herby permitted shall only be operated by Home to Work.</p> <p>Reason</p> <p>In order to safeguard the amenities of the locality.</p> <p>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.</p> <p>Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority</p> <p>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.</p>
Case Officer: C. Wootton	Date : 14/09/2023
Authorising Officer: N.J. Hayhurst	Date : 15/09/2023
Dedicated responses to:- N/A	



**Cumberland
Council**
