

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/22/2457/0F1	
2.	Proposed Development:	PROPOSED ERECTION OF FOUR SELF CONTAINED INDUSTRIAL UNITS (USE CLASS B8 STORAGE/DISTRUPTION)	
3.	Location:	UNIT E2, HAVERIGG INDUSTRIAL ESTATE, HAVERIGG	
4.	Parish:	Millom	
5.	Constraints:	ASC;Adverts - ASC;Adverts, Flood Area - Flood Zone 2, Flood Area - Flood Zone 3, Coal - Off Coalfield - Data Subject To Change, Key Species - Potential areas for Natterjack Toads	
6.	Publicity Representations &Policy	Neighbour Notification Letters Site Notice Press Notice Consultation Responses Relevant Policies	Yes Yes No See Report See Report
7.	Report: Site and Location This application relates to an existing concrete yard located to the north of the existing Haverigg Industrial Estate. The gated yard is currently used by the applicant as a general storage yard. Relevant Planning History No relevant planning history.		

Proposal

This application seeks planning permission for the erection of four self-contained industrial units. The units will be utilised for a Class B8 use.

The proposed building will measure 16.3m x 9m and will benefit from an eaves height of 3.2m and an overall height of 4.76m. Each unit will have an internal space of 3.86m x 8.5m, creating a floor area of 33.08m², and will include a roller shutter door and single access door. The front of the site will be laid as a concrete forecourt.

Externally the proposal will be finished with wet dash render, profile sheeting to the roof and white UPVC windows and doors.

Consultation Responses

Millom Town Council

2nd December 2023

No objections in principle to the above application.

28th September 2023

No objections, in principle, to this application.

Cumberland Council – Highway Authority & LLFA

9th December 2022

The proposed extension of the existing industrial estate is minor, although no additional parking is proposed on the site to accommodate these buildings, it is unlikely to effect the existing highway network. The LHA raise no objections to this proposal.

21st September 2023

Cumberland Council as the Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) has reviewed the above planning reference and I can confirm that we have no objection in principle to the proposed development but would like the following point addressed before a final response can be sent.

Although the LLFA have no objection to the proposal United Utilities need to confirm that the surface water connection into the combined sewer is acceptable, if the connection is accepted by United Utilities what rate of flow would be deemed acceptable and if any restriction to flow should be within the drainage design (Hydrobrake manhole for example).

9th October 2023

With United Utilities agreeing to allow surface water into the combined sewer at a rate of 5 Litres per second, we as the LLFA can confirm that we have no objections to the proposal, subject to the inclusion of conditions to secure surface water drainage calculations and a

construction traffic management plan.

United Utilities

28th December 2022

National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) advise that surface water from new developments should be investigated and delivered in the following order of priority:

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

We recommend the applicant considers their drainage plans in accordance with the drainage hierarchy outlined above.

2nd October 2023

No further comment to add to our original response.

5th October 2023

Haverigg Pool is only circa 40m away from the proposals. We would argue the surface water flows from the development should discharge to the water body regardless of the existing scenario.

If you deem this to be too onerous for the scale of the development, we would request surface water is restricted to a maximum of 5 l/s before connecting to the sewer network.

Cumberland Council – Flood and Coastal Defence Engineer

16th December 2022

Although this site is located in Flood Zone 3, it is in an area benefitting from defences.

The site would not be anticipated as flooding in the 1 in 200 year and 1 in 100 year tidal events at present, but would with the addition of climate change.

As such flood mitigation measures should be incorporated, which have been suggested in the FRA.

From the risk of flooding to the site, I am not overly concerned about the fact it is at flood risk in the future.

However, what does concern me is the fact that the surface water will be discharged to the combined sewer.

Demonstration that the drainage hierarchy has been followed has not been provided and the work to reduce flood risk from sewers in Millom and Haverigg has not yet started.

Demonstration of the drainage hierarchy needs to be provided.

Other than the first option of infiltration, consideration should be given to discharge to watercourse (Haverigg Pool) or using the dedicated surface water system from the site, which may be reactivated as part of reducing flood risk in Millom and Haverigg.

