

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/24/2093/0F1
2.	Proposed Development:	INSTALLATION OF A NEW CCTV COLUMN IN THE PLACE OF AN EXISTING STREET SIGNAGE/ LIGHTING COLUMN. THE CAMERA IS TO BE RELOCATED FROM OLD BURTON'S BUILDING TO THE NEW LOCATION.
3.	Location:	JUNCTION AT LOWTHER STREET/KING STREET, WHITEHAVEN
4.	Parish:	Whitehaven
5.	Constraints:	ASC;Adverts - ASC;Adverts, Conservation Area - Conservation Area, Coal - Standing Advice - Data Subject To Change
6.	Publicity Representations &Policy	Neighbour Notification Letter: NO Site Notice: YES Press Notice: YES Consultation Responses: See report Relevant Planning Policies: See report
7.	Report: Introduction	<p>This application relates to the junction of Lowther Street and King Street adjacent to the currently empty retail unit that was previously utilised by Burton's. King Street forms the main pedestrianised shopping street within the Whitehaven town centre.</p> <p>The site is located within Whitehaven's Conservation Area.</p>

Proposal

This application seeks full planning permission for the installation of a new CCTV column to replace an existing street signage/lighting column.

The column will have an overall height of 4m and will taper in width from a maximum of 40cms at its base to a reduced width of 16.8cms part way up its height. It will be finished in matt black and feature a light fixing, some signage and will house the CCTV camera on the top.

The applicant's agent has set out in the Design and Access Statement which accompanies the application that the current camera which is house at a high level on the adjoining building. The owner of this building has indicated that they will not agree to the renewal of the lease and consequently a new position is required. This proposal will provide an alternative siting for the camera and will provide the same level of surveillance within the localized area. It will also have the advantage of allowing the removal of the existing cabinet on King Street which provides the electrical supply. The new pole will house an electrical supply within its base. The CCTV camera is to be relocated from the adjoining vacant retail store.

Relevant Planning Application History

Installation of new bracket and CCTV camera unit, approved in September 2014 (application reference 4/14/2363/0F1 relates).

Consultation Responses

Whitehaven Town Council

No objections.

Conservation Officer

Description: At present, a camera is mounted on the top corner of the former Burton's store. An electrical box supplying the camera is mounted adjacent to the building at street level. A free-standing signage pole exists in the middle of King Street adjacent to the junction. Burton's is not listed but is within Whitehaven conservation area.

Conclusion: No objection

Assessment:

- Removal of the existing CCTV camera from Burton's will have a small positive impact on this heritage asset, the settings of nearby assets, and the character and appearance of the conservation area as it is an unattractive piece of street clutter.
- The proposal to replace the existing signage pole with a new one that supports the signage and also contains the electrical supply and camera will have a minor negative



Cumberland Council

impact on the nearby heritage assets and the character and appearance of the conservation area as it is larger. This has been mitigated by selection of a reasonably sympathetic pole design in a black colour and justified by the need to maintain CCTV provision.

- Additionally, this allows removal of the nearby street-level electrical box, which will have a small positive impact.
- Overall, I would consider this change to have a neutral or slightly beneficial impact on the nearby heritage assets and the conservation area.

Highways and Local Lead Flood Authority

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 to the proposed development as it is considered that it will not have a material effect on existing highway conditions nor will it increase the flood risk on the site or elsewhere.

Any works within or near the Highway must be authorised by the Council and no works shall be permitted or carried out on any part of the Highway including Verges, until you are in receipt of an appropriate permit from the LHA Streetworks team.

<https://www.cumberland.gov.uk/parking-roads-and-transport/streets-roads-and-pavements/street-licences-and-permits/street-permit-and-licence-fees-and-charges>

Please be advised that the Highway outside and or adjacent to the proposal must be kept clear and accessible at all times.

Cumbria Constabulary Designing Out Crime Officer

The Constabulary regards this proposal as particularly important in maintaining CCTV views around Whitehaven. The CCTV scheme, funded by the Police, Fire and Crime Commissioner, provides vital support in addressing such issues as retail crime and the local Night Time Economy.

Public Representation

The application has been advertised by way of a site notice.

No response has been received as a result of this consultation.

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 ENV4 – Heritage Assets

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM27 – Built Heritage and Archaeology

Emerging Copeland Local Plan (ELP).

Cumberland Council are continuing the preparation and progression to adoption of the ELP.

The Local Plan Examination Hearing Sessions were completed in March 2023.

The appointed Planning Inspector issued their post hearing letter in June 2023, which identified the next steps for the examination.

The appointed Planning Inspector has now considered all representations and the discussions that took place during the Local Plan Examination Hearing Sessions in 2023 and has identified a number of amendments or 'modifications' that are required in order to ensure the ELP is sound i.e. positively prepared, justified, effective and consistent with national planning policy.

A six week public consultation seeking views on the proposed modifications to the ELP commenced on Wednesday 14th February 2024 and closed on the 28th March 2024. The Planning Inspectors Report is 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



**Cumberland
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NPPF.

Given the advanced stage of preparation of the ELP full weight can be attached to policies where no objections have been received or objections have been resolved. Once the consultation on the main modifications to the ELP is complete significant weight can be afforded to the policies of the ELP where modifications are proposed.

