

**CUMBERLAND COUNCIL  
DELEGATED PLANNING DECISION**

1.	<b>Reference No:</b>	4/24/2425/0F1
2.	<b>Proposed Development:</b>	Extension of existing small staff car park into unused grassed area
3.	<b>Location:</b>	St Bridgets R C School, St Bridgets Lane. Egremont
4.	<b>Parish:</b>	Egremont
5.	<b>Constraints:</b>	<p>ASC Adverts</p> <p>Flood Area – Flood Zone 2 &amp; 3</p> <p>Coal – Off Coalfield</p> <p>Outer Consultation Zone – Sellafield 10KM</p> <p>PROWs – Public Right of Way</p>
6.	<b>Publicity Representations &amp; Policy</b>	See Report
7.	<b>Report:</b>	<p><b>Site and Location</b></p> <p>The application site comprises a school and associated grounds, situated within Egremont. The playing pitches of West Lakes Academy are in place beyond the northern boundary. A children’s nursery is situated to the west of the site. A church is situated to the south east of the site. St Bridgets Lane is to the south west of the site, which provides the access route to the school.</p> <p><b>Proposal</b></p> <p>The proposal has been amended throughout the course of the application process. Originally, the application details included the siting of a storage container, an extension to an existing</p>

car park and installation of outdoor safety flooring. The extended car park would increase the parking spaces from 6 to 17, resulting in an additional 11 spaces.

The application, as amended, now involves the extension of an existing staff car park only, creating an additional 10 car parking spaces to the north west of the main school building. The car park would be finished with permeable bitmac.

### **Relevant Planning Application History**

4/24/2188/0F1 – Proposed replacement of fencing and gates to school site boundary (including reconfiguration of access gates to main entrance) - Approve

### **Consultation Responses**

#### Town Council

No objections

#### Local Highways Authority and Lead Local Flood Authority

An initial response to the proposal raised no objections in principle to the proposed development but did request a detailed plan showing visibility should be submitted. In the absence of this plan, it was indicated that the recommendation would be that the application be refused.

A later response confirmed that the Local Highway Authority and Lead Local Flood Authority raised no objections subject to conditions relating to access gates, vehicular crossings and access arrangements.

#### Environment Agency

An Initial response to the proposal indicated that whilst part of the site was in Flood Zone 3, the development area was in flood zone. On this basis, it was considered that the development would be safe without exacerbating flood risk elsewhere.

A later response indicated that it was subsequently identified that the site was within 8 metres of an Environment Agency maintained Flood Defence embankment, and, as it was unclear what would take place within 8 metres of the embankment, the Environment Agency objected to the application.

The latest response, following amendment of the proposal, dated 27<sup>th</sup> January 2026, raised no objections to the proposed work.

#### United Utilities



## Cumberland Council

Advise that it is the applicants' responsibility to investigate any pipelines that might cross the site. Also advise that drainage should be undertaken in accordance with the drainage hierarchy.

### Countryside Access Officer

No objections but note footpath 406008 is located to the west of the development site.

### Ecology Officer

Recommends conditions in relation to breeding birds, small mammals, habitat management and that the Biodiversity Gain Condition be applied.

### Public Representations

The application has been advertised by way of a site notice. Notifications have been issued to neighbouring properties.

Two representations have been made with the following points:

- There has been a lack of communication from the applicant.
- The proposal would have an environmental impact due to the change from grass to hard surfacing.
- The area is subject to flooding and the proposal would increase the risk of run off to adjacent premises.
- The proposed hard surfacing and storage container would have a negative effect on the visual amenity of the area, removing the buffer between the school and adjacent premises, and would reduce the light available to users of adjacent premises.
- The wellbeing of users of adjacent premises would be affected by the proposal.
- The proposal would result in greater emissions and pollution to the detriment of users of adjacent premises.
- The intended use of the land has changed from its original purpose at the time the applicant took control of it.
- The main highways issues are brought about by school related vehicular movements as parents come and go. In the school holidays the roads are empty. The proposal would not bring about a meaningful improvement in highways conditions.
- The proposal would only result in an additional car parking space at the site. Many local employers encourage walking, biking, use of public transport or lift sharing as a way to help alleviate traffic in general.

- The increased parking on the site would significantly increase vehicle movements in proximity to a nursery site, which would increase safeguarding and child safety risks.
- The development would increase noise including engine noise, doors slamming, vehicles maneuvering and delivery activity, to the detriment of users of adjacent properties.
- Insufficient information has been received relating to external lighting which raises concerns as to the potential impact of any lighting nuisance.

### **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 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 Local Plan as commenced by Copeland Borough Council.

The Local Plan was adopted by Cumberland Council on the 5<sup>th</sup> of November 2024, replacing the Copeland Local Plan 2013-2028 and the saved policies of the Copeland Local Plan 2001-2016.

