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**CUMBERLAND COUNCIL  
DELEGATED PLANNING DECISION**

1.	<b>Reference No:</b>	4/23/2251/0F1
2.	<b>Proposed Development:</b>	CREATE HARDSTANDING FOR PLACEMENT OF THREE SHIPPING CONTAINERS FOR TEMPORARY USE AS SITE COMPOUND STORAGE BLOCK, SITE OFFICE BLOCK AND SITE AMENITY SKILLS TRAINING BLOCK INCLUDING CAR PARKING, SECURITY FENCE & ASSOCIATED SERVICES
3.	<b>Location:</b>	PLOT 5B, WESTLAKES SCIENCE PARK, INGWELL DRIVE, MOOR ROW
4.	<b>Parish:</b>	Egremont
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change
6.	<b>Publicity Representations &amp; Policy</b>	Neighbour Notification Letter: NO  Site Notice: YES  Press Notice: NO  Consultation Responses: See report  Relevant Planning Policies: See report
7.	<b>Report:</b> <b>Site and Location</b>	<p>This application relates to Plot 5B on Westlakes Science and Technology Park in Whitehaven.</p> <p>The site is located to the southern edge of the Science Park and benefits from an existing access and it is screened by existing vegetation.</p> <p>The site is currently vacant and lies opposite the Good Lives growing project by the charity, Home to Work and has several polytunnels and storage containers on site.</p>

## **Proposal**

Planning Permission is sought for the erection of a hard standing for three shipping containers for temporary use as a site compound storage block, site office block and site amenity/skills training block. The development also includes car parking for 20 vehicles, a security fence and associated services.

The metal shipping containers will measure 12.159 metres in length, 2.483 metres in width and 2.591 metres in height.

The office base will provide space for 16 white collar professionals who work directly on Sellafield projects, supporting the 34 tradesperson on site to allow ease of work and collaboration with the working partners that occupy other sites on Westlakes.

The site will also provide construction training facility to upskill labour required to work directly on Sellafield site due to the country wide, skills shortage and provide improved socio-economic benefits to William King Construction and Sellafield.

The application has been supported by the following:

- Site Location Plan;
- Site Layout Plan;
- Proposed Shipping Container Elevations;
- Illustrative Image of Shipping Container Appearance;
- Design and Access Statement;
- Supporting Statement.

## **Planning History**

There has been no previous planning application on this plot. The wider Science Park has grown over a number of years and accommodates a number of large-scale buildings which are used for employment purposes.

## **Consultation Responses**

### Egremont Town Council

No objections.

### Highway Authority and Lead Local Flood Authority

Initial comments:



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No objections to the proposal, subject to the following recommended conditions being included in any Notice of Consent which may be issued:

Condition 1 – Access gates, if provided, shall be hung to open inwards only away from the highway.

Reason: In the interests of highway safety.

Condition 2 - Full details of the surface water drainage system (incorporating SUDs features as far as practicable) and a maintenance schedule (identifying the responsible parties) shall be submitted to the Local Planning Authority for approval prior to development being commenced. Any approved works shall be implemented prior to the development being completed and shall be maintained thereafter in accordance with the schedule.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. To ensure the surface water system continues to function as designed and that flood risk is not increased within the site or elsewhere.

Condition 3 - 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

Final comments:

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 to the proposed development as the conditions set out on previous response have been addressed and can be discharged due to the new information submitted to the LPA in October 2023. It is therefore considered that the proposed development will not have a material effect on existing highway conditions nor will it increase the flood risk on the site or elsewhere.

United Utilities

Initial comments:

Requested additional drainage details or to be secured by the following 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.

Final comments:

Further to the review of the submitted Design and Access Statement (ref DAS-001, Rev B) and the proposed site plan (ref P5B-WK-001), UU note the development does not proposed to connect to the public sewer network for foul or surface water, therefore UU have no further comments.

#### Public Representations

The application has been advertised by way of site notice – No comments have been received as part of this consultation.



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### **Planning Policy**

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 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 ER5 – Improving the Quality of Employment Space

Policy ENV5 – Protecting and Enhancing the Borough's Landscapes

#### Development Management Policies (DMP)

Policy DM4 – Westlakes Science and Technology Park

Policy DM10 – Achieving Quality of Place

Policy DM11 – Sustainable Development Standards

Policy DM22 – Accessible Developments

Policy DM24 – Development Proposals and Flood Risk

Policy DM26 – Landscaping

### **Other Material Planning Considerations**

National Planning Policy Framework (NPPF)

### **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.

The following policies are relevant to this proposal:

Policy DS1PU: Presumption in favour of Sustainable Development

Policy DS6PU: Design and Development Standards

Policy E1PU: Economic Growth

Policy E2PU: Location of Employment

Policy E3PU: Westlakes Science and Technology Park

Policy CO7PU: Parking Standards and Electric Vehicle Charging Infrastructure

### **Assessment**

The key issues raised by this proposal are the principle of development, justification for the development, its scale and design and the potential impact of the development, drainage and flood risk and highway safety.