Strategic Policy DS1PU: Presumption in favour of Sustainable Development

Strategic Policy DS3PU: Settlement Hierarchy

Policy DS6PU: Design and Development Standards

Strategic Policy BE1PU – Heritage Assts

Policy BE2PU – Designated Heritage Assets

Other Material Planning Considerations

National Planning Policy 2023 (NPPF)

Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA)

Conservation Area Design Guide

Assessment

Principle of the Development

Policy ST1 of the CS and DS1PU of the ELP seek to support development that will meet the needs of the Borough and support the social aspirations of localities.

Policy DM10 of the CS and DS6PU of the ELP require good design.

The column will replace the existing signage/lighting column and move the CCTV from the roof of the retail store to the top of the new column. This will create less street clutter and contribute towards public safety and is therefore supported in principle.

Impact on Conservation Area/Heritage Assets

Policies ENV4 and DM27 of the CS and BE1PU and BE2PU of the ELP relate to the protection and enhancement of the Conservation Area and seek to ensure that any alterations are in keeping and respect the existing character of the area.

The LBCA sets out a clear presumption that gives considerable importance and weight to the desirability of preserving a heritage asset and its setting.

Section 66.1 requires that: *'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of*

	<p><i>preserving the building or its setting or any features of special architectural or historic interest which it possesses’.</i></p> <p>Section 72 requires that: <i>‘special attention shall be paid to the desirability of preserving or enhancing the character or appearance’</i> of a conservation area.</p> <p>The proposed alterations are modest and will not create a material change to the existing situation. The removal of the existing CCTV camera from Burton’s will have a small positive impact on this heritage asset, the settings of nearby assets, and the character and appearance of the conservation area as it is an unattractive piece of street clutter.</p> <p>The proposal to replace the existing signage pole with a new one that supports the signage and also contains the electrical supply and camera will have a minor negative impact on the nearby heritage assets and the character and appearance of the conservation area as it is larger. This has been mitigated by selection of a reasonably sympathetic pole design in a black colour and justified by the need to maintain CCTV provision.</p> <p>Additionally, this allows removal of the nearby street-level electrical box, which will have a small positive impact.</p> <p>The Conservation Officer raised no objections to the proposal and considered that there would be a neutral or slightly beneficial effect to the Conservation Area.</p> <p>Overall, the proposed alterations will comply with policies ENV4 and DM27 of the Copeland Local Plan and BE1PU and BE2PU of the emerging local plan, respecting the character of the Whitehaven Conservation Area.</p> <p><u>Public Safety</u></p> <p>The Designing Out Crime Officer at The Constabulary has confirmed that this proposal is important in maintaining CCTV views around Whitehaven. The CCTV scheme, which is funded by the Police, Fire and Crime Commissioner, provides vital support in addressing such issues as retail crime and the local Nighttime Economy.</p> <p><u>Planning Balance and Conclusion</u></p> <p>The alterations will create a neutral or positive impact on the Whitehaven Conservation Area and will provide security for the surrounding area. It will also result in a reduction in the street clutter on this part of King Street. These material considerations are afforded significant weight in the planning balance.</p> <p>On balance this is considered to be an acceptable form of development which will be consistent with the details set out in national and local policy.</p>
8.	<p>Recommendation:</p> <p>Approve (commence within 3 years)</p>



Cumberland Council

9.	<p>Conditions:</p> <p>1. 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>2. 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 15th April 2024;</p> <p>Site Location Plan, scale 1:1250, received 15th April;</p> <p>Proposed Site Plan and Column, scales 1:200 and 1:20, drawing number 002, received 15th April 2024;</p> <p>Design and Access Statement and Heritage Impact Assessment, written by Unwin Jones Partnership, received 15th April 2024.</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>3. Development shall be carried out in accordance with the details set out in the approved Design and Access Statement and Heritage Impact Assessment. For the avoidance of doubt the existing CCTV and electrical supply cabinet on King Street should be removed once the new column and replacement CCTV is operational.</p> <p>Reason</p> <p>To secure a reduction in the street clutter on King Street and to ensure that the character and appearance of this part of the Conservation Area is preserved and maintained as part of this development.</p>
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<p>Informative Notes</p> <p>1) 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>2) Any works within or near the Highway must be authorised by the Council and no works shall be permitted or carried out on any part of the Highway including Verges, until you are in receipt of an appropriate permit from the LHA Streetworks team.</p> <p>https://www.cumberland.gov.uk/parking-roads-and-transport/streets-roads-and-pavements/street-licences-and-permits/street-permit-and-licence-fees-and-charges</p> <p>Please be advised that the Highway outside and or adjacent to the proposal must be kept clear and accessible at all times.</p> <p>Statement</p> <p>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>	
<p>Case Officer: Sarah Papaleo</p>	<p>Date : 07/06/2024</p>
<p>Authorising Officer: N.J. Hayhurst</p>	<p>Date : 10/06/2024</p>
<p>Dedicated responses to:- N/A</p>	