

**COPELAND BOROUGH COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/20/2091/0F1
2.	Proposed Development:	EXTENSION TO WORKSHOP AND INSTALLATION OF ZINC CLADDING
3.	Location:	MILLWAY, DEVONSHIRE ROAD, MILLOM
4.	Parish:	Millom
5.	Constraints:	ASC;Adverts - ASC;Adverts, SSSI - SSSI, Coal - Off Coalfield - Data Subject To Change
6.	Publicity Representations & Policy	See Report
7.	Report:	<p>Site</p> <p>The site is located on the north western side of an existing industrial estate to the east of Devonshire Road, Millom. Open land, including rough grassland and ponds, lie adjacent to the north and beyond that is the Duddon Estuary. To the south is the industrial estate access, with a single storey industrial building in front and the former Duddon Pilot Public House, now a dwelling, beyond. To the east immediate is open grassland and industrial estate buildings. To the west lies the part of the Ironworks Local Nature Reserve and the former Old Ironworks site, which was recently granted planning permission for a residential sanctuary (4/20/2182/0F1 refers). The site itself consists of a detached two storey brick building currently used as a workshop surrounded by a fenced strip of grassland to the north and a bound surfaced yard to the front extending round the building to the west.</p> <p>The proposed development site is adjacent to Duddon Estuary Site of Special Scientific interest and the Duddon Estuary Ramsar Site, approximately 160m south of Morecambe Bay and Duddon Estuary SPA, Morecambe Bay SSSI and SAC is less than 200m north and the Iron Works Local Nature Reserve (LNR) abuts the northern boundary of the site.</p> <p>Proposal</p> <p>The application is for a two storey extension to the existing two storey pitched roof workshop building.</p>

The workshop is used for the specialised refurbishment and storage of Vardo wagons and Airstream caravans and an extension is required to allow the business the required space to expand. The applicant also intends to refurbish the existing building.

It is the intention that the extension will be subservient to the main building with a monopitched roof nestling into the eaves. In terms of footprint it is proposed to build out to the north side of the workshop by 8m at the western end tapering to 5m at the eastern end and extending the majority of the length of the existing building (23.5m). This leaves the existing building protruding by 4.0m. Height of the extension will be 5.8m increasing to 6.4m at the highest point where it adjoins the main building.

The work will also involve the creation of a first floor balcony to the east accessed from the existing first floor office with attached stairs/ fire escape.

External finishes will comprise red brick walls to match the existing workshop with a green corrugated roof also to match. Windows and doors will be dark grey aluminium. Cladding the eastern end of the existing workshop with zinc also forms part of the application.

Access to the workshop and extension will be as existing via the existing industrial estate access.

Consultations

Millom Town Council – No objections.

Cumbria County Council Highway Authority & LLFA – No objection. The slight increase in vehicular use is unlikely to have a significant material effect on existing highway conditions. Advise that surface water drainage arrangements for the building be conditioned.

Natural England - No objections subject to the mitigation proposed in the Ecology Report being implemented which can be adequately conditioned including biodiversity net gain via erection of bat boxes etc. Also requested that a HRA be undertaken outlining the potential impacts on Natterjack toads and the mitigation required. They advise that with the mitigation above there will be no adverse impact on site integrity to the Ramsar as a result of this proposal.

Flood and Coastal Defence Engineer – initial concerns re drainage but agrees this can be adequately addressed by a pre-commencement condition.

Other Representations

The application has been advertised by the erection of a site notice and notification letters. One response has been received from occupier/ owner of the neighbouring industrial buildings who raises no objection.

Planning Policy

Copeland Local Plan 2013 – 2028 (Adopted December 2013)

Core Strategy

ST1 – Strategic Development Principles

ST2 – Spatial Development Strategy

ER6 – Location of Employment

ER9 – The Key Service Centres, Local Centres and other small centres

ER11 – Developing Enterprise and Skills

ENV1 – Flood Risk and Risk Management

ENV3 – Biodiversity and Geodiversity

ENV5 – Protecting and Enhancing the Borough's Landscapes

Development Management Policies (DMP)

DM10 – Achieving Quality of Place

DM22 – Accessible Developments

DM24 – Development Proposal and Flood Risk

DM25 – Protecting Nature Conservation Sites, Habitats and Species

DM26 – Landscaping

Other Material Planning Considerations

National Planning Policy Framework (2019)

Wildlife and Countryside Act 1981.