#### Principle of Development

Policies ST1, ST2 and ER6 of the Copeland Local Plan concentrate development within the defined settlement boundaries in accordance with the Borough's settlement hierarchy. This site lies within Westlakes Science and Technology Park, which is located outside of any of the Borough's settlement boundaries. Policy ST2 seeks to restrict development outside of the defined settlement boundaries to that which has a proven requirement for such a location, including existing major employment locations, especially Westlakes Science and



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### Technology Park.

Policy DM4 only permits offices, research and development, studios, laboratories and high tech and light industrial uses which comprise scientific research and development within ancillary industrial production (i.e. Use Class B1) and ancillary development of education by Research Institutes, Universities or similar bodies (i.e. Use Class D1). Emerging Policy E3PU also restrict uses to E(g) and F1 use classes, although ancillary uses may be acceptable within the boundaries of the park (e.g. a gymnasium, café, crèche) to support the effective functioning of the Science Park and its employees, where a need can be demonstrated to the satisfaction of the Council.

The proposal seeks to provide a hard standing and three temporary shipping containers for use as a site compound storage block, site office block and site amenity/skills training block. A design and access statement and an additional supporting statement has been submitted to support the application, which set out the proposed office for white collar professionals and construction academy associated with William King Construction Limited to develop the knowledge of construction in the technology and nuclear industry.

On this basis, the principle of the development for office space and training is considered to be acceptable in accordance with Policies ST1, ST2 and DM4 and the NPPF guidance.

### Justification for Development

Policy DM4 requires development proposals to demonstrate the significant benefits, in terms of developing knowledge-based economy. Emerging Policy E3PU requires developments to demonstrate the need for the development and its links to the effective functioning of the Science Park and its employees.

A meeting with the applicant and agent was carried out understand the links to Sellafield and the wider Westlake site. The development will provide an office base for 16 white collar professionals who work directly on Sellafield projects, supporting the 34 tradesperson on site to allow ease of work and collaboration with the working partners that occupy other sites on Westlakes. The growth of the business on Westlakes will provide white-collar infrastructure to deal with the demands of working on the Sellafield site.

The site will also provide construction training facility to upskill labour required to work directly on Sellafield site due to the country wide, skills shortage and provide improved socio-economic benefits to William King Construction and Sellafield. It will also provide training and skills to local schools, under privileged children, children with learning difficulties and staff, providing future local employees and reputation as a local success story.

The Design and Access Statement and the Supporting Statement have also been submitted to set out the need for the development and how it will operate. The justification from William King Construction for the required location on Westlakes is considered to be acceptable, although a Personal Permission to William King Construction Ltd will ensure the link to the

wider site remains in place.

A temporary permission will also ensure that the land is not prevented from being redeveloped for employment purposes in the future.

On this basis, the proposal is considered to be suitably demonstrate the need for the development and the links to the wider Westlakes site in accordance with Policy DM4 and Emerging Policy E3PU.

#### Scale and Design

Policy ST1 and section 12 of the NPPF seek to promote high quality designs. Policy DM10 seek to ensure development is of an appropriate scale and design which is appropriate to their surroundings.

The proposed temporary buildings will be appropriately located within the site and they will be modest in scale. They will be located along the top northern part of the site to create a courtyard area and it will be well screened by the boundary vegetation. The proposed hard standing is also considered to be suitable in scale and material.

Illustrative visual images have been provided for the container designs but in the interest of visual amenity, it is considered appropriate to attach a condition for the final design and specification of the containers to be agreed in writing with the Local Planning Authority to ensure visual amenity is maintained.

The scale of the employees (14 full-time and 4 part-time members of staff) is considered appropriate and the operation can be secured by the use of a planning condition.

On this basis, the proposal is considered to comply with Policy DM10 and the NPPF guidance.

#### Impact of Development

Policy ST1, DM10 and section 12 of the NPPF seeks protection of residential amenity, a high standard of design, fostering of quality places, and proposals, which respond 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 site is located to the southern edge of the Westlakes Science and Technology Park, and relates to a vacant plot which benefits from an existing access road. The development will be small in scale and it will be screened by the existing vegetation surrounding the wider site which restrict views of it from outside the Science Park. The temporary development is therefore not considered to have a significant detrimental impact on the landscape or visual





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amenity of the area.

The proposal is therefore considered to comply with Policies ST1, ENV5 and DM10 of the Local Plan and section 12 of the NPPF.

### Drainage and Flood Risk

Policy ENV1 sets out an approach to ensure that new build development is not prejudiced by flood risk. Any risk should be managed appropriately. Policy DM24 seeks to ensure that new development is not at unacceptable risk of flooding and appropriate mitigation measures should be provided where necessary.

DM11 seeks to ensure surface water is managed appropriately and therefore the applicant has agreed to the pre-commencement condition to ensure that all surface water details are agreed.

