

Supporting Planning Statement

The Ironworks Retreat, Devonshire Road, Devonshire Road, Millom, Cumbria, LA18 4JP

Full Planning Application for Redevelopment of The Millway, Proposed Residential Sanctuary, Warehouse, associated parking and infrastructure with ancillary facilities

May 2020

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On behalf of As If By Magic Limited (AIBM)

For and on behalf of AIBM Ltd

Supporting Planning Statement

**The Ironworks Site, Devonshire
Road, Millom**

May 2020

Ref: 2019-39b

Approved by:



Russell Adams - Director

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Appendices

Appendix A – Decision Notice for Ironworks Retreat (Ref: 4/16/2340/0F1) dated 7th July 2018

Appendix B – Copeland Council's Discharge of Conditions Letter dated

Appendix C – Public Consultation Flyer

Appendix D – Review of Planning Conditions for previous planning consent (Ref: 4/16/2340/0F1)

1.0 Introduction

1.1 This statement has been prepared by Adams Planning + Development Ltd (APD) on behalf of As If By Magic (AIBM).

1.2 This statement has been prepared in support of a Full Planning Application seeks planning permission for the following form of development:

“Redevelopment and extension of The Millway building for restaurant, kitchen, café/restaurant, and reception area, erection of Octagon community assembly building, 13 no. residential units (including 4 no. accessible units), 4 no. Vardo wagons, 12 airstream caravans, 2 ancillary toilet blocks, sculptures, warehouse, associated parking and infrastructure with ancillary facilities.”

1.3 This planning application comprises of a full suite of submission plans and documentation that serve to demonstrate the acceptability and deliverability of the above-identified development proposals and comprises of the following documentation:

- A Covering Letter – Adams Planning + Development
- Planning Application Forms & Certificates
- This Supporting Planning Statement & Appendices
- A Design & Access Statement – IDK Architects
- The drawing package by IDK Architects, including:
 - Site Location Plan (Drawing No. IDK-IRN-P-00-10-00, Rev. P(A))
 - Site Masterplan (Drawing No. IDK-IRN-P-00-10-02, Rev. P(A))
 - Site Masterplan 1/2 (Drawing No. IDK-IRN-P-00-10-03, Rev. P(A))
 - Site Masterplan 2/2 (Drawing No. IDK-IRN-P-00-10-04, Rev. P(A))
 - Site Services Plan (Drawing No. IDK-IRN-P-00-20-01, Rev. P(A))
 - Site Parking Plan (Drawing No. IDK-IRN-P-00-30-01, Rev. P(A))
 - Site Millway Parking (Drawing No. IDK-IRN-P-00-30-02, Rev. P(A))
 - The Octagon Plan (Drawing No. IDK-OCT-P-02-10-01, Rev. P(A))
 - Ancillary Buildings 1 & 2 Plan (Drawing No. IDK-ANC-A-02-10-01, Rev. P(A))
 - Millway Existing Floor Plans (Drawing No. IDK-MIL-P-01-10-01, Rev. P(A))
 - Millway Existing Elevations (Drawing No. IDK-MIL-P-01-20-01, Rev. P(A))
 - Millway Proposed Floor Plans (Drawing No. IDK-MIL-P-01-10-01, Rev. P(A))
 - Millway Proposed Elevations (Drawing No. IDK-MIL-P-02-20-01, Rev. P(A))
 - Residences Sensory Accommodation (Drawing No. IDK-RES-P-02-10-01, Rev. P(A))
 - Residences Double Accommodation (Drawing No. IDK-RES-P-02-10-02, Rev. P(A))
 - Residences Double Accommodation Accessible (Drawing No. IDK-RES-P-02-10-03, Rev. P(A))
 - Organs 1/2 (Drawing No. IDK-RES-A-02-10-10, Rev. P(A))
 - Organs 2/2 (Drawing No. IDK-RES-A-02-10-11, Rev. P(A))
 - Warehouse Proposed Floorplans (Drawing No. IDK-WRH-P-02-10-01, Rev. P(A))
 - Warehouse Proposed Elevations (Drawing No. IDK-WRH-P-02-20-01, Rev. P(A))
- Landscape Layout Plan (Drawing No. M2685.04I) – Barnes Walker
- Warehouse Landscape Layout (Drawing No. M2685.06) – Barnes Walker
- Landscape Management Plan (Ref: M2685-MP-19.02-01) – Barnes Walker
- Landscape Management Schedules (Ref: M2685-MS-19.02-01) – Barnes Walker
- Drainage Strategy Report (Ref: CN19343, V2) – Gadsden Consulting Engineers

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- Existing Drainage Layout (Drawing No. 19343-PL01)
 - Proposed Drainage Layout (Drawing No. 19343-PL02, Rev. A)
 - Proposed Road Layout (Drawing No. 19343-PL03, Rev. A)
 - Proposed Sightlines (Drawing No. 19343-PL04, Rev. A)
 - Typical Construction Details (1) (Drawing No. 19343-PL05.1)
 - Typical Construction Details (2) (Drawing No. 19343-PL05.2)
 - Exceedance Route (Drawing No. 19343-PL01-06, Rev. A)
 - Ecology Summary Report (March 2020) & Appendix A to E – AECOM
 - Millway Bat Survey Report (August 2019) – WYG
- 1.4 The following documents from the previous planning approval (Ref: 4/16/2340/0F1) and discharge of condition application are also relevant to and have been submitted in support of this planning application:
- Earth Environmental & Geotechnical Phase II GeoEnvironmental Investigation (July 2017)
 - Tree Survey Report, Plan, Survey Data and Preliminary Management Recommendations – Tom Dutson , Heartwood Enterprises
 - Construction Environmental Management Plan (AECOM, October 2018)
- 1.5 This Planning Statement provides a summary of the development proposals and the additional supporting information that has been collated in order to evidence the appropriateness of the proposals.

Background

- 1.6 The site has historically gained planning consent for a similar retreat/sanctuary development proposal (Ref: 4/16/2340/0F1) on 7th July 2018 (see Decision Notice in **Appendix A**). The Decision Notice listed 22 planning conditions that needed to be addressed before the proposed sanctuary was first brought in use.
- 1.7 AIBM subsequently submitted a discharge of condition application on 14th March 2019 to address the ecological, construction, drainage, contamination and landscaping requirements that the Council's statutory and internal consultees sought additional clarity on prior to ensure a satisfactory standard of development.
- 1.8 Copeland Council's Planning Case Officer subsequently wrote on 19th December 2019 (see **Appendix B**) to confirm the discharge or part-discharge of the majority of planning conditions and itemised the information that was provided by AIBM's appointed professional team in order to satisfy Copeland Council's information requirements.

2.0 Site and surroundings

- 2.1 The application site is located in the coastal town of Millom, located on the north shore of the estuary of the River Duddon. The town of Millom provides the only service centre for the surrounding villages of Haverigg, Silecroft, Bootle, The Green, The Hill, Kirksanton and a wider rural hinterland. Millom was once an important place for those wanting to cross the Duddon Estuary to travel further up the Cumbrian coast.
- 2.2 The site comprises of three parcels of land totalling approximately 2.85 hectares on the northern side of Devonshire Road and Barwick Rails towards the eastern periphery of Millom.
- 2.3 The application site and wider area was formerly occupied by The Millom Ironworks which was once the largest employer in Millom. The Ironworks were closed in 1968 leaving nature to take over with little evidence remaining of that iron and steel activity aside from the Millway building that serves as a gateway building to the wider landholding.
- 2.4 The character of Devonshire Road is generally residential, interspersed with commercial, industrial and recreational land. The application site is located directly north of the Devonshire Road Industrial Estate.
- 2.5 The main body of the application site extends approximately 2.6 hectares in total and accommodates an unadopted road that is currently under the ownership of Copeland Council and was constructed as part of a regeneration grant to deliver serviced employment sites at the same time as the Devonshire Road Industrial Estate to the south.
- 2.6 The site lies adjacent to the southern side of the Ironworks Local Nature Reserve (LNR) and falls within the Duddon Estuary Site of Special Scientific Interest (SSSI). In addition, a small area of the site falls within the Duddon Estuary Special Protection Area (SPA) and Ramsar Site designated for its international bird populations.
- 2.7 The site is located in Flood Zone 1 and is in a highly sustainable and accessible location with no known technical constraints to delivering new development at the site.
- 2.8 The application site lies within a hundred metres of the proposed England Coast Path that is currently being developed by Natural England and is at an advanced stage of adoption, making this site a logical destination and stopping off point for walkers.

