

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/24/2143/DOC
2.	Proposed Development:	DISHCHARGE OF CONDITION 6 OF PLANNING APPLICATION 4/22/2118/0F1
3.	Location:	WHITEHAVEN SCHOOL, CLEATOR MOOR ROAD, WHITEHAVEN
4.	Parish:	Whitehaven
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change, Preferred Route Corridor - Within Preferred Route Corridor
6.	Publicity Representations & Policy	See report.
7.	Report: Site and Location: <p>The Application Site comprises the property known as Whitehaven Academy, Cleator Moor Road, Whitehaven.</p> <p>The Application Site comprises an existing surfaced sports facility and part of an existing playing field within the school grounds.</p> <p>The school grounds are bounded by commercial development and a sports ground to the northwest; residential development to the southwest; and, agricultural land to the northeast and southeast.</p> <p>Access to the Application Site is via a one-way access system, the entrance to which is on Moresby Road to the northwest and the exit to which is on Cleator Moor Road to the southwest.</p> Proposal:	

Full Planning Permission for the development of surfaced sport facilities on the site of the existing redgra surfaced sports facility and part of existing playing field, including: an artificial hockey turf pitch, an artificial grass pitch, hardstanding tennis/netball courts, polymeric surfaced sprint straight, access/spectator areas and associated fencing and sports lighting system was approved on the 9th June 2022 subject to planning conditions under planning application ref. 4/22/2118/0F1.

This application seeks approval of the details reserved by Planning Conditions 6:

(6) (a) Use of the development shall not commence until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority. The agreement shall apply to the facilities forming part of the proposed development and include details of pricing policy, hours of use, access by noneducational establishment users, management responsibilities and a mechanism for review. (b) The development shall not be used otherwise than in strict compliance with the approved agreement.

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

- Covering Letter – 30th April 2024
- Agreement in relation to arrangement for community use of sport facility at The Whitehaven Academy in connection with Planning Permission Reference 4/22/2118/0F1.

Consultee:	Nature of Response:
Sport England	<p>20th May 2024</p> <p>Thank you for consulting Sport England in respect of the details relating to the above planning condition.</p> <p>Sport England has reviewed the Community Use Agreement required by the condition and can confirm we are content with its detail.</p>
Neighbour Responses:	
None required.	

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 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 (CS):

Policy ST1 – Strategic Development Principles

Policy SS4 – Community and Cultural Facilities and Services

Development Management Policies (DMP):

Policy DM21 – Protecting Community Facilities

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

	<p>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.</p> <p>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.</p> <p>Policy SC1PU: Health and Well-being Policy SC3PU: Playing Fields and Pitches</p> <p>Other Material Planning Considerations</p> <p>National Planning Policy Framework (NPPF). Planning Practice Guidance (PPG). The Conservation of Habitats and Species Regulations 2017 (CHSR). Cumbria Development Design Guide (CDDG).</p> <p>Assessment:</p> <p><u>Planning Condition 6</u></p> <p>Sport England are the statutory consultee in respect of sports provision.</p> <p>Sport England has been consulted in respect of the submitted Community Use Agreement and have confirmed that the submitted details are acceptable; therefore, the requirements of Planning Condition 6 can be approved.</p> <p>Conclusion:</p> <p>Approve requirements of Planning Condition 6.</p>	
8.	<p>Recommendation:</p> <p>Approve.</p>	
Case Officer: Chris Harrison		Date : 24.05.2024
Authorising Officer: N.J. Hayhurst		Date : 24.05.2024
Dedicated responses to:- N/A		