United Utilities and LLFA requested additional drainage details and this has been provided by the agent. The drainage can be secured by the use of a planning condition and as a result, UU and the LLFA were satisfied with the proposed development and drainage are not considered to increase the flood risk on the site or elsewhere.

On this basis, the proposed drainage is considered to be acceptable in accordance with Policies ENV1, DM11 and DM24.

### Highway Safety

Policy DM22 requires development proposals to be accessible to all users; respond positively to existing movement patterns in the area; and, incorporate parking provision to meet adopted car parking standards. Emerging Policy CO7PU also seeks to ensure that developments provide adequate parking in accordance with Cumbria Development Design Guide.

The proposal will provide on-site parking for 20 vehicles.

The Highway Authority requested additional construction traffic management measures and these have been provided as part of the updated Design and Access Statement. These measures can be secured by the use of a planning condition and the Highway Authority has confirmed that they are satisfied with the additional information submitted and the development will not have a material effect on existing highway conditions.

On this basis, the proposal is considered to satisfy Policy DM22 and the Cumbria Development Design Guide.

### Planning Balance and Conclusion

The proposed temporary development is considered to be an acceptable form of development within the Westlakes site with a vision to expand into a more large scale permanent development within the Westlakes site. The need and benefits of the proposal

	<p>have been justified by William King Construction Ltd and it is of an appropriate scale and design and will not have any detrimental impact on the surrounding area. Due to the justification, it is appropriate to attach a personal permission to William King.</p> <p>The proposed drainage and highway impacts are considered to be acceptable.</p> <p>To ensure that the development is carried out in accordance with the details submitted, planning conditions are attached.</p> <p>Overall, it represents an acceptable form of development which accords with the policies set out within the adopted Local Plan and the guidance in the NPPF.</p> <p>Due to long-term growth plans for Westlakes Science and Technology Park, a temporary permission for two years is considered to be reasonable to restrict the long-term use of the site. The temporary two-year planning permission will also reflect the lease from the landowner, BEC.</p>
8.	<p><b>Recommendation:</b> Approve</p>
9.	<p><b>Conditions:</b></p> <ol style="list-style-type: none"> <li>1. The development hereby permitted shall be for a limited period of two years from the date of this decision. At the end of this period the use shall cease, all materials and equipment brought onto the land in connection with the development shall be removed from the site on or before this date and the land restored to its former condition.</li> </ol> <p>Reason</p> <p>The development hereby approved is not considered suitable as a permanent form of development in order to safeguard the amenities of the locality.</p> <ol style="list-style-type: none"> <li>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: - <ul style="list-style-type: none"> <li>- Application Form, received 11<sup>th</sup> September 2023;</li> <li>- Site Plan, scale 1:1250, drawing reference P5B-WK-001 received 11<sup>th</sup> September 2023;</li> <li>- Site Layout Plan, scale 1:150, drawing reference P5B-WK-001 received 11<sup>th</sup> September 2023;</li> <li>- Proposed Shipping Container Elevations, drawing reference P5B-WK-002, received</li> </ul> </li> </ol>



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11<sup>th</sup> September 2023;

- Design and Access Statement, DAS-001, Rev B, received 19<sup>th</sup> October 2023;
- Supporting Statement, SS-001, received 19<sup>th</sup> October 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. Prior to the installation of the shipping containers, the final details and specifications of the elevation design shall be submitted to and approved in writing by the Local Planning Authority. The development must be carried out in accordance with the approved details and be maintained thereafter.

### Reason

To protect the visual amenity of the area.

4. The use of the site hereby permitted shall be operated in accordance with the details set out in the Design and Access Statement Rev B and the Supporting Statement, received by the Local Planning Authority on 19<sup>th</sup> October 2023. The operating measures must be carried out and maintained thereafter.

### Reason

In order to safeguard the amenities of the locality.

5. The drainage hereby permitted shall be operated in accordance with the details set out in the Design and Access Statement Rev B, received by the Local Planning Authority on 19<sup>th</sup> October 2023. The drainage measures must be carried out and maintained thereafter.

### Reason

To ensure suitable drainage is provided.

6. The Construction Traffic Measures shall be operated in accordance with the details set out in the Design and Access Statement Rev B, received by the Local Planning Authority on 19<sup>th</sup> October 2023. The construction traffic measures must be carried out and maintained thereafter.

Reason

In order to safeguard the amenities of the locality.

7. The proposed use hereby permitted shall only be operated by William King Construction Limited.

Reason

In order to safeguard the amenities of the locality.

### **Informative Notes**

1. Access gates, if provided, shall be hung to open inwards only away from the highway.
2. 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)



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<b>Statement</b>	
<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>	
<b>Case Officer: C. Wootton</b>	<b>Date : 21/11/2023</b>
<b>Authorising Officer: N.J. Hayhurst</b>	<b>Date : 21/11/2023</b>
<b>Dedicated responses to:- N/A</b>	