3.0 Development Proposals

- 3.1 The revised development proposals build upon the previous approval but provides significant improvements aimed at trying to achieve a more tranquil site that integrates with the nature reserve to the north.
- 3.2 The planning application comprises of the following range of tourism and community accommodation:
- An Octagon building
 - A refurbished Millway building
 - 1 no. ancillary building incorporating kitchen and washroom/toilet facilities
 - 1 no. ancillary structure incorporating an open firepit
 - 5 no. sculptural 'organs' building in the form of Lungs, Liver, Heart, Spleen and Kidney.
 - The Womb and Triple Burner - 2 no. x 2-person accessible experiential accommodation representing the Womb and Triple Burner
 - Accessible Residences 1 & 2 - 2 no. x 2-person accessible accommodation units
 - 4 no. 'Resi' 2-person residential units
 - 5 no. 'Rotunda' 2-person residential units
 - 12 no. renovated Airstream units - 2 to 4 person capacity.
 - 4 no. renovated Vardo wagons - 1 to 4 person capacity.
 - Warehouse
- 3.3 The above accommodation and associated infrastructure provide a revised and improved tourism and community facilities that are explained in detail below.
- 1) The site layout has been significantly improved by the proposed extinguishment of the significant unadopted road that dominates the centre of the site. The road extinguishment will allow for the southern boundary to be planted in the manner outlined on Barnes Walker's Landscaping Masterplan, acting as a visual and acoustic barrier to the south and a better integration of the site with the nature reserve to the north.
 - 2) The main access will now be via the existing access point that lies to the east of the Millway building, with the existing high wall being removed, thus opening up the southern elevation to provide a more welcoming vibrant frontage.
 - 3) The Millway building will be extended, with the architectural detailing and materials being carefully selected to provide a landmark building that pays due respects to the industrial heritage of the Old Ironworks site. The extension will be built in a locally sourced brick that will be submitted and agreed with the Council in due course.
 - 4) The Millway building will be all-body accessible and will act as a gateway to the site and a reception and administration areas for parties wishing to reside at the site, thus providing an element of control and natural surveillance to the site.
 - 5) The Millway will also provide a range of community facilities, including a reception area, a 50-cover restaurant/café, kitchen, lounge, toilets, library (also capable of accommodating 20-covers exclusively for the Retreat when needed) and reading areas and staff offices on the ground floor that will also serve as a community meeting

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point. The second floor provides a lounge and function areas with an elevated terrace area and north-facing windows that will provide exceptional views of the Duddon Estuary, the SSSI Nature Reserve and the internationally renowned Lake District mountains.

- 6) All visitors to the sanctuary will be encouraged to park at the extended car and cycle parking facility that lies directly east of the Millway building. There will also be nine accessible car parking spaces adjacent to the key buildings on the main development site, including the Millway, Octagon and the accessible residences. The main body of the site is accessed via a meandering informal access road, to allow for both emergency access and accessible parking near to the Octagon building, sensory buildings, sculptors and the accessible-friendly residential accommodation that will now be available at the sanctuary.
- 7) The BREEAM 'Outstanding' Octagon building is located on the western side of the site, and acts as a destination building that will be open to both the local community and visitors to attend classes and events in a truly exceptional environment. The Octagon building will be heated via ground source heat pumps that assist in providing a carbon neutral building.
- 8) The sanctuary also accommodates two ancillary buildings, stone circles, ponds and sensitively designed landscaped areas that have been positioned across the site in order to ensure ease of access to all visitors to the site. The ancillary buildings incorporate rainwater harvesting as a further sustainability measure.
- 9) A new warehouse building will be provided directly east of the extended car parking facility to enable the storage of the rare airstream and Vardo collection that will continue to be refurbished in AIBM's existing warehouse (outlined in blue on the Site Location Plan) which is already used for these purposes. The new warehouse facility that is the subject of this planning application is positioned near to, and will be viewed in the context of, the far more significant and visually prominent DrumWorks Ltd industrial units to the north and the nearby manufacturing, fabrication and car breakers employments sites that are identified in the contextual aerial photograph on page 31 of IDK's Design and Access Statement.
- 10) The warehouse will ensure retention and gradual expansion of AIBM's workforce that are already refurbishing and regenerating these cultural assets to a high standard, with AIBM already having one of the most significant collections in Europe.
- 11) The new warehouse will solely be used for storage of the caravans, with the warehouse scale being slightly reduced in scale from a previous iteration in order to accommodate a landscaping border on the southeastern elevation. The scale of the warehouse has been arrived at following an informed assessment of the number and scale of the caravans that will need to be stored within the building (see IDK plans).
- 12) The design and siting of the warehouse building adjacent to the main carpark will enable interested visitors to view the unique cultural assets in an attractive natural light environment, providing a very unique and charming tourism offer unique to Millom. It is proposed that the warehouse will only operate during working hours (i.e. 8am to 6pm Monday to Friday and shortened opening hours of 9am to 2pm on the weekend) in order to ensure that there is no unacceptable impacts upon the amenities of the area.

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- 3.4 The revised development proposals have been developed by AIBM's development team, and provide significant ecological, landscaping and biodiversity enhancements that are explained in detail within IDK's Design and Access Statement and proposed submission plans.
- 3.5 The finalised scheme has been the subject of extensive consultations and have been informed by a full technical appraisal of the site in order to ensure a highly sustainable tourism and community offer, the likes of which have never been seen in, and are not currently provided, within Millom and the wider South Cumbria area.

4.0 Consultations

4.1 This Section demonstrates that the planning application has been the subject of extensive consultations with Copeland Council and key local stakeholders over recent years.

4.2 Copeland Borough Council's Statement of Community Involvement (September 2016) and the Revised National Planning Policy (NPPF, July 2018) encourages pre-application discussions on all planning applications, and Paragraphs 39 to 42 of the NPPF stresses the benefits of pre-application consultations, advising that:

"Good quality pre- application discussion enables better coordination between public and private resources and improved outcomes for the community...The more issues that can be resolved at pre-application stage, including the need to deliver improvements in infrastructure and affordable housing, the greater the benefits... The participation of other consenting bodies in pre-application discussions should enable early consideration of all the fundamental issues relating to whether a particular development will be acceptable in principle, even where other consents relating to how a development is built or operated are needed at a later stage."

4.3 AIBM's appointed development team has undertaken extensive pre-application discussions with Councils, communities and key statutory and non-statutory consultees before resubmitting this improved development proposal.

4.4 These consultations included meetings with the following parties:

- 1) 15th October 2018 – The Devonshire Pub – Public consultation event held for local residents (see flyer in **Appendix C**) and local community groups, with invites being sent to including Around the Combe, the Metal Ring Company Millom School, Tornado Wire, Millom Disability Group, Ruth Popley, Friends of Millom Ironworks, Millom Network Centre, Age UK West Cumbria and South Copeland Disability Group.
- 2) 21st January 2020 - Meeting with Heather Morrison (Principal Planning Officer) and Frank Blenkarn (Estates Department) at Copeland Council's Offices.
- 3) 3rd March 2020 – Meeting with James Hunter (Open Spaces Manager), Michael Robinson (Cumbria County Council Highways) and Frank Blenkarn with IDK Architects, AECOM (Ecology) and APD representatives present to agree the finer details of the planning submission.
- 4) 16th March 2020 – Consultation with Local Councillors for the Newtown Ward, including Cllr Angela Dixon (Major), Cllr Ruth Peter, Cllr Sandra Carter and Cllr David Billing.

4.5 The scheme has been significantly improved over the course of the above-identified consultations in order to take on board the Council's and the community representatives comments. The feedback from the consultations was very positive, with all parties communicating that the revisions represented an improvement on the previously consented scheme. Importantly, the Local Councillors communicating their strong support for the proposals and a desire to see the scheme delivered as soon as practicable given the tourism, community and environmental benefits that will ensue from the high quality development proposals.

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- 4.6 Natural England's Lead Adviser has communicated her support for new tourism accommodation along the England Coast Path given that visiting walkers would require places to stay, which in turn, will bring money and jobs to the coastal corridor. Natural England have confirmed that they actively encourage businesses along open stretches of the England Coast Path and those with a suitable 'offer' can register themselves online at the National Trails website. The landowner has confirmed their willingness to register themselves on the National Trails website once they have gained planning consent for this planning application.

5.0 Planning Policy Considerations

Introduction

- 5.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 identifies that decisions on planning applications *“must be made in accordance with the [development] plan unless material considerations indicate otherwise.”*
- 5.2 The ‘development plan’ for Copeland Borough Council has not changed since the approval of the previous planning application (Ref: 4/16/2340/0F1) on 7th July 2018 and comprises of The Core Strategy and Development Management Policies DPD (December 2013) and the ‘saved’ policies from the Copeland Local Plan 2001-2016 (adopted 2006).

Development Plan Policies

- 5.3 It has been established in our pre-application consultations that full weight will be afforded to the previous planning approval (Ref: 4/16/2340/0F1) and the discharge of condition information when assessing this revised scheme.
- 5.4 The Core Strategy and Development Management Policies DPD (adopted 5 December 2013) forms the main part of the Development Plan for the borough of Copeland. The Council will also continue to have regard to the remaining ‘saved’ policies from the Copeland Local Plan 2001-2016 (adopted 2006) relating to specific areas of land (which will be reviewed in the Site Allocations and Policies Plan).
- 5.5 The application site has historically been allocated (site allocation ref HA30) as a housing allocation with a site capacity of up to 60 dwellings under saved Policy HSG2 “New Housing Allocations” of the Copeland Local Plan 2001-2016.
- 5.6 Copeland Borough Council recently carried out public consultations on the Issues and Options Draft of the emerging (i.e. replacement) Local Plan between 25th November 2019 and 20th January 2020. The background reports to the emerging Local Plan identify the application site as MM1 with a designation for ‘Possible Urban Greenspace Protection’ and accept that housing would no longer be required on the application site due to the availability of an appropriate level of supply on the western side of Millom. The background report noted that the site *“may be physically acceptable for tourism related development.”*
- 5.7 The Copeland Local Plan 2013-2028 Core Strategy and Development Management Policies contains the following policies relevant to this application:
- ER10- Renaissance through Tourism;
 - ENV2 - Coastal Management and
 - DM9- Visitor Accommodation
- 5.8 Policy ER10 – Renaissance through Tourism provides strong planning policy support for tourist and visitor attractions such as the application proposal.
- 5.9 Policy ER10 states as follows:

“The Council will maximise the potential of tourism in the Borough and will seek to:

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A) Expand tourism outside the Lake District National Park boundaries, with a complementary offer that takes pressure off the National Park's busiest locations, and delivers economic benefits in the Borough.