9th March 2023

My original reply asked for the drainage hierarchy to be CONSIDERED.

I don't think it has been, but it is effectively another box ticking exercise.

22nd September 2023

With regards to the additional and amended information for this application, the applicant has now demonstrated that the drainage hierarchy has been followed, therefore I have no reason to object to the application.

Cumberland Council – Environmental Health

12th December 2022

The Council's GIS mapping system shows the site to be a former tannery, dating back to circa 1930s, before later use as an industrial estate.

I understand that the former tannery buildings were demolished about 10-15 years ago and I am unaware if any ground / site remediation was carried out at that time in terms of potential historical contamination. No information on this has been supplied by the applicant.

Whilst the construction of the four proposed units would entail relatively shallow ground works, they are likely to be carried out in compacted made ground.

Given this, and the site's past use, I feel it prudent for a phase 1 desk top study to be undertaken to quantify and risk assess any contamination present on site.

I would therefore propose that a condition to secure an investigation and risk assessment has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site.

12th December 2022

Further to the above planning application and my previous response.

In liaising with Planning colleagues, I am made aware of a recent previous planning submission for industrial units on an adjacent plot to this one proposed.

As such, for reasons of consistency of approach, I shall amend my previous response to match that one also.

I have therefore no objections to this proposal.

The wider Haverigg Industrial Estate is shown to have had historical use as a tannery and there is certainly the potential for contamination to be present.



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However, the proposed development is low risk with no change of use, and is located away from the main tannery process area, and there are no known reports of contamination from this site.

It would therefore not be appropriate to undertake a full contamination land study given the scale of the development, but a condition may be imposed to regarding any unexpected contamination that is encountered during groundworks.

11th September 2023

These amendments do not impact any potential Environmental Health matters, and I therefore refer you to my email of 12.12.2022 for the response from the Environmental Health team.

Environment Agency

12th December 2022

We have no objection to the development as proposed but we wish to make the following comments:-

Flood risk

The planning application is accompanied by a Flood Risk Assessment (FRA) prepared by bEk Enviro Ltd. (ref: BEK-22151-221115-DTDP, dated 15 November 2022). We have reviewed the FRA in so far as it relates to our remit and we consider that it is appropriate to the nature and scale of the development. We are therefore satisfied that the proposed development would not be at an unacceptable risk of flooding or exacerbate flood risk elsewhere.

As a result of the FRA the applicant, as owners of the existing property, will be aware of the potential flood risk and frequency. The applicant should be satisfied that the impact of any flooding will not adversely affect their proposals.

12th September 2022

The changes in use classes in the revised Flood Risk Assessment (ref: BEK-22151-221115-DTDP) do not materially affect the site constraints that are of relevance to the remit of the Environment Agency. We therefore have no further comments to add to our previous response (ref: NO/2022/114911/01-L01, dated 12 December 2022).

Natural England

No comments received.

Public Representation

This application has been advertised by way of a site notice, and neighbour notification letters issued to four properties. No comments have been received in relation to the statutory notification procedure.

Planning Policy

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Development Plan

On 1st April 2023, Copeland Borough Council ceased to exist and was replaced by Cumberland Council as part of the Local Government Reorganisation of Cumbria.

Cumberland Council inherited the local development plan documents of each of the sovereign Councils including Copeland Borough Council, which combine to form a Consolidated Planning Policy Framework for Cumberland.

The inherited the local development plan documents continue to apply to the geographic area of their sovereign Councils only.

The Consolidated Planning Policy Framework for Cumberland comprises the Development Plan for Cumberland Council until replaced by a new Cumberland Local Plan.

