

**CUMBERLAND COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/24/2117/DOC
2.	Proposed Development:	DISCHARGE OF CONDITION 8 OF PLANNING APPLICATION 4/23/2385/0F1
3.	Location:	BECK GREEN NURSERY, CROSS SIDE, EGREMONT
4.	Parish:	Egremont
5.	Constraints:	ASC;Adverts - ASC;Adverts, Flood Area - Flood Zone 2, Flood Area - Flood Zone 3, Coal - Off Coalfield - Data Subject To Change, Outer Consultation Zone - Sellafield 10KM
6.	Publicity Representations & Policy	Neighbour Notification Letter: NO Site Notice: NO Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report: Site and Location	<p>This application relates to Beck Green Nursery, a former Copeland County Council plant nursery facility in Egremont. The site is accessed off Cross Side and benefits from an existing access and it is screened by an existing fence and hedge. The site currently contains a number of greenhouses, potting sheds / offices and areas of hard standing.</p> <p>It is bound by residential properties to the north and south, Cross Side road to the east, and the River Ehen to the west.</p> <p>The site will be operated by Growing Well charity, a therapeutic community mental health service which seeks to assist recovery from mental health challenges through supported</p>

activity in the outdoors, within a real-world horticulture enterprise, supported and guided by experienced therapeutic growers and mental health support staff.

Planning History

Planning Permission has previously been approved for:

- The use of the former plant nursery as a charity growing site with the demolition of a building and the erection of a new modular classroom (ref: 4/23/2385/0F1).

Proposal

In 2023, planning permission (ref: 4/23/2385/0F1) was granted for the use of the former plant nursery as a charity growing site with the demolition of a building and the erection of a new modular classroom.

This current application seeks approval of details reserved by planning condition 8 attached to the planning approval. This condition states the following:

8. Prior to the installation of the new modular building, the final details of the floor plan and elevation design must be submitted to and approved in writing by the Local Planning Authority. The building must be installed in accordance with the approved details and must be maintained as such at all times thereafter.

Reason

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

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

- Floor Plan and Elevations.

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



Cumberland Council

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 ER7 – Principal Town Centre, Key Service Centres, Local Centres and other service areas: Roles and Functions.

Policy SS5 – Provision and Access to Open Space and Green Infrastructure

Policy ENV1 – Flood Risk and Risk Management

Policy ENV3 – Biodiversity and Geodiversity

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM21 – Protecting Community Facilities

Policy DM22 – Accessible Developments

Policy DM24 – Development Proposals and Flood Risk

Policy DM25 – Protecting Nature Conservation Sites, Habitats and Species

Emerging Copeland Local Plan 2021-2038 (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 will close on the 28th March 2024.

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 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.

The following policies are relevant to this proposal:

Policy DS1PU: Presumption in favour of Sustainable Development

Policy DS2PU: Reducing the impacts of development on Climate Change

Policy DS3PU: Settlement Hierarchy

Policy DS4PU: Settlement Boundaries

Policy DS6PU: Design and Development Standards

Policy DS8PU: Reducing Flood Risk

Policy DS9PU: Sustainable Drainage

Policy R4PU: The Key Service Centres

Policy SC1PU: Health and Wellbeing

Policy N1PU: Conserving and Enhancing Biodiversity and Geodiversity

Policy N14PU: Community Growing Space

Policy CO7PU: Parking Standards and Electric Vehicle Charging Infrastructure

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

Cumbria Development Design Guide

Assessment

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. DS6PU also set out Design and Development Standards.

Based on the floor plan and elevations submitted, the Local Planning Authority is satisfied



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	<p>with the information provided. Photos show the site previously had a similar single-storey building in the new building location and the flat roof modular building is of an appropriate scale and design to reflect the character of the site.</p> <p>The new single-storey building will also be screened by an existing fence and hedge and therefore it is not considered to be excessively prominent within the locality or have a detrimental impact on the surrounding area.</p> <p>On this basis, the new building design is considered to be acceptable in accordance with Policies DM10, DS6PU and the NPPF guidance.</p> <p>Conclusion</p> <p>Approve requirements of planning condition 8 of planning application 4/23/2385/0F1.</p>
8.	<p>Recommendation:</p> <p>Approve requirements of planning condition 8.</p>
Case Officer: C. Wootton	Date : 12/04/2024
Authorising Officer: N.J. Hayhurst	Date : 12/04/2024
Dedicated responses to:- N/A	