

**CUMBERLAND COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/23/2293/0F1
2.	Proposed Development:	SITING OF AN ADDITIONAL SECURE STORAGE CONTAINER TO HOUSE MATERIALS AND EQUIPMENT IN SUPPORT OF THE TELECOMS INFRASTRUCTURE
3.	Location:	BRITISH TELECOM, THE GINNS, WHITEHAVEN
4.	Parish:	Whitehaven
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change, Coal - Development Referral Area - 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:	<p>INTRODUCTION</p> <p>The application site is located within a mixed-use area including retail, industrial and residential. The site forms that of a rectangular shaped area of land that is located to the western side of Preston Street. Vehicular access is made to the south of the site from Preston Street.</p> <p>The current use of the application site is that of a long standing local Telecoms infrastructure site that is classed as a E(G)(iii) storage and distribution site.</p>

PROPOSAL

This application seeks planning permission for the siting of a storage container on the site. The container is to be approximately 2.4 metres in width, 3 metres in length and would extend to an overall height of 2.6 metres.

it would be used to house materials and equipment in support of the telecoms infrastructure on the site.

CONSULTATION RESPONSES

Whitehaven Town Council

No objections.

The Coal Authority

No response received.

Public Representation

The application has been advertised by way of a Site Notice.

No comments have been received as a result of this public consultation process.

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 the 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



Cumberland Council

Policy ST1 – Strategic Development Principles

Policy ST2 – Spatial Development Strategy

Policy ER4 – Land and Premises for Economic Development

Policy ER5 – Improving the Quality of Employment Space

Policy ER6 – Location of Employment

Policy ER11 – Developing Enterprise and Skills

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

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 policies relevant to this proposal are:

Strategic Policy DS1PU: Presumption in favour of Sustainable Development

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

Strategic Policy DS3PU: Settlement Hierarchy

Strategic Policy DS4PU: Settlement Boundaries

Policy DS6PU: Design and Development Standards

Strategic Policy E1PU: Economic Growth

Strategic Policy CO1PU: Telecommunications and Digital Connectivity

Other Material Planning Considerations

National Planning Policy Framework (2023)

ASSESSMENT

Principle of Development

Policies ST2 of the CS and DS3PU of the ELP encourage the majority of development to be undertaken within Copeland's Principal Town – Whitehaven.

The site is located within the settlement boundary for Whitehaven.

The Copeland Local Plan is generally supportive of the expansion of existing businesses. The site forms that of a long established local Telecoms Infrastructure site and is located within a mixed use area with a Supermarket located to the north, a Chapel located to the south and residential dwellings located on the eastern side of Preston Road.

Based on the existing use of the site, the principle of the development is considered to be acceptable.

Impact of Proposal

Policy DM10 of the CS and DS6PU of the ELP seek to ensure that development does not have a negative effect on the amenity of neighbouring properties, or visual amenity.

In terms of the impact of the proposed development, the use is for the storage of equipment and materials and it is considered that this use would not have any adverse impact upon the amenity of the occupiers of the adjacent sites. In terms of the visual impact, the site is enclosed with a 2 metre security fence which does shield views into the site from the surrounding public vantage points. The agent has confirmed that the container would be of a blue or green colour which would help to reduce its visual impact within the existing site as it would be seen in context with the existing container.

It is considered that in terms of the character of the local area, the container would enable more materials and equipment that are currently stored outside to be removed from the public view and would therefore add to a general improvement to the visual amenity of this mixed-use area. The design and scale of the container is considered appropriate within the site and would not lead to any loss of onsite vehicle parking.

On this basis, the proposal is considered to meet the aims and objectives of policy DM10 of the CS and DS6PU of the ELP.

Planning Balance

The proposed container is modest in scale and of an appropriate design for this mixed use site. It will be seen in context with the existing site and the overall improvement of the site is considered to carry significant weight within the planning balance.

There have been no objections received to the proposal.



Cumberland Council

	<p>Overall, this is considered to be an acceptable form of development which accords with the policies set out within the adopted Local Plan and the guidance in the NPPF.</p>
8.	<p>Recommendation: Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <ol style="list-style-type: none"><p>The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.</p><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><p>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: -</p><p>Application form, received 28th September 2023; Site Location Plan, scale 1:1250, drawing number 001, received 28th September 2023; Block Plan, scale 1:500, drawing number 003, received 28th September 2023; Proposed Site Plan, scale 1:1250, drawing number 002, received 28th September 2023; Plans and Elevations, scale 1:50, received 28th September 2023; Planning Statement, received 28th September 2023.</p><p>Reason</p><p>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.</p> <p>Informative</p> <p>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>

	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: S. Papaleo	Date : 12/12/2023
Authorising Officer: N.J. Hayhurst	Date : 14/12/2023
Dedicated responses to:- N/A	