B) Locate new tourist accommodation, facilities and attractions where there is proven capacity for additional visitors to be accommodated without adverse environmental or amenity impacts, with consideration given to the following:

- Focus major tourist accommodation and attractions in Whitehaven and develop the town as a base for exploring the wider area;*

ii) Encourage development of an appropriate scale in the Key Service Centres of Cleator Moor, Millom and Egremont which takes pressure off more sensitive areas; iii) Support development requiring a rural location within the smaller villages and countryside, if proven necessary to enhance the Borough's existing place-bound assets and

iv) Permit holiday accommodation which meets the requirements of Policy DM9.

C) Support appropriate tourism development which accords with the principles of sustainable development and does not compromise the special qualities and character of allocated Tourism Opportunity Sites, the area surrounding them or public access thereto, in the following locations: Hodbarrow; Ehen/Keekle Valley; Whitehaven Coastal Fringe; Lowca Coastal Area.

D) Support appropriate developments which improve and enhance the quality of the tourism product;

E) Wherever possible tourism providers will be required to ensure that accommodation and attractions are well connected to other tourist destinations and amenities, particularly by public transport, walking and cycling;

F) The Council will work with the Lake District National Park Authority, Cumbria Tourism, West Cumbria Tourism Partnership and other tourism organisations in marketing, co-ordinating and managing the development of the Borough's offer and to maximise the benefits of the 'Lake District' brand.

5.10 Policy ENV2 – 'Coastal Management' is relevant to this application proposal due to the site's coastal location.

5.11 Policy ENV2 provides strong planning policy support for leisure, culture and tourism development within the coastal zone. The policy states as follows:

To reinforce the Coastal Zone's assets and opportunities the Council will:

A) Promote the developed coast as a destination for leisure, culture and tourism, with strong links to Whitehaven Harbour / town centre in the north and to Millom in the south;

B) Maximise opportunities along the undeveloped coast for tourism and outdoor recreation through support for the North West Coastal Trail and Colourful Coast projects;

C) Support the management of more of the undeveloped coast for biodiversity;

D) Support energy generating developments that require a coastal location along the undeveloped coast, provided that the potential impacts on biodiversity, landscape and

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heritage assets are carefully assessed against the benefits. Where negative impacts are likely these must be mitigated against and compensated for;

E) *Protect the intrinsic qualities of the St Bees Head Heritage Coast in terms of development proposals within or affecting views from the designation. At the same time encourage schemes which assist appropriate access to and interpretation of the Heritage Coast area and*

F) *Work with partners to manage the risks associated with coastal erosion and flooding and ensure that all new development is located outside areas identified as being at risk either now or in future phases of the Shoreline Management Plan.*

5.12 Policy DM9 – Visitor Accommodation also provides positive support for the development proposal. It states that, *“Proposals for new or improved visitor accommodation in the Borough will be supported subject to compliance with the principles of sustainable design outlined in ST1 and ER10 and so long as their scale and character are appropriate to the location and setting.”*

5.13 Policy DM9 follows on to provide details of the requirements of acceptable visitor accommodation. It states that, *“Proposals for new holiday caravans, chalets and/or camping sites or extensions to existing sites have adequate access arrangements and possess a high level of natural screening which, where necessary, is capable of reinforcement and extension”* In addition, *“Any permitted developments will be subject to occupancy conditions or legal agreements which restrict any new visitor accommodation for holiday use only.”*

National Planning Policy

5.14 The revised National Planning Policy Framework (NPPF, February 2019) is a statement of government policy in relation to planning matters nationally. Council's Development Plans must accord with the general principles detailed in the NPPF and it is a material consideration in the determination of all planning applications.

5.15 The Framework, taken as whole, represents the Government's definition of what constitutes a sustainable development. This definition of sustainable development includes three key roles: an economic role; a social role; and an environmental role. These aims are mutually dependent and should be sought jointly and simultaneously by the planning system.

5.16 Paragraph 11 identifies that:

“Plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”

5.17 Paragraph 38 of the NPPF identifies that:

“Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to

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secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible."

5.18 Paragraph 80 of the NPPF identifies that:

"Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future."

5.19 Paragraph 117 of the Revised NPPF identifies that:

"Planning policies and decisions should encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains - such as developments that would enable new habitat creation or improve public access to the countryside."

5.20 Paragraph 122 of the NPPF identifies that:

"Planning policies and decisions should support development that makes efficient use of land, taking into account:

a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;

b) local market conditions and viability;

c) the availability and capacity of infrastructure and services—both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;

d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and

e) the importance of securing well-designed, attractive and healthy places."

5.21 Paragraph 124 identifies that:

"Planning policies and decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

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d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience."

5.22 Paragraph 128 of the NPPF identifies that:

"Design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot."

5.23 On consideration the above Local Plan and relevant National planning policy guidance it is apparent that the updated tourism and community facilities accord with the adopted Development Plan policies and should, therefore, be approved. This is explained further in the concluding Section 6.0 of this Statement alongside a review of the environmental considerations of the revised development proposals.

6.0 Environmental Considerations

- 6.1 This section provides a brief summary of the environmental and technical considerations that have been addressed within this planning application to try and remove the need for pre-commencement planning conditions.
- 6.2 We have enclosed a Planning Conditions Schedule in **Appendix D** which confirms what information has already been submitted to Copeland Council to address the previous consent, and to clarify what planning conditions still need to be addressed so that this is reflected in the Decision Notice for this subsequent planning application.

Highways – Accessibility & Parking

- 6.3 Detailed pre-application discussions have been held with Copeland Council's Planning Development Management and Estates Departments and Cumbria County Council's Highways Officer in order to ensure an appropriate level of accessibility and parking within the redesigned development proposals.
- 6.4 The primary access point to the site will be via the existing access point that serves the Millway building. The access point will be widened at the mouth and the existing brick wall removed to improve visibility onto Devonshire Road.
- 6.5 This widened access will provide an improved sense of arrival at the retreat/sanctuary and will improve the security and surveillance of primarily pedestrian access through the site. The Ironworks sanctuary site accommodates 6 no. accessible parking spaces and a road that will enable emergency and service vehicles to access the Octagon and residential accommodation at the site.
- 6.6 There is a strong desire to see the significant unadopted road that dominates the centre of the site extinguished following our client's desired purchase of the site from Copeland Council. The road was historically under the ownership of the Lowther Estate and was inserted as part of a regeneration initiative along with the Industrial area to the south. The land automatically transferred to the ownership of Copeland Council. We have subsequently held discussions with Cumbria County Council's Highways Department and Copeland Council's Estates and Open Spaces Management with all parties confirming that there is seemingly no benefit in retaining the access road. The road is not currently maintained and has historically attracted anti-social behavior including fly tipping.
- 6.7 The main car parking area that lies directly east of the main Millway entrance has been enlarged from the previously approved scheme in order to respond to the slight increase in quantum of development which has arisen from the refurbishment of the Millway building (providing community and tourism facilities) as well as the new warehouse building that lies directly east of the car park. The level of parking provision accords with Council's parking standards as well as the BREEAM Outstanding sustainability criteria. The revised scheme provides the following parking facilities:
- 11 disabled bay for cars, with 2 in the main Borwick Rails car park; 3 adjacent to the Millway building; 3 adjacent to the all-accessible residential accommodation and 3 adjacent to the Octagon building
 - 35 standard bays for cars in the main car park
 - 5 motorcycle bays

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- 10 covered cycle bays in main car park
- 10 covered cycle at Millway

6.8 The cycle parking bays will be covered from the elements, with further details of the exact appearance and specification being controlled via planning condition.

6.9 Gadsden's Proposed Sightlines Plan (Drawing No. 19343-PL01-04) clarifies that the access to the car park area provides the required 2.4m x 90m visibility splays onto Borwick Rails road.

Drainage

6.10 The previously approved drainage strategy has been updated and upgraded to respond to both the revised site layout and Cumbria County Council's (CCC) increased 40% adjustment for climate change following requests made by CCC in the aforementioned pre-application consultations.

6.11 There is an open watercourse to the west of the site running from north to south in the adjacent site, which discharges into Crook Pool. There is a United Utilities adopted surface water sewer within the site that runs along the existing highway on the northern boundary from east to west. It then turns through 90 degrees with the existing highway and runs from north to south before a further 90 degree turn just before the junction between the existing highway and Devonshire Road. From here the sewer runs from east to west across the application site into the adjacent field where it discharges into the watercourse.

6.12 Seven percolation tests were undertaken from 17/09/2018 to 19/09/2018 by As If By Magic under the instruction of M & P Gadsden Consulting Engineers Ltd. Three holes were tested to the west of the highway, three on the eastern side of the main site and one in the proposed new car park area. The three to the west of the site remained full and therefore no percolation value was calculated and soakaways were discounted in this area. Of the three holes to the east, one remained full and the other two provided varying results. The test hole on the proposed new car park area provided results suitable to use infiltration techniques in this area.

6.13 Soakaways were considered within the eastern side of the site however these were later discounted after a site walkover on a dry day, with several large areas of standing water on the surface of the site. However parking areas will be permeable as they only serve a relatively small area and this more closely replicates the current situation.

