

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/23/2306/0F1
2.	Proposed Development:	EXTERNAL ALTERATIONS AND REFURBISHMENT OF AN EXISTING SINGLE STOREY LIGHT INDUSTRIAL BUILDING TO CREATE PREMISES FOR THE REFURBISHMENT AND REDISTRIBUTION OF USED FURNITURE, SITING OF STORAGE CONTAINERS AND REFUSE SKIPS AND BINS AND PROVISION OF PARKING FOR STAFF AND VISITORS
3.	Location:	REVIVE BUILDING, UNITS 23 & 24 MEADOW ROAD, WHITEHAVEN
4.	Parish:	Whitehaven
5.	Constraints:	ASC;Adverts - ASC;Adverts, Flood Area - Flood Zone 2, 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 <p>The application site relates to Units 23 and 24 Meadow Road, Mirehouse, Whitehaven. The site is currently occupied by a light industrial building towards the rear of the site with a large hard standing to the front and side and a palisade fence.</p> <p>The site has two accesses off Meadow Road and it is bound by Pow Beck to rear and other industrial units to either side.</p>	

PROPOSAL

Planning Permission is sought for external alterations and refurbishments of the existing single storey light industrial building to create a premises for refurbishment and redistribution of used furniture. The development also includes the siting of storage containers and refuse skips and bins and the provision of parking for staff and visitors.

The form of the building will remain unchanged although the internal layout will be revised, with a new pedestrian entrance on the west front elevation and service access on the south side elevation. Internally the side and rear of the building will be divided into smaller spaces to facilitate the creation of toilets, a kitchen, office and three workshop spaces. The open space in the middle of the ground floor will be used as a main display area. The mezzanine floor will be retained and extended to accommodate service plant and additional displays.

The roller shutter door on the front west elevation will be replaced by a glazed frontage panel with a double-glazed entrance door. The adjoining single access door will be removed and cladding re-instated. A new double door for staff and service access will be added to the south side elevation and a glazed opening will be added measuring 3m in width and 2.1m in height. The existing profile steel cladding will be repaired and re-painted, to include graphics to promote the proposed use.

The two site accesses will remain, one will be used for the public vehicle access and one reserved for staff and service vehicles. The public access will serve a new car park with 6 spaces and two disabled spaces, and the staff area will include 4 parking spaces and a bike stand for 2 bikes. The public and staff parking areas will be separated by a 1m high fence.

The service yard will also include an area for eight secure storage containers and an area for refuse bins and skips.

The application is accompanied by the following information:-

- Site Location Plan
- Existing Site Plan
- Proposed Site Plan
- Elevations
- Floor Plans
- Roof Plans
- Sections
- Design and Access Statement
- Exterior Lighting Calculations.



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RELEVANT PLANNING APPLICATION HISTORY

Planning Permission has previously been granted for the erection of a scaffolding store (ref: 4/98/0450/0).

CONSULTATION RESPONSES

Whitehaven Town Council

No objections.

Highways and Lead Local Flood Authority

Initial response:

Cumberland Council as the Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) has reviewed the above planning reference and I can confirm that we have no objection in principle to the proposed development.

Although we have no objection in principle the LLFA would like to see a detailed plan showing how the surface water for this site will be discharged and at what rate. The applicant should follow the drainage hierarchy to determine how the surface water will discharge from the site if an existing system has not been identified.

In light to the above comments additional details are required from the applicant. Upon receipt of the amended plans, I shall be better placed to provide full response.

Second response:

Despite a letter from the agent confirming that no changes will be carried out to the existing drainage system, the original response still applies.

Environmental Health

No objections to this development subject to the suggested conditions below:

Construction Activities

- All works and ancillary operations that are audible at the site boundary, or at such place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours: 08.00 – 18.00 Monday to Friday and 08.00 – 13.00 Saturdays, and at no time on Sundays or Bank Holidays. Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above. Control measures for dust and other airborne pollutants should be implemented at all times. Reason: In the interest of the amenities of surrounding occupiers during the construction of the development.