Copeland Local Plan 2013 – 2028 (Adopted December 2013)

Core Strategy

Policy ST1 – Strategic Development Principles

Policy ST2 – Spatial Development Strategy

Policy ER4 – Land and Premises for Economic Development

Policy ER6 – Location of Employment

Policy ER7 – Principal Town Centre, Key Service Centres, Local Centres and other service areas: Roles and Functions

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

Policy ER11 – Developing Enterprise and Skills

Policy T1 – Improving Accessibility and Transport

Policy ENV1 – Flood Risk and Risk Management

Policy ENV3 – Biodiversity and Geodiversity

ENV5 – Protecting and Enhancing the Borough's Landscapes

Development Management Policies (DMP)

Policy DM3 – Safeguarding Employment Areas

Policy DM10 – Achieving Quality of Place

Policy DM11 – Sustainable Development Standards

Policy DM22 – Accessible Developments



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Policy DM24 – Development Proposal and Flood Risk

Policy DM25 – Protecting Nature Conservation Sites, Habitats and Species

Policy DM26 – Landscaping

Policy DM28 – Protection of Trees

Copeland Local Plan 2001-2016 (LP):

Policy EMP1 – Employment Allocations

Policy TSP8 – Parking Requirements

Emerging Copeland Local Plan 2021 – 2038 (ELP):

Cumberland Council are continuing the preparation and progression to adoption of the emerging Copeland Local Plan 2017-2038.

The emerging Copeland Local Plan 2017-2038 comprising the Publication Draft (January 2022) and Addendum (July 2022) have recently been examined by the Planning Inspector and their report on the soundness of the plan currently remains awaited.

As set out at Paragraph 48 of the National Planning Policy Framework (NPPF), Local Planning Authorities may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan; the extent to which objections to relevant policies have been resolved; and the degree to which emerging policies are consistent with the NPPF.

Given the stage of preparation of the emerging Copeland Local Plan 2017-2038 some weight can be attached to policies where no objections have been received or objections have been resolved. The Publication Draft (January 2022) and Addendum (July 2022) 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 NPPF.

Strategic Policy DS1PU: Presumption in favour of Sustainable Development

Strategic Policy DS2PU: Reducing the impacts of development on Climate Change

Strategic Policy DS3PU: Settlement Hierarchy

Strategic Policy DS4PU: Settlement Boundaries

Strategic Policy DS5PU: Planning Obligations

Policy DS6PU: Design and Development Standards

Policy DS7PU: Hard and Soft Landscaping

Strategic Policy DS8PU: Reducing Flood Risk

Policy DS9PU: Sustainable Drainage

Policy DS10PU: Soils, Contamination and Land Stability

Policy DS11PU - Protecting Air Quality Strategic

Policy E1PU: Economic Growth Strategic

Policy E2PU: Location of Employment Strategic

Policy E5PU: Employment Sites and Allocations

Strategic Policy N1PU: Conserving and Enhancing Biodiversity and Geodiversity

Strategic Policy N2PU: Local Nature Recovery Networks

Strategic Policy N3PU: Biodiversity Net Gain

Strategic Policy N6PU: Landscape Protection

Strategic Policy N9PU - Green Infrastructure

Policy N13PU: Woodlands, Trees and Hedgerows

Strategic Policy CO4PU - Sustainable Travel

Policy CO5PU - Transport Hierarchy

Policy CO7PU - Parking Standards and Electric Vehicle Charging Infrastructure

Other Material Planning Considerations

National Planning Policy Framework (2021)

National Design Guide (NDG)

Cumbria Development Design Guide (CDG)

The Conservation of Habitats and Species Regulations 2017 (CHSR)

Wildlife and Countryside Act 1981

Copeland Economic Development Needs Assessment (EDNA)

Assessment

The key issues raised by this application relate to the principle of the development; growth of business; settlement character and landscape and visual impact; scale, design and impact on residential amenity; flood risk and drainage; access and highway safety; ecology; and ground conditions.

Principle of Development

Policy ST1 of the Copeland Local Plan seeks to support development that provides or contributes to the Borough's social and community infrastructure enabling everyone to have good access to jobs, shops, services, and recreational/sport facilities.

The site lies to the north west of Haverigg, which is classified as one of the Borough's Local Service Centres, where opportunities for new employment provisions will be provided through

conversions/re-use of existing buildings or completion of sites already allocated.