6.14 It is proposed that all units will be served by a sustainable drainage system (SuDS) comprising of geocellular attenuation baskets designed to attenuate for storms up to and including 1 in 100 years plus 40% climate change. The discharge will be restricted to 6l/s as agreed by United Utilities previously and will discharge into the existing surface water sewer, which in turn discharges into the open watercourse.

6.15 The existing highway is to be removed; this will result in a reduction of impermeable area of approximately 800m² once the development is complete. The car parking access has a macadam entrance for the first 8 metres to prevent surface water run off onto the public highway.

6.16 Foul drainage for the proposed development is to be served by UPVC pipes and discharge into the existing foul network present on site.

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- 6.17 AIBM will be responsible for future management and maintenance of the surface water drainage system. Such maintenance will include removing debris, grass cuttings, litter and other items from gullies to downspouts and inspection chambers on a regular basis (or when required), to prevent blockages and allow water to enter the system.
- 6.18 The geocellular attenuation baskets require maintenance such as cleaning or replacing baskets and geotextile membrane surround if the performance deteriorates.

Ecology

- 6.19 AECOM have produced an Ecology Summary Report (March 2020) which brings together their previous advice provided with the previous approval, the discharge of condition planning application alongside conducting a review of the revised scheme which includes the Millway redevelopment, extended car park and warehouse amongst other improvements.
- 6.20 The AECOM Ecology Summary Report clarifies the importance of the site's ecology given its location, being adjacent to the Ironworks Local Nature Reserve (LNR) and within the Duddon Estuary Site of Special Scientific Interest (SSSI). In addition, a small area of the site falls within the Duddon Estuary Special Protection Area (SPA) and Ramsar Site designated for its international bird populations.
- 6.21 AECOM's Report clarifies that, given the site's location and sensitive designation, design measures have been a key tool in reducing the potential for environmental effects as a result of the Project. For example, removing the access and the existing fence line and re-grading the banking along the northern side of the site in the manner being proposed on Barnes Walker's Landscape Layout (Drawing No. M2685.04H) will increase the permeability of the site from the SSSI to the north, improve the aesthetic appearance and provide a more sustainable, pedestrian-orientated site layout. The introduction and creation of a wetland habitat and appropriate landscaping will also ensure this proposal includes enhancement and benefits to the biodiversity value of the site and create a link to the adjacent nature reserve.
- 6.22 The Phase 1 survey and reptile clearance work carried out in 2018 remain relevant to this proposed development re-design. Additional information such as desk study data were updated in 2019 (as part of a warehouse extension proposal¹ (separate planning submission) and the Millway re-development² (see below)). It is also considered that the findings and detail within the habitat management plan (2016) also remains relevant to the re-design as the site and surroundings have not significantly changed and the 2018 update surveys confirmed the details within this plan.
- 6.23 The main retreat site remains similar in habitat to the previous consent (scrub areas have been cut back and the retreat site is now more open) and no significant changes to habitat type and extent have occurred since the 2018 survey.
- 6.24 The reptile/amphibian trapping process carried out in 2018 of the main site and car park caught and moved 7 common lizards *Zootoca vivipara*, 12 common toads *Bufo bufo*, 2 smooth newts *Lissotriton vulgaris* and 4 frogs *Rana temporaria*. A section of the site remains fenced (in good condition) with amphibian/reptile fencing and it is considered that this area

¹ AECOM (2019). Preliminary Ecological Appraisal, Millway Warehouse Extension, Millom. As if By Magic Ltd

² WYG (2019). Bat Survey Report, Millway, Millom. As if By Magic.

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is likely to remain clear of amphibians and reptiles as along with the fencing it has been kept unsuitable (via cutting of vegetation).

Assessment of Changes/Additions

- 6.25 It is considered that, from an ecological perspective, the proposed re-design does not represent any significant additional impacts compared to the consented scheme either on site or to the wider nature reserves (LNR, SSSI, SPA or Ramsar sites) and no further surveys are required at this point.
- 6.26 The new design poses no impact to the SSSI, SPA or Ramsar sites as it remains in keeping with the original consented design and no qualifying features are present on the development site.
- 6.27 The additions to the design (communal space, sculptures, footpaths etc.) do not pose significant barriers or impact to use of the site by local fauna and remain as part of the open nature of the site; any fauna such as NJT can move around these without issue and the connectivity with the nature reserve is maintained, to allow movement of species such as NJT to the site (the perimeter fence with associated boards that are present at the moment to stop amphibians moving in to the site will be removed post development). In addition, an additional enhanced wetland area with elements to encourage NJT breeding has been included in the new design.
- 6.28 New elements of the overall design, which extends the development area to the east (off the main retreat site), includes the re-development of Millway with new office space and a restaurant (previously on the main retreat site), the extended car parking area and a proposed new warehouse on the eastern boundary of the wider development area (see IDK 2020³). None of these elements are within the SSSI or SPA boundary.

Additional Surveys

- 6.29 Further surveys have been carried out to inform planning submissions for the additional development proposals for the wider Millway development as follows:
- Phase 1 survey of car park extension area and new warehouse location in summer 2018 (see Figure 1) as part of the wider site survey;
 - Amphibian and reptile survey of new warehouse location in autumn 2018;
 - Bat surveys of Millway in summer 2019.
- 6.30 These surveys remain relevant to this planning submission and are summarised as required below. In addition, the desk study carried out in 2019 for the warehouse extension scheme⁴ (separate planning submission) on the Millway site is relevant to the additional works.
- 6.31 It is not proposed to carry out further surveys or another reptile/amphibian clearance programme for the re-designed development, as enough information is available to ensure ecological receptors are fully considered and mitigated for. To manage potential impacts on birds, reptiles and amphibians, site searches prior to and during construction, site supervision

³ IDK_200205 Ironworks retreat design update

⁴ AECOM (2019). Preliminary Ecological Appraisal, Millway Warehouse Extension, Millom. As if By Magic Ltd

SUPPORTING PLANNING STATEMENT

and a clerk of works will be provided for as previously proposed in the habitat management plan.

Planning Controls and Additional Survey Requirements

- 6.32 Planning Conditions associated with the consented planning permission were set by Copeland Borough Council (Planning Reference: 4/16/2340/0F1) and contain elements associated with ensuring minimising impact on environmental and ecological receptors as follows:
- 6.33 Further, Conditions 16, 17, 18 and 21 remain relevant to the re-designed Project and should remain as conditions of a new planning permission.
- 6.34 To manage potential impacts on birds, reptiles and amphibians, site searches prior to and during construction, site supervision and a clerk of works will be provided for as previously proposed in the habitat management plan.
- 6.35 Condition 2 remains a live and ongoing feature of the Project and should remain as a Planning Condition of the Project. In addition, the new planning submission should be compliant with the approved NJT mitigation plan and method statement (Condition 5) and CEMP (Condition 6).

Warehouse

- 6.36 Consideration as to Japanese knotweed will be required and it is recommended that a further survey of the development area is undertaken to map in detail the extent of this species on the Warehouse and car parking sites. A management plan and method statement will then be required to ensure this species is managed in-line with legislation.
- 6.37 It is also likely there will be a requirement to clear amphibian and reptiles from the site prior to works commencing, which would involve fencing the site and a clearance programme like that carried out on the main site.
- 6.38 A view on whether a European Protected Species Mitigation Licence (EPSML) would be needed to ensure no disturbance/harm/death to NJT will need to be taken and discussions should be held with Natural England as required.
- 6.39 As a minimum, site clearance will need an associated method assessment completed to ensure reasonable avoidance measures are implemented, which will include for all work being supervised following a clearance programme and an ecological clerk of works should be present on site until it is made unsuitable for use by amphibian and reptile species.

Car Park Extension

- 6.40 The main habitat within the additional proposed car parking area is species poor semi-improved grassland with some tall ruderals and small areas of scrub to the north (along the walls of the industrial building adjoining the site). There is a small stand of Japanese knotweed near the northern boundary of the extension area (see Figure 1 in AECOM Report).
- 6.41 As noted for the wider consented car park, to manage potential impacts on birds, reptiles and amphibians, site searches prior to and during construction, site supervision and a clerk of works will be provided for as previously proposed in the habitat management plan.

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- 6.42 The key constraint is the presence of the invasive non-native species Japanese knotweed and a plan and method statement will then be required to ensure this species is managed in-line with legislation.

Geo-Environmental Investigation

- 6.43 Earth. Environmental & Geotechnical Ltd undertook a Phase II GeoEnvironmental Investigation (July 2017).

Soil Contamination

- 6.44 In order to assess the risk of soil contamination to construction and ground workers during development the assessment the guidelines from the HSE Document 'Protection of workers and the general public during development of contaminated land'(1991). The document assesses soil contamination test results and classifies the site as being uncontaminated or contaminated with varying degrees of contamination from 'slight' to 'unusually heavy'.
- 6.45 The samples have shown contaminants at levels below the recommended C4SLs for a residential end use without plant uptake, with the exception of the sample from TP06 at 0.80m, where an elevated lead concentration, in excess of the recommended C4SL, was recorded.
- 6.46 Based on available soil contamination test results there is a low-moderate potential risk from soil contamination to construction workers, ground workers and members of the public, and appropriate measures, such as PPE, site health plans, appropriate disposal of material arisings will mitigate this risk. The groundworks contractor must provide a soil management plan including methods of dealing with known areas of contamination and any unanticipated soil contamination encountered during groundworks.
- 6.47 The contamination tests indicate generally low concentrations of the potential contaminants compared to the proposed end use criteria. It is therefore considered that, based on the information available, remedial action should not generally be required at this site, with the exception of the importation of 300mm of clean topsoil within areas of soft landscaping in order to promote healthy plant growth.

