

**COPELAND BOROUGH COUNCIL  
DELEGATED PLANNING DECISION**

1.	<b>Reference No:</b>	4/22/2087/0F1
2.	<b>Proposed Development:</b>	PRIOR APPROVAL FOR PROPOSED DEMOLITION OF EXISTING ACCOMMODATION BUILDINGS 1-7, 18-27, 28-31 AT HOMEWOOD HILL AND 1, 3, 5, 7, 9, 12, 14, 16, 18, 20, 22, 24 AND 26 OF HOMEWOOD DRIVE
3.	<b>Location:</b>	WEST CUMBERLAND HOSPITAL, HOMEWOOD ROAD, WHITEHAVEN
4.	<b>Parish:</b>	Whitehaven
5.	<b>Constraints:</b>	ASC; Adverts - ASC; Adverts, Safeguard Zone - Safeguard Zone, TPO - TPO, Coal - Standing Advice - Data Subject To Change
6.	<b>Publicity Representations &amp; Policy</b>	See Report.
7.	<b>Report:</b>  <b>Site and Location:</b>  <p>The Application Site comprises part of the grounds of the West Cumberland Hospital, Homewood Road, Whitehaven, CA28 8JG.</p> <p>The Application Site comprises three groups of buildings located on Homewood Hill and Homewood Drive that previously served the West Cumberland Hospital but are now vacant.</p> <p>Access to the buildings is via both Homewood Hill and Homewood Road, which connect into the circular access road that serves the main hospital buildings and to Rutland Avenue.</p> <b>Proposal:</b>  <p>This application seeks to determine if prior approval is required for the proposed demolition of the existing buildings under the provisions of Schedule 2, Part 11, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO).</p> <p>A Construction Phase Plan which details the means of demotion and a range of Bat and Breeding Bird Surveys have been prepared in support of the application.</p>	

It is proposed to leave the ground on which the existing buildings are located surfaced with crushed stone/arising.

**Assessment:**

The proposed demolition works satisfy the criteria and conditions of Schedule 2, Part 11, Class B of the GPDO.

The prior approval details received are considered to be adequate/satisfactory for the purposes of this prior approval application.

The scope of the assessment under prior approval is limited to the method of demolition and any proposed restoration of the Application Site.

Method of Demolition

A Construction Phase Plan has been prepared which details working practices and measures that seek to minimise impacts.

The proposed working practices and measures include limitations on the timing of works, limitations on access/egress and measures to minimise noise, vibration and dust generation etc. The measures are appropriate and proportionate to the scale and location of the proposed demolition.

A planning condition is proposed to secure defined hour of works, as the details contained within the Construction Phase Plan are referenced to be at the discretion of the Client, which would not prevent seven day working and could cause unacceptable impacts upon the amenity of adjacent dwellings.

Proposed Restoration of the Application Site

It is proposed to leave the ground on which the existing buildings are located surfaced with crushed stone/arising. The proposed finish is acceptable and will deliver reasonable betterment on the existing situation given the condition of the existing buildings etc.

Trees and Ecology

A Tree Protection Plan has been prepared which show the erection of tree protection fencing in accordance with BS5837:2012 to the perimeter of the crown spread of the protected trees on the site. This will ensure that the trees and root protection area of the trees are protected from activity and vehicles etc. during the proposed works.

All bat species are designated and protected as European protected species (EPS). EPS are protected under the Conservation of Habitats and Species Regulations 2017 (CHSR). Regulation 9(1) states that

a competent authority must exercise the functions which are relevant to nature conservation, so as to secure compliance with the requirements of the Habitats Directive.

The Bat and Breeding Bird Surveys undertaken conclude that up to 10 bat roosts would be impacted by the proposed demolition of buildings B1, B2H, B5, B7, B9, B18 and B24 and that a European Protected Species Licence would be required. A scheme of mitigation and compensation is detailed. It is concluded that the proposed works will result in a negative impact on bats and result in the destruction of at least ten bat roosts for pipistrelle bats. It is stated that the number of bats recorded in the roosts and the species present would put the level of impact as 'low' at both the local and national scale.

The Bat and Breeding Bird Surveys undertaken submitted were completed in the 2019 and 2020 survey seasons and so are technically 'expired'. Essentially this means that a Bat Ecologist needs to reassess the site and confirm that surveys are still valid.

The Bat Ecologist has confirmed that the building assessments and activity surveys are to be updated during the 2022 season. It is confirmed that these updates will update the current roost locations, numbers of bats present and the species and are to facilitate the application for a European protected species licence from Natural England which will allow the destruction of the identified roosts.

The Bat Ecologist has confirmed that when considering the survey results in previous years it is not expected that any significant changes will be identified that would constitute a positive benefit to wildlife and bats. It is expected that the buildings will have deteriorated further and the buildings which were unsuitable will remain unsuitable for bats.

Based upon the above, it is considered that the Bat and Breeding Bird Surveys is sufficient for planning purposes.

In accordance with the CHSR, it is necessary to consider the likelihood of a license being granted by Natural England and in doing so engage with the three derogation tests. The rigour and stringency with which the tests are applied increase with the importance and significance of the roost.

*Is the proposed development necessary for imperative reasons of overriding public interest?*

The proposed works are a permitted development.

For these reasons it is considered that the test is passed.

*Is there a satisfactory alternative?*

Given the level of impact on bats, the level of consideration of alternatives should be correspondingly

	<p>low.</p> <p>It is unlikely that the development could proceed in such a way as to avoid the licensable activities.</p> <p>Notwithstanding, short to medium terms works to maintain the buildings on the Application Site will reasonably result in comparable impacts. In conclusion there is no satisfactory alternative.</p> <p><i>Will the favourable conservation status of the species be maintained within its natural range?</i></p> <p>Taking into account the use of the site by bats, together with the mitigation and compensation proposed the favourable conservation status of the species will be maintained within its natural range.</p> <p>It is therefore considered that the three tests are met and a licence would be likely to be granted by Natural England.</p> <p><b>Conclusion</b></p> <p>The method of demolition and proposed restoration of the Application Site as submitted are appropriate.</p> <p>The proposed scheme of mitigation in relation to the presence of bats is acceptable.</p> <p>It is recommended that prior approval is required and be approved subject to the imposition of planning conditions securing completion of the works in accordance with the submitted details and specifications etc..</p>	
8.	<p><b>Recommendation:</b> Approve</p>	
9.	<p><b>Condition(s):</b> <b>See decision letter.</b></p>	
<b>Case Officer:</b> Chris Harrison		<b>Date :</b> 17.03.2022
<b>Authorising Officer:</b> N.J. Hayhurst		<b>Date :</b> 17.03.2022
<b>Dedicated responses to:-</b> N/A		