Within the Emerging Local Plan, under Policy DS3PU Haverigg continues to be identified as a Local Service Centre where the focus will be to support the retention and small scale growth of existing services and businesses. Policy DS4PU of the ELP defines the settlement boundaries for all settlements within the hierarchy and states that development within these boundaries will be supported, in principle, where it accords with the Development Plan unless material considerations indicate otherwise. The application site continues to be located within the proposed settlement boundary for Haverigg.

Policy ER4 of the Copeland Local Plan states that the Council will maintain an adequate supply of land and floorspace for economic development by the allocation of land for employment development over the plan period at a rate ahead of that implied by projecting past take up rates, to allow a flexible response to emerging demand. The application site is located on the existing Employment Allocation ES11 as identified in saved policy EMP1 of the LP.

Within the Emerging Local Plan, Policy E2PU states that proposals for employment development will be supported where they provide the type and scale of development that is appropriate for its settlement and are located on allocated employment sites or existing employment land either through the reuse or redevelopment of existing premises and, where appropriate, intensification of uses. The site is located within the Employment Allocation ES11 in the ELP.

The site is located within an existing industrial estate, therefore the principle of development is considered to be acceptable.

Growth of Business

Policy ST1, ST2, and ER6 of the Copeland Local Plan seek to facilitate grow of the Borough's local economy.

Policy ER11 seeks to promote the diversification of the Borough's economy by working with partners to support new and expanding employment sectors. This policy also seeks to support the development of commercial units, which meet the needs of business, encourage start up and promote further expansion in order to retain enterprise, jobs and skills within the Borough.

Within the Emerging Local Plan, Policy E1PU states the economy of Copeland Borough will be strengthened and broadened to provide a diverse range of employment and economic opportunities that will attract new key industries and provide the flexibility to accommodate existing businesses and new initiatives by maintaining, enhancing, regenerating and where appropriate extending the employment base in our towns and settlements in accordance with the Development Strategy, prioritising high-quality office provision within Whitehaven and the Key Service Centres to meet inward investment needs, and supporting flexible workspace, collaborative spaces and touch down zones.

The NPPF also states 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 proposed site is located within the existing Haverigg Industrial Estate. The proposal seeks permission for the construction of a building to create four self-contained industrial units. The construction of these buildings will create the opportunity to encourage new businesses into this area and potentially create jobs in the area.

On this basis, it is considered that the development will assist facilitate growth of the Borough's local economy in accordance with the provisions of Policies ST1, ST2, ER6, ER11 of the Copeland Local Plan, Policies E1PU of the Emerging Local Plan and provisions of the NPPF.

Settlement Character and Landscape and Visual Impact

Policy ENV5 of the Copeland Local Plan states that the Borough's landscapes will be protected and enhanced by: protecting all landscapes from inappropriate change by ensuring that the development does not threaten or detract from the distinctive characteristics of that particular area; that where the benefits of the development outweigh the potential harm, ensuring that the impact of the development on the landscape is minimised through adequate mitigation, preferably on-site; and, supporting proposals which enhance the value of the Borough's landscapes.

Policy DM26 of the Copeland Local Plan stated that where necessary development proposals will be required to include landscaping schemes that retain existing landscape features, reinforce local landscape character, and mitigate against any adverse visual impact. Care should be taken that landscaping schemes do not include invasive non-native species.

Within the Emerging Local Plan, Policy N6PU states that the Borough's landscapes will be protected and enhance by supporting proposal which enhance the value of the Boroughs landscapes, protecting all landscapes from inappropriate change by ensuring that development conserves and enhances the distinctive characteristics of that particular area in a manner commensurate with their statutory status and value. It is stated that proposals will be assessed according to whether the proposed structures and associated landscaping relates well in terms of visual impact, scale, character, amenity value and local distinctiveness and the cumulative impact of developments will be taken into account as part of this assessment and that consideration must be given to the Council's Landscape Character Assessment, Settlement Landscape Character Assessment and the Cumbria Landscape Character Guidance and Toolkit at the earliest stage.

The proposed building is relatively large in scale, however the building reflects the new industrial buildings located on the adjacent site which was granted planning permission in October 2020 (ref: 4/20/2424/0F1). The proposed building also lies adjacent to a number of other existing large industrial buildings within the site, therefore, the development is not



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considered to adversely impact on the overall area as the development is seen in the context of the existing estate.