Foundation Design

- 6.48 The area to be developed is the site of a former reservoir and cooling pond associated with the former Millom Iron Works.
- 6.49 The report identifies that the proposed new structures are intended to be lightweight and it is possible that the made ground may be able to support them. This revised scheme provides details of the foundation specification for the caravans. The Octagon foundation design is proposed to be conditioned, with full details being submitted and agreed once the BREEAM criteria have been finalised.

Site Personnel

- 6.50 As with all construction sites, personnel working on the site during the construction period should be encouraged to maintain a high standard of personal hygiene and on site washing facilities should be available.

Construction Management Plan

- 6.51 AECOM's Construction Environmental Plan (CEMP, August 2018) presents the approach and application of environmental control and management measures (CMM) for the construction of the scheme.
- 6.52 The CEMP has been part-discharged (19th December 2019) but further details required for Soil Management, and suggested by Thomas Greer (Scientific Officer) at Copeland Council in his e-mail of 27th January 2020 that this should be covered by the groundworks contractor to produce prior to construction work being undertaken.

Landscaping & Trees

- 6.53 Tom Dudson undertook a Tree Survey on 14th August 2016. The survey plan identifies the line of the existing tree cover that exists on the southern boundary of the site adjacent to Devonshire Road, including the crown extent and root protection areas.
- 6.54 The siting of all new structures and/or buildings on the proposed new development will not affect the root protection areas of the existing trees on site.
- 6.55 Barnes Walker's Landscape Layout Plan (Drawing No. M2685.04I) identifies that the essence of the scheme is to retain and enhance the site's existing characteristics by maintaining and wherever practicable, enhancing the high ecological and biodiversity value of the site through the proposals. An ecology led design process has focused on retaining existing features and minimising effects upon the more sensitive parts of the site. As such, lodges will be placed on EcoBase breathable foundations and two new wetlands habitats have been introduced to encourage Natterjack toads into the site.
- 6.56 The Landscape Layout Plan (Drawing No. M2685.04I) details the additional tree planting on the southern boundary, the introduction of a wildflower grassed area and stone circles. The plan includes the recently planted tree bund on the eastern side of the site and a full planting schedule and flora/fauna typologies that will be retained and enhanced as part of the development proposals. The Landscaping Layout Plan has been updated following consultations with Copeland Council in order to provide a new road section for the surface next to Millway, identifying the reduction and retention of existing surfacing together and the addition of a soft landscaping area at the western end of the proposed car park.
- 6.57 The Warehouse Landscape Layout (Drawing No. M2685.06) introduces landscape treatment to the southeastern elevation of the new warehouse in the form of a Griselinia hedge which has been chosen due to its tolerant to the marine/estuarine environment.
- 6.58 Barnes Walker's Landscape Management Plan (Ref: M2685-MP-19.02-01) and Landscape Management Schedules (Ref: M2685-MS-19.02-01) Years 1 to 15 provide the appropriate level of detail to ensure the future management of the landscaping proposals.

7.0 Summary and Conclusions

- 7.1 The proposed regeneration of the Millom Ironworks site fully aligns with the adopted Development Plan policies and National Planning Policy Framework by providing the 'Renaissance through Tourism', improved Coastal Management and Visitor Accommodation that Policies ER10, ENV2 and DM9 the Development Plan aim to deliver.
- 7.2 Policy ER10 identifies that the Council will support appropriate tourism development which accords with the principles of sustainable development, improves and enhance the quality of the tourism product on sites that are well connected, particularly by public transport, walking and cycling. Policy ER10 also aims to expand tourism to sites such as this that lie outside of the Lake District National Park (LDNP) in order to deliver economic benefits to an area.
- 7.3 The regeneration of the Ironworks site offers a unique opportunity to bring the former Millway gateway building and the wider site back into community use whilst also using the site's unique location adjacent to the southern side of the Ironworks Local Nature Reserve (LNR) and the Duddon Estuary Site of Special Scientific Interest as a further attraction and reason for tourists and the local community to visit the site and the adjacent Nature Reserve. This increased tourism and visitor presence should improve the natural surveillance and enjoyment of the nature reserve as well as provide increased financial spend to Millom and the surrounding area given the site's excellent train, pedestrian and cycle linkages.
- 7.4 Policy ENV2 identifies that the Council will look to reinforce the Coastal Zone's assets and maximise opportunities along the undeveloped coast for tourism and outdoor recreation through support for the North West Coastal Trail which is intended to be part of the extended England Coast Path as well as supporting the management of more of the undeveloped coast for biodiversity.
- 7.5 The improved development layout will deliver new tourism accommodation adjacent to the England Coast Path and will provide a site of enhanced ecological value through the removal of the manmade road and fenceline along the northern border of the site, regrading of the bank and through the introduction of significant additional planting and water bodies to enhance biodiversity and wildlife at the site. The proposals include 20 cycle parking spaces alongside functional community spaces to encourage outdoor recreation and celebrate the natural environment.
- 7.6 The proposals fully deliver on Policy DM9's policy aims of improved visitor accommodation with sustainable design. The Octagon will provide a BREEAM 'Outstanding' with ground source heat pumps and the residential accommodation is both varied and unique in its offering. The regeneration of the site will provide a retreat and sanctuary that connects with the exceptional landscape to the north, providing high quality community facilities with exceptional sustainability credentials that will celebrate the Ironworks' industrial heritage.
- 7.7 Cumbria Tourism has recently communicated to APD that the areas adjoining the southern boundary of the LDNP, such as Ulverston, Barrow and Millom amongst others, are not fulfilling their true potential in terms of visitor volume despite there being an increased appetite for repeat visitors to visit new places and explore further afield than the tourism hotspots.
- 7.8 We consider that this exceptional tourism and community offer will attract a whole new tourism demographic to Millom given that the site is near to Millom Train Station, has

SUPPORTING PLANNING STATEMENT

exceptional views of the Lake District and easy access to Duddon Estuary and the surrounding beaches.

- 7.9 The scheme will regenerate this brownfield site and deliver the jobs and the boost to the local economy that the Homes and Communities Agency (now Homes England) would have hoped for when funding the road and infrastructure improvements in this area many years ago. As If By Magic intend on growing their 16 full time employees and 2 part-time employees to a proposed 32 full time and 8 part time employees, with all new employees being drawn from the local population in order to make a positive contribution to the local economy.
- 7.10 The site will deliver educational, mind, body and spiritual learning as well as place for the local community to meet, be proud of and celebrate. We therefore urge the Council to approve the development proposals in accordance with the recommended planning controls outlined in the Environmental Considerations section and Appendix C of this Supporting Statement.

8.0 Appendices

Appendix A – Decision Notice for Ironworks Retreat (Ref: 4/16/2340/0F1) dated 7th July 2018

Appendix B – Copeland Council's Discharge of Conditions Letter dated

Appendix C – Public Consultation Flyer

Appendix D – Review of Planning Conditions for previous planning consent (Ref: 4/16/2340/0F1)



Town and Country Planning Act 1990 (as amended)

4/16/2340/0F1

NOTICE OF GRANT OF PLANNING PERMISSION

Cestria Partnership Limited
5 Spath Lane
Handforth
WILMSLOW
Cheshire East SK9 3QN
FAO Mr Tony Ratcliff

CONSTRUCTION/ERECTION OF A RESIDENTIAL SANCTUARY/RETREAT, COMPRISING A COMMUNAL ASSEMBLY BUILDING; TWENTY INDIVIDUAL RESIDENTIAL CABINS; ONE RESTAURANT; THREE TOILET AND STORAGE UNITS AND ONE DETACHED PROPRIETORS HOUSE WITH ADMIN. OFFICE; TEN CARAVANS AND OFF SITE PARKING WITHIN A NEARBY ENCLOSURE
OLD IRONWORKS SITE, DEVONSHIRE ROAD, MILLOM
Ms S Woods

The above application dated 26/09/2016 has been considered by the Council in pursuance of its powers under the above mentioned Act and PLANNING PERMISSION HAS BEEN GRANTED subject to the following conditions:

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason

To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. 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: -

Design and Access Statement, by The Cestria Partnership Ltd, received 26 September 2016.

Planning Statement, by Edward Landor Associates, April 2016, received 26 September 2016.

Flood Risk Assessment, by Peter Mason Associates, March 2016, received 26 September 2016.

Transport Statement, by AXIS, REF 1851-01- TS01a, May 2016, received 26 September 2016.

Phase 1 Environmental Desk Study by Earth Environmental & Geotechnical Ltd, March 2016, received 26 September 2016.

Tree Survey to BS5837:2012, by Tom Dutson, MSc. MICfor. TechArborA, dated 11 August 2016, received 26 September 2016.

Tree Survey Plan overlaid on topo plan, Scale 1:500, by Tom Dutson, Heartwood Enterprises, received 26 September 2016.

Extended Phase 1 Habitat Report, Update Report October 2015, by WYG Environment, received 26 September 2016.

Habitat Management Plan, June 2016, by WYG Environment, received 26 September 2016.

Phase 1 Habitat Map, drwg no 001 Rev A, received 26 September 2016.

Landscape Layout, drwg no M2685.04A, dated April 2016, received 26 September 2016.

Meeting Hall & Restaurant: Plans, drwg no A15 007 P 002, scale 1:100, received 26 September 2016.

