

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/23/2022/0F1
2.	Proposed Development:	CHANGE OF USE OF LAND FROM LANDSCAPED AREA TO DOG TRAINING FACILITY
3.	Location:	LAND TO THE SOUTH EAST OF CIVIL NUCLEAR CONSTABULARY TRAINING FACILITY, SEASCALE
4.	Parish:	Ponsonby
5.	Constraints:	ASC;Adverts - ASC;Adverts, Safeguard Zone - Safeguard Zone, Coal - Off Coalfield - Data Subject To Change, DEPZ Zone - DEPZ Zone, Preferred Route Corridor - Within Preferred Route Corridor, Outer Consultation Zone - Sellafield 10KM
6.	Publicity Representations &Policy	See report
7.	Report: Site and Location <p>The site is located within the Civil Nuclear Constabulary (CNC) training facility known as Griffen Park, situated to the immediate north of the Sellafield nuclear site. It lies approximately 2km to the south-west of Calder Bridge and the A595.</p> <p>To the north of the facility is a single residential property and a Grade II Listed Sella Park Country House which is a hotel and restaurant.</p> <p>To the west the facility is bounded by an unnamed road with the former Sellafield visitors' centre, to the east by land located within Flood Zones 2 and 3 and the River Calder with agricultural land and ancient woodland beyond. To the South, the facility is bordered by an existing dog kennels and training facility and a sewage treatment plant.</p> <p>The Site comprises a 147.84sqm level landscaped area, currently laid to grass, located in the southern portion of the CNC training facility. The wider CNC facility comprises 7.3 hectares in</p>	

area.

Proposal

It is proposed to change the use of part of the landscaped area for use as a Dog Training Facility. This will form part of the wider existing CNC training facility.

The proposed equipment that would be sited within the training area includes:

- Tarmacadam Base
- Soft Landing Pad (soil)
- Timber Bridge
- Dummy Manhole Covers x3
- Timber Larch Lap Panels 1828x1828
- Treated Timber Steps x3
- Timber and Welded Wire Mesh Surround

The area will take the form of an open area with various pieces of equipment positioned on it, akin to a specialised bespoke agility area. The equipment will reach a maximum height of 3 metre with the predominant material being timber.

No fencing is planned for the facility as it will be sited within the confines of the wider training estate, which itself is surrounded by secure perimeter fencing and locked gates.

Although sited within the grounds of Griffen Park, the proposal will serve both the CNC and the existing dog kennels/ training facility. It will be ideally situated in a location close to the existing kennels with a connecting fenced link and will serve to increase the range of dog training facilities available.

As regards access, no new provision will be required as the existing secure parking and access will be used either via the Kennels or direct from Griffen Park.

Consultation Responses

Ponsonby and Calderbridge Parish Council

no objections.

Summary of response: Support

Beckermeth with Thornhill Parish Council

No objections.

Gosforth Parish Council



Cumberland Council

No objections.

CCC HA & LLFA

No objection to the proposed development as it is considered that it will not have a material effect on existing highway conditions nor will it increase the flood risk on the site or elsewhere. Initial request for a pre-commencement drainage condition governing surface water. Following negotiations and a review of the matter the LLFA were satisfied this is not required.

Flood & Coastal Defence Engineer

Advises the EA are informed of proposed discharge rates and outfall details as per the drainage informative.

Arboriculturist

No objection from a landscape and tree perspective. Confirm there will be no impact on any trees.

Planning Policy

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 (CLP) 2013-2028, Adopted December 2013

Relevant policies comprise:

Core Strategy

Policy ST1 – Strategic Development Principles

Policy ST2 – Spatial Development Strategy

Policy ENV1 – Flood Risk and Risk Management

Development Management Policies

Policy DM10 – Achieving Quality of Place

Policy DM11 – Sustainable Development Standards

Policy DM22 – Accessible Development

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 the 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.

The following policies are relevant to this proposal:

- Strategic Policy DS1PU - Presumption in favour of Sustainable Development
- Strategic Policy DS2PU - Reducing the impacts of development on Climate Change
- Policy DS6PU - Design and Development Standard
- Strategic Policy DS8PU - Reducing Flood Risk

Policy DS9PU: Sustainable Drainage



Cumberland Council

Other Material Planning Considerations

National Planning Policy Framework (NPPF).

Planning Practice Guidance (PPG).

National Design Guide (NDG).

