

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

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| 1. | Reference No: | 4/25/2022/0F1 | |
| 2. | Proposed Development: | PRIOR APPROVAL APPLICATION FOR DEMOLITION OF CARETAKERS COTTAGE | |
| 3. | Location: | MILLOM SCHOOL, SALTHOUSE ROAD, MILLOM | |
| 4. | Parish: | Millom | |
| 5. | Constraints: | ASC;Adverts - ASC;Adverts, Conservation Area - Conservation Area, Flood Area - Flood Zone 2, Flood Area - Flood Zone 3, Coal - Off Coalfield - Data Subject To Change, Key Species - Potential areas for Natterjack Toads, PROWs - Public Right of Way | |
| 6. | Publicity Representations &Policy | Neighbour Notification Letter | No |
| | | Site Notice | Yes |
| | | Press Notice | No |
| | | Consultation Responses | See Report |
| | | Relevant Policies | See Report |
| 7. | Report: Site and Location | This application relates to the former caretaker’s cottage located within the grounds of Millom School, located to the northern edge of Millom. The existing cottage is located to the east of | |

the site adjacent to the site entrance and car park to the school and is bounded to the west by Salthouse Road. The existing school complex is located to the east of the site.

The site is owned by Cumberland Council who are also the applicant.

Relevant Planning History

4/18/9005/0F2 – Prior notification of proposed demolition of swimming pool – County Council Approved.

4/24/2355/0F1 – Community leisure centre and associated parking and landscaping including demolition of existing buildings and formation of temporary construction compound – Ongoing.

Proposal

This application gives prior notification of the demolition of the caretaker's cottage at this site.

The application is submitted to demolish the existing dilapidated bungalow to facilitate additional parking at the site to support the proposed leisure centre, currently being considered under planning application 4/24/2355/0F1. The demolition of the bungalow forms part of the full application, however the prior notification has been submitted to allow some works to commence on site while a decision is outstanding.

In terms of method of demolition, it is proposed that residual parts of the building will be taken down by mechanical means and loaded into wagons or equivalent for removal from the site. All waste to be removed as per current waste regulations to licenced facilities and will not be crushed on site. Procedures will be followed to help eliminate or reduce as much as practicable dust, noise, and vibration throughout the duration of the demolition work. The buildings will be demolished to include all floor slabs and foundations and the site will be levelled.

The applicants agent has confirmed that asbestos containing materials are to be removed before demolition commences, with the exception of removing any loose items which remain inside the property. If any additional suspect ACM is found during the works after removal works have been completed, the operatives will be instructed to stop work immediately and warn others of the suspected material. They will make sure the area is safe and secure and inform the supervisor.

Consultation Responses

Subject to Part 11 Class B paragraph (b)(v) of the Town and County Planning (General Permitted Development) Order 2015, the applicant must display a site notice on or near the land on which the building to be demolished is sited, and must leave the notice in place for not less than 21 days in the period of 28 days beginning with the date on which the



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application was submitted to the local planning authority. The applicant has confirmed that this site notice has been erected.

Millom Town Council

No objections in principle to this application.

Cumberland Council – Highway Authority & Lead Local Flood Authority

The Local Highway Authority and Lead Local Flood Authority can confirm that we have no objections to the proposal, we would however recommend that the following conditions are included in any consent you may grant: Construction Traffic Management Plan.

Natural England

NO OBJECTION

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

Natural England's generic advice on other natural environment issues is set out at Annex A.

Cumberland Council – Ecologist

No comments received.

Cumberland Council – Environmental Health

There are no objections from Environmental Health to this proposal.

Environmental Health would request that debris netting is provided to any site boundary Heras fencing, and that waste materials are not crushed on site.

It is anticipated that, following the safe removal of any asbestos identified in the Demolition Survey, the structures and associated services may be demolished quickly and simply.

Planning Policy

Planning law requires that 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.

Strategic Policy DS1: Settlement Hierarchy

Strategic Policy DS2: Settlement Boundaries

Policy DS4: Design and Development Standards

Strategic Policy N1: Conserving and Enhancing Biodiversity and Geodiversity

Other Material Planning Considerations

National Planning Policy Framework (2024)

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

The Conservation of Habitats and Species Regulations 2017 (CHSR)

Assessment

Demolition is classed as permitted development under Schedule 2 Part 11 Class B of The Town and Country Planning (General Permitted Development) (England) Order 2015. This order sets out certain conditions for the prior approval of demolition, which requires the submission of a method of demolition and details of the proposed restoration of the site.

Method of Demolition

A demolition method statement has been submitted to support this application. The statement provides details of the site set up, the removal of debris, asbestos removal, the method of demolition, site finishes, and removal of materials from the site. The measures are appropriate and proportionate to the scale and location of the proposed demolition.

A construction traffic management plan has been requested by the Highway Authority and will be secured by a pre commencement condition.

Proposed Restoration of the Application Site



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Following demolition of the bungalow the site will be developed into a car park to support the proposed leisure centre at Millom School. It is proposed to demolish the buildings, including all floor slabs and foundations, and the site levelled.

The proposed finish is acceptable given the location of the application site and the context of the wider redevelopment of the site.

Ecology

All bat species are designated and protected as European protected species (EPS). EPS are protected under the Conservation of Habitats and Species Regulations 2017 (CHSR). Regulation 9(1) states that a competent authority must exercise the functions which are relevant to nature conservation, so as to secure compliance with the requirements of the Habitats Directive.