Restriction on hours of operation

- The use of the premises shall not be carried out outside the hours of 08.00 – 18.00

Monday to Saturday.

Reason: To safeguard the residential amenity of nearby occupiers.

Advice

- The premises lies within the Whitehaven Smoke Control Area.

Public Representations

The application has been advertised by way of site notice and neighbour notification letters to 2 no. properties.

PLANNING POLICIES

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

Policy ST1 – Strategic Development Principles

Policy ST2 – Spatial Development Strategy

Policy ST3 – Strategic Development Priorities

Policy ER4 – Land and Premises for Economic Development

Policy ER6 – Location of Employment

Policy ER11 – Developing Enterprise and Skills

Policy SS4 – Community and Cultural Facilities and Services

Policy ENV1 – Flood Risk and Risk Management

Development Management Policies (DMP)



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Policy DM3 – Safeguarding Employment Areas

Policy DM10 – Achieving Quality of Place

Policy DM11 – Sustainable Development Standards

Policy DM22 – Accessible Developments

Policy DM24 – Development Proposals and Flood Risk

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 DS3PU: Settlement Hierarchy

Policy DS6PU: Design and Development Standards

Policy DS9PU: Sustainable Drainage

Policy E1PU: Economic Growth

Policy E2PU: Location of Employment

Policy SC5PU: Community and Cultural Facilities

Policy BE5PU: Shopfronts

Policy CO7PU: Parking Standards and Electric Vehicle Charging Infrastructure

Other Material Planning Considerations

National Planning Policy Framework (2023)

Cumbria Development Design Guide (CDDG)

ASSESSMENT

The key issues raised by this proposed are the principle of development, the growth of the business/community initiative, its scale, design and impact of the development, accessibility and parking, drainage and flood risk.

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.

Policy ST2 identifies Whitehaven as the Principal Town, which will comprise the focus for the largest scale development, regeneration and important development opportunities. Draft Policy DS3PU of the Emerging Local Plan also identifies Whitehaven as the Principal Town in the Settlement Hierarchy which will continue to be the primary focus for new development in the borough.

The site is located within an existing industrial area of Whitehaven and therefore the principle of development is considered to be acceptable, in accordance with Policies ST1, ST2 and ER6 of the Copeland Local Plan.

Growth of Business/Community Initiative

Policy ST1, ST2, and ER6 of the Copeland Local Plan seek to facilitate grow of the Borough's local economy. Policy ER11 seeks to promote the diversification of the Borough's economy by expanding new and expanding employment sectors, and by supporting the development of commercial units, which meet the needs of business, encourage start up and promote further expansion in order to retain enterprise, jobs and skills within the Borough. The NPPF also states that planning decisions should help create the conditions in which businesses can invest, expand and adapt. Draft Policy E1PU also promotes economic growth through diverse range of economic opportunities.

Policies ER4 and DM3 seeks to safeguard existing employment uses within employment areas.

In addition, Policy SS4 promotes the retention of good quality services and allows for the expansion and or enhancement of existing community facilities to assist continuing viability, particularly in areas where new development will increase the demand for facilities.

The application is supported by a Design and Access Statement which sets out the proposed use of the existing industrial building as a furniture recycling and distribution centre. The Revive project in Mirehouse is a community-focussed initiative designed to transform lives. The recovery, upcycling, and redistribution of furniture will support the most vulnerable people in the community to move on from homelessness or domestic abuse and help to



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alleviate the stresses and pressures of poverty during the cost-of-living crisis.

This is considered to be a positive community initiative with a range of community benefits, increasing practical skills and reduced social isolation. It will also have a positive environmental impact as the volume of items going to landfill will reduce.

The development is considered to repurpose and expand the use of the existing light industrial building while responding to the needs of the community.