It is therefore considered that the proposal will not have a significant detrimental impact on the overall landscape in accordance with Policies ENV5 and DM26 of the Copeland Local Plan, Policies N6PU of the Emerging Local Plan, and the provisions of the NPPF.

Scale, Design and Impact on Residential Amenity

Policy SS1 of the Copeland Local Plan seeks to make Copeland a more attractive place to build homes and to live through requiring new development to be designed and built to a high standard.

Policy DM10 of the Copeland Local Plan expects high standards of design and the fostering of quality places. It is required that development responds positively to the character of the site and the immediate and wider setting and enhance local distinctiveness. It is required that development incorporate existing features and address vulnerability to and fear of crime and antisocial behaviour.

Policy DS6PU of the Emerging Local Plan requires all new development to meet high-quality standards of design. This includes creating and enhancing locally distinctive places, the use of good quality materials that reflect the local character, including high quality and useful open spaces, providing high levels of residential amenity, adopting active travel principles, creating opportunities for social interaction, and effective use of land whilst maintaining amenity and maximising solar gain.

Although the proposed development is large in scale, the proposal is considered typical of what would be found on an industrial estate and is considered to reflect the characteristics of the existing large buildings on the estate. The application site is located within the centre of the existing industrial estate and is therefore a significant distance from any nearby residential property. No objections have been received from any residential dwelling in relation to this proposal.

It is therefore considered that the proposal is of an appropriate scale and design and will not have a detrimental impact on residential amenity in accordance with Policies SS1 and DM10 of the Copeland Local Plan, Policies DS6PU of the Emerging Local Plan, and the provisions of the NPPF.

Flood Risk and Drainage

Policy ST1 of the Copeland Local Plan and paragraph 159 of the NPPF seek to focus development on sites that are at least risk of flooding and where development in flood risk is unavoidable, ensure that the risk is minimised or mitigated through appropriate design for the lifetime of the development.

Policy ENV1 and DM24 of the Copeland Local Plan, and Policy DS8PU of the Emerging Local Plan state that development will not be permitted where: there is an unacceptable risk

of flooding and or, the development would increase the risk of flooding elsewhere.

Policy DM11 of the Copeland Local Plan and Policy DS9PU of the Emerging Local Plan requires that surface water is managed in accordance with the national drainage hierarchy and includes Sustainable Drainage Systems where appropriate.

The application site lies within Flood Zones 2 and 3, however the area benefits from Flood Defences. A Flood Risk Assessment has been submitted to support this application and this concludes that the site would remain free of flooding during 1 in 100 year, 1 in 100 year plus climate change allowances and 1 in 1000 year fluvial flood events. Furthermore, it is stated that the site would also not be expected to flood during 1 in 200 year and 1 in 1000 year tidal flood events, however with the addition of climate change allowance the site would be anticipated to flood. Based on this mitigation measures are proposed for this development, including use of permeable materials, applying water resistance coating, and locating electricals and gas equipment above flood levels. These mitigation measures can be secured and retained by an appropriately worded planning condition.

The EA have confirmed that they have no objections to the application as the proposed development would not be at an unacceptable risk of flooding or exacerbate flood risk elsewhere. The Council's Flood and Coastal Defence Engineer has also stated that they are not concerned about the sites flood risk in the future.

As part of the application, it is proposed that surface water will be disposed of by the mains sewer. Within their initial comments the Council's Flood and Coastal Defence Engineer stated that the application should considered the drainage hierarchy. This was also confirmed by UU although they did not submit any objections. Based on these comments the applicant has provided confirmation as to why they are unable to follow the hierarchy. Based on the submission of this information the Council's Flood and Coastal Defence Engineer has now confirmed that he has no objections to the application. UU also continued to offer no objections.

As part of their consultation response the LLFA stated that they have no objections to the application however they have stated that UU would need to approve the connection into the combined sewer, and if the connection is acceptable what rate of flow would be acceptable. Based on this UU confirmed that they would request surface water is restricted to a maximum of 5 l/s before connecting to the sewer network. The LLFA therefore requested a condition to secure surface water calculations.