Proprietors Residence, drwg no A15 007 P 005, scale 1:100, received 26 September 2016.

Rotunda Cabins and Toilets: Amended Plans and Elevations, drwg no A15 007 P 004 Rev A, scale 1:100, received 24 April 2017.

Amended Proposed Location Plan, drwg no A15 007 P 006 Rev C, scale 1:1250, received 19 May 2017.

Amended Proposed Site Plan, drwg no A15 007 P 001 Rev H, scale 1:500, received 30 April 2018.

Tree Protection Plan to BS5837:2012 Report by Tom Dutson, dated 23 May 2017, received 23 May 2017.

Proposed Tree Protection Plan overlaid on modified landscape layout plan, scale 1:500, received 23 May 2017.

Reason

In accordance with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

3. Before development commences full details of the surface water drainage scheme, including attenuation measures, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall become operational before the development is brought into use and shall be so maintained thereafter.

Reason

To ensure a satisfactory scheme of surface water disposal from the site.

4. The rotunda lodges and caravan units hereby approved shall be occupied solely for holiday letting purposes and shall not be sold or let as permanent dwellings.

Reason

The units are not considered appropriate for permanent residential use.

5. Before development commences a Natterjack Toad Mitigation Plan and a Natterjack Toad Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include details of mitigation required during construction including the off-site car park and link footpath and shall be implemented as approved.

Reason

To ensure provisions are made to safeguard and enhance habitat for this protected species before, during and after development of the site.

6. Before development commences a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of mitigation measures, including bio security measures to prevent impacts on the protected sites during construction. The CEMP shall be implemented as approved.

Reason

To prevent impacts on protected species including measures to prevent the introduction and spread of disease, during construction of the development.

7. Before development commences a detailed drainage strategy shall be submitted to and approved in writing by the Local Planning Authority. This shall include details and feasibility of surface water and foul drainage to the mains sewer with respect to ground conditions. The drainage strategy and resultant scheme shall be implemented as approved.

Reason

To ensure a satisfactory scheme of surface water and foul drainage disposal from the site.

8. The scheme shall be fully in accordance with the `Tree Protection Plan` and `Method Statement` received on 23 May 2017.

Reason

To ensure adequate protection of the trees and woodland on the site.

9. Before any work commences a site meeting shall be undertaken with an agreed suitably qualified landscape representative of the Local Planning Authority to identify, record and implement the woodland / vegetation protection areas.

Reason

To ensure adequate protection of the woodland and vegetation areas on the site.

10. Development of the designated car park to the east of the site shall not commence until visibility splays providing clear visibility of 90 x 2.4 x 90 metres measured down the centre of the access road and the nearside channel line of the major road have been constructed at the junction of the access road with the county highway. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be planted or be permitted to grow within the visibility splay which obstruct the visibility splays.

Reason

In the interests of highway safety.

11. The designated car park access and drive shall be surfaced in bituminous or cement bound materials, or otherwise bound and shall be constructed and completed before the development is brought into use. This surfacing shall extend for a distance of at least 5 metres inside the site, as measured from the carriageway edge of the adjacent highway.

Reason

In the interests of highway safety.

12. Before development commences details of all measures to be taken by to prevent surface water discharging onto or off the highway shall be submitted to and approved by the Local Planning Authority in writing. Any approved works shall be implemented prior to the development being completed and shall be maintained operational thereafter.

Reason

In the interests of highway safety

13. Access gates, if provided, shall be hung to open inwards only away from the highway.

Reason

In the interests of highway safety.

14. The use shall not commence until the access and parking requirements for each particular phase/stage have been constructed in accordance with the approved plan. Any such access and /or parking provision shall be retained and be capable of use when the development is completed and shall not be removed or altered.

Reason

To ensure a minimum standard of access provision when the development is brought into use in the interests of highway safety.

15. No development approved by this planning permission, or such other date or stage in the development as may be agreed in writing by the Local Planning Authority, shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1) A preliminary risk assessment which has identified:

- 1) All previous uses;
- 2) Potential contaminants associated with those uses;
- 3) A conceptual model of the site indicating sources, pathways and receptors, potentially unacceptable risks arising from contamination of the site.

- 2) Site investigation scheme, based on 1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
- 3) The results of the site investigation and detailed risk assessment referred to in 2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in 3) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangement for contingency action.

Any changes to these components require the express written consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason

To protect controlled waters in accordance with the National Planning Policy Framework in relation to the enhancement of the natural and local environment by preventing new and existing development from contributing to or being put at unacceptable risk from or being adversely affected by unacceptable levels of water pollution and in accordance with policies ST1 and ENV1 of the Copeland Local Plan.

16. There shall be no surfacing of the section of footpath within the SSSI boundary.

Reason

To protect the interest features of the Duddon Estuary SSSI.

17. All of the mitigation measures identified in Section 6 of the 'Assessment of Likely Significant Effects' (ALSE), by Lucy Gibson Consulting dated March 2017 and in Section 7 of the 'Revised Assessment of Likely Significant Effects' (ALSE), by Lucy Gibson Consulting dated May 2018 shall be implemented before the development is brought into use.

Reason

To protect ecological sensitive designations of the Duddon Estuary SSSI, SPA, Morecambe Bay and Duddon Estuary Pspa and Morecambe Bay SAC.

18. Before development commences on the main site and the off-site car park a finalised surface water drainage plan shall be submitted to and agreed in writing by the Local Planning Authority. This shall include attainment of run-off at pre-construction green field run-off rates. Drain grids shall not be used in the drainage plan due to the potential for natterjack toads to become trapped in them.

Reason

To protect the habitats of natterjack toads from adverse impacts.

19. Before development commences a landscaping and maintenance scheme for the off-site car park shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved before the car park is brought into use.

Reason

To enhance the visual amenity of the car park.

20. Before work on the footpath link commences a Tree Protection Plan and Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The Plan and Method Statement shall be implemented as approved.

Reason

To safeguard the trees along the footpath from development.

21. Full details of any proposed lighting (including for the car park and footpath link) shall be submitted to and approved in writing by the Local Planning Authority before it is erected and becomes operational. The lighting scheme shall be implemented as approved.

Reason

To safeguard neighbouring amenities and ecological interests.

22. Full details of any proposed CCTV apparatus and boundary treatment to the car park shall be submitted to and approved in writing by the Local Planning Authority before it is erected and becomes operational. The scheme shall be implemented as approved.

Reason

To safeguard neighbouring amenities and protect ecological interests.

INFORMATIVE - Highways

- ☐ It is noted that the parking provision may be subject to change depending on the scale of the project. Condition 14 relates to each building and its associated parking requirements, as described in Cumbria Development Design Guide 2017. Any building constructed as part of this development must have sufficient parking allocated to it, commensurate with the guide.
- ☐ You must not commence works, or allow any person to perform works, on any part of the highway until receipt of an appropriate permit allowing such works. Enquiries should be made to Cumbria Highways, Highways Depot, Joseph Noble Road, Lillyhall Industrial Estate, Workington, CA14 4JH, Tel: 01946 506550

INFORMATIVE - Ecology

- ☐ Mitigation for Natterjack Toads will need to be considered in conjunction with mitigation for reptiles.
- ☐ It may be necessary to obtain a European Protected Species Mitigation (EPSM) licence for Natterjack Toads from Natural England before / during works.
- ☐ With reference to Condition 6 details of the mitigation measures are set out in the ALSE Table of the ALSE Report by Lucy Gibson Consulting, dated March 2017.
- ☐ Attention is drawn to the advice contained re Natterjack Toads and the Additional Biodiversity Comments in Natural England's Consultation Responses, dated 11 November 2016 and 3 May 2018.

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.

Please read the accompanying notice

07/06/2018

Pat Graham
Chief Executive

APPROVALS
(OUTLINE, FULL RESERVED MATTERS & HOUSEHOLDER)

DEVELOPMENT MANAGEMENT PROCEDURE (ENGLAND) ORDER 2010

PART 2

TOWN AND COUNTRY PLANNING ACT 1990

Appeals to the Secretary of State

- If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your Local Planning Authority's decision then you must do so within 6 months of the date of this notice.
- Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at www.planningportal.gov.uk/pcs.
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

Purchase Notices

- If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase

his interest in the land in accordance with the provisions of Part V1 of the Town and Country Planning Act 1990.



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Copeland Borough Council
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Tony Ratcliff,
Cestria Partnership Ltd.
5 Spath Lane
Handforth
WILMSLOW
Cheshire East SK9 3QN.

Please Contact: Heather Morrison

Officer Tel No: 01946 598420
My Ref: 4/16/2340/0F1
Date: 19 December 2019

Dear Mr Ratcliff,

**Discharge of Conditions 1 – 22 inclusive of Planning Approval 4/16/2340/0F1, Construction/Erection of a Residential Sanctuary/Retreat, comprising a Communal Assembly Building; twenty individual Residential Cabins; one Restaurant; three Toilet and Storage Units and one Detached Proprietors House with Admin. Office; ten Caravans and off Site Parking within a nearby enclosure
Old Ironworks Site, Devonshire Road, Millom.**

I refer to your application dated 14 March 2019 for the above and hereby confirm the formal discharge or part discharge where stated of the following conditions:

- Condition 3 (surface water drainage) – details approved.
- Condition 5 (Natterjack Toad Mitigation Plan & Method Statement) Plan and Method Statement approved.