Assessment

Design

In terms of design the proposed facility will comprise a rectangular shaped level area of open ground with a mixture of soft fill and tarmac base which will accommodate bespoke wooden structures. Due to its proximity to the existing kennels and vast expanse of the structures of Griffen Park, it will be seen as forming part of the existing group of hard development and in view of its relatively small scale will blend in. This acceptably accords with Policy ST1 (CLP) which encourages high design standards and an efficient use of land and DS6PU (ELP). This is also reiterated in Policy DM10 Achieving Quality of Place (CLP) which states that we will expect a high standard of design in new development, which responds positively to the character of the site and the immediate and wider setting through and including careful selection and use of building materials which reflects local character and vernacular.

Noise

The original application for Griffen Park firearms facility incorporated a Noise Assessment that considered the likely noise which would regularly occur from operational activities internal to the proposed development. It was concluded that noise from internal activities would be unlikely to cause disturbance at the nearest sensitive receptors.

Most importantly the assessment also considered external activities, current external training activities within the CNC facility predominantly utilise the area to the immediate south of the main building, which acts as a barrier to any noise travelling towards the nearest receptors.

Given the relatively small scale of the proposal and the fact that there will be no increase in use generally of the facility as a result of this development it is considered that the proposed training facility will not create any additional impact on noise emitted from the CNC facility or the Kennels. The facility will purely be an aid to training the dog and handler.

Car Parking

In view of the relatively small-scale nature of the development it is unlikely it will create any additional parking demand. The facility will be used by existing members of staff who already use the parking facilities either at the Kennels or at Griffen Park. This accords with Policy DM22 of the CLP and DS6PU of the ELP. The Highway Authority and the LLFA concur with

	<p>this view.</p> <p><u>Ecology</u></p> <p>The site currently comprises part of a landscaped area surrounding the CNC facility and is laid to grass/lawn which is regularly cut/ maintained. As such it's biodiversity and therefore habitat value and is considered to be relatively low requiring no further assessment especially given its small scale.</p> <p><u>Conclusion and Planning Balance</u></p> <p>The proposal comprises an open bespoke and highly specialised training area for dogs and handlers for use by CNC. As it is relatively small scale in nature it is recognised that its impact will be limited and as such it raises no adverse material planning issues as demonstrated above and is supported by existing and emerging planning policy.</p> <p>The site is considered a necessary extension to the existing dog training facilities on offer and will increase the CNC's future scope in this area which from a wider national security perspective is to be welcomed. In terms of planning balance the benefits arising from this development will well outweigh any potential adverse risks.</p>
8.	<p>Recommendation:</p> <p>Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <ol style="list-style-type: none"> 1. The development hereby permitted shall 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. 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>AY-CNC- 007 Amended Location Plan, scale 1:2500, received 8/03/2023.</p> <p>AY-CNC-001 Proposed Elevations East. Dated 7 December 2022, received 19 January 2023.</p> <p>AY-CNC-002 Proposed Elevations North, dated 7 December 2022, received 19 January 2023.</p>



Cumberland Council

AY-CNC-004 Perspective 3D Drawing West, dated 7 December 2022, received 19 January 2023.

AY-CNC-005 Perspective 3D Drawing South, dated 7 December 2022, received 19 January 2023

AY-CNC-006 Proposed Materials Plan, dated 7 December 2022, received 19 January 2023

AY-CNC-008 Site Plan, scale 1:500, dated 7 December 2022, received 19 January 2023

Covering Letter from Matt Verlander of Avison Young, dated 19 January 2023, received 19 January 2023.

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. Full details of any new fenced link corridor or extension to the existing to be erected between the existing dog kennels/ training facility and the new training area shall be submitted to the Local Planning Authority for approval in writing before the new facility is brought into use. The fence shall be erected as approved and maintained in perpetuity for the lifetime of the development.

Reason

To safeguard the amenities of the locality

Informative – Drainage

It is advised that details of discharge rates and outfall details to the main River Calder in the vicinity are submitted to the Environment Agency for approval.

Informative – Public Rights of Way (PROW)

A PROW (public footpath/bridleway/byway) number 424028 lies adjacent to the site, the developer must ensure that no obstruction to the footpath occurs during, or after the completion of the site works.

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.S. Morrison		Date : 14/04/2023
Authorising Officer: N.J. Hayhurst		Date : 14/04/2023
Dedicated responses to:- N/A		