

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/24/2184/DOC
2.	Proposed Development:	DISCHARGE OF CONDITIONS 3, 4, 5, 6, 7 AND 8 OF PLANNING APPLICATION 4/22/2051/0F1
3.	Location:	WHITEHAVEN GOLF CLUB, RED LONNING
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	See report.
7.	Report: Site and Location: The Application Site comprises Whitehaven Golf Club, Red Lonning, Whitehaven, Cumbria. The Course is located to the east of Whitehaven and to the south of Moresby Parks. The Course is bounded by Red Lonning to the west and south; Moresby Parks Road to the east; and, Round Close Park and agricultural land to the north. The Course extends to approximately 77ha. The Application Site is located within Flood Zone 1.	

The site is not within a landscape designation.

Directly Relevant Planning Application History:

App. ref. 4/22/2051/0F1 – 1. Phased alterations to existing 18 hole golf course over a period of 15 years, including alterations to ground levels through importation of inert material and soils, the creation of additional planting areas, the replacement of existing planting areas and alterations to drainage; and, 2. The alteration of the existing site access and adjacent layby. – Approved subject to planning conditions.

Proposal:

This application seeks approval of the requirements of planning condition 3, 4, 5, 6, 7 and 8 planning application ref. 4/22/2051/0F1.

The information submitted in support of the application comprises the following:

Application Form

Site Plan – Drawing No. WGC 1070-06_102 Rev. 0

Conditions 3

Plan Showing Tracks crossing the Water Mains within the site of Whitehaven Golf Course – Drawing No. WGC 1070_6_601 Rev. 2

Design Calculations – Whitehaven Golf Club – Pipeline Surcharge Loads – Ref. K41188 – Version: Original

Condition 4

S278 Works - Two way Layby General Arrangement – Drawing No. K41188 01

Condition 5

Tree Constraints Plan – Drawing No. WGC 1070_6_700 – Rev. 0
Tree Protection and Arboricultural Method Statement For Whitehaven Golf Course Prepared for Western Lakes Ltd Prepared by Galpin Landscape Architecture Ltd January 2024 - Report Issue: GLA Whitehaven Golf Course Tree Protection and Arboricultural Method Statement _FINAL_160524

Condition 6

Biodiversity Net Gain Assessment - Groundworks at Whitehaven Golf Course 15th March



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Detailed Planting Plans Phase 1 - Mound 1 – Drawing No. WGC 1070_7011 Rev. 1
Phase 1 - Mound 2 - Proposed Planting and Seeding – Drawing No. WGC 1070_7021 Rev. 1
Wildflowers West of 14th Tee – Drawing No. WGC 1070_7022 Rev.0
Scrub Area North of 18th Tee Mound2a – Drawing No. WGC 1070_7023 Rev.1
Wildflower Areas to the South of the Clubhouse – Drawing No. WGC 1070_7024 Rev.0
Detailed Planting Plans Phase 2 - Mound 3 – Drawing No. WGC 1070_7031 Rev. 2
Detailed Planting Plans Phase 3 - Mound 4 – Drawing No. WGC 1070_7041 Rev. 2
Detailed Planting Plans Phase 4 - Mound 6 – Drawing No. WGC 1070_7061 Rev. 1
Detailed Planting Plans Phase 4 - Mound 7 – Drawing No. WGC 1070_7071 Rev. 1
Wildflowers Around Ponds – Drawing No. WGC 1070_7072 Rev. 0
Detailed Planting Plans Phase 5 - Mound 9 – Drawing No. WGC 1070_7091 Rev. 1
Individual Trees - Plan 1 of 3 – Drawing No. WGC 1070_7101 – Rev. 0
Individual Trees - Plan 2 of 3 – Drawing No. WGC 1070_7102 Rev. 0
Individual Trees - Plan 3 of 3 – Drawing No. WGC 1070_7103 Rev. 0
Individual Tree Schedule – Drawing No. WGC 1070_7104 Rev. 0
Scrub Mix Schedules – Drawing No. WGC 1070_7105 Rev. 0
Wildflower Mix Schedules – Drawing No. WGC 1070_7106 Rev. 0

Condition 7

Construction Environmental Management Plan (CEMP) For Whitehaven Golf Course
Prepared for Western Lakes Ltd Prepared by Galpin Landscape Architecture Ltd February
2024 – Ref. Report Issue: GLA Whitehaven Golf Course CEMP_FINAL_010224
Risk Assessment Method Statement (RAMS) – RAMS Number: 0002. Revision Number: 0.
CEMP Plan – Drawing No. WGC 1070_6_600R Rev. 0