Natural England advise that if working during the active season March - October inclusive the vegetation that has overgrown the exclusion fence be cut/ cleared. This is likely to have increased since the 2013 Survey was undertaken and hence would provide more certainty about the effectiveness of the fence and expose any points where it might have deteriorated and require patching.

- Condition 6 (CEMP) – CEMP approved.
- Condition 7 (Drainage Strategy) – Drainage Strategy details approved.
- Condition 10 (provision of car park visibility splays) details approved.
- Condition 12 (surface water discharge measures) details approved.
- Condition 15 (contamination) part discharge approved - now awaiting provision of a soil management plan for full discharge to be agreed.
- Condition 18 (car parks – surface water drainage plans) details approved.
- Condition 19 (off site car park landscaping / maintenance) details approved.
- Condition 20 (footpath link Tree Protection Plan and Method Statement) – Plan and Method Statement approved.

Please note no formal discharge is required of the following conditions as these are statements to be adhered to:

- Condition 1 (time limit)
- Condition 2 (list of approved plans and documents)
- Condition 4 (holiday letting restriction)
- Condition 8 (Tree protection)
- Condition 11 (car park surface finish)
- Condition 13 (Access gates)
- Condition 14 (Phasing restriction re access/ parking)
- Condition 16 (footpath surfacing restriction)
- Condition 17 (ALSE mitigation measures)
- Condition 21 (lighting)

As regards Condition 9 (landscape meeting) this is a pre-commencement condition to be adhered to. Will need adequate evidence this has taken place before it can be discharged.

In respect of Condition 22 (car park CCTV/ boundary treatment) unable to discharge this until details have been submitted for approval.

Please note this discharge of conditions approval is subject to the following plans and documents submitted as part of the application: E

- Amended Drainage Layout, drawing no. 18255_PL01_01 Revision ~~B~~, scale 1:500, dated 11/07/2018, received 14/08/2019.
- Amended Proposed Road Layout, drawing no. 18255_PL01_02 Revision B, scale 1:250, dated 20/12/2018, received 21/11/2019.
- Amended Proposed Sightlines, drawing no. 18255_PL01_03 Revision B, scale 1:500, dated 20/12/2018, received 21/11/2019.
- Typical Construction Details (1), drawing no. 18255_PL01_04.1, scale 1:20, dated 20/12/2018, received 14/03/2019.
- Typical Construction Details (2), drawing no. 18255_PL01_04.2, scale 1:20, dated 20/12/2018, received 14/03/2019.
- Further updated details re conditions 10 and 12, email of 21/11/2019 from Mike Gadsden, Mike@mpg.consulting.co.uk
- Further details re conditions 3,7,10 and 12, email of 19/11/2019 from Mike Gadsden, Mike@mpg.consulting.co.uk
- Tree Survey Plan overlaid on Topo Plan, by Tom Dutson, Heartwood Enterprises, scale 1:500, received 14/03/2019.
- Landscape Layout, drawing no. M2685.04E, scale 1:500, date 02/2019, received 14/03/2019.
- Landscape Layout, drawing no. M2685.04B, scale 1:500, date 01/2019, received 14/03/2019.
- Landscape Management Plan, Years 1-15, M2685-MP-19.02.01, February 2019, by Barnes Walker Ltd, received 14/03/2019.
- Landscape Management Schedules Years 1-15, M2685-MS-19.02.01, February 2019, by Barnes Walker Ltd, received 14/03/2019.
- Tree Survey to BS5837:2012, by Tom Dutson, Heartwood Enterprises, 14 August 2016, received 14/03/2019.
- BS5837 Preliminary Management Recommendations, by OTISS, 17 August 2016, received 14/03/2019.
- Phase II Geo Environmental Investigation, 16 July 2017, by Earth Environmental & Geotechnical Ltd, reference A1287/17 received 25/03/2019.

- Drainage Strategy, by M & P Gadsden Consulting Engineers Ltd. ref. CN 18255, dated 21 December 2018, received 14/03/2019.
- Natterjack Toad Mitigation Plan, by AECOM Ltd, September 2018, received 14/03/2019.
- Ecology Progress Report, ref 60585249, by AECOM Infrastructure and Environment Ltd, January 2019, received 14/03/2019.
- Construction Environmental Management Plan (CEMP), ref. 60567903, October 2018, received 14/03/2019.

Please consider this letter as formal approval (either part or full as relevant) of the discharge of the above cited planning conditions.

Yours Sincerely,

Heather Morrison.

Heather Morrison

Principal Planning Officer
Development Management
Copeland Borough Council
01946 598420

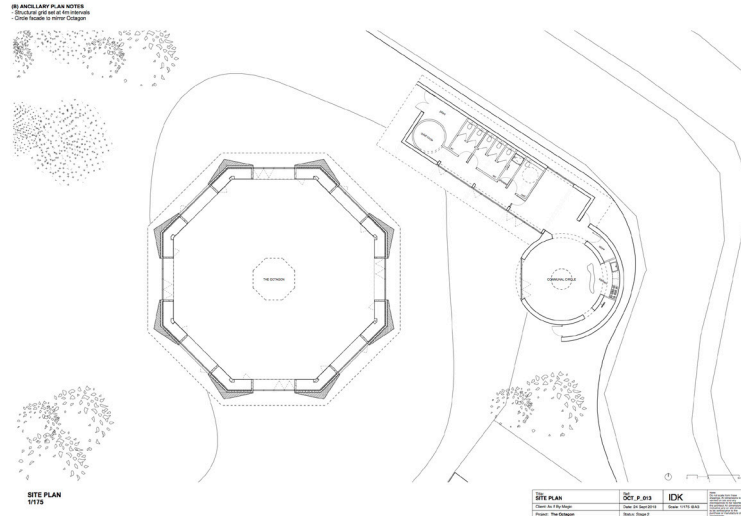
heather.morrison@copeland.gov.uk

Copeland Borough Council, The Copeland Centre, Catherine Street, Whitehaven, Cumbria, CA28 7SJ. Tel: 01946 598300.
Fax: 01946 598303. www.copeland.gov.uk, info@copeland.gov.uk



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RETREAT DEVELOPMENT Public Meeting



Members of the local community are invited to attend and consult on the Octagon building project. We welcome questions and suggestions on:

- *Functionality, build quality and impact*
- *Facilities provision, for future occupants and users.*
- *Opportunities for shared use*
- *Compliance*
- *Inclusive and accessible design*

Information regarding the project will be available for attendees to browse, and an open-discussion will be held. We will also be collecting written feedback on the night, if preferred. Refreshments provided.

Please feel free to send any queries or questions you may have in advance, to **info@aibm.ltd**

7pm 15th Oct 2018
The Devonshire Pub,
Devonshire Road,
Millom

As If By Magic Ltd

OLD IRONWORKS SITE, DEVONSHIRE ROAD, MILLOM
REVIEW OF CONDITIONS FOR RESIDENTIAL SANCTUARY/RETREAT (REF: 4/16/2340/0F1)
DATE: 06.04.2020

<u>Condition No.</u>	<u>Wording of Condition</u>	<u>Progress with Discharge of Condition</u>	<u>Discharged or Re-Apply to New (April 2020) Planning Application?</u>
1.	The development must be begun not later than the expiration of three years beginning with the date of this permission.	N/A – see Copeland letter dated 19 th December 2019.	Re-apply Standard Condition.
2.	<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>Design and Access Statement, by The Cestria Partnership Ltd, received 26 September 2016.</p> <p>Planning Statement, by Edward Landor Associates, April 2016, received 26 September 2016.</p> <p>Flood Risk Assessment, by Peter Mason Associates, March 2016, received 26 September 2016.</p> <p>Transport Statement, by AXIS, REF 1851-01-TS01a, May 2016, received 26 September 2016.</p> <p>Phase 1 Environmental Desk Study by Earth Environmental & Geotechnical Ltd, March 2016, received 26 September 2016.</p> <p>Tree Survey to BS5837:2012, by Tom Dutson, MSc. MICfor. TechArborA, dated 11 August 2016, received 26 September 2016.</p> <p>Tree Survey Plan overlaid on topo plan, Scale 1:500, by Tom Dutson, Heartwood Enterprises, received 26 September 2016.</p> <p>Extended Phase 1 Habitat Report, Update Report October 2015, by WYG Environment, received 26 September 2016.</p> <p>Habitat Management Plan, June 2016, by WYG Environment, received 26 September 2016.</p> <p>Phase 1 Habitat Map, drwg no 001 Rev A, received 26 September 2016.</p> <p>Landscape Layout, drwg no M2685.04A, dated April 2016, received 26 September 2016.</p>	N/A.	Condition Needs Updating to reference new Submission Information – Please see list in Paragraph 1.4 of APD's Supporting Planning Statement.

