

## CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/23/2154/0F1
2.	<b>Proposed Development:</b>	PROPOSED CONSTRUCTION OF INFILL EXTENSION, ASSOCIATED INTERNAL ALTERATIONS AND NEW FENESTRATION/ALTERATIONS TO ROOF
3.	<b>Location:</b>	3 LECONFIELD INDUSTRIAL ESTATE, CLEATOR MOOR
4.	<b>Parish:</b>	Cleator Moor
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, 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 is located within Leconfield, an established industrial estate in Cleator Moor, situated some 600m to the north-west of the town centre. It is accessed via a mini roundabout off the B5295 /Leconfield Street.</p> <p>The estate currently accommodates some 20 industrial and warehouse units of varying sizes of standard commercial construction, including brick, profiled metal cladding and prefabricated steel frames. There are also a number of vacant / cleared plots. This established industrial estate has been in use since the 1940`s and more recently has suffered from a period of decline.</p> <p>The site the subject of this application comprises an existing very large industrial factory unit and external hardstanding / parking area measuring in total 10206.0 square metres with the building itself measuring 5651 square metres. It is situated to the north-west of the estate, close to the main entrance and fronts onto the main estate road. To the north it adjoins a large vacant plot, to the south two smaller factory units with the main estate road to the west. To the east it neighbours a regenerated woodland area. The nearest residential properties are existing terraced houses located some 50 metres plus away along Leconfield Street.</p>	

They are physically separated from the rear end of the site by intervening factory units and woodland.

## **Proposal**

The proposal involves extending and refurbishing the facilities at this existing aluminium extrusion manufacturer and machining company factory. The creation of 185 square metres of new floorspace is intended via a new infill extension. This will enclose an internal open area within the footprint of the site, situated behind the reception area which will not be visible from any of the external elevations. It will serve to provide much needed additional welfare facilities for employees, in the form of a new canteen, locker and changing room and toilets, office space and a temperature control room.

The proposed extension will measure some 33m x 6m in length and width and will be some 3.8m in height. It will tie into the existing building with brickwork walls and a flat parapet roof with glazed panels to match.

The works will also involve removing the existing glazed roof lanterns on the main factory building roof and replacing them with flatter profiled glazed panels and replacing the existing substandard grey metal roofing sheets with new insulated plastisol coated metal sheeting in a `Goosewing Grey` colour.

It should be noted that the original application involved installing solar PV panels on the full extent of the existing factory roof. This element has now been removed from the proposal and re-consultation and neighbour notification undertaken on the amended scheme.

## **Consultation Responses**

### Cleator Moor Town Council

No objections to the original and amended application.

### Natural England

No comments received.

### Highway Authority and LLFA

No objection to the proposed development (original and amended) as it is considered that it will not have a material effect on the existing highway nor will it increase the flood risk on the site or elsewhere.

### Flood and Coastal Defence Engineer

Raised initial concerns regarding flood risk and sought clarification. Further information was provided which was considered satisfactory and confirmed that the drainage hierarchy had



## Cumberland Council

been followed and that infiltration was not appropriate for the site.

### Conservation and Design Officer

No objections. Considers there is unlikely to be any heritage impacts as the design is very functional and has a low impact on its surroundings.

### Public Representation

This application has been advertised by way of a site notice and neighbour notification and re-advertised following an amendment. No responses to date have been received.

### **Planning Policy**

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

### **Copeland Local Plan 2013-2028 (CLP)**

This is the current local plan adopted in December 2013.

### **Relevant CLP policies:**

Policy ST1 Strategic Development Principles

Policy ST2 Spatial Development Strategy

Policy ER5 Improving the Quality of Employment Space.

Policy DM10 Achieving Quality of Place

Policy DM11 Sustainable Development Standards

Policy ENV3 Biodiversity and Geodiversity

Policy DM25 Protecting Nature Conservation Sites, Habitats and Species.

### **Copeland Local Plan 2001-2016 (saved policies)**

Saved Policy EMP1 of the previous Copeland Local Plan (2001-2016) designates Leconfield Industrial Estate as an employment site where development for employment and industry uses (Class B1 Office and Business, B2 General Industrial and B8 Storage and Distribution Uses) will be permitted.

### **Emerging Local Plan Copeland Local Plan – 2021-2038 (ECLP)**

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

The Planning Inspector has issued her post hearing letter, which identifies the next steps for the Examination. This includes proposed modifications to the plan to ensure a sound plan on

adoption.

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 ECLP policies (to which there have been no objections) 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

Strategic Policy DS6PU: Design and Development Standards

Strategic Policy DS7PU: Hard and Soft Landscaping

Strategic Policy DS8PU: Reducing Flood Risk

Strategic Policy DS9PU: Sustainable Drainage

Strategic Policy N1PU: Conserving and Enhancing Biodiversity and Geodiversity

Strategic Policy N3PU: Biodiversity Net Gain

Strategic Policy E4PU of the emerging Copeland Local Plan (2021-2038) allocates Leconfield Industrial Estate and adjacent land to accommodate the Cleator Moor Innovation Quarter business cluster. The primary uses on the Cleator Moor Innovation Quarter development will be limited to Use Class B2, Use Class B8 and Use Class E(g) only.