Condition 8

Whitehaven Golf Club - Construction Traffic Management Plan Ref. K41188 C

Consultee:	Nature of Response:
Arb. Consultant	<p>DISCUSSION</p> <p>We have the following comment/observation to make on the submitted documents.</p> <p>The applicant has submitted:</p> <ul style="list-style-type: none">• A Tree Protection and Arboricultural Method Statement produced by Galpin Landscape, along with a Tree Protection Plan (Dwg. No.1070/6/700);• A Biodiversity Net Gain Assessment (Report No.0324/1); and• Detailed

		<p>planting plans and planting specifications (Dwg. No.WGC 1070_7011, 7021, 7022, 7024, 7031, 7041, 7061, 7071, 7072, 7091, 7101, 7102, 7103, 7104 & 7105) produced by Galpin Landscape. The plans include a plant specification for the new trees.</p> <p>The Tree Protection and Arboricultural Method Statement documents and planting plans fulfil the requirements of planning conditions 5 & 6.</p> <p>RECOMMENDATIONS</p> <p>Inform the applicant in writing the Tree Protection and Arboricultural Method Statement and Tree Protection Plan (Dwg. No.1070/6/700) for protection of the existing trees and the Detailed planting plans and planting specifications (Dwg. No.WGC 1070_7011, 7021, 7022, 7024, 7031, 7041, 7061, 7071, 7072, 7091, 7101, 7102, 7103, 7104 & 7105) fulfil the relevant parts of planning conditions 5 & 6 to enable construction.</p> <p>These documents must be implemented in full to discharge the requirements of the planning conditions.</p>
	<p>Cumberland Council – Highways and LLFA</p>	<p><i>June 2024</i></p> <p>Cumberland Council as the Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) has reviewed the above planning reference and our findings are detailed below.</p> <p>Condition 3 - The above condition is not for the LHA and LLFA to discharge.</p> <p>Condition 4 - The LHA and LLFA are content with the supporting information submitted to the LPA, therefore condition 4 can be discharged.</p> <p>Condition 5 - The above condition is not for the LHA and LLFA to discharge.</p> <p>Condition 6 - The above condition is not for the LHA and LLFA to discharge.</p> <p>Condition 7 - The above condition is not for the LHA and LLFA to discharge.</p> <p>Condition 8 - The LHA and LLFA welcome the CTMP submitted to the LPA but would like further detail on the following points within the CTMP</p>

		<p>before condition 8 can be discharged.</p> <ul style="list-style-type: none"> • pre-construction road condition established by a detailed survey for accommodation works within the highways boundary conducted with a Highway Authority representative; with all post repairs carried out to the satisfaction of the Local Highway Authority at the applicants expense; • 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; <p><i>September 2024</i></p> <p>Cumberland Council as the Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) has reviewed the above planning reference and our findings are detailed below.</p> <p>Condition 3 - The above condition is not for the LHA and LLFA to discharge.</p> <p>Condition 4 - The LHA and LLFA are content with the supporting information submitted to the LPA, therefore condition 4 can be discharged.</p> <p>Condition 5 - The above condition is not for the LHA and LLFA to discharge.</p> <p>Condition 6 - The above condition is not for the LHA and LLFA to discharge.</p> <p>Condition 7 - The above condition is not for the LHA and LLFA to discharge.</p> <p>Condition 8 - The LHA and LLFA are content with the supporting information submitted to the LPA, therefore condition 8 can be discharged.</p>
	Cumberland - Ecologist	<p>Condition 5 – Arboriculture</p> <p>Please seek separate arboriculture consultation.</p> <p>Condition 6 – Biodiversity Net Gain</p> <p>To provide a Biodiversity Net Gain (BNG) Strategy and a Project Implementation Plan prior to the commencement of each phase, or for</p>