Habitat Regulations 2017.

Emerging Copeland Local Plan (ELP):

The emerging Copeland Local Plan 2017-2035 has recently been the subject of a Preferred Options Consultation. The Preferred Options Consultation builds upon the completed Issues and Options Consultation, which finished in January 2020. Given the stage of preparation, the emerging Copeland Local Plan 2017-2035 has only limited weight in decision making, but provides an indication of the direction of travel of the emerging planning policies, which themselves have been developed in accordance with the provisions of the National Planning Policy Framework.

Assessment

Principle of Development

The site is situated within the settlement boundary of Millom, a key service centre for the Borough. Policies ST1, ST2 and ER6 of the Copeland Local Plan aim at concentrating development within these areas where it is recognised there are opportunities for expansion of existing employment sites which will be encouraged. It should also be noted that the existing business currently supports eight employees and it is expected that by allowing the expansion proposed by this application that these jobs will be secured and an additional one created.

The principle of the development is therefore considered to be acceptable.

Whilst there are no issues raised in respect of highway safety the following are identified as planning matters warranting further consideration:

Ecology

The site is situated adjacent to very sensitive ecological designations comprising the Morecambe Bay and Duddon Estuary SPA, SAC, RAMSAR and SSSI's as well the Ironworks Local Nature Reserve. Natural England raise no objections subject to the mitigation measures being implemented which are proposed in the submitted Ecology Report and potential impacts on Natterjack toads being considered and mitigated for where necessary. The ALSE (HRA), undertaken as advised by NE on our behalf by a consultant ecologist, concludes that the proposed development on the Millway site is unlikely to have a significant effect alone on the interest features of the Morecambe Bay and Duddon Estuary Special Protection Area (SPA) or Morecambe Bay Special Area of Conservation (SAC), provided that all of the mitigation measures referred to in this document and the ecology report are implemented. These can be controlled by condition.

As such the proposal complies with Copeland Local Plan policies ENV3 and DM25 which are aimed at protecting, enhancing bio and geo diversity and in particular managing proposals which are likely to have an effect on designated sites and protected species.

Drainage

Surface water drainage was initially raised as a concern by the Highway Authority and our Flood and Coastal Defence Engineer. Following the receipt of further information both consultees are now satisfied that this can adequately be addressed by the use of appropriate conditions. This accords with Copeland Local Plan policies ENV1 and DM24 which seek to ensure that any new development does not increase surface water run-off and increase the risk of flooding.

Residential Amenity

Whilst the nearest residential property is located at the entrance to the industrial estate some 50m distant to the south west, it has to be taken into consideration that there is an industrial building situated in between and similar buildings opposite, all of which are in use. Taking this into account and the fact that the proposed extension will be behind the existing workshop building all of these will act as a buffer for any additional noise and disturbance likely to be created as a result of the operation of the development. Although it is accepted that there may be some disturbance likely to arise during construction it is recognised that this will only be for a limited period of time.

As such it is considered that the potential impact on residential amenity arising from the development is likely to be minimal and therefore accords with policy ER6 of the Copeland Local Plan.

Planning Balance and Conclusion

This proposal seeks permission for a large two storey extension to an existing workshop, as well as zinc cladding to part of the existing building, which is situated within an established industrial estate on the edge of Millom. This will enable the existing specialised business of refurbishing airstream caravans and vardo wagons to expand and help ensure the security of existing jobs plus the creation of a new one. Although issues relating to potential disturbance to the nearby sensitive ecological features were identified, the HRA undertaken to assess this concluded that these can be adequately mitigated by appropriate conditions and that the proposal thus raises no major ecological issues.

