

## CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/25/2032/0F1
2.	<b>Proposed Development:</b>	TO EXTEND THE PERIOD FOR THE SITING OF A STORAGE CONTAINER ON SITE FOR AN ADDITIONAL 3 YEAR PERIOD
3.	<b>Location:</b>	DALTON CUMBRIAN FACILITY, WESTLAKES SCIENCE AND TECHNOLOGY PARK, MOOR ROW
4.	<b>Parish:</b>	Egremont
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change
6.	<b>Publicity Representations &amp;Policy</b>	See Report
7.	<b>Report:</b>  <b>Site and Location</b>  <p>The application site comprises a research facility building and associated grounds situated upon Westlakes Science and Technology Park, to the north west of Moor Row.</p> <p>The site is situated to the eastern side of the Westlakes and is accessed by the main highway through the Science Park. Westlakes itself is accessible via the A595.</p> <b>Proposal</b>  <p>The proposal involves the retention of an existing storage container for a further period of three years. Planning permission was granted for the container under application reference 4/21/2547/0F1 for an initial period of three years.</p> <p>The container is located to the eastern side of the site and is positioned on an existing hardstanding. The container has a footprint of approx. 6.06m x 2.44m and a height of approx. 2.6m. The applicant advises that the Facility is now full, and the container allows for additional storage of materials and equipment to continue research and experiments.</p>	

## Relevant Planning Application History

4/14/2279/0F1 – Installation of a door to enable equipment installation – Approve

4/15/2186/0F1 – Existing flowerbed to be levelled and provision made for a bicycle shelter – Approve

4/21/2547/0F1 – Siting of a 20ft storage container within car park on a permanent basis for use in connection with Dalton Cumbrian Facility (retrospective) - Approve

## Consultation Responses

### Town Council

Councillors supported the original application for a period of 3 years because it was considered inappropriate for the long term. They ask why the applicant is now looking to extend the permission for a further 3 years rather than find a long term solution and ask what the long term plans are by the applicant.

### Local Highways Authority and Lead Local Flood Authority

No objections

### Environment Agency

No response to date.

### Resilience Unit

No response to date.

### Public Representations

The application has been advertised by way of a site notice. No comments have been received as a result of the consultation.

## 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



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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 5th of November 2024, replacing the Copeland Local Plan 2013-2028 and the saved policies of the Copeland Local Plan 2021-2016.

The following policies are relevant to this proposal:

Strategic Policy DS1: Settlement Hierarchy

Strategic Policy DS2: Settlement Boundaries

Policy DS4: Design and Development Standards

Strategic Policy DS6: Reducing Flood Risk

Strategic Policy E2: Location of Employment

Strategic Policy E3: Westlakes Science and Technology Park

Strategic Policy N6: Landscape Protection

Policy CO7: Parking Standards

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, its scale and design, the potential impact upon visual amenity and landscape, highways and parking as well as drainage.

#### Principle of Development

The principle of the proposal has already been accepted within the context of planning application 4/21/2547/0F1, albeit on a temporary basis. The particulars of this application set out that although the proposal site was outside a defined settlement boundary, as identified within the settlement hierarchy, it was accepted that there was a locational requirement for the development in association with the well-established business at the site. On this basis, the principle of the development could be accepted.

The current proposal is to extend the period for the siting of the container for an additional three year period. The applicant has advised that there is an aspiration to expand the Facility incorporating a permanent storage solution, however, these plans are uncertain at present due to the financial pressures UK universities are facing. The retention of the container would provide necessary storage in the short term.

Given that the siting of the container has already been accepted for a temporary period and is in place at the site at present, the principle of the development for a further fixed period is accepted, subject to detailed criteria, which are considered below.

#### Landscape and Visual Impact

Strategic Policy N6 of the Copeland Local Plan indicates that Copeland's landscapes will be protected and enhanced by protecting landscapes from inappropriate change by ensuring that development conserves and enhances the distinctive characteristics of that particular area in an appropriate manner.

The container is positioned to the east of Westlakes Science Park and to the north east of the building at Dalton Facility, on an existing hardstanding. The container is situated at the head of the access route into the site, along which are multiple parking spaces. Trees form the boundary alongside the container, separating the site from the open countryside beyond.

The position of the container is considered discreet, as it is cannot be seen from the highway serving the facility nor can it be seen from the site frontage. The relative scale of the container is modest, in contrast to the main building at the site. Planting in place along the eastern boundary screens the container from longer range views from the open countryside beyond the site boundary. As a result, the container has little impact upon the visual amenity of the site or the surrounding landscape.

The proposal therefore complies with Strategic Policy N6 of the Copeland Local Plan in this regard.

#### Highway Safety

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

Although the proposed development is positioned at the head of the access, parking and turning provision available to the site, the scale of the container and levels of parking and access upon the site are such that the retained siting would not reduce the parking and access capacity at the site, nor would it result in any adverse highways safety conditions.

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.



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	<p>Although the proposal does not incorporate additional drainage measures, given that the container is positioned on an existing hardstanding area, the development would not increase flood risk at and beyond the site.</p> <p>The proposal therefore complies with Policy DS6 of the Copeland Local Plan in this regard.</p> <p><u>Biodiversity Net Gain</u></p> <p>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). Developers must deliver a Biodiversity Net Gain of 10%, to ensure a development would result in more or better quality natural habitat than there was before development.</p> <p>Guidance states that development that does not impact priority habitat and impacts less than 25 square metres of on-site habitat are exempt from Biodiversity Net Gain (BNG) rules. The area for development is an existing hard standing and the structure has a footprint of less than 25 square metres. As a result, BNG is not required within the development.</p> <p><b>Planning Balance and Conclusion</b></p> <p>Although not a permanent solution to the storage constraints at the site, the proposed retention of the storage container at the site for an additional three years is considered to be accepted given that the siting has minimal impact upon the amenities of the area or highway safety. A condition is imposed to ensure that the container is removed and the site restored following a period of three years.</p> <p>The proposal is therefore considered an acceptable form of development which complies with the policies set out in the adopted Local Plan.</p>
8.	<p><b>Recommendation:</b></p> <p>Approve</p>
9.	<p>Conditions:</p> <p>1. This permission relates to the following plans and documents received on the respective dates and development must be carried out in accordance with them:</p> <ul style="list-style-type: none"><li>- Application Form, received 28th January 2025</li><li>- Site Location Plan, scale 1:1250, received 28th January 2025</li><li>- Site Block Plan, scale 1:500, Drawing No. 5116L(00)07, received 28th January 2025</li><li>- Storage Container Details, Drawing Number RXTc-20DBC-000C, received 28th January 2025</li></ul> <p>Reason</p>

	<p>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.</p> <p>2. This permission shall expire 3 years from the date of the decision notice. At or before the expiration of this period the container, and all other materials and equipment brought onto the land in connection with its use must be removed and the land restored in accordance with a scheme which must be submitted to and approved in writing by the Local Planning Authority unless the prior written approval of the Local Planning Authority has been obtained for its continued siting.</p> <p><b>Reason</b></p> <p>The site is not appropriate for the long term retention of the temporary container, in the interests of preserving the visual amenity of the locality.</p> <p><b>Informative Notes</b></p> <p>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.</p> <p>Further information is also available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK</p> <p><b>Statement</b></p> <p>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.</p>
<p><b>Case Officer:</b> L. White</p>	<p><b>Date :</b> 12/03/2025</p>
<p><b>Authorising Officer:</b> N.J. Hayhurst</p>	<p><b>Date :</b> 17/03/2025</p>
<p><b>Dedicated responses to:-</b> N/A</p>	