



## CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/24/2059/0F1
2.	<b>Proposed Development:</b>	CONSTRUCTION OF TWO YARDS WITH FENCING AND GATES TO EACH YARD
3.	<b>Location:</b>	UNIT 1 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, Coal - Development Referral Area - Data Subject to Change,
6.	<b>Publicity Representations &amp;Policy</b>	See Report
7.	<b>Report:</b>	<p><b>Site and Location</b></p> <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><b>Proposal</b></p> <p>The site comprises part of an established manufacturing firm currently operating on the industrial estate. It is the intention to relocate the factory`s waste storage area by forming two yards on part of the existing car park (Yard 1) and on an existing hardstanding to the side</p>

of the building (Yard 2). This is part of an overall plan to return part of the factory back to the Council as landlord. To enable this the waste storage area needs to be relocated to an area accessible from the factory units to be retained.

It is proposed that Yard 1 will contain the existing fire vault for the storage of hazardous materials, containers for recyclable materials, wheelie bins and an inert gas storage cylinder cage within a 2.4m high galvanised steel fenced compound area measuring 8m x 3m in area. Works here will involve providing a 6m wide gated access off the adjacent car park and part removal of a grassed area and replace with tarmac.

Yard 2 will be used to hold skips for the site's waste timber and metals as required. It will provide an area of 10.4 sqm, with 4m wide double gates and surrounding 2.4m high galvanised steel fencing. No groundworks are required here as this area is already a hardstanding providing access to a liquid oxygen vessel compound.

### **Consultations**

#### Cleator Moor Town Council

No objections

#### Highway Authority & LLFA

No objection, they recognise that some localised access widening is needed for Yard 1 but accept that due to the limited scope and scale of the works, it will not have a material impact on the highway. Also, the small increase in impermeable area is not likely to increase flood risk to the site or elsewhere.

#### Coal Authority

Raise no issues.

### **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.



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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 Copeland Local Plan 2017 - 2038 (ELP):**

Cumberland Council are continuing the preparation and progression to adoption of the ELP.

The Local Plan Examination Hearing Sessions were completed in March 2023.

The appointed Planning Inspector issued the post hearing letter in June 2023, which identified the next steps for the examination.

The Inspector has now considered all representations and the discussions that took place during the Local Plan Examination Hearing Sessions in 2023 and has identified a number of amendments or 'modifications' that are required in order to ensure the ELP is sound i.e. positively prepared, justified, effective and consistent with national planning policy.

A six-week public consultation seeking views on the proposed modifications to the ELP commenced on Wednesday 14th February 2024 and closed on the 28<sup>th</sup> March 2024.

As set out in 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 advanced stage of preparation of the ELP full weight can be attached to policies where no objections have been received or objections have been resolved. Once the consultation on the main modifications to the ELP is complete and confirmed, significant weight can be afforded to the policies of the ELP where modifications are proposed.

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 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.

### **Other Material Considerations**

National Planning Policy Framework (2021)

National Planning Policy Guidance

### **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 active industrial estate.

The proposal comprising creation of two new yards for waste storage, set within the confines of the existing factory site supports the factory's continued use for employment aligning with CLP Policy ST1 - Strategic Development Principles.

#### Scale & Design

The proposed works are relatively minor in scale and in design terms raise no issues, being fit for purpose small scale waste storage yards set against an existing industrialised backdrop.

#### Planning Balance and Conclusion

This application seeks planning permission for the creation of two waste storage yards on one of the largest industrial units on Leconfield Industrial Estate which sits within reasonable proximity to the industrial estate's main entrance. The site lies within the settlement boundary of Cleator Moor.

It has been demonstrated that the proposed development will not raise any adverse material planning issues. These are relatively small scale, minor works within the existing factory site. Relocating the storage areas will enable the factory to remain operational whilst part of it is returned to the Council for redevelopment.

Taking the above into account it is considered that the benefits of the proposal will outweigh any adverse impacts. It will enable the future development potential for the whole of the



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	<p>industrial estate to be unleashed, according to the principle of securing good design.</p> <p>As such the proposed development is considered to be compliant with the emerging local plan, 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> <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>Location Plan, scale 1:1250, dated 7 February 2024 Plan showing Yard 1 &amp; 2 Locations, by ReQuestaPlan, ref. TQRQM24025161150649, scale 1:1250. Dated 25 January 2024. Block Plan Proposed Location of Yard 1 &amp; Yard 2, dated 25 January 2024. Summary of Works v5. S. Brannan &amp; Sons, received 8 February 2024 Fire Vault Specification, Chemstore UK, ref. CUK75067(R6). Dated 23 July 2020.</p> <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><b>Informative</b></p> <p>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.</p> <p>Further information is also available on the Coal Authority website at: <a href="http://www.gov.uk/government/organisations/the-coal-authority">www.gov.uk/government/organisations/the-coal-authority</a></p>

	<b>Statement</b>  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.
<b>Case Officer: H.S. Morrison</b>	<b>Date : 15/04/2024</b>
<b>Authorising Officer: N.J. Hayhurst</b>	<b>Date : 16/04/2024</b>
<b>Dedicated responses to:- N/A</b>	