Based on the inclusion of the requested conditions, it is considered that the proposal will not have a detrimental impact on highway safety in accordance with Policies ST1, ENV1 and DM24 of the Copeland Local Plan, Policies DS8PU and DS9PU of the Emerging Local Plan, and the provisions of the NPPF.

Access and Highway Safety

Policy T1 of the Core Strategy requires mitigation measures to be secured to address the

impact of major housing schemes on the Boroughs transportation system. Policy DM22 of the Copeland Local Plan requires developments to be accessible to all users and to meet adopted car parking standards, which reflect the needs of the Borough in its rural context.

Policies CO4PU, CO5PU and CO7PU of the ELP promotes active travel.

The proposal will develop an existing yard within the existing industrial estate. The development will create an additional four units within the estate and will utilise the existing access to the site. The Highway Authority have confirmed that, as this is a minor extension to the existing industrial estate, they offer no objections to the proposal despite the proposal not accommodating any additional parking. The proposal does include a forecourt to the front of the site which could be utilised for any additional parking required for the proposed new units. The Highway Authority have requested a condition to secure a construction traffic management plan.

It is therefore considered that the proposal will not have a detrimental impact on highway safety in accordance with Policies T1 and DM22 of the Copeland Local Plan, Policies CO4PU, CO5PU and CO7PU of the Emerging Local Plan and provisions of the NPPF.

Ecology

Policies ST1, ENV3, and DM25 seeks to ensure that new development will protect and enhance biodiversity and geodiversity.

Policy N1PU of the Emerging Local Plan LP defines a mitigation hierarchy.

Policy N3PU of the Emerging Local Plan requires that all development, with the exception of that listed in the Environment Act must provide a minimum of 10% biodiversity net gain over and above existing site levels, following the application of the mitigation hierarchy set out in Policy N1PU above. This is in addition to any compensatory habitat provided under Policy N1PU. It is stated net gain should be delivered on site where possible and where on-site provision is not appropriate, provision must be made elsewhere in accordance with a defined order of preference.

The application site is identified as a potential area for natterjack toads. Although the application site is located within 200m of a watercourse (as indicated within the ALGE trigger list), the site has been significantly altered in the past, is covered in hardstanding and is utilised as storage by the applicant, therefore the development will not disturb any habitats. The site is also located within a built up area. On the basis of the above it is considered that this is not a habitat that is likely to contain natterjack toads and so it would not be necessary to seek an ecological survey for this application.

On this basis, the proposal is considered to achieve the requirement of Policies ST1, ENV3 and DM25 of the Copeland Local Plan, Policies N1PU and N3PU of the Emerging Local Plan and the provisions of the NPPF.

Ground Conditions

Policy ST1 of the Copeland Local Plan includes provisions requiring that new development addresses land contamination with appropriate remediation measures.

Policy DS6PU and Policy DS10PU of the Emerging Local Plan includes provisions requiring that development addresses land contamination and land stability issues with appropriate remediation measures.

The application site is identified as potentially contaminated land as it is located upon the former tannery. As part of the initial response from the Council's Environmental Health Officer it was requested that a Phase 1 Desk Top Study be undertaken to quantify and risk assess any contamination present on site. However, following discussions with the Case Officer for this application and the history of the recent planning approval for the adjacent site, the Environmental Health Officer amended their comments to confirm that there are no objections to the proposal as the proposed development is low risk with no change of use and located away from the main tannery process area. It was therefore confirmed that it would not be acceptable to request a full contamination land study given the scale of the development, but a condition was requested to ensure any unexpected contamination that is encountered during groundworks is reported appropriately to the Local Planning Authority and a remediation strategy is agreed where necessary.

Subject to the planning condition set out above the proposal is considered to achieve the requirement of Policy ST1 of the Copeland Local Plan, Policies DS6PU and Policy DS10PU of the Emerging Local Plan and the provisions of the NPPF.