However, it should be noted that the CLP currently carries the primary weight in relation to decision making.

### **Other Material Considerations**

National Planning Policy Framework (2021)

National Planning Policy Guidance

National Design Guide

The Conservation of Habitats and Species Regulations 2017 (CHSR).

Cumbria Development Design Guide (CDDG).

## **Assessment**

### Principle of Development

The principle of development is already established with existing employment use rights on the application site which is located within the settlement boundary for Cleator Moor on an industrial estate which contains an existing employment unit.

The proposal comprising a new infill extension within the confines of the existing factory unit and refurbishment works including a new replacement roof and new rooflights. All of the alterations/ works will serve to enhance the appearance of this ageing industrial unit on the site and will support its continued use for employment thus aligning with CLP Policy ST1 - Strategic Development Principles.

The proposal is considered consistent with the role and function of the estate as an established industrial/commercial location and will help maintain and support its role in providing employment land to serve the local area, thus contributing to economic growth.

### Scale and Design

It is considered that the proposal will significantly enhance the appearance of the factory unit and contribute to that of the wider estate. It accords with CLP Policy ER5 Improving the Quality of Employment Space, Criterion B of which supports improvements of specific industrial areas. This policy supports the view that a more attractive environment and good quality premises are needed to help promote economic development and diversification.

Policy ST1 Strategic Development Principles Criterion D (i) and Policy DM10 Achieving Quality of Place aim to ensure the creation and retention of quality places by requiring and supporting improved design.

The design has had regard to the objectives of both local and national planning policies which seek to secure high quality design in all new developments. The proposed works include using a design and quality of materials which accords with the aspirations and objectives of these design policies.

### Ecology

The amended application raises no significant ecological issues.

### Flood Risk and Drainage

The Flood and Drainage Engineer initially raised concerns regarding flood risk and the lack of information as to establish whether the drainage hierarchy had been followed.

It was later confirmed that infiltration is not an option for the site. Also, there will not be an increase in impermeable area, the ground location of the proposed infill extension is not

	<p>permeable or porous.</p> <p>As regards discharge to Nor Beck, located some 250m away to the north-east of the site, it was accepted that this would not be feasible.</p> <p>The site therefore is drained on separate systems for foul and surface water drainage. The infill extension surface water will discharge into the existing surface water drainage system as is to be expected for a small infill extension on an industrial site.</p> <p>This additional information was considered to adequately address the issues and no further concerns were raised.</p> <p>It is reiterated that the Local Lead Flood Authority had raised no objections to the proposal on flood risk grounds.</p> <p><u>Planning Balance and Conclusion</u></p> <p>This application seeks planning permission for physical works to upgrade and refurbish one of the largest and most prominent industrial units on Leconfield Industrial Estate which sits close to the main entrance. The site lies within the settlement boundary of Cleator Moor.</p> <p>It has been demonstrated that the proposed development, as amended, will not raise any adverse material planning issues. As such it is considered that the benefits of the scheme will outweigh any disbenefits and result in a refurbished factory unit which will overall enhance the appearance of such a prominent building located adjacent to the gateway of the industrial estate, and fully accords with the principle of securing good design.</p> <p>Taking the above into account, it is concluded that the proposed development is compliant with the local plan and national planning policies, and the overarching objective of the NPPF to deliver sustainable development.</p>
8.	<p><b>Recommendation:</b></p> <p>Approve (commence within 3 years)</p>
9.	<p><b>Conditions:</b></p> <ol style="list-style-type: none"> <li>1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.</li> </ol> <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"> <li>2. Permission shall relate to the following plans and documents as received on the</li> </ol>

respective dates and development shall be carried out in accordance with them: -

Location Plan, reference PP-12118286v1, scale 1:1250.

Existing Ground Floor Plan, drawing no. 2281-02, scale 1:50, April 2023.

Proposed Ground Floor Plan, drawing no. 2281-03, scale 1:50, April 2023.

Amended - Proposed Site/ Block Plan, drawing no. 2281- Block Plan Rev A, scale 1:500, dated April 2023.

Amended - Existing and Proposed Site Plan and Elevations, drawing no. 2281-01 Rev A, scale 1:100 & 1:250, dated April 2023.

Amended - Existing Elevations, drawing no. 2281-04, scale 1:100 & 1:250, dated April 2023.

Amended - Proposed Elevations, drawing no. 2281-05, scale 1:100, dated April 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. The new factory unit roof shall comprise Goosewing Grey plastisol sheeting as confirmed in an email from the applicant's Agent, Paul Gudgeon of Ribble Valley Architects, received on 5 September 2023.

#### Reason

To ensure adequate control over the appearance of the development in the interests of the general amenity of the area.

#### Informative Note

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](http://www.gov.uk/government/organisations/the-coal-authority)

	<p><b>Statement</b></p> <p>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.</p>
<p><b>Case Officer: H.S. Morrison</b></p>	<p><b>Date : 07/09/2023</b></p>
<p><b>Authorising Officer: N.J. Hayhurst</b></p>	<p><b>Date : 11/09/2023</b></p>
<p><b>Dedicated responses to:- N/A</b></p>	