

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/23/2025/0F1
2.	Proposed Development:	WAREHOUSE BUILDING WITH ASSOCIATED CAR PARKING, SERVICE YARD, LANDSCAPING AND ASSOCIATED DRAINAGE INFRASTRUCTURE
3.	Location:	LAND AT JOE MCBAIN AVENUE, MORESBY PARKS, MORESBY
4.	Parish:	Moresby, Whitehaven
5.	Constraints:	ASC;Adverts - ASC;Adverts, Safeguard Zone - Safeguard Zone, Coal - Development Referral Area - Data Subject to Change, Coal - Standing Advice - Data Subject To Change, Key Species - Bounds of Sensitive Area for Hen Harriers, Preferred Route Corridor - Within Preferred Route Corridor
6.	Publicity Representations & Policy	Neighbour Notification Letter: YES Site Notice: YES Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report:	
	SITE AND LOCATION	
		This application relates to a vacant parcel of land situated adjacent to Joe McBain Avenue on the Commercial Park at Moresby Parks. The site has Joe McBain Avenue to the south,

Blakefell Close to the west and further vacant land to the north and east.

The site covers a total of 1.7 hectares.

PROPOSAL

Planning permission is sought for the erection of a building for use as a warehouse, along with the associated car parking, service yard, landscaping and drainage infrastructure. The building is proposed to have a floor space of 826 square metres. It will measure 60m in length and 30m in width with an overall height of 10.5m. There will be a roller shutter door on the south elevation and a pedestrian door on the north elevation with 5 roof lights on both sides.

The west of the site will be for 12 parking spaces with a yard and bin store to the south. Landscaping will surround the building including meadow grass and intermittent tree planting. Foul drainage will be to the adjacent drainage network present on the site boundary with surface water to be attenuated via a small pond and released at greenfield runoff rates. The attenuation pond will benefit from some aquatic planting.

RELEVANT PLANNING APPLICATION HISTORY

Industrial development including use classes B1, B2 and B8 and non-food retail sales, approved in May 1991 (application reference 4/91/0222/0 relates);

Access and infrastructure for future industrial development, approved in January 1992 (application reference 4/91/1050/0 relates).

CONSULTATION RESPONSES

Moresby Parish Council

Moresby Parish Council considered this application at their meeting held yesterday evening (9th Feb 2023) and it was resolved by all present that this proposal be fully supported as it would be good to see the land used.

Whitehaven Town Council

No response received.

Highways Authority

The LHA have reviewed the application and have no objection in principle but would like the



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following points below addressed before full approval.

- Within the Design and access statement pages 14 and 15 there is no drawings as stated within the header of the page, these drawings need to be within the document for completeness.
- Cumbria Development Design Guide states that 1 car parking space is required per 100m² of gross floor area for storage and distribution units over 235m², therefore 18 number car parking spaces are required on site, 1 number additional space for disabled parking with 1 number space for motorcycles and 2 number for pedal cycles. The LHA would require a new detailed drawing with the amended details above.

Once the above points have been addressed the LHA will have no objections, subject to the following recommended conditions being included in any Notice of Consent which may be issued.

Condition 1:

The development shall not commence until visibility splays providing clear visibility of 60 metres measured 2.4 metres down the centre of the access road and the nearside channel line of the carriageway edge have been provided at the junction of the access road with the county highway. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (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. The visibility splays shall be constructed before general development of the site commences so that construction traffic is safeguarded.

Reason:

In the interests of highway safety. To support Local Transport Plan Policies: LD7, LD8

Condition 2:

Development shall not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the local planning authority. The CTMP shall 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

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.

To support Local Transport Plan Policies: WS3, LD4

Condition 3:

The carriageway access, footways, footpaths, shall be designed, constructed, drained to the satisfaction of the Local Planning Authority and in this respect further details, including longitudinal/cross sections, shall be submitted to the Local Planning Authority for approval before work commences on site. No work shall be commenced until a full specification has been approved. Any works so approved shall be constructed before the development is complete.

Reason:

To ensure a minimum standard of construction in the interests of highway safety.

