

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/24/2373/0F1
2.	Proposed Development:	THE ESTABLISHMENT OF A COMMUNITY GARDENING INITIATIVE BASED ON PROVIDING THERAPUTIC BENEFITS TO THE LEARNERS WHO ATTEND - PROVIDING FOOD TO THOSE WHO NEED IT IN AN ENVIRONMENTALLY FRIENDLY WAY (RETROSPECTIVE)
3.	Location:	LAND AT WEST LAKES SCIENCE AND TECHNOLOGY PARK, INGWELL DRIVE, MOOR ROW
4.	Parish:	Egremont
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change
6.	Publicity Representations &Policy	Neighbour Notification Letter: NO Site Notice: YES Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report: Site and Location This application relates to a parcel of land on the southern edge of the Westlakes Science Park. The land is surrounded by open land to the south, west and east and has Ingwell Drive to the north. The buildings within the science park are mostly to the north, with some to the far west. Access to the site is from a small road that joins onto Ingellwell Drive which forms part of the	

internal spine road that serves the whole of the Science Park.

Relevant Planning Application History

Outline application for development of land for industrial and commercial purposes (B1, B2 and B8 uses), approved in June 1999 (application reference 4/98/0271/0 relates);

Layout of roads, development plots and landscaping (reserved matters), approved in June 1999 (application reference 4/99/0136/0 relates);

Roads to serve plots 2 and 4, approved in June 2003 (application reference 4/03/0549/0 relates); Estate road to serve plot 5, approved in September 2003 (application reference 4/03/1055/0 relates);

2 no. office blocks, approved in October 2003 (application reference 4/03/0971/0 relates);

Construction of visitor car park (76 spaces), approved in November 2003 (application reference 4/03/1247/0 relates).

Planning permission was granted for the erection of a wooden yurt for use for therapeutic services in 2023 – application reference 4/23/2215/0F1 relates)

Proposal

This is a retrospective planning application for the establishment of a community gardening initiative. The scheme offers therapeutic benefits and food to those who need it in an environmentally friendly way. The site includes 6 large polytunnels, a yurt (already granted permission), a welfare cabin, tool shed and kitchen.

The site is open from 9am to 4pm, Monday to Friday with learners attending from 10am to 2pm.

The project, known as Goodlives is accessible to all and has been in situ since 2022.

Goodlives is a community-focused project which was established as part of Home to Work's mission. Goodlives serves as an initiative to support community members in gaining practical skills and training to re-engage economically. Home to Work was created to empower the local area, fostering economic growth by helping those not currently in the workforce to take steps toward active participation. Goodlives is run by Skills 4 You which seeks to specifically address rising unemployment in Copeland by offering practical work experiences and skill development to help people overcome barriers to employment.

Consultation Responses

Egremont Town Centre



Cumberland Council

No response received the consultation period.

Highways and Local Lead Flood Authority

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 it is considered that it will not have a material effect on existing highway conditions nor will it increase the flood risk on the site or elsewhere.

Environmental Health

There are no objections to this development from Environmental Health.

All foul waste (including grey water from any kitchen / sinks in the cabins) should be disposed of by specialist collection, given that there are no on-site foul drains and sewers.

The applicants may need to register as a food provider if food is provided to the wider community on a regular and organised basis, see: <https://www.food.gov.uk/safety-hygiene/providing-food-at-community-and-charity-events>

Public Representation

The application has been advertised by way of a site notice.

No responses were received as part of this advertisement.

Planning Policies

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 the 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.

The policies relevant to this proposal are:

Strategic Policy DS1: Settlement Hierarchy

Strategic Policy DS2: Settlement Boundaries

Policy DS4: Design and Development Standards

Policy DS5: Hard and Soft Landscaping

Strategic Policy DS6: Reducing Flood Risk

Policy DS7: Sustainable Drainage

Policy DS8: Soils, Contamination and Land Stability

Policy E3: Westlakes Science and Technology Park

Strategic Policy SC1: Health and Wellbeing

Policy SC2: Sporting, Leisure and cultural Facilities (excluding playing pitches)

Policy SC5: Community and Cultural Facilities

Strategic Policy N1: Conserving and Enhancing Biodiversity and Geodiversity

Strategic Policy N3: Biodiversity Net Gain

Strategic Policy N12: Protected Open Spaces

Strategic Policy N13: Local Green Spaces

Policy CO5: Transport Hierarchy

Policy CO7: Parking Standards

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide (NDG).