On this basis, the proposal is considered to comply with Policies ER4, ER6, ER11, SS4 and DM3 of the Copeland Local Plan.

Scale, Design and Impact of Development

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. Draft Policy DS6PU also set out Design and Development Standards.

The external alterations to the existing building are minor and will not have a significant impact on the appearance of the building. The design is in keeping with the character of the existing building and therefore it will not appear excessively prominent within the locality.

The proposed use of the existing building with the addition of storage containers and refuse skips and bins is considered to be acceptable within the industrial site. It is not considered to adversely impact the visual amenity of the overall area as the development will be seen in the context of the existing estate. To ensure the development is carried out in accordance with the Design and Access Statement and the proposed opening hours, planning conditions are attached.

Furthermore, in the interest of amenity, a planning condition is attached for the lighting to be carried out in accordance with the submitted Exterior Lighting Report. Also to protect amenity during the proposed works, the construction hours can be defined and secured by the use of a planning condition.

On this basis, the proposal is considered to be of an appropriate scale and design and will not have any significant adverse impact on the amenity of the area. The proposal therefore satisfies Policies DM10 and draft Policy DS6PU.

Accessibility, Highway Safety and Parking

Policy DM22 requires development proposals to be accessible to all users; respond positively to existing movement patterns in the area; and incorporate parking provision to meet adopted car parking standards. Emerging Policy CO7PU also seeks to ensure that developments provide adequate parking in accordance with Cumbria Development Design Guide.

The two existing access points will remain, one for the public vehicle access and one reserved for staff and service vehicles. The public access will create a new car park with 6 spaces and two disabled spaces and the staff area will include 4 parking spaces and a bike stand for 2 vehicles. This is considered to be acceptable for the scale of the operation

	<p>proposed and the installation of the parking can be secured by the use of a planning condition.</p> <p>On this basis, the proposal is considered to satisfy Policy DM22 and the Cumbria Development Design Guide.</p> <p><u>Flood Risk and Drainage</u></p> <p>Policy ENV1 sets out an approach to ensure that new build development is not prejudiced by flood risk. Any risk should be managed appropriately. Policy DM24 seeks to ensure that new development is not at unacceptable risk of flooding and appropriate mitigation measures should be provided where necessary.</p> <p>Policy DM11 and Draft policy DS9PU seek to ensure surface water is managed appropriately.</p> <p>The application site is located within Flood Zone 1, which has a low probability of flooding and the application relates to an existing building and hardstanding.</p> <p>The proposal includes the repair of the existing hardstanding and therefore as the surface water drainage details are yet to be confirmed, the inclusion of a condition to ensure these details are provided is appropriate.</p> <p>On this basis, subject to the inclusion of a planning condition, the proposed flood risk and drainage is considered to be acceptable in accordance with Policies ENV1, DM11 and DM24.</p> <p><u>Planning Balance</u></p> <p>The application seeks planning permission for external alterations and the refurbishment of an existing single storey light industrial building to create a premises for refurbishment and redistribution of used furniture. The development also includes the siting of storage containers and refuse skips and bins and the provision of parking for both staff and visitors.</p> <p>The Revive project in Mirehouse is a community-focussed initiative designed to upcycle and redistribute furniture. The proposal has many social, economic and environmental benefits which is supported by the Planning Policies.</p> <p>The alterations to the building are considered to be modest in scale and are required to meet the needs of the furniture workshop and shop. It is suitable in design and will not have an adverse impact on the amenity of the area, highway safety or flood risk. Planning conditions can be used to secure the provision of parking and the surface water drainage details.</p> <p>On balance, subject to the inclusion of planning conditions, the proposal represents an acceptable form of development which accord with the relevant provisions of the adopted Local Plan, the Emerging Local Plan and the guidance in the NPPF.</p>
8.	<p>Recommendation:</p> <p>Approve (commence within 3 years)</p>



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9. Conditions:

Standard Conditions:

1. The development hereby permitted must commence before the expiration of three years from the date of this permission.

Reason

To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. 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: -

Application Form, received 26th October 2023;

Site Location Plan, scale 1:2500, drawing no. U23&24MR - JW – 001, received 26th October 2023;

Existing Site Plan, scale 1:200, drawing no. ZZ-DR-A-90001-P01, received 26th October 2023;

Proposed Site Plan, scale 1:200, drawing no. ZZ-DR-A-90002-P02, received 26th October 2023;

Existing Ground Floor Plan, scale 1:50, drawing no. 0-DR-A-00001-P01, received 26th October 2023;

Proposed Ground Floor Plan, scale 1:50, drawing no. 00-DR-A-00011-P02, received 26th October 2023;

Proposed Mezzanine Floor Plan, scale 1:50, drawing no. ZZ-DR-A-00012-P01, received 26th October 2023;

Existing Roof Plan, scale 1:50, drawing no. RF-DR-A-27001-P01, received 26th October 2023;

Proposed Roof Plan, scale 1:50, drawing no. RF-DR-A-27002 -P01, received 26th October 2023;

Existing Elevations, scale 1:50, drawing no. ZZ-DR-A-00101-P01, received 26th October 2023;

Proposed Elevations, scale 1:50, drawing no. ZZ-DR-A-00102-P02, received 29th January 2024;

Proposed Elevations (External Design), drawing no. ZZ-DR-A-00103-P01, received

26th October 2023;

Proposed Sections and Internal Views, scale 1:50, drawing no. ZZ-DR-A-00202-P02, received 26th October 2023;

Exterior Lighting Calculations, reference DN-NR-1023-004, received 26th October 2023;

Design and Access Statement, reference IANC230078, received 26th October 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.

3. The development and use hereby permitted shall be carried out in accordance with the details set out in the Design and Access Statement, received by the Local Planning Authority on 26th October 2023 and shall be maintained as such thereafter.

Reason

In the interest of neighbouring amenity in accordance with Policy DM10 of the Copeland Local Plan.

4. The external lighting on site shall be carried out in accordance with the details set out in the Exterior Lighting Report, reference DN-NR-1023-004, received by the Local Planning Authority on 26th October 2023. The lighting shall be maintained as per the approved details at all times thereafter.

Reason

In order to protect occupiers of the surrounding residential properties and in the interests of visual amenity in accordance with Policy DM10 of the Copeland Local Plan.

Prior to the Hardstanding Works:

5. Prior to the repair/construction of the hard standing, a detailed plan showing how the surface water for this site will be discharged and at what rate shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details at all times thereafter.

Reason

To ensure that satisfactory drainage is provided in accordance with Policy ENV1 of the Copeland Local Plan.

Prior to First Use:

6. The proposed parking shall be constructed and available for use prior to the first use of the development hereby approved in accordance with the Proposed Site Plan, reference ZZ-DR-A-90002-P02, received by the Local Planning Authority on 26th October 2023. The parking must be maintained in accordance with the approved details at all times thereafter.

Reason

To ensure satisfactory provision of parking is provided in accordance with Policy DM22 of the Copeland Local Plan.

Other Conditions:

Construction

7. All works and ancillary operations that are audible at the site boundary, or at such place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours:

08.00 – 18.00 Monday to Friday and 08.00 – 13.00 Saturdays, and at no time on Sundays or Bank Holidays.

Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above. Control measures for dust and other airborne pollutants should be implemented at all times.

Reason

In the interest of the amenities of surrounding occupiers during the construction of the development.

Restricting Use

8. The use of the premises shall not be carried out outside the hours of 08.00 – 18.00 Monday to Saturday.

Reason

To safeguard the residential amenity of nearby occupiers.

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 : 01/02/2024

Authorising Officer: N.J. Hayhurst

Date : 01/02/2024

Dedicated responses to:- N/A