		<p>the whole site.</p> <p>The Metric submitted for the whole site was used in the version published at that time. The plans meet the trading rules of the metric for the whole sites with good habitat creation and enhancements proposed. The BNG report submitted gives management of habitats to establishment and monitoring through to 30 years.</p> <p>The planting plan submitted is the Project Implementation Plan. This shows detailed plans for post development habitats for the whole site.</p> <p>The county ecologist confirms that Condition 6 may be discharged.</p> <p>Condition 7 – Construction Environment Management Plan</p> <p>The CEMP Plan submitted depicts elements of the CEMP however there is no document attached which states procedures as requested in the wording of Condition 7:</p> <p>“The CEMP shall include:</p> <ul style="list-style-type: none"> ▪ details of the means of access and parking for construction traffic and vehicles ▪ procedures for the loading and unloading of plant and materials ▪ details of the areas to be used in the storage of plant and materials used in the development ▪ details of measures to control dust, emissions, sediments and pollutants arising from the development, specifically including measures to prevent the discharge of such materials to existing watercourses ▪ details of measures to control noise and vibration impacts ▪ a scheme for recycling/disposing of waste resulting from construction works.” <p>This document has been received in June 2024 detailing the above. Therefore, it is the opinion of the county ecologist that Condition 7 can be discharged however, please seek clarification from relevant officer.</p>
	Environmental Health	As regards the submission of the Construction Environment Management Plan, this is considered satisfactory and condition 7 is therefore discharged.
	United Utilities	<p><i>June 2024</i></p> <p>Further to our review of the submitted documents, United Utilities cannot recommend the discharge of condition 3. This is because there are no</p>

there are no calculations indicating that any potential loads are spread sufficiently to meet the United Utilities standard conditions (link below). On receipt of loading calculations, we can provide further comment.
<https://www.unitedutilities.com/builders-developers/your-development/planning/buildingover-or-working-near-our-assets/working-near-our-pipes/>

July 2024

Further to our review of the submitted documents, United Utilities has no objection to condition 3 being discharged.

The requested calculations are acceptable. However, the applicant must ensure that discussions continue to ensure any loading on the water mains is distributed in agreement with United Utilities.

The ways to contact the team are detailed in the Appendix, Section 4.0 'Contacts'.

We request that a copy of this letter and Appendix is made available to the applicant.

Neighbour Responses:

N/A.

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 (CS):

Policy ST1 – Strategic Development Principles

Policy T1 – Improving Accessibility and Transport

Policy ENV3 – Biodiversity and Geodiversity

Policy ENV5 – Protecting and Enhancing the Boroughs Landscapes

Development Management Policies (DMP):

Policy DM10 – Achieving Quality of Place

Policy DM11 – Sustainable Development Standards

Policy DM22 – Accessible Developments

Policy DM25 – Protecting Nature Conservation Sites, Habitats and Species

Policy DM26 – Landscaping

Policy DM28 – Protection of Trees

Emerging Copeland Local Plan (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 their post hearing letter in June 2023, which identified the next steps for the examination.

The appointed Planning 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 28th March 2024.

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.

The Report on the Examination of the ELP was received on the 23rd September 2024. Given the advanced stage of preparation and with adoption pending, full weight can be attached to the policies of the ELP.

Policy DS2PU - Reducing the impacts of development on Climate Change

Policy DS6PU - Design and Development Standards

Policy DS7PU - Hard and Soft Landscaping



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Policy DS10PU - Soils, Contamination and Land Stability
Policy N1PU - Conserving and Enhancing Biodiversity and Geodiversity Strategic
Policy N13PU - Woodlands, Trees and Hedgerows

Other Material Planning Considerations

National Planning Policy Framework (NPPF).
Planning Practice Guidance (PPG).
The Conservation of Habitats and Species Regulations 2017 (CHSR).
Cumbria Development Design Guide (CDDG).

Assessment:

Condition 3

Prior to the commencement of development, including any works of demolition, site clearance or excavation, a detailed scheme for the protection from damage of United Utilities water mains that are laid within the site boundary shall be submitted to and approved in writing by the local planning authority.

The scheme shall include:

- (i) A survey that identifies the exact location of all water mains in the red line boundary;*
 - (ii) The potential impacts on the water mains from construction activities (including the construction compound);*
 - (iii) The impacts post completion of the development on the infrastructure that crosses the site;*
 - (iv) Identification of mitigation measures, including a timetable for implementation, to protect and prevent any damage to the infrastructure both during construction and post completion of the development; and*
 - (v) A pre-construction condition survey of water main infrastructure within the site boundary.*
- The duly approved scheme of mitigation measures shall be implemented in full prior to and throughout the construction period, with approved post completion measures retained thereafter for the lifetime of the development.*

United Utilities have raised no objections to approval of the requirements of this planning condition.

Condition 4

No development shall commence until detailed specifications of the access, carriageways and footways have been submitted to and approved in writing by the local planning authority. The access, carriageways and footways shall be designed, constructed, drained and lit to a standard suitable for adoption and shall be in accordance with the standards laid down in the Cumbria Development Design Guide or any superseding document. Any works so approved shall be constructed before the development is complete.