	<p>Concerns regarding surface water drainage can also be covered by conditions.</p> <p>Taking this into account the benefits arising from this development are considered to outweigh any identified harm and the proposed extension and cladding represents an acceptable and sustainable form of development which complies with the policies of the Copeland Local Plan.</p>
8.	<p>Recommendation:</p> <p>Approve (commence within 3 years)</p>
9.	<p>Condition(s):</p> <p>1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.</p> <p>Reason</p> <p>To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.</p> <p>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: -</p> <p>Amended Design and Access Statement, by MP Gadsden Engineers Ltd, <u>Rev A</u>, Ref. 19195, dated 19 February 2020, received 25 March 2020.</p> <p>Preliminary Ecological Assessment, Millway Warehouse Extension, by AECOM, dated November 2019, Project no. 60585249, received 3 March 2020.</p> <p>Morecambe Bay and Duddon Estuary SPA and Morecambe Bay SAC – Assessment of Likely Significant Effect (Regulation 63) The Conservation of Habitats and Species Regulations 2017, as amended, ref. J202/RP01, dated October 2020, received 10 October 2020.</p> <p>Amended Site Location Plan, drawing no. 19195_PL01_101 Rev A, scale 1:1250, received 25 March 2020.</p> <p>Amended Existing Site Layout Plan, drawing no 19195_PL01_102 Rev C, scale 1:500 received 30 June 2020.</p> <p>Amended Proposed Site Layout Plan, drawing no. 19195_PL01_103 Rev C, scale 1:500, received 30 June 2020.</p> <p>Existing Drainage Plan, drawing no. 19343_PL01_01, scale 1:250, received 1 June 2020.</p> <p>Existing Ground Floor Plans, drawing no. 19195_PL01_104 Rev A, scale 1:100, received 25 March 2020.</p> <p>Proposed Ground Floor Plan, drawing no. 19195_PL01_109 Rev A, scale 1:100, received 25</p>

March 2020.

Existing First Floor Plan, drawing no. 19195_PL01_105, scale 1:100, received 3 March 2020.

Proposed First Floor Plan, drawing no. 19195_PL01_110, scale 1:100, received 3 March 2020.

Existing East and West Elevations, drawing no. 19195_PL01_108, scale 1:100, received 3 March 2020.

Proposed East and West Elevations, drawing no. 19195_PL01_113, scale 1:100, received 3 March 2020.

Existing North and South Elevations, drawing no. 19195_PL01_107, scale 1:100, received 3 March 2020.

Proposed North and South Elevations, drawing no. 19195_PL01_112, scale 1:100, received 3 March 2020.

Existing Section 1:1, drawing no. 19195_PL01_106, scale 1:100, received 3 March 2020.

Proposed Section 1:1, drawing no. 19195_PL01_111, scale 1:100, received 3 March 2020.

Proposed 3D Views, drawing no. 19195_PL01_114, received 3 March 2020.

Reason

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

3. Before development commences details of all measures 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 and environmental management.

4. No development shall commence until a detailed surface water drainage scheme in accordance with the Hierarchy of Drainage principles set out in National Planning Practice Guidance (NPPG) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved before the development is brought into use.

Reason

To ensure the provision of a satisfactory surface water drainage scheme.

5. All of the mitigation and enhancement measures/ recommendations identified in the Preliminary Ecology Assessment, reference project no. 60585249, dated November 2019, shall be implemented in full before the extension is brought into use.

Reason

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

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 to prevent impacts on the protected sites during construction as identified in the Assessment of Likely Significant Effects (ALSE) reference J202/RP01, dated October 2020, Section: Potential Impacts on Interest Features, All estuary SAC Habitats: Impacts on Water Quality of SAC – Turbidity/ Siltration & Toxicity, pages 9-12 incl. The CEMP shall be implemented as approved.

Reason

To protect against impacts on water quality of the SAC / ecological sensitive designations during the construction of the development.

7. 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 a method statement to safely remove any Japanese Knotweed from the site, bio security measures to prevent the introduction (and spread) of disease from invasive species to the protected sites, and wheel washing of vehicles of vehicles and plant when entering and leaving the site. Landscaping proposals shall include locally sourced and disease free native species appropriate to the locality. Proposals shall **not** include the importation of topsoil to the site. The CEMP shall be implemented as approved.

Reason

To protect the designated sites from disease and invasive species during the construction of the development.

Informative - Drainage

With reference to condition 4, the National Planning Practice Guidance sets out The Hierarchy of Drainage to promote the use of Sustainable Drainage Systems, by aligning modern drainage systems with natural water processes. The aim of Hierarchy of Drainage is to drain surface water run-off as

sustainable, as reasonably practicable.

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.

Case Officer: H. Morrison

Date : 25/01/2021

Authorising Officer: N. J. Hayhurst

Date : 25/01/2021

Dedicated responses to:- N/A