

## CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/24/2150/0A1
2.	<b>Proposed Development:</b>	APPLICATION FOR CONSENT TO DISPLAY AN ILLUMINATED SIGN
3.	<b>Location:</b>	UNIT 2, OLD PROSPECT WORKS, MAIN STREET, DISTINGTON
4.	<b>Parish:</b>	Distington
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change, Outer Consultation Zone - Cycliffe 3KM
6.	<b>Publicity Representations &amp;Policy</b>	Neighbour Notification Letter: NO Site Notice: NO Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	<b>Report:</b>  <b>SITE AND INTRODUCTION</b>  <p>This application relates to Unit 2, located at Old Prospect Works off Main Street in Distington. There are other commercial buildings to the north and south, parking and open space to the west and Main Street to the east.</p> <p>Planning permission was granted in February 2024 for the change of use of the building from Class F1 (office, education, workshop) to Class E (D) (indoor sport, recreation, fitness).</p> <b>PROPOSAL</b>  <p>Advertisement Consent is sought for the display of a fascia sign on the gable elevation of the</p>	

building in accordance with the details below:

Advertisement type	Height, width and depth	Height from ground to base	Projection	Max height of individual letters	Materials and colour	Illumination
Fascia sign	2.65m x 5.5m x 0.2m	3.75m	0.2m	0.9m	Black background with white letters	Yes

#### RELEVANT RECENT PLANNING APPLICATION HISTORY

Fascia sign and non-illuminated monument sign, approved in March 1994 (application reference 4/94/0063/0 relates);

- Installation of a window, approved in January 1999 (application reference 4/98/0874/1 relates);
- Change of use from car showroom to offices and training workshops, approved in March 1997 (application reference 4/97/0101/0 relates);
- Replace full height window with window and rendered stall riser, approved in January 2000 (application reference 4/99/0782/0 relates);
- Change of use from Class F1 (office, education, workshop) approved under 4/97/0101/0 to Class E(d) (office, education, gym); replace sections of glazing in some existing windows with extract louvres, approved in July 2022 (application reference 4/22/2285/0F1);
- Prior Approval application for demolition of office section in Unit 2, approved in December 2023 (application reference 4/23/2335/0F1 relates);
- Change of use of building from Class F1 (office, education, workshop) to Class E (D) (indoor sport, recreation, fitness), approved in February 2024 (application reference 4/23/2331/0F1 relates);
- Variation of condition 5 (operating hours) of planning application 4/23/2331/0f1 change of use of building from class f1 (office, education, workshop) to class e (indoor sports, recreation, fitness), approved in May 2024 (application reference 4/24/2110/0B1 relates).



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## **CONSULTATION RESPONSES**

### Distington Parish Council

No objections.

### 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.

## **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

#### Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM29 – Advertisements

### **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 28<sup>th</sup> 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:

- Strategic Policy DS1PU: Presumption in favour of Sustainable Development
- Policy DS6PU: Design and Development Standards
- Policy BE6PU: Advertisements

### **Other Material Planning Considerations**

National Planning Policy Framework 2023 (NPPF)

Town and Country Planning (Control of Advertisements) (England) Regulations 2007

### **ASSESSMENT**

#### Planning Policy Position

Policy DM29 of the Core Strategy (CS) relating to Advertisements states that outside areas of Special Advertisement Control, advertisements will be granted consent if all of the following criteria are met:

- i) They would not be obtrusive or dominant features in the street scene;
- ii) They would not create clutter on a building or within the street scene;



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iii) They would not harm public safety;

iv) Where attached to a building, they would respect its scale, proportions and architectural features.

These requirements are repeated within Policy BE6PU of the emerging local plan (ELP).

Policy DM10 of the local plan and DS6PU of the ELP require good design.

### Principle of the Development

The addition of the new fascia sign is required to advertise the new function of the building following its change of use. In principle, signage is acceptable in this location as the building is situated within an industrial estate where there are other examples of signage and it is a functional requirement for the business in terms of identification.

The main considerations raised by this application are the impacts of the signage on visual amenity and public safety. These are considered below.

### Design and Siting

Policies within the CS and ELP seek to ensure that signage does not affect public safety, will not be obtrusive or create clutter and is of a reasonable scale and appearance.

This application seeks approval for the signage associated with the business name and part of its function as a football coaching facility.

The proposed signage will be located on the gable facing elevation of the building that is publicly visible. It will be viewed in context with the building. The signage is considered to be modest in scale and will not be intrusive as it is coloured to match the building. It will be viewed in context with the existing signage within the retail estate and it is unlikely that it will be obtrusive in this regard.

Overall, it is considered that the proposed signage complies with Policy DM29 of the CS and Policy BE6PU of the ELP with respect to its design and siting.

### Public Safety

The signage will be erected where it does not pose an issue to passing motorists or pedestrians, ensuring the safety of highway users. As the signage will be attached to the side of the building, no risk to public safety is posed.

The sign is proposed to be internally lit and the illumination will be static. No objections have been raised by the Highways Officer in terms of impact on highway safety.

It is considered that the proposal accords with Policies ST1 and DM29 of the Local Plan and Policy BE6PU of the ELP and protects the surrounding amenity.

### Planning Balance and Conclusion

The proposed signage is considered to be acceptable in terms of its siting, scale and design

	<p>and will not have an adverse impact on the visual amenity of the area.</p> <p>There will not be a risk to road users or the safety of the general public. The Highways Officer has not raised any issues with the proposal.</p> <p>Overall, this is considered to be an acceptable form of advertisement at this commercial site which accords with policies ST1 and DM29 of the Copeland Local Plan and Policy BE6PU of the emerging Local Plan.</p>
8.	<p><b>Recommendation:</b></p> <p>Approve Advertisement Consent</p>
9.	<p><b>Conditions:</b></p> <ol style="list-style-type: none"> <li> <p>This consent shall expire in 5 years from the date of this notice whereupon the signage shall be removed and any damage repaired unless further consent to display has been granted by the Local Planning Authority.</p> <p>Reason</p> <p>To accord with Regulation 14 (7) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and in the interests of amenity and public safety.</p> </li> <li> <p>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 1st May 2024;</p> <p>Site Location Plan, scale 1:1250, drawing number 2023/100/LP, received 1st May 2024;</p> <p>Proposed Block Plan, scale 1:500, drawing number 2023/100/01/03, received 1st May 2024;</p> <p>Proposed Plans and Elevations, scales 1:500 and 1:100, drawing number 2023/100.02D, received 1st May 2024;</p> <p>Proposed signage photograph, drawing number 2023/100/SP, received 1st May 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> </li> </ol>



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	3. Standard advertisement conditions	
<b>Case Officer: Sarah Papaleo</b>		<b>Date : 21/06/2024</b>
<b>Authorising Officer: N.J Hayhurst</b>		<b>Date : 24/06/2024</b>
<b>Dedicated responses to:- N/A</b>		