

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/24/2311/DOC
2.	Proposed Development:	DISCHARGE OF CONDITIONS 9 AND 10 OF PLANNING APPLICATION 4/22/2364/0F1
3.	Location:	FORMER CLEATOR MILLS SITE, CLEATOR
4.	Parish:	Cleator Moor
5.	Constraints:	ASC;Adverts - ASC;Adverts, Flood Area - Flood Zone 2, Flood Area - Flood Zone 3, SSSI - SSSI, Coal - Standing Advice - Data Subject To Change, Outer Consultation Zone - Sellafield 10KM
6.	Publicity Representations &Policy	N/A
7.	Report: Site and Location: <p>The Application Site comprises part of the former Cleator Mills site in Cleator.</p> <p>The Application Site comprises the location of a number of former mill buildings which have previously been demolished.</p> <p>The Application Site is located within Flood Zone 2/3.</p> <p>The Application Site is located adjacent to the River Ehen Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI).</p>	

Directly Relevant Planning Application History:

App. ref. 4/22/2364/0F1 – Construction of new warehouse unit with ancillary offices – Approved subject to planning conditions.

Proposal:

This application seeks approval of the requirements of Planning Condition 9 and Planning Condition 10 of planning application ref. 4/22/2364/0F1.

Building Branding

9. Notwithstanding the submitted details, no development hereby approved shall be occupied until a detailed scheme of building branding has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to first occupation of the development hereby approved.

Lighting

10. No development hereby approved shall be occupied until a scheme for the provision of external lighting has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include full details of the location, design, luminance levels, light spillage and hours of use of all external lighting within the site. The approved lighting scheme shall be implemented in full prior to first occupation of the development hereby approved.

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

Application Form

Planning Condition 9

No scheme of building branding proposed.

Plans of the advertisements proposed by the tenant were submitted; however, these were subsequently withdrawn.

An application for Advertisement Consent for these advertisements is to be submitted separately.

Planning Condition 10

1701C Cleator Mills - Condition 10 - Light Spillage Plan

1701C Cleator Mills - Condition 10 - Flood Datasheet

1701C Cleator Mills - Condition 10 - Guardian Pro Datasheet

1701C Cleator Mills - Condition 10 - Light Spillage Plan – Drawing No. D52709/JB/A

1701C Cleator Mills - Condition 10 - Urban Datasheet
1701C Cleator Mills - Condition 10 - Zactis Datasheet

Consultee:	Nature of Response:
Environmental Health	<p>The (Artificial) Light Spillage Plan is helpful and confirms that there will not be excessive light spillage to residential dwellings in the area.</p> <p>As such, Environmental Health are satisfied that condition 10, relating to lighting, may be discharged.</p>
Conservation and Design Officer	<p>This application provides information to discharge two pre-occupancy conditions attached to 4/22/2364/0F1.</p> <ul style="list-style-type: none"> ○ Details of external signage ○ Details of external lighting <p>The signage appears attractive and high quality and should complement the general design of the building. It does not appear likely it will have a harmful impact on the setting of the former mill building non-designated heritage asset located adjacent.</p> <p>The external lighting doesn't appear at odds with the design of the building or heritage sensitivity of its setting, but I have no comment to make on the actual light level or coverage.</p>
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 2021 - 2039 (LP):

Cumberland Council continued the preparation of the LP as commenced by Copeland Borough Council.

The LP was adopted by Cumberland Council on the 5th of November 2024 replacing the Copeland Local Plan 2013-2028 and the saved policies of the Copeland Local Plan 2021-2016.

Policy DS4: Design and Development Standards

Strategic Policy N1: Conserving and Enhancing Biodiversity and Geodiversity

Other Material Planning Considerations

National Planning Policy Framework (NPPF).

Planning Practice Guidance (PPG).

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

Assessment:

Planning Condition 9

No scheme of building branding proposed.

Planning Condition 9 was imposed to control any scheme of building branding proposed. Building branding was detailed on the submitted CGIs; however, details were not included on the plans/elevations. As such, a planning condition was imposed to control such details for the avoidance of doubt.

A scheme of building branding was not required to make the development acceptable.

Plans of the advertisements proposed by the tenant were submitted; however, these were subsequently withdrawn.

An application for Advertisement Consent for these advertisements is to be submitted separately.

Planning Condition 10

The Conservation Officer and Environmental Health Officer have confirmed that there will not be excessive light spillage to residential dwellings in the area and that the external lighting doesn't appear at odds with the design of the building or heritage sensitivity of its setting.

	<p>The Bat Survey submitted in support of app. ref. 4/22/2364/OF1 stated:</p> <p><i>A sensitive lighting scheme should be implemented during and after construction to avoid indirect disturbance to foraging and commuting bats, birds and small mammals that may be using the nearby river, trees and grassland, and should include the following elements:</i></p> <ul style="list-style-type: none"> <i>o Sensitive positioning of lighting to avoid unnecessary spill onto the nearby river, trees and grassland.</i> <i>o Angle of lighting: avoidance of direct lighting and light spill onto areas of habitat that are of importance as commuting pathways and/or foraging areas;</i> <i>o Type of lighting: studies have shown that light sources emitting higher amounts of UV light have a greater impact to wildlife. Use of narrow-spectrum bulbs that avoid white and blue wavelengths are likely to reduce the number of species impacted by the lighting;</i> <i>o Reduce the height of lighting columns to avoid unnecessary light spill.</i> <p>It has been demonstrated that that the proposed scheme of lighting is principally contained to the developed area, with <i>no spill onto the nearby river and limited spill onto the adjacent trees and grassland.</i></p> <p>The height of the lighting is consistent with the height of the approved building with the column mounted lights 1m higher.</p> <p>Conclusion</p> <p>Condition 9 – Approve requirements of planning condition.</p> <p>Condition 10 – Approve requirements of planning condition.</p>	
8.	<p>Recommendation:</p> <p>Approve</p>	
9.	<p>Condition(s):</p> <p>N/A</p>	
Case Officer: C. Harrison		Date : 10.12.2024
Authorising Officer: N.J. Hayhurst		Date : 11.12.2024
Dedicated responses to:- N/A		

