

## CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/24/2170/DOC
2.	<b>Proposed Development:</b>	DISCHARGE OF CONDITION 3 OF PLANNING APPLICATION 4/22/2486/0F1
3.	<b>Location:</b>	54 VALLEY PARK, WHITEHAVEN
4.	<b>Parish:</b>	Whitehaven
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change
6.	<b>Publicity Representations &amp;Policy</b>	See Report
7.	<b>Report:</b>  <b>Site and Location</b>  <p>This application relates to 54 Valley Park, a detached property situated on an existing housing estate within Whitehaven. The site is located on a hill which slopes down towards the rear of the site.</p>  <b>Proposal</b>  <p>Planning permission was granted for the erection of an extension to this residential property on 23/10/2023.</p> <p>This application seeks to discharge condition 3 of the planning permission reference 4/22/2486/0F1.</p> <p>Condition 3 states the following:-</p> <p>Prior to commencement of development on the site a detailed surface drainage scheme must be submitted to and agreed in writing by the Local Planning Authority.</p> <p>The scheme must be implemented in accordance with the approved details and fully</p>	

operational prior to the first use of the extension hereby approved and must be retained in perpetuity thereafter.

#### Reason

To ensure a satisfactory scheme of surface water disposal from the site and reduce the risk of flooding in accordance with Policy DM24 of the Copeland Local Plan.

The following information has been submitted in support of the application:-

- Application Form
- Proposed Plan Reference 221004-02
- Surface Water Management – Percolation Test Results
- NHBC Standards 204-5 Surface Water
- Photographs of Trial Holes

#### Consultation Responses

##### Highways and Local Lead Flood Authority

The LHA and LLFA are content with the proposal, therefore Condition 3 of application 4/22/2486/0F1 can be discharged.

#### Development Plan Policies:

##### Copeland Local Plan 2013-2028 (Adopted December 2013):

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.

Core Strategy (CS):

Policy ST1 – Strategic Development Principles

Development Management Policies (DMP):

Core Strategy

Policy ST1 – Strategic Development Principles

Policy ST2 – Spatial Development Strategy

Policy ENV1 – Flood Risk and Risk Management

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM18 – Domestic Extensions and Alterations

Policy DM24 – Development Proposals and Flood Risk

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 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.

	<p>The policies relevant to this application are:</p> <p>Strategic Policy DS1PU: Presumption in favour of Sustainable Development</p> <p>Policy DS6PU: Design and Development Standards</p> <p><b>Other Material Planning Considerations</b></p> <p>National Planning Policy Framework (NPPF)</p> <p>Cumbria Development Design Guide</p> <p><b>Assessment</b></p> <p>The LLFA has confirmed that the submitted details are satisfactory and are sufficient to meet the requirements of condition 3 of the planning permission reference 4/22/2486/0F1</p>	
8.	<p><b>Recommendation:</b></p> <p>Approve Discharge of Condition</p>	
<b>Case Officer: N.J. Hayhurst</b>		<b>Date : 23/07/2024</b>
<b>Authorising Officer: N.J. Hayhurst</b>		<b>Date : 23/07/2024</b>
<b>Dedicated responses to:- N/A</b>		