Planning Balance & Conclusions

The NPPF states that planning 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 application site lies within the existing and proposed settlement boundary for Haverigg, which is identified as a Local Service Centre within the existing and emerging Local Plan, where opportunities for new employment provisions will be provided through conversions/re-use of existing buildings or completion of sites already allocated. The site is also an existing and proposed employment allocation.

The application seeks permission to erect a building to create four self-contained industrial units within an existing industrial estate. The proposal will support the opportunity for new business and potentially create jobs within the area.

The building will be located within the existing industrial estate and is screened from any residential properties by existing buildings, therefore the development is not considered to have a detrimental impact on the surrounding area.

Based upon the advice of the relevant consultees, the proposed development will not result in an unacceptable impact on highway safety. The development would also not result in



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	<p>unacceptable impacts in respect of residential amenity, ecology, land contamination, flood risk and drainage subject to the planning conditions proposed.</p> <p>On balance the positive benefits that would result from this proposal outweigh any potential harm and the proposal represents a sustainable form of development which complies with the Policies set out in the Copeland Local Plan and the guidance within the NPPF.</p>
8.	<p>Recommendation:</p> <p>Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <p><u>Standard Conditions:</u></p> <ol style="list-style-type: none">1. The development hereby permitted must be commenced before the expiration of three years from the date of this permission. <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> <ol style="list-style-type: none">2. This permission relates to the following plans and documents as received on the respective dates and development must be carried out in accordance with them:-<ul style="list-style-type: none">- Location Plan, and Proposed Block Plan, Floor Plan, Elevations & Section (Amended), Scale 1:50, 1:200, & 1:1250, Dwg No: HAV.DP.01(A), received by the Local Planning Authority on the 7th September 2023.- Flood Risk Statement (Amended), Prepared by bEI Enviro Ltd, received by the Local Planning Authority on the 7th September 2023.- Email from Agent, received by the Local Planning Authority on the 4th July 2023. <p>Reason</p> <p>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.</p> <p><u>Pre Commencement Conditions:</u></p> <ol style="list-style-type: none">3. Development must not commence until surface water drainage calculations to show how the surface water will be restricted to 5 litres per second before outfalling into the combined sewer have been submitted to and approved in writing by the Local

Planning Authority. If required a detailed plan showing any design change to original drainage plan must also be submitted and approved in writing by the Local Planning Authority. The development must be carried out in accordance with these approved details at all times thereafter.

Reason

To secure proper drainage and to manage the risk of flooding and pollution.

4. Development must not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the local planning authority. The CTMP must include details of:
- Retained areas for vehicle parking, manoeuvring, loading and unloading for their specific purpose during the development;
 - Cleaning of site entrances and the adjacent public highway;
 - Details of proposed wheel washing facilities;
 - The sheeting of all HGVs taking spoil to/from the site to prevent spillage or deposit of any materials on the highway;
 - Construction vehicle routing;
 - The management of junctions to and crossings of the public highway and other public rights of way/footway;
 - Details of any proposed temporary access points (vehicular / pedestrian);
 - Surface water management details during the construction phase
 - Verge protection on narrow roads

The development must be carried out in accordance with these approved details at all times thereafter.

Reason

To ensure the undertaking of the development does not adversely impact upon the fabric or operation of the local highway network and in the interests of highway and pedestrian safety Policy T1 and DM22 of the Copeland Local Plan and the relevant provisions of the National Planning Policy Framework.



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Other Conditions:

5. The development must be carried out in accordance with and implement all of the details and measures set out within the approved document Flood Risk Statement, Prepared by bEk Enviro Ltd on the 19th October 2020, received by the Local Planning Authority on the 20th October 2020. Once installed these measures must be retained at all times thereafter.

Reason

To secure proper drainage and to manage the risk of flooding and pollution.

6. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. A suitable investigation and risk assessment will then be agreed upon by the Council and the developer and where remediation is necessary a remediation scheme must be prepared and submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors.

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: C. Burns

Date : 11.10.2023

Authorising Officer: N.J. Hayhurst

Date : 13.10.2023

Dedicated responses to:- N/A