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

Cumbria Development Design Guide (CDDG).



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Assessment

Principle of Development

The land that has been developed is identified in Strategic Policy DS1 as being outside of any settlement boundaries and is therefore defined as Open Countryside. Policy DS2 defines the exceptions for development with a proven need for an open countryside location such as a rural development including agricultural, forestry, farm diversification or tourism that depend on such a location.

The Westlakes Science Park is a strategic employment site. Policy E3 supports uses at the Westlakes Science Park relating to Class F1 – including the provision of education.

Policy SC1 promotes health and well-being by supporting a range of development types including new sports, cultural and community facilities.

Policy SC5 seeks to protect existing community and cultural facilities.

Policy DS6 of the LP seeks to achieve a high standard of design whilst Policy CO7 of the LP ensures that developments are accessible for all and include sufficient parking.

The Application Site is located outside any defined settlement boundaries.

This application for a community garden for wellbeing and education is supported throughout policies to provide a community facility in an appropriate location. Whilst it is located outside of any settlement boundaries, the land at Westlakes Science Park is defined for E(g) and F1 uses under Policy E3 of the Copeland Local Plan. As the use is for education purposes, it is considered to be acceptable on this site. The proposal is of a modest scale in relation to the overall employment site and is well screened when viewed from outside the Science Park.

Justification for the Development.

Policy E3 requires developments to demonstrate the need for the development and its links to the effective functioning of the Science Park and its employees

A Supporting Statement has been submitted with the application. This sets out that the Goodlives project offers fresh produce growing activities where learners can volunteer solo or with others, depending on their comfort level. This flexibility allows them to gain experience at their own pace while benefiting from the outdoor setting, exercise, and the chance to be part of a community project. Growing produce from seed not only enhances their health but also instils confidence and creates pathways to further education or employment opportunities. For many, outdoor work is less intimidating than indoor environments, making Goodlives a uniquely accessible option.

The existing companies on the Science Park have forged links with the Goodlives facility and use it as part of their promotional social activities with local schools and the community and also as part of the initiative for employee volunteer days.

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 E3.

Scale and Design and Impact of the Development

Policy DS6 outlines the requirement for new development to meet high-quality standards of design, including measures such as: creation and enhancement of locally distinctive places sympathetic to surrounding context; use good quality building materials that reflects local character and vernacular, sourced locally where possible; support good health and well-being by incorporating high quality, inclusive and useful open spaces and providing high levels of residential amenity; create layouts that encourage walking and cycling; provision of safe and accessible pedestrian routes; create opportunities that encourage social interaction; be of flexible and adaptable design; maximise solar gain; and, address land contamination and land stability.

The development utilizes a piece of land that is extensively screened and cannot be seen from public viewpoints. It includes physical structures that are in keeping with the use and which support health and wellbeing in accordance with Policy DS6.

On balance and given the existing characteristics, appearance and constraints of the Application Site, it is considered that in design terms, the development is acceptable in its context.

Access and Parking

Policy CO5 details the Transport Hierarchy and prioritises sustainable methods of transport such as walking, cycling and public transport. Policy CO7 of the LP requires that new development provides adequate parking provision.

The site is within the West Lakes Science Park which has frequent transport links with the surrounding area. There is ample parking available within the surrounding units as well as space on the site for cars if required.

Sustainable transport methods such as walking and cycling are possible due to the close proximity with Whitehaven and Cleator Moor.

The Highway Authority have assessed the proposals and raised no objections from a highway perspective. It is considered that there will not be a material effect on the existing highway conditions.

The proposal is considered to comply with policies relating to access and parking within the Local Plan.

Flood Risk and Drainage

Policy DS7 requires that surface water is managed in accordance with the national drainage hierarchy and includes Sustainable Drainage Systems where appropriate.

Policy DS6 seeks that development will not be permitted where: there is an unacceptable risk of flooding and or, the development would increase the risk of flooding elsewhere.