To support Local Transport Plan Policies: LD5, LD7, LD8

Infrastructure Planning

1st Response

This proposal relates to full permission sought for a Warehousing building with associated car parking, service yard, landscaping and associated drainage infrastructure.



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The application site comprises 1.70ha within 2.08ha of existing Employment Land at Whitehaven Commercial Park in Moresby Parks, Whitehaven. Whitehaven Commercial Park is allocated as MP002 within the Copeland Local Plan 2021-2038

The accompanying Planning Statement to the application references a site allocation reference of EMP1.

Using the evidence available in the Copeland Transport Improvement Study (2021), there are a series of infrastructure improvement schemes which are attributed to Whitehaven Commercial Park, in some cases, as a proportion of an overall contribution from more than one allocated site identified within the Local Plan. These Improvement schemes include active travel, bus stop infrastructure, bus stop services, road network capacity improvements and road network safety improvements.

Full details of contributions attributed to the Whitehaven Commercial Park site in Moresby Park (site allocation reference MP022) are provided in the table provided.

Item No.	Infrastructure Type	Detail	Cost attributed to development site	Site/s improvement scheme is Allocated to	Evidence
1.	Active Travel Infrastructure	Provision of shared use path utilising wide verges on Moresby Road	£664,800	1.Whitehaven Commercial Park (Mp022)	Copeland Transport Improvements Study 2021 Table No: 9-1, p75
2.	Bus Stop Infrastructure	Proposed location of new bus stop at Moresby Parks Road	£91,000 for layby £5,500 per shelter	1.Whitehaven Commercial Park (Mp022)	Copeland Transport Improvements Study 2021 Table No: 9-2, p76
3.	Bus Service Potential Requirements	New bus service to Moresby Parks	£105,000 annually Additional bus (single deck) within timetable	1.Whitehaven Commercial Park (Mp022) 2.Red Lonning and Harass Moor Stage 3 (HWH2) 3.Hensingham Common (ELA1)	Copeland Transport Improvements Study 2021 Table No: 9-3, p76
4.	Cost estimates for proposed capacity improvements	Ref: ID31 Moresby Road / Cleator Moor Road /	£805,800	1. Land at Mill Hill (HCM4)	Copeland Transport Improvements



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Item No.	Infrastructure Type	Detail	Cost attributed to development site	Site/s improvement scheme is Allocated to	Evidence
	on the local road network and attribution to Local Plan sites	Main Street, Whitehaven		2. Leconfield Estate 3. Whitehaven Commercial Park 4. West Lakes Science Park 5. Red Lonning and Harass Moor	Study 2021 Table No: 9-5, p77
5.	Cost estimates for proposed safety improvements on the local road network and attribution to Local Plan sites	Ref: ID43 A595 / Rosehill, Whitehaven	£338,700	1. Land at Mill Hill 2. Leconfield Estate 3. Whitehaven Commercial Park	Copeland Transport Improvements Study 2021 Table No: 9-5, p78

As this application is within the Whitehaven Commercial Park catchment area we would seek to obtain a developer contribution of £19,455 towards active travel improvements, these improvements will consist of two new pedestrians island crossing points and improved footway connectivity to these crossing points on the Moresby Parks Road. The proposed improvements will create a safe connectivity to and from Whitehaven Commercial Park in either direction.

2nd Response

I have just been talking with Mark Hankin (S278 officer and Paul) and we agreed that the best way forward would be for the applicant to enter into a S278 agreement to deliver the pedestrian refuge and footway crossing amendment.

This process is fairly streamlined compared to a S106 and we would only require the work to be completed prior to commencement of trading. So there is no requirement for a financial contribution.



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Mark is sending the S278 application form to the agent.

Local Lead Flood Authority

The LLFA are content with the proposal and have no objection.

United Utilities

1st response

Following our review of the submitted drainage documents; Flood Risk Assessment, Drainage Strategy Ref: 22-485-DWG001 Dated Dec 2022, the plans are not acceptable to United Utilities.