The following policies are relevant to this proposal:

Strategic Policy DS4: Settlement Hierarchy

Policy DS4: Design and Development Standards

Strategic Policy DS6: Reducing Flood Risk

Policy CO7: Parking Standards



## Cumberland Council

### **Other Material Planning Considerations**

National Planning Policy Framework (NPPF)

Cumbria Development Design Guide

### **Assessment**

The key issues raised by this proposal are the principle of development, the potential impact upon visual amenity, highways and parking as well as drainage and flood risk.

#### Principle of Development

Strategic Policy DS1 of the Copeland Local Plan supports development within defined settlements, including Egremont, which has been categorised as a Key Service Centre. The Policy indicates that development must be proportionate in terms of nature and scale to the role and function of the settlement.

The proposal would result in the extension of an existing car park, located within the grounds of a school within Egremont.

On this basis, the principle of development on the site is accepted, subject to compliance with other relevant Policies, which are considered below.

#### Amenity

Policy DS4 of the Copeland Local Plan indicates that new development should meet high-quality design standards which contribute positively to the health and wellbeing of residents whilst maintaining high levels of amenity.

Comments have been received in relation to the proposal, raising concerns that the development would erode the visual amenity of the locality and have a detrimental impact on the amenity levels of adjacent premises, including vulnerable users of neighbouring nursery facilities.

Whilst it is accepted that the proposal would alter part of the site from a grassed area to a surfaced area, given that the proposal would not result in any significant increase in built form at the site, the visual impact of the proposal on the locality would be negligible. Likewise, although the proposal would increase parking available at the site, which would increase vehicular movements onto and from the site, these would not be substantial and would be related to the opening hours of the school so as not to have a significant adverse impact upon adjacent amenity standards.

The proposal therefore considered to comply with Policy DS4 of the Copeland Local Plan in relation to safeguarding amenity.

#### Highway Safety

Policy CO7 of the Copeland Local Plan requires that all new development provide adequate parking provision.

The proposed development would increase the existing parking provision at the site. The Highway Authority accept the proposals, subject to suggested conditions being attached to any planning approval.

The proposal therefore complies with Policy CO7 of the Copeland Local Plan in this regard.

#### Drainage/ Flood Risk

Strategic Policy DS6 of the Copeland Local Plan looks to ensure flood risk is reduced and mitigated through appropriate measures within development.

The Environment Agency notes that part of the application site as a whole is within flood zones 2 and 3. The area for development is within flood zone 1. A flood defence embankment is also noted to the southern boundary of the site. Upon receipt of the amended details, the Environment Agency raise no objections to the proposal.

On this basis, it is considered that the proposal complies with Policy DS6 of the Copeland Local Plan in this regard.

#### Biodiversity

Biodiversity Net Gain is mandatory from 12 February 2024 under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). The statutory framework for biodiversity net gain involves discharge of the biodiversity net gain condition following the grant of planning permission to ensure the objective of at least 10% net gain will be met for a development.

The application has been accompanied by Biodiversity Net Gain details, which indicate that a greater than 10% Biodiversity Net Gain can be achieved within the development. The Council's Ecology Officer has not raised any objections to the submitted details. It is therefore considered that the biodiversity gain condition is capable of being discharged. The standard condition will be imposed as an informative, requiring the submission and approval of a Biodiversity Gain Plan before development commences.

Conditions suggested by the Council's Ecology officer relating to breeding birds and small mammals are to be included as informatives.

#### Planning Balance and Conclusion

The proposed development is of an appropriate scale and design for the locality and setting. The development would preserve the amenities of the locality and maintain highways safety.

The proposal is therefore considered an acceptable form of development which complies with the policies of the adopted Local Plan.



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8.	<p><b>Recommendation:</b> Approve</p>
9.	<p><b>Conditions:</b></p> <ol style="list-style-type: none"><li data-bbox="175 560 1530 672">1. The development hereby permitted must commence before the expiration of three years from the date of this permission.  Reason To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.</li><li data-bbox="175 918 1530 1164">2. This permission relates to the following plans and documents received on the respective dates and development must be carried out in accordance with them:<ul data-bbox="271 1008 1530 1164" style="list-style-type: none"><li>- Application Form, received January 2026</li><li>- Location Plan, Site Plan and Section, SBS23B/PA/001C, scales 1:1250, 1:200 and 1:50, received January 2026</li></ul> Reason 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.</li><li data-bbox="175 1433 1530 1478">3. Access gates, if provided, shall be hung to open inwards only away from the highway.  Reason In the interests of highway safety.</li><li data-bbox="175 1702 1530 1881">4. The vehicular crossing over the footway, including the lowering of kerbs, shall be carried out prior to commencement of the use of the development, all works on the Highway shall be carried to Highway standard within specification of the Local Planning Authority in consultation with the Highway Authority.  Reason</li></ol>

To ensure a suitable standard of crossing for pedestrian safety.