This application is supported by an Ecological Survey and Assessment (including a Licensed Bat Survey) which concludes and recommends the following:

- No gaps suitable for access by bats were detected at the external elevations of the building.
- No bats or signs of bats were detected at the building.
- No gaps suitable for access by bats were noted at the exterior of the building; due to the well-sealed nature of the building it considered that the building is of 'negligible' suitability for use by roosting bats.
- Trees T19 and T20 support locally abundant dense Ivy, which may obscure further features suitable for use by roosting bats. These trees are considered to conform to the PRF-I suitability category for use by roosting bats.
- No features were detected at the remaining trees within the site, which are assessed to conform to the suitability category 'None'.
- The unmanaged garden habitat of the caretakers cottage and the amenity grassland within the site may be suitable for and contribute to the wider foraging area of low numbers of common species of edge-feeding foraging bats, such as common pipistrelle (*Pipistrellus pipistrellus*), and also low numbers of species known to forage over open habitats and over wide areas, such as noctule.
- It is considered overall, however, that the site is unlikely to provide an abundance or diversity of invertebrate prey, and is therefore considered to be of low suitability for use by foraging bats.
- The buildings are of 'negligible' suitability for use by roosting bats; the presence of roosting bats is reasonably discounted at the buildings within the site and no further surveys are considered necessary.
- Two trees are assessed to be of 'PRF-I' suitability for roosting bats; measures to

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| | <p>ensure the protection of bats during the proposed removal of the trees are required.</p> <ul style="list-style-type: none"> - Habitats within and adjacent to the site are considered to be of “low’ suitability for foraging and commuting bats. Recommendations to ensure habitats remain suitable for use by foraging and commuting bats during the construction and operational phases of the proposed development are required. - Features to incorporate into the site design to enhance habitats for roosting bats at the site are required. <p>The mitigation and enhancement measures set out within the Ecological Survey and Assessment will be secured as part of any decision notice for this application.</p> <p><u>Conclusion</u></p> <p>The method of demolition and proposed restoration of the application site as submitted are appropriate. The application is supported by an Ecological Survey and Assessment (including a Licensed Bat Survey) which concludes no evidence of bats at the site, however mitigation and enhancement measures for are specified therefore these will be secured by an appropriately worded planning condition.</p> <p>It is therefore recommended that prior approval is required and approved with the approval subject to the imposition of planning conditions securing completion of the works in accordance with the submitted details and specifications.</p> |
| 8. | <p>Recommendation:</p> <p>Approve</p> |
| 9. | <p>Conditions:</p> <p><u>Standard Conditions:</u></p> <ol style="list-style-type: none"> 1. The demolition/works must be carried out within a period of 5 years from the date of this decision. <p>Reason</p> <p>To comply with the requirements of Part 11 Class B.2 (b) (ix) (aa) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).</p> <ol style="list-style-type: none"> 2. This permission relates to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them:- <ul style="list-style-type: none"> - Application Form, received by the Local Planning Authority on the 22nd January |

2025.

- Site Location Plan, Scale 1:2500, Drawing Number: 24015-9020, Revision: -, received by the Local Planning Authority on the 22nd January 2025.
- Site Notice, received by the Local Planning Authority on the 22nd January 2025.
- Demolition Survey, Prepared by West Coast Surveys November 2024, received by the Local Planning Authority on the 22nd January 2025.
- Arboricultural Impact Assessment, Prepared by Bowland Tree Consultancy Ltd June 2023, received by the Local Planning Authority on the 22nd January 2025.
- Ecological Survey and Assessment, Prepared by ERAP Ltd Consultant Ecologist October 2024, received by the Local Planning Authority on the 22nd January 2025.
- Demolition Method Statement (Amended), Prepared by Hindle Demolition & Plant Ltd, received by the Local Planning Authority on the 12th February 2025.
- Risk Assessment, received by the Local Planning Authority on the 10th February 2025.

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.

Pre Commencement Conditions:

3. Demolition must not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the local planning authority.

The CTMP must include details of:

- Retained areas for vehicle parking, manoeuvring, loading and unloading for their specific purpose during the demolition;
- 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;

- Details of any proposed temporary access points (vehicular / pedestrian)
- Surface water management protection during the Demolition phase
- Specific measures to manage and limit the impact on the school, including working hours, any special measures to accommodate pedestrians.

The works at this site must be carried out in accordance with the approved details at all times thereafter.

Reason

To ensure the undertaking of the development does not adversely impact upon the fabric or operation of the local highway network and in the interests of highway and pedestrian safety.

Other Conditions:

4. Demolition must be carried out in strict accordance with the approved document 'Demolition Method Statement (Amended), Prepared by Hindle Demolition & Plant Ltd, received by the Local Planning Authority on the 12th February 2025'.

Reason

To ensure a satisfactory standard of demolition in accordance with Policy DS4 of the Copeland Local Plan 2021 – 2039.

5. Demolition must be carried out in strict accordance with and implement all of the mitigation and compensation/enhancement measures set out in the approved document 'Ecological Survey and Assessment, Prepared by ERAP Ltd Consultand Ecologist October 2024, received by the Local Planning Authority on the 22nd January 2025'.

Reason

To protect the ecological interests evident on the site in accordance with Policy N1 of the Copeland Local Plan 2021 – 2039.



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Informatives:

During construction if any bats or evidence of bat is found within this structure the application should contact the National Bat Helpline on 0345 1300 2288 for advice on how to do works lawfully.

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: C. Burns

Date : 17.02.2025

Authorising Officer: N.J. Hayhurst

Date : 19/02/2025

Dedicated responses to:- N/A