Cumberland Council – LLFA have raised no objections to approval of the requirements of this planning condition.

Condition 5

Prior to the commencement of each phase of development a full Arboricultural Impact Assessment (AIA) prepared in accordance with the recommendations of BS 5837:2012 shall be submitted to and approved in writing by the local planning authority unless an AIA has previously been submitted to and approved in writing by the local planning authority for the whole site.

The AIA shall consider the exact relationship between the development and any existing trees on and adjacent to the Application Site and include a detailed tree protection plan/scheme.

The development shall be implemented in accordance with the approved details.

Cumberland Council – Arb. Consultant has raised no objections to approval of the requirements of this planning condition. The submitted details relate to the whole site and just a single phase. Approve requirements of planning condition for all phases of the development i.e. the whole development.

Condition 6

Prior to the commencement of each phase of development a Biodiversity Net Gain Strategy (BNGS) and a Project Implementation Plan (PIP) shall be submitted to and approved in writing by the local planning authority unless a BNGS and a PIP has previously been submitted to and approved in writing by the local planning authority for the whole site.

The BNGS shall detail proposals to redress loss of biodiversity and the mitigation strategy proposed shall include all on and off-site habitats required to deliver a net gain. The BNGS shall use the Biodiversity Metric 3.0 Calculation Tool unless an amended statutory Biodiversity Metric Calculator associated with the Environment Act 2021 becomes mandatory.

The PIP shall detail the delivery of ecological BNG mitigation and compensation, in accordance with the approved BNG strategy. The PIP shall include timescales for implementation, and an ongoing management and maintenance plan.

The BNGS and PIP shall be implemented, managed and maintained in accordance with the approved details.

Cumberland Council – Ecologist has raised no objections to approval of the requirements of this planning condition. The submitted details relate to the whole site and just a single phase. Approve requirements of planning condition for all phases of the development i.e. the whole development.

Condition 7

Prior to the commencement of each phase of development a Construction Environmental



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Management Plan (CEMP) shall be submitted to and approved in writing by the local planning authority unless a CEMP has previously been submitted to and approved in writing by the local planning authority for the whole site.

The CEMP shall include:

- details of the means of access and parking for construction traffic and vehicles - procedures for the loading and unloading of plant and materials*
- details of the areas to be used in the storage of plant and materials used in the development*
- details of measures to control dust, emissions, sediments and pollutants arising from the development, specifically including measures to prevent the discharge of such materials to existing watercourses*
- details of measures to control noise and vibration impacts*
- a scheme for recycling/disposing of waste resulting from construction works.*

The approved CEMP shall be adhered to throughout the construction period.

Cumberland Council – Ecologist and Environmental Health Officer has raised no objections to approval of the requirements of this planning condition. The submitted details relate to the whole site and just a single phase. Approve requirements of planning condition for all phases of the development i.e. the whole development.

Condition 8

Prior to the commencement of each phase of development a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the local planning authority unless a CTMP has previously been submitted to and approved in writing by the local planning authority for the whole site.

The CTMP shall include details of:

- pre-construction road condition established by a detailed survey for accommodation works within the highways boundary conducted with a Highway Authority representative; with all post repairs carried out to the satisfaction of the Local Highway Authority at the applicants expense;*
- details of proposed crossings of the highway verge;*
- 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; and,*
- details of any proposed temporary access points (vehicular / pedestrian).*

Cumberland Council – LLFA have raised no objections to approval of the requirements of this

	<p>planning condition.</p> <p>The information initially submitted related to the construction of the layby only; however, this was subsequently amended to include the whole site.</p> <p>Approve requirements of planning condition for all phases of the development i.e. the whole development.</p> <p>Conclusion</p> <p>Condition 3 – Approve requirements of planning condition.</p> <p>Condition 4 – Approve requirements of planning condition.</p> <p>Condition 5 – Approve requirements of planning condition for all phases of the development.</p> <p>Condition 6 – Approve requirements of planning condition for all phases of the development.</p> <p>Condition 7 – Approve requirements of planning condition for all phases of the development.</p> <p>Condition 8 – Approve requirements of planning condition for all phases of the development.</p>	
8.	<p>Recommendation:</p> <p>Approve</p>	
9.	<p>Condition(s):</p> <p>N/A</p>	
Case Officer: Chris Harrison		Date : 22/10/2024
Authorising Officer: N.J. Hayhurst		Date : 28/10/2024
Dedicated responses to:- N/A		