5. There shall be no vehicular access to or egress from the site other than via the approved access, unless otherwise agreed by the Local Planning Authority.

Reason

To avoid vehicles entering or leaving the site by an unsatisfactory access or route, in the interests of road safety.

6. Prior to the commencement of development/the development shall not commence until a Habitat Management and Monitoring Plan has been submitted to and approved in writing by the local planning authority.

The Habitat Management and Monitoring Plan shall include the following:

- i. A detailed scheme of habitat creation and habitat enhancement works that demonstrate the delivery of a minimum 10% net gain in biodiversity value post development over a minimum period of 30 years.
- ii. Planned management activities including details of site-wide aims and objectives.
- iii. Details of the persons and organisation(s) responsible for delivery of the habitat creation and habitat enhancement works.
- iv. The habitat condition targets that form the basis of what the Habitat Management and Monitoring Plan is setting out to achieve.
- v. Details of monitoring methods and a monitoring reporting schedule.
- vi. Details of adaptive management approaches.

Reason

In the interests of ensuring measurable net gains to biodiversity and in accordance with the provision of the National Planning Policy Framework and The Environment Act 2021.

7. The development hereby approved shall not be occupied until the habitat creation and habitat enhancement works detailed in the Habitat Management and Monitoring Plan



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secured by planning condition 6 have been completed in accordance with the approved details.

Reason

In the interests of ensuring measurable net gains to biodiversity and in accordance with the provision of the National Planning Policy Framework and The Environment Act 2021.

8. Within 3 months of the completion of the habitat creation and habitat enhancement works detailed in Habitat Management and Monitoring Plan secured by planning condition 6, a completion report, evidencing the completed habitat creation and habitat enhancements shall be submitted to and approved in writing by the local planning authority.

Reason

In the interests of ensuring measurable net gains to biodiversity and in accordance with the provision of the National Planning Policy Framework and The Environment Act 2021.

9. The habitat creation and habitat enhancement works detailed in the Habitat Management and Monitoring Plan secured by planning condition 6 shall be managed and maintained in accordance with the provisions of approved Habitat Management and Monitoring Plan secured by planning condition 6 for a minimum period of 30 years post completion of the habitat creation and habitat enhancement works.

Reason

In the interests of ensuring measurable net gains to biodiversity and in accordance with the provision of the National Planning Policy Framework and The Environment Act 2021.

10. Monitoring reports demonstrating how the habitat creation and habitat enhancement works detailed in Habitat Management and Monitoring Plan secured by planning condition 6 is delivering on its site-wide aims and objectives and habitat condition targets

Monitoring reports shall be submitted to the Council during years 2, 5, 7, 10, 20 and 25 posts completion of the habitat creation and habitat enhancement works detailed in the Habitat Management and Monitoring Plan secured by planning condition 6 unless

otherwise stated in the Habitat Management and Monitoring Plan secured by planning condition 6.

#### Reason

In the interests of ensuring measurable net gains to biodiversity and in accordance with the provision of the National Planning Policy Framework and The Environment Act 2021.

#### **Informative Notes**

##### **Biodiversity Net Gain – Biodiversity Plan Required:**

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition ('the biodiversity gain condition') that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the local planning authority, and
- (b) the local planning authority has approved the plan.

The planning authority, for the purposes of the Biodiversity Gain Plan is Cumberland Council.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

Before commencing development, a Biodiversity Gain Plan needs to be submitted and approved by the local planning authority.

Commencing development which is subject to the biodiversity gain condition without an approved Biodiversity Gain Plan could result in enforcement action for breach of planning control.

##### **Highways:**

Any works within or near the Highway must be authorised by the Council and no works shall be permitted or carried out on any part of the Highway including Verges, until you are in receipt of an appropriate permit from the Streetworks team.

<https://www.cumberland.gov.uk/parking-roads-and-transport/streets-roads-and-pavements/street-licences-and-permits/street-permit-and-licence-fees-and-charges>

Please be advised that the Highway outside and or adjacent to the proposal must be kept clear and accessible at all times.



## Cumberland Council

### **Countryside Access:**

The granting of planning permission does not give the applicant the right to obstruct, close or divert any public right of way.

The public rights of way adjacent to the site must be kept open and unaltered for public use until an order made to divert, stop up or to temporarily close it has been confirmed.

### **Statement**

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against, primarily, the development plan policies, any duties applicable and also all material considerations, including Local Plan policy, the National Planning Policy Framework and any stakeholder representations that may have been received. It has subsequently determined to grant planning permission.

**Case Officer:** L White

**Date :** 04/03/2026

**Authorising Officer:** N.J. Hayhurst

**Date :** 06/03/2026

**Dedicated responses to:-** N/A