

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/24/2339/0F1
2.	Proposed Development:	PROPOSED SITING OF A FREIGHT CONTAINER FOR STORAGE
3.	Location:	OVEREND SPORTS STADIUM, OVEREND 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 Overend Sports Stadium in Whitehaven. The premises is set back in an isolated position from the main road with a private road that leads to the site. There is an existing clubhouse located within the application site and there are containers that are located to the south of the proposal site which are over 100m away.</p> PROPOSAL <p>Planning permission is sought for the siting of a freight container that is to be sited adjacent to the existing sports track. The proposal is to be 6.1m in length, 2.44m in width and 2.59m in total height. The colour is to be green.</p> <p>The applicant intends on using the container as additional storage for inclusive cycles. The container is to be sited on an area of existing hardstanding.</p> RELEVANT PLANNING APPLICATION HISTORY <p>4/05/2255: Extension to sports facilities to include new changing areas, new sports pitches</p>	

and car parking - 03/05/2005 - Approve

CONSULTATION RESPONSES

Whitehaven Town Council

No objections or comments raised.

Highways Authority

I can confirm that we have no objections 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.

Sports England

Originally lodged an objection.

Following the submission of additional information, Sports England is now satisfied that the proposed development meets exception 2 of their playing fields policy. This being the case, Sports England wishes to withdraw its objection to this application.

Public Representations

The application has been advertised by way of a site notice being placed adjoining the site – No representations have been received as a result of this consultation process.

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 2021 - 2039 (LP):

Cumberland Council continued the preparation of the LP as commenced by Copeland Borough Council.



Cumberland Council

The LP was adopted by Cumberland Council on the 5th of November 2024 replacing the Copeland Local Plan 2013-2028 and the saved policies of the Copeland Local Plan 2021-2016.

The policies relevant to this application are as follows:-

Policy DS1 – Development Strategy

Policy DS4 – Design and Development Standards

Policy DS6 – Reducing Flood Risk

Policy SE1 – Economic Growth

Policy SC1 – Health and Wellbeing

Policy SC2 – Sports and Leisure Facilities

Policy SC4 – Impact of new development on sporting facilities

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

Cumbria Development Design Guide

ASSESSMENT

The key issues raised by this proposal are the principle of development, its siting, scale and design and the potential impacts on residential amenity etc.

Principle of Development

The proposed application relates to a freight container which is to be located on an existing hardstanding area within a sports stadium.

The site lies within Whitehaven which is designated as the Principal town within the Borough and the main focus for development.

Policies SC1, SC2 and SC4 support the improvement and quality of sports and leisure facilities and expect a high quality of design. There are other containers located on site and the proposal is considered to be moderate in scale in comparison to the site as a whole.

On this basis, the principle of the development is therefore considered to be acceptable and satisfies Policies DS1, SC1, SC2 and SC4 of the Local Plan and the NPPF guidance.

Siting, Scale and Design

Policy DS4 and section 12 of the NPPF seek to promote high quality designs. Policy DS4 seeks to ensure a high standard of design for proposals and development proposals should

respond positively to the character of the site and immediate wider setting.

The proposed container is considered to be moderate in scale in relation to the site itself and wider area, however, officers acknowledge that the building is considered to be a temporary structure. Although temporary structures as a means of expansion are not normally supported, given the use and requirement for the building in association with the sports facilities, it is considered a temporary building can be supported in this instance. A temporary period of 5 years is considered appropriate given the temporary nature of the structure and to ensure control over the site in the interest of visual amenity. This can be secured by a planning condition.

The proposal is located within an isolated position and will not be visible from outside the immediate site.

Sports England raised objections to the proposal as it was considered that there was not enough evidence to confirm that the container would not impact upon the existing sports facilities on site. The agent has since provided an amended Site Block Plan. Following the additional information received, it has now been confirmed by Sports England that they wish to withdraw their objections as the proposal is not considered to impact on the existing sports facilities.

On this basis, the proposal subject to a temporary period of 5 years, is considered to respect the character and appearance of the site and character of the area and the proposal is considered to comply with Policies DS4 and SC2 and NPPF guidance.

Residential Amenity

Policy DS4, SC2 and section 12 of the NPPF seek to safeguard good levels of residential amenity.

The proposal is located in excess of 100m away from the nearest neighbouring property. The land levels on the site are also lower than the neighbouring properties located to the north of the site. Therefore, given there is an appropriate separation distance and the lower land levels of the site, it is considered that the proposal would not create an unacceptable impact upon neighbouring properties.

On this basis, the proposal is considered to comply with Policy DS4, SC2 and the NPPF.

Highway Safety

Policy DS4 requires developments to not impact upon highway safety and/or a severe impact on the capacity of the highway network.

There are no alterations to be made to the existing arrangements and the proposal will not impact upon the use of the existing facilities.

The Highways Authority/LLFA has raised no objections to the proposed development as it is considered that it will not have a material effect on existing highway conditions nor will it



Cumberland Council

	<p>increase the flood risk on the site or elsewhere.'</p> <p>On this basis, the proposal is considered to comply with Policy DS4 of the Local Plan and the NPPF.</p> <p><u>BNG</u></p> <p>The biodiversity gain planning condition does not apply in relation to this proposal. The condition is that the development should not impact an onsite priority habitat. The second condition is that the development impacts — (a) less than 25 square metres of onsite habitat that has biodiversity value (1) greater than zero; and (b) less than 5 metres in length of onsite linear habitat. The proposed container is to be sited on an existing hardstanding, therefore BNG will not be required in this instance. The proposal is exempt from BNG on the grounds it does not meet the threshold.</p> <p>Planning Balance and Conclusion</p> <p>The proposed container is of an appropriate design and would not have any detrimental impact on the amenities of the adjoining properties or highway safety.</p> <p>Given the temporary nature of the development, it is considered appropriate to limit the permission to a temporary period of 5 metres in the interests of visual amenity and also to retain control over the site.</p> <p>On this basis the proposal is considered an acceptable form of development which accords with the policies set out within the adopted Local Plan and the guidance in the NPPF.</p>
8.	<p>Recommendation:</p> <p>Approve</p>
9.	<p>Conditions:</p> <p>1. The temporary siting of the storage containers hereby approved shall cease to be used/occupied and shall be removed from the site within 5 years of the date of this approval.</p> <p>Reason:</p> <p>The storage container hereby approved is only acceptable as a temporary storage facility to protect visual amenity within the locality in accordance with the National Planning Policy Framework and Policy DS4 of the Copeland Local Plan.</p> <p>2. This permission relates to the following plans and documents as received on the</p>

	<p>respective dates and development must be carried out in accordance with them:-</p> <p>Application Form, received 26/09/2024; Site Location Plan, scale 1:2500 received 26/09/2024; Proposed container details, dimensions shown, received 26/09/2024 Colour Details - Email received 25/10/2024; Site Block Plan – received 21/11/2024.</p> <p>Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.</p> <p>Informative Note The proposed development site lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority</p> <p>Statement The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.</p>
Case Officer: K. Bamford	Date : 12/12/2024
Authorising Officer: N.J. Hayhurst	Date : 12/12/2024
Dedicated responses to:- N/A	