This is because we have not seen robust evidence that that the drainage hierarchy has been thoroughly investigated and the proposals are not in line with the Non-Statutory Technical Standards for Sustainable Drainage Systems. Should planning permission be granted we request the following condition is attached to any subsequent Decision Notice:

Condition:

Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations). In the event of surface water discharging to the public surface water sewer, the rate of discharge shall be restricted to 13l/s;
- (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
- (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable;
and
- (v) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage.

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

REQUEST FOR ADDITIONAL INFORMATION

We request that the applicant submits a plan outlining the proposed levels (including finished floor levels and ground levels) shown in metres above Ordnance Datum and an indicative foul and surface water drainage strategy (including cover and invert levels). It is our recommendation this information is submitted for our review so that any risk of sewer surcharge can be further assessed. The applicant should note that it may be necessary to raise finished floor and ground levels and / or include mitigation measures to manage the risk of sewer surcharge.

2nd response

Following our review of the submitted Drainage Report (ref 22-485r002B, dated Dec 2022) the plans are not acceptable to United Utilities. This is because there is no detailed review of whether infiltration is feasible, and we would also request evidence of how the greenfield QBAR rate of 13 l/s has been determined as this seems too high for the area to be positively drained. Additionally we request full details of the proposed foul drainage are shown on the drainage plans (including point of connection to the public sewer), as well as all drainage cover levels (including at points of connection to the public sewer).

Should planning permission be granted we request the following condition is attached to any subsequent Decision Notice:

CONDITION:

Prior to the commencement of development, details of a sustainable surface water drainage



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scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
- (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
- (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
- (v) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

3rd response

In response to the comments provided by the agent relating to drainage, email dated 3rd May 2023 United Utilities note that trial pits have been undertaken however the ground investigation report / trial pit records should be provided as evidence.

Without the provision of this information, should the Council be minded to grant permission for this scheme, we maintain our request for the following planning condition relating to drainage.

Condition:

Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
- (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
- (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
- (v) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason

To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

The Coal Authority

The application site does not fall within the defined Development High Risk Area and is located instead within the defined Development Low Risk Area. This means that there is no requirement under the risk-based approach that has been agreed with the LPA for a Coal Mining Risk Assessment to be submitted or for The Coal Authority to be consulted.



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Public Representation

The application has been advertised by way of a site notice and neighbour notification letters issued to 1 no. properties.

No responses have been received as a result of these advertisements.

PLANNING POLICIES

Planning law requires 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 ER5 – Improving the Quality of Employment Space

Policy ER6 – Location of Employment

Policy ER11 – Developing Enterprise and Skills

Policy ENV1 – Flood Risk and Risk Management

Policy 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
Policy DM24 – Development Proposals and Flood Risk

Other Material Planning Considerations

National Planning Policy Framework 2021 (NPPF)

Cumbria Development Design Guide

Copeland Local Plan 2013-2028: Site Allocations and Policies Plan (SAPP).

Copeland Local Plan 2001-2016 (LP) Saved Policies.

Emerging Copeland Local Plan (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.

The policies relevant to this application are as follows:

Strategic Policy DS1PU: Presumption in favour of Sustainable Development

Strategic Policy DS3PU: Settlement Hierarchy

Policy DS6PU: Design and Development Standards

Strategic Policy DS8PU: Reducing Flood Risk

Policy DS9PU: Sustainable Drainage

Strategic Policy E1PU: Economic Growth



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Strategic Policy E2PU: Location of Employment

Policy E7PU: Safeguarding of Employment Sites

Strategic Policy CO4PU: Sustainable Travel

Policy CO5PU: Transport Hierarchy

Policy CO7PU: Parking Standards and Electric Vehicle Charging Infrastructure

ASSESSMENT

Principle of the Development

This site is allocated for employment purposes and this allocation is proposed to be taken forward under the Emerging Local Plan.

Policies ST1, ST2, ER4 and ER6 of the CS and Policies E2PU and E7PU of the ELP are supportive of commercial development in this location. The site is a vacant plot within the Whitehaven Commercial Park, located at Moresby Parks, which houses a number of commercial units.

On this basis, the principle of the development is considered to be acceptable.