	<p>Meeting Hall & Restaurant: Plans, drwg no A15 007 P 002, scale 1:100, received 26 September 2016.</p> <p>Proprietors Residence, drwg no A15 007 P 005, scale 1:100, received 26 September 2016.</p> <p>Rotunda Cabins and Toilets: Amended Plans and Elevations, drwg no A15 007 P 004 Rev A, scale 1:100, received 24 April 2017.</p> <p>Amended Proposed Location Plan, drwg no A15 007 P 006 Rev C, scale 1:1250, received 19 May 2017.</p> <p>Amended Proposed Site Plan, drwg no A15 007 P 001 Rev H, scale 1:500, received 30 April 2018.</p> <p>Tree Protection Plan to BS5837:2012 Report by Tom Dutson, dated 23 May 2017, received 23 May 2017.</p> <p>Proposed Tree Protection Plan overlaid on modified landscape layout plan, scale 1:500, received 23 May 2017.</p>		
3.	<p>Before development commences full details of the surface water drainage scheme, including attenuation measures, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall become operational before the development is brought into use and shall be so maintained thereafter.</p>	<p>Condition details met by provision of Gadsden's drainage information, including:</p> <ul style="list-style-type: none"> • Drainage Strategy Report (Ref: CN19343, V2) – Gadsden Consulting Engineers • Existing Drainage Layout (Drawing No. 19343-PL01) • Proposed Drainage Layout (Drawing No. 19343-PL02, Rev. A) 	<p>Discharged – Addressed within this new submission, with Gadsden's information being identified in revised list of documents identified in Condition 2.</p>
4.	<p>The rotunda lodges and caravan units hereby approved shall be occupied solely for holiday letting purposes and shall not be sold or let as permanent dwellings.</p>	N/A.	<p>Re-apply but update wording to also include all residential units.</p>
5.	<p>Before development commences a Natterjack Toad Mitigation Plan and a Natterjack Toad Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include details of mitigation required during construction including the off-site car park and link footpath and shall be implemented as approved.</p>	<p>NJT mitigation plan and method statement (AECOM 2018¹) was approved by the LPA, discharging Condition 5.</p>	<p>Discharged, no need to re-apply.</p>
6.	<p>Before development commences a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local</p>	<p>CEMP (AECOM 2018²) was approved by the LPA, discharging Condition 6.</p>	<p>Part-discharged. Condition needs replacing with the outstanding item, namely:</p>

¹ AECOM (2018). Natterjack Toad Mitigation Plan, Devonshire Road, Millom. As if By Magic Ltd.

² AECOM (2018). Construction Environmental Management Plan, Octagon, Millom. As If By Magic Ltd.

	Planning Authority. This shall include details of mitigation measures, including bio security measures to prevent impacts on the protected sites during construction. The CEMP shall be implemented as approved.		A soil management plan should be submitted by the groundworks contractor to include <i>'methods of dealing with known areas of contamination and any unanticipated soil contamination encountered during groundworks.'</i>
7.	Before development commences a detailed drainage strategy shall be submitted to and approved in writing by the Local Planning Authority. This shall include details and feasibility of surface water and foul drainage to the mains sewer with respect to ground conditions. The drainage strategy and resultant scheme shall be implemented as approved.	Condition details met by provision of Gadsden's drainage information, including: <ul style="list-style-type: none"> • Drainage Strategy Report (Ref: CN19343, V2) – Gadsden Consulting Engineers • Existing Drainage Layout (Drawing No. 19343-PL01) • Proposed Drainage Layout (Drawing No. 19343-PL02, Rev. A) 	Discharged & Remove – Addressed within this new submission. Gadsden's information needs to be identified in revised list of documents identified in updated Condition 2.
8.	The scheme shall be fully in accordance with the 'Tree Protection Plan' and 'Method Statement' received on 23 May 2017.	Information has been superseded and updated.	Suggest replacing condition to reference Barnes Walker's Landscape Layout Plan (Drawing No. M2685.04H), Landscape Management Plan (Ref: M2685-MP-19.02-01) & Landscape Management Schedules (Ref: M2685-MS-19.02-01)
9.	Before any work commences a site meeting shall be undertaken with an agreed suitably qualified landscape representative of the Local Planning Authority to identify, record and implement the woodland / vegetation protection areas.	N/A	Do not re-apply – Fails the test of necessity outlined in Paragraph 55 of the NPPF and should be removed given the detailed ecological and landscaping information that has been submitted.
10.	Development of the designated car park to the east of the site shall not commence until visibility splays providing clear visibility of 90 x 2.4 x 90 metres measured down the centre of the access road and the nearside channel line of the major road have been constructed at the junction of the access road with the county highway. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be planted or be permitted to grown within the visibility splay which obstruct the visibility splays.	Please see Gadsden's Proposed Sightlines Plan (Drawing No. 19343-PL01-04).	Discharged & Remove – Addressed within this new submission. Gadsden's Sightlines Plan needs to be identified in revised list of documents identified in updated Condition 2.
11.	The designated car park access and drive shall be surfaced in bituminous or cement bound materials, or otherwise bound and shall be constructed and completed before the development is brought into use. This surfacing shall extend for a distance of at least 5 metres inside the site, as measured from the carriageway edge of the adjacent highway.	Please see Gadsden's Proposed Road Layout Plan (Drawing No. 19343-PL01-03, Rev. A).	Discharged & Remove – Addressed within this new submission. Gadsden's Proposed Road Layout Plan needs to be identified in revised list of documents identified in updated Condition 2.
12.	Before development commences details of all measures	Please see Gadsden's Proposed	Discharged & Remove – Addressed within this new submission.

	to be taken by to prevent surface water discharging onto or off the highway shall be submitted to and approved by the Local Planning Authority in writing. Any approved works shall be implemented prior to the development being completed and shall be maintained operational thereafter.	Road Layout Plan (Drawing No. 19343-PL01-03, Rev. A).	Gadsden's Proposed Road Layout Plan needs to be identified in revised list of documents identified in updated Condition 2.
13.	Access gates, if provided, shall be hung to open inwards only away from the highway.	N/A.	Re-apply.
14.	The use shall not commence until the access and parking requirements for each particular phase/stage have been constructed in accordance with the approved plan. Any such access and /or parking provision shall be retained and be capable of use when the development is completed and shall not be removed or altered.	N/A.	Re-apply but suggest re-wording to remove reference to phase/stage and replace with 'development hereby approved.'
15.	<p>No development approved by this planning permission, or such other date or stage in the development as may be agreed in writing by the Local Planning Authority, shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:</p> <ol style="list-style-type: none"> 1) A preliminary risk assessment which has identified: <ol style="list-style-type: none"> 1) All previous uses; 2) Potential contaminants associated with those uses; 3) A conceptual model of the site indicating sources, pathways and receptors, potentially unacceptable risks arising from contamination of the site. 2) Site investigation scheme, based on 1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site. 3) The results of the site investigation and detailed risk assessment referred to in 2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in 3) are complete and identifying any requirements for longer term monitoring of pollutant linkages , maintenance and arrangement for contingency action. <p>Any changes to these components require the express written consent of the Local Planning Authority. The scheme shall be implemented as approved.</p>	Part-discharged - see Copeland letter dated 19 th December 2019.	<p>Part-discharged. Condition needs replacing with the outstanding item, namely:</p> <p>A soil management plan should be submitted by the groundworks contractor to include <i>'methods of dealing with known areas of contamination and any unanticipated soil contamination encountered during groundworks.'</i></p>

16.	There shall be no surfacing of the section of footpath within the SSSI boundary.	N/A.	AECOM's Ecology Summary Report (March 2020) clarifies that Conditions 16, 17, 18 and 21 remain relevant to the re-designed Project and should remain as conditions of a new planning permission.
17.	All of the mitigation measures identified in Section 6 of the 'Assessment of Likely Significant Effects'(ALSE), by Lucy Gibson Consulting dated March 2017 and in Section 7 of the 'Revised Assessment of Likely Significant Effects'(ALSE), by Lucy Gibson Consulting dated May 2018 shall be implemented before the development is brought into use.	N/A.	AECOM's Ecology Summary Report (March 2020) clarifies that Conditions 16, 17, 18 and 21 remain relevant to the re-designed Project and should remain as conditions of a new planning permission.
18.	Before development commences on the main site and the off-site car park a finalised surface water drainage plan shall be submitted to and agreed in writing by the Local Planning Authority. This shall include attainment of run-off at pre-construction green field run-off rates. Drain grids shall not be used in the drainage plan due to the potential for natterjack toads to become trapped in them.	N/A.	AECOM's Ecology Summary Report (March 2020) clarifies that Conditions 16, 17, 18 and 21 remain relevant to the re-designed Project and should remain as conditions of a new planning permission.
19.	Before development commences a landscaping and maintenance scheme for the off-site car park shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved before the car park is brought into use.	Superseded.	Addressed by Barnes Walker's Landscape Layout Plan (Drawing No. M2685.04H), Landscape Management Plan (Ref: M2685-MP-19.02-01) & Landscape Management Schedules (Ref: M2685-MS-19.02-01)
20.	Before work on the footpath link commences a Tree Protection Plan and Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The Plan and Method Statement shall be implemented as approved.	Superseded.	Addressed by Barnes Walker's Landscape Layout Plan (Drawing No. M2685.04H), Landscape Management Plan (Ref: M2685-MP-19.02-01) & Landscape Management Schedules (Ref: M2685-MS-19.02-01)
21.	Full details of any proposed lighting (including for the car park and footpath link) shall be submitted to and approved in writing by the Local Planning Authority before it is erected and becomes operational. The lighting scheme shall be implemented as approved.	N/A.	AECOM's Ecology Summary Report (March 2020) clarifies that Conditions 16, 17, 18 and 21 remain relevant to the re-designed Project and should remain as conditions of a new planning permission.
22.	Full details of any proposed CCTV apparatus and boundary treatment to the car park shall be submitted to and approved in writing by the Local Planning Authority before it is erected and becomes operational. The scheme shall be implemented as approved.	Superseded.	No CCTV proposed for car park and boundary treatment addressed by Barnes Walker's Landscape Layout Plan (Drawing No. M2685.04H), Landscape Management Plan (Ref: M2685-MP-19.02-01) & Landscape Management Schedules (Ref: M2685-MS-19.02-01)