

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/24/2005/DOC	
2.	Proposed Development:	DISCHARGE OF CONDITION 3 OF PLANNING APPLICATION 4/23/2233/0L1	
3.	Location:	OLD WATER TOWER, GOSFORTH ROAD, SEASCALE	
4.	Parish:	Seascale	
5.	Constraints:	ASC;Adverts - ASC;Adverts, Listed Building - Listed Building, Safeguard Zone - Safeguard Zone, Coal - Off Coalfield - Data Subject To Change, Key Species - Potential areas for Natterjack Toads, DEPZ Zone - DEPZ Zone, Outer Consultation Zone - Drigg 3KM, Outer Consultation Zone - Sellafield 10KM	
6.	Publicity Representations & Policy	Neighbour Notification Letter Site Notice Press Notice Consultation Responses Relevant Policies	No No No See Report See Report
7.	Report: Site and Location	This application relates to the Old Water Tower, located within the west of Seascale. The building is Grade II Listed located on a grassed area to the north of Seascale Sports Hall.	

Planning History

4/23/2233/0L1 – Listed building consent for the installation of a public artwork by artist Ryan Ganer on the Water Tower at Seascale, location on a green space outside Seascale Sports Hall – Approved.

Proposal

In October 2023, Listed Building Consent was granted (ref: 4/23/2233/0L1) for the installation of a public artwork by artist Ryan Ganer on the Water Tower at Seascale, location on a green space outside Seascale Sports Hall. This current application seeks to discharge pre commencement condition 3 attached to this Listed Building Consent ref: 4/23/2233/0L1. This condition states:

Pre Commencement Conditions:

3. Prior to the first installation of the public artwork hereby approved, a scheme for installation of the artwork and interpretation board and a scheme for restoration of the site once the artwork and interpretation board are removed must be submitted to and approved in writing by the Local Planning Authority. The installation and restoration scheme must be produced by a suitability qualified person. The works should be implemented in accordance with these approved details at all times thereafter.

Reason

In the interest of protecting the heritage asset.

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

- Application Form (Amended), received by the Local Planning Authority on the 8th February 2024.
- Method Statement, received by the Local Planning Authority on the 3rd January 2024.
- Supporting Photograph, received by the Local Planning Authority on the 8th February 2024

Consultation Responses

Cumberland Council – Conservation & Design Officer

29th January 2024

Conclusion: No objection

Assessment:



Cumberland Council

- I previously suggested the addition of a condition to any consent requiring that the mounting holes for the bracket be inserted into mortar joints where possible to minimise drilling into masonry, and that the holes be made good with a colour-matched mortar when the artwork is removed following a twelve month period.
- The method statement submitted shows that this will be undertaken.
- The method statement submitted looks fine to me but isn't there a requirement to submit detail relating to the mounting of the sign too? I didn't see any mention of the sign in the attachments.

13th February 2024

Conclusion: No objection

Assessment:

- I previously suggested the addition of a condition to any consent requiring that the mounting holes for the bracket be inserted into mortar joints where possible to minimise drilling into masonry, and that the holes be made good with a colour-matched mortar when the artwork is removed following a twelve month period.
- The method statement submitted shows that this will be undertaken.

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

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 ENV4 – Heritage Assets

Development Management Policies (DMP)

Policy DM27 – Built Heritage and Archaeology

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.

Strategic Policy DS1PU: Presumption in favour of Sustainable Development

Strategic Policy BE1PU: Heritage Assets

Policy BE2PU: Designated Heritage Assets

Other Material Planning Considerations

National Planning Policy Framework (2023)

National Design Guide (NDG)

Planning (Listed Buildings and Conservation Areas) Act 1990

Conservation Area Design Guide SPD (Adopted December 2017)

Assessment

Additional information was requested by the Council's Conservation Officer to ensure that



Cumberland Council

	<p>details relating to the mounting sign were included within the documents as well as the artwork. Following the submission of this detail the Officer has confirmed he has no objections to the application and the submitted method statement is suitable.</p> <p><u>Conclusion</u></p> <p>Discharge condition 3.</p>	
8.	<p>Recommendation:</p> <p>Approve discharge of condition 3.</p>	
Case Officer: C. Burns		Date : 13.02.2024
Authorising Officer: N.J. Hayhurst		Date : 16/02/2024
Dedicated responses to:- N/A		