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The site is situated within Flood Zone 1, therefore is not at significant risk of flooding. However, due to the increase in impermeable areas it recommends that new surface water drainage infrastructure is required.

A Drainage Strategy has been submitted in support of the application. This details gulleys, French drains and filter trenches with all of the drainage staying onsite.

The LLFA have confirmed no objections to the drainage strategy proposed and consider that there is unlikely to be a material effect on site or elsewhere due to the development.

Environmental Health requested that all grey water should be disposed of by specialist collection, given that there are no on-site foul drains and sewers.

Overall, the drainage is considered to comply with Policies DS6 and DS7 of the Copeland Local Plan.

Biodiversity Net Gain and Ecology

Policy N1 of the ELP seeks to ensure that new development will protect and enhance biodiversity and geodiversity and defines a mitigation hierarchy.

Policy N3 requires that all development, with the exception of that listed in the Environment Act must provide a minimum of 10% biodiversity net gain over and above existing site levels, following the application of the mitigation hierarchy set out in Policy N1. This is in addition to any compensatory habitat provided under Policy N1. It is stated net gain should be delivered on site where possible and where on-site provision is not appropriate, provision must be made elsewhere in accordance with a defined order of preference.

Biodiversity Net Gain became mandatory for small sites in the UK on 01st April 2024.

This development was completed prior to the introduction of the Government's BNG legislation and the adoption of the Copeland Local Plan 2021-2039 and is therefore considered to be exempt.

The Planning Balance

The Application Site is located outside of any settlement boundary within open countryside. Exceptions for development that is allowed outside the defined settlements include proposals with a need for a rural location. Furthermore, Policy E3 within the Local Plan supports Use Class F1 for education within the Science Park. This is given great weight.

This project will promote health and well-being and will provide education for a wide range of users. This is given great weight.

Given the existing characteristics, appearance and constraints of the Application Site, it is considered that in design terms, the development is acceptable in its context. It has been designed to limit the impact from public viewpoints. This is given moderate weight.

The development has a good level of connectivity and is accessible on foot, cycle and bus from local destinations. It has been demonstrated and assessed by the Highway Authority

	<p>who consider the impact of the development on the local highway network and parking provision to be acceptable. This is given moderate weight.</p> <p>The site owners BEC have a long-term growth plan for Westlakes Science and Technology Park and are currently finalising a masterplan to facilitate this. As it is important that any use on this plot does not restrict its long term redevelopment for employment purposes a temporary permission for five years is considered to be reasonable. The temporary five-year planning permission will also reflect the five-year lease from the land owner, BEC.</p> <p>In overall terms, the development is considered to represent a sustainable form of development which is in conformity with the requirements of the development plan.</p>
8.	<p>Recommendation:</p> <p>Approve</p>
9.	<p>Conditions:</p> <p>1.The development hereby permitted shall be for a limited period of five 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.</p> <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> <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> <ul style="list-style-type: none"> - Application form, received 28th October 2024; - Site Location Plan, scale 1:1250, received 28th October 2024; - Site Plan, received 28th October 2024; - Building Dimensions, received 28th October 2024; - Drainage Design, drawing number WCG_SK_001A, received 28th October 2024; - Supporting Planning Statement, received 11th November 2024. <p>Reason</p>



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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 hours of opening shall be restricted to Mondays to Fridays 09:00 to 17:00 and not at all on Saturdays or Sundays.

Reason

In order to safeguard the amenities of the locality.

Informatives

- 1) 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 Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242.

Further information is also available on the Mining Remediation Authority website at: [Mining Remediation Authority - GOV.UK](https://www.mra.gov.uk/)

- 2) All foul waste (including grey water from any kitchen / sinks in the cabins) should be disposed of by specialist collection, given that there are no on-site foul drains and sewers.
- 3) The applicants may need to register as a food provider if food is provided to the wider community on a regular and organised basis, see: <https://www.food.gov.uk/safety-hygiene/providing-food-at-community-and-charity-events>

Statement

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.

Case Officer: Sarah Papaleo	Date : 16/12/2024
Authorising Officer: N.J. Hayhurst	Date : 23/12/2024
Dedicated responses to:- N/A	