

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/24/2403/DOC
2.	Proposed Development:	APPLICATION TO DISCHARGE CONDITIONS 4, 5, 17 AND 18 OF NEW S73 OUTLINE PLANNING PERMISSION REFERENCE 4/24/2300/0B1
3.	Location:	LAND TO THE NORTH EAST OF LECONFIELD INDUSTRIAL ESTATE, CLEATOR MOOR
4.	Parish:	Cleator Moor
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change, PROWs - Public Right of Way
6.	Publicity Representations &Policy	See Report
7.	Report: Site Location <p>The site the subject of this application is located within Leconfield, an established industrial estate in Cleator Moor, some 600m to the north-west of the town centre. Vehicular Access to which is via a mini roundabout off the B5295 /Leconfield Street and through the main estate spine road.</p> Relevant Planning History and Context <p>Outline planning permission for the erection of a new `hub` building (up to 4,000sq.m. in floorspace) for various uses with associated access, parking, landscaping and engineering works with full details of scale and access on the Leconfield Industrial Estate in Cleator Moor was approved on 22 September 2023. (planning reference 4/22/2184/001). It was subject to 23 conditions.</p> <p>An application to discharge three of the pre-commencement conditions; condition 4 relating to highway works and 6 and 7 regarding contamination was submitted (4/24/2009/DOC).</p>	

Discharge was granted for two of the conditions – 6 and 7.

Subsequently, the original outline planning permission was varied via a S73 application reference 4/24/2300/0B1. This permitted the variation of condition 3 of the original outline to amend parameter plan and condition 23 to allow for office use in addition to the approved uses. This was granted on 30 October 2024.

Proposal

This application seeks to discharge conditions 4.5, 17 and 16 of the new S73 Outline permission for The Hub (4/24/2300/0B1).

Assessment

Condition 4

This states:

The carriageway, footways, footpaths, cycleways etc shall be designed, constructed, drained to the satisfaction of the Local Planning Authority and in this respect further details, including longitudinal/cross sections, shall be submitted to the Local Planning Authority for approval before work commences on site. No work shall be commenced until a full specification has been approved. Any works so approved shall be constructed before the development is complete.

Reason

To ensure a minimum standard of construction in the interests of highway safety

The LLFA & HA in their consultation response raise no objection to this condition being discharged. They have reviewed the submitted drawing no. 0700/P03 - PAVEMENTS and 1100/P03 - KERBS, FOOTWAYS AND PAVED AREAS, and confirm that the carriageway and footway construction in the wider site designed for public access (i.e. outside the hub red-line area) is acceptable even though these areas are not adopted.

Although the vehicular loading area around the hub (Surface Type F3) appears to have a too thin Base (or Binder) Course according but as this area is not part of the highway and is for building maintenance use this it is outside their control. The applicant's agent has been informed of this.

Environmental Health were also consulted in respect of the drainage aspect and raise no objections.

Condition 5

This states:

Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

The drainage scheme submitted for approval shall also be in accordance with the principles set out in the Drainage Philosophy dated 03/10/2022 proposing surface water discharging indirectly to the culverted Nor Beck.

The development shall be completed, maintained and managed in accordance with the approved details.

Reason

To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

The LLFA & HA in their consultation response regarding this condition are satisfied that the surface water drainage scheme complies with the NSTS (Non Statutory Technical Standards). It should be noted that this is a pre-developed brownfield site and it has been agreed that it is not appropriate or realistic to meet the greenfield run-off rate equivalents. Instead, the agreed discharge rate is based on the brownfield equivalent. The LLFA is satisfied that the required storage and exceedance routes are provided to meet the NSTS requirements and that the appropriate treatment is designed in to meet the SUDS manual requirements. The LLFA has no objection to this condition being discharged.

Environmental Health raise no objection and the EA has no comments to make.

Condition 17:

17. The proposed car park shall be surfaced in permeable paving, details of which shall be submitted to and approved in writing by the Local Planning Authority before works on the car park commence. The car park shall be surfaced as approved and maintained

as such thereafter.

Reason

To ensure the car park provides sufficient attenuation and storage of surface water as part of the drainage scheme for the development in order to minimise the risk of flooding.

The LLFA & HA in their consultation response inform that the car park is not part of the highway to be maintained at the public expense - i.e. it is not adopted. Irrespective the permeable paving details are considered to be acceptable to the and address the requirements of the condition. They therefore, have no objection to this condition being discharged.

Condition 18

18. No development shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The soft landscaping shall include planting plans and written specifications of plants, species, sizes and densities. Landscaping shall be carried out in accordance with the approved details before the development is occupied.

Reason

To enhance the appearance of the development in the interest of visual amenities of the area and to ensure a satisfactory landscaping scheme.

The details submitted regarding hard and soft landscaping are considered to satisfy this condition as far as it relates to the Highway and Active travel aspects (e.g. cycle facilities). The LLFA & HA have no objection to this condition being discharged.

Our consultant Arboriculturist informs that the three Detailed Planting Plans (Dwg. No. CMIQ-ONE-ZZXX-DR-L-0201 to -0203 Rev.P06) and a Landscape Maintenance Specification (Doc. No. CMIQ-ONE-ZZ-XX-SP-L-0001 CMIQ (HUB)) submitted provide details for the tree and shrub locations along with specifications for the plant sizes. The maintenance specification gives details for the hard and soft landscaping scheme as well as the necessary aftercare and maintenance required for the scheme. This fulfils the requirements of conditions 18 and 19.



Cumberland Council

	Conclusion The submitted details are considered to be acceptable and conditions 4, 5, 17 & 18 of planning permission reference 4/24/2300/0B1 can now be discharged.	
8.	Recommendation: Approve discharge of conditions	
Case Officer: H.S. Morrison		Date : 24/02/2025
Authorising Officer: N.J. Hayhurst		Date : 24/02/2025
Dedicated responses to:- N/A		