Scale, Design and Landscape Impacts

Policy ST1 and section 12 of the NPPF seek to promote high quality designs. Policy DM10 seeks to ensure high standards of design are maintained, with appropriate scale and materials, responding to the character of the site.

Policy ENV5 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.

The building fits neatly onto the site, with ample space remaining on the large plot. It is viewed in context with the existing buildings on the site and is of an appropriate scale and design for its context. Additional landscaping will help to soften its visual impact.

On this basis it is unlikely to create any harm to the visual amenity or local landscape in compliance with policies ST1, DM10 and ENV5 of the Local Plan.

Parking and Access

Policy DM22 of the CS and CO7PU of the ELP seek to ensure that all new development includes sufficient access and parking.

The proposal includes the utilisation of the existing access road to the south of the site – Joe McBain Avenue, which adjoins the main road running through Moresby Parks. The access has adequate visibility, with access gates set back into the site.

The Highways Authority responded that the proposal was acceptable in principle but that further parking, a disabled bay as well as bike parking would be required for a building of this size in accordance with the standards set out in the Cumbria Development Design Guide. Further plans were received from the Applicant to demonstrate this additional provision of 18 spaces, plus a further space for disabled use. The proposal is therefore considered to be acceptable.

Conditions are proposed to secure the visibility splays, a construction management plan and the construction of the highways prior to the first use of the building. Furthermore, as the Applicant did not show the demarcation of the disabled parking bay, a condition is included to secure this provision.

As a result of the above, the proposal is considered to accord with these policies within the CS and ELP.

Contributions and Pedestrian Safety

As this application is within the Whitehaven Commercial Park catchment area, developer contributions of £19,455 towards active travel improvements have been requested by the Infrastructure Team. These improvements will consist of two new pedestrians island crossing points and improved footway connectivity to these crossing points on the Moresby Parks Road. The proposed improvements will create a safe connectivity to and from Whitehaven Commercial Park in either direction.

The developer has agreed to the level of contribution requested which will be secured via a S278 agreement, separate to the planning process. In order to ensure that this is undertaken, a Grampian style planning condition can be used to secure the infrastructure improvements required.

Drainage

Policy DM24 seeks to protect developments against risks of flooding.

The Application Site is located within Flood Zone 1. The proposed comprises a more



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vulnerable use and is therefore a compatible use in Flood Zone 1. The Application Site is not shown to be liable to surface water flooding.

It is proposed to attenuate and then drain surface water to the existing surface water drainage present on the boundary of the site. Calculations to show that the site is impermeable and therefore not suitable for permeable drainage were included within the submitted Drainage Report.

Foul drainage will be connected to the adjacent foul drainage network present on the site boundary.

Details of the drainage have been reviewed and no objections were raised by statutory consultees, however, further information was requested from United Utilities who wanted trial pit records. A planning condition is therefore proposed to ensure that this information is received and approved prior to the occupation of the building.

On this basis the proposal is considered to comply with Policies ENV1 and DM24 of the CS and DS8PU and DS9PU of the ELP. A condition is proposed to ensure that the development is completed consistently with the submitted details.

Planning Balance and Conclusion

This application relates to an existing commercial park which is allocated for employment development, The principle of development is therefore acceptable and this carries significant weight in the planning balance.

The proposal will create additional employment on a commercial site within one of the Local Service Centres. This is a benefit that can be afforded weight in the planning balance.

Although the proposed building is large in scale it will form part of a wider commercial site which will help to limit its visual impact. The building is an acceptable design for its context,

Matters relating to parking, turning, access, drainage and landscaping can all be secured by planning conditions. Improvements to the highway infrastructure to encourage active transport are to be dealt with under a Section 278 Agreement outside the planning process. These improvements can be secured by the use of a Grampian style condition.

