

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/24/2250/DOC
2.	Proposed Development:	DISCHARGE OF CONDITIONS 3 AND 4 OF PLANNING APPLICATION 4/24/2099/0F1
3.	Location:	23 THORNTON ROAD, WHITEHAVEN
4.	Parish:	Whitehaven
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change
6.	Publicity Representations &Policy	See Report.
7.	Report: Site and Location <p>This application relates to 23 Thornton Road, a semi-detached property located at the end of on an existing residential cul-de-sac within the Hensingham Area of Whitehaven. The site benefits from a small front garden, and a large rear garden with conservatory and detached garage, which extends adjacent to the turning head at the end of the cul-de-sac.</p> Proposal <p>Planning permission was granted for the demolition of the existing conservatory and detached garage, and erection of a new single storey extension to the side of the property and new single garage on 31/05/2024.</p> <p>This application seeks to discharge conditions 3 and 4 of the planning permission reference 4/24/2099/0F1.</p> <p>Condition 3 states the following:</p> <p>Full details of the surface water drainage system shall be submitted to the Local Planning Authority for approval prior to development being commenced. Any approved works shall be implemented prior to the development being completed and shall be maintained operational</p>	

thereafter.

Reason

In the interests of highway safety and environmental management.

Condition 4 states the following:

Development shall not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the local planning authority. The CTMP shall include details of:

- pre-construction road condition established by a detailed survey for accommodation works within the highways boundary conducted with a Highway Authority representative; with all post repairs carried out to the satisfaction of the Local Highway Authority at the applicants expense;
- retained areas for vehicle parking, manoeuvring, loading and unloading for their specific purpose during the development;
- cleaning of site entrances and the adjacent public highway;
- details of proposed wheel washing facilities;
- the sheeting of all HGVs taking spoil to/from the site to prevent spillage or deposit of any materials on the highway;
- construction vehicle routing;
- the management of junctions to and crossings of the public highway and other public rights of way/footway;
- surface water management details during the construction phase

Reason

To ensure the undertaking of the development does not adversely impact upon the fabric or operation of the local highway network and in the interests of highway and pedestrian safety.

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

- Application Form
- Construction Management Plan
- Document detailing that condition 3 will be met as part of the application under the Building Regulations as proposed Surface Water drainage system for 23 Thornton Road will be



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submitted as part of the building regulatory plan process.

Consultation Responses

Highways and Local Lead Flood Authority

I can confirm that the details provided are in order and that Conditions 3 and 4 can be discharged.

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

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM18 – Domestic Extensions and Alterations

Policy DM22 – Accessible Developments

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

	<p>are required in order to ensure the ELP is sound i.e. positively prepared, justified, effective and consistent with national planning policy.</p> <p>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.</p> <p>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> <p>The following policies are relevant to this proposal:</p> <p>Policy DS1PU – Presumption in favour of Sustainable Development</p> <p>Policy DS6PU – Design and Development Standards</p> <p>Policy H14PU – Domestic Extensions and Alterations</p> <p>Other Material Planning considerations:</p> <p>National Planning Policy Framework (NPPF)</p> <p>Cumbria Development Design Guide</p> <p>Assessment</p> <p>The LLFA and Highway authority has confirmed that the submitted details are satisfactory and are sufficient to meet the requirements of conditions 3 and 4 of the planning permission reference 4/24/2099/0F1.</p>	
8.	<p>Recommendation:</p> <p>Approve Discharge of Condition</p>	
Case Officer: Demi Crawford		Date : 01/08/2024
Authorising Officer: N.J. Hayhurst		Date : 02/08/2024
Dedicated responses to:- N/A		