	Overall, the proposed development accords with the policies within the Copeland Local Plan and should be approved.
8.	<p>Recommendation: Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <p><u>Standard Conditions</u></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>Application form, received 24th January 2023;</p> <p>Site Location Plan, scale 1:1250, drawing number 22-485-DWG004 C, received 24th January 2023;</p> <p>Proposed Site Layout, scale 1:250, drawing number 22-485-DWG001 H, received 31st May 2023;</p> <p>Proposed Plans, Elevations and Section, scale 1:200, drawing number 22-485-DWG002 C, received 24th January 2023;</p> <p>Proposed Section, scale 1:50, drawing number 22-485-DWG003 A, received 24th January 2023;</p> <p>Drainage Schedules Manholes and Pipes, drawing number 22-485-DWG006 A, received 24th January 2023;</p> <p>Manhole Schedule, drawing number 22-485-DWG006 A, received 24th January 2023;</p> <p>Drainage Strategy and Calculations, written by Kingmoor Consulting, document reference 22-485r002B, received 7th March 2023;</p> <p>Abnormal Load Swept Path Analysis, scale 1:100, drawing number 22-485-DWG005 A, received 24th January 2023;</p> <p>Planning Statement, written by SRE Associates, received 24th January 2023;</p> <p>Design and Access Statement, drawing number 22-485r003B, written by Kingmoor</p>



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Consulting, received 31st May 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.

Pre-commencement Conditions

3. Development must not commence until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the local planning authority. The CTMP shall 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

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 in accordance with Policy DM22 of the Copeland Local Plan.

4. The development must not commence until visibility splays providing clear visibility of 60 metres measured 2.4 metres down the centre of the access road and the nearside channel line of the carriageway edge have been provided at the junction of the access road with the county highway. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind will be erected, parked or placed and no trees, bushes or

other plants will be planted or be permitted to grow within the visibility splay which obstruct the visibility splays. The visibility splays must be constructed before general development of the site commences so that construction traffic is safeguarded.

Reason:

In the interests of highway safety and in accordance with Policy DM22 of the Copeland Local Plan.

Prior to Occupation Conditions

5. Prior to the first occupation of the development hereby approved, highway improvements including two new pedestrian island crossing points and improved footway connectivity to these crossing points on the Moresby Parks Road must be constructed and available for use in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority. These must remain operational during the lifetime of the development.

Reason

In order to ensure active travel to and from the site in accordance with Policy DM22 of the Copeland Local Plan.

6. Prior to the occupation of the development hereby approved, details of a sustainable surface water drainage scheme and a foul water drainage scheme must be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:
- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
 - (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
 - (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;



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(iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and

(v) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Prior to occupation of the proposed development, the drainage schemes must be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason

To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution and in accordance with Policies ENV1 and DM24 of the Copeland Local Plan.

7. Prior to the first occupation of the development hereby approved, an accessible parking bay must be marked out and available for use on the application site in accordance with the details set out in the Cumbria Design Guide. The accessible bay must be maintained at all times whilst the building is operational.

Reason

To ensure that adequate provision is made for all users in accordance with the adopted car parking guidelines and in accordance with Policy DM22 of the Copeland Local Plan.

8. Prior to the first occupation of the development hereby approved, the carriageway access, footways, footpaths, must be designed, constructed, drained to the satisfaction of the Local Planning Authority and in this respect further details, including longitudinal/cross sections, must be submitted to the Local Planning Authority for approval. The building will not be occupied until a full specification has been approved. Any works so approved must be constructed before the development is complete.

Reason

To ensure a minimum standard of construction in the interests of highway safety and in accordance with Policy DM22 of the Copeland Local Plan.

9. Prior to the first occupation of the development hereby approved, the landscaping as detailed within the Proposed Site Layout, scale 1:250, drawing number 22-485-DWG001 H, received 31st May 2023 must be constructed. The landscaping must be maintained as such at all times thereafter, during the lifetime of the development.

Reason

In the interests of visual amenity and in accordance with Policy ENV5 of the Copeland Local Plan.

Other Conditions

10. Prior to their installation full details of all external lighting shall be submitted to and approved in writing by the Local Planning Authority. Development shall be maintained in accordance with the approved details at all times thereafter.

Reason

For the avoidance of doubt and to protect the visual and residential amenity within the locality.

Informative

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

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.



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Case Officer: Sarah Papaleo	Date : 01/06/2023
Authorising Officer: N.J. Hayhurst	Date : 05/06/2023
Dedicated responses to:-	