

## CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

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| 1. | <b>Reference No:</b>   | 4/25/2059/DOC  |
| 2. | <b>Proposed Development:</b>   | DISCHARGE OF CONDITIONS 3, 4, 5 AND 6 OF PLANNING APPLICATION 4/24/2427/0B1  |
| 3. | <b>Location:</b>   | 5 ST GEORGES ROAD, MILLOM  |
| 4. | <b>Parish:</b>   | Millom   |
| 5. | <b>Constraints:</b>  | ASC;Adverts - ASC;Adverts,<br>Conservation Area - Conservation Area,<br>Coal - Off Coalfield - Data Subject To Change,<br>Key Species - Potential areas for Natterjack Toads |
| 6. | <b>Publicity Representations &amp; Policy</b>  | See Report   |
| 7. | <b>Report:</b><br><br><b>Site and Location</b><br><br><p>This application relates to the former National Westminster Bank, located on George Road within the centre of Millom. The property has been vacant for several years and is falling into a dilapidated state, with the ground floor previously occupied by the former bank and the upper floors as residential use. The property is located within the centre of the Millom Conservation Area, and fronts onto Market Square.</p><br><b>Relevant Planning History</b><br><br><p>4/23/2246/0F1 – Change of use of property from former commercial (bank) &amp; residential use to proposed Millom arts &amp; enterprise centre including demolition of existing outrigger extensions &amp; bank vault, refurbishment &amp; landscaping and proposed extension to accommodate a ground floor café – Approved.</p> <p>4/24/2427/0B1 – A variation to condition 2 of Planning permission reference 4/23/2246/0F1 to</p> |  |

amend the external materials and layout to create the required fire escape - Approved

### **Proposal**

This application seeks approval of the requirements of Planning Conditions 3, 4, 5 and 6 of planning permission reference 4/24/2427/0B1

The wording of the relevant conditions is as follows:-

3. Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme must be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

i. An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof).

This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;

ii. A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);

iii. Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;

iv. Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and

v. Foul and surface water shall drain on separate systems.

The approved schemes must also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

### **Reason**

To ensure the provision of a satisfactory drainage scheme in accordance with the provision of Policy ENV1 and Policy DM24 of the Copeland Local Plan 2013 – 2028.

4. Development 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



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include details of:

- pre-construction road condition established by a detailed survey for accommodation works within the highways boundary conducted with a Highway Authority representative;
- with all post repairs carried out to the satisfaction of the Local Highway Authority at the applicants expense;
- details of proposed crossings of the highway verge;
- retained areas for vehicle parking, manoeuvring, loading and unloading for their specific purpose during the development;
- 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 details during the construction phase
- Specific measures to manage and limit the impact on the town centre, including working hours, any special measures to accommodate pedestrians deliveries and movement of equipment on the road network surrounding the site must not take place during peak muster times in the interests of road safety.

### 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.

5. Before development commences, a Construction Environmental Management Plan must be submitted to and approved in writing by the Local Planning Authority. This plan must provide details of control measures for dust and other airborne pollutants that must be implemented during the works. The development must be carried out in accordance with the approved details at all times thereafter.

### Reason

To safeguard the amenity of neighbouring occupiers in accordance with Policy DS4 of the

## Copeland Local Plan 2021-2039

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6. Prior to the commencement of any works hereby approved the two additional protected species surveys must be undertaken and submitted to and approved in writing by the Local Planning Authority as set out in the approved document 'Bat Scoping Survey, Prepared by South Lakes Ecology March 2023, received by the Local Planning Authority on the 6th September 2023'.

The development must be carried out in accordance with and implement all of the mitigation and compensation measures set out within this approved document and retained thereafter.

### Reason

To protect the ecological interests evident on the site.

The information submitted in support of the application comprises the following:

- Application Form
- Site Layout Plans,
- Drainage Plan, drawing number 24-C-17659/07 Rev A
- Construction Phase SHE Plan, received on 19 March 2025
- Bat Survey, ref 0724/4, compiled by South Lakes Ecology, dated 18th July 2024, received on 21 February 2025.

### Consultation Responses

#### Highways Authority/LLFA

19th March 2025

#### Condition 3

The LLFA have reviewed the supporting documents submitted alongside this application, we can confirm that we have no objection to the drainage proposals as it is an improvement on the existing buildings drainage system, therefore Condition 3 can be discharged.

#### Condition 4

Construction traffic management plan (CTMP) The LHA and LLFA have reviewed the supporting documents submitted alongside this application, we can confirm that most of the points in the CTMP have been covered but the points below still need addressed, therefore at this time Condition 4 can not be discharged.



## Cumberland Council

- pre-construction road condition established by a detailed survey for accommodation works within the highways boundary conducted with a Highway Authority representative;
- with all post repairs carried out to the satisfaction of the Local Highway Authority at the applicants expense; - 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; Flood & Development Management Parkhouse Building Carlisle CA6 4SJ [cumberland.gov.uk](http://cumberland.gov.uk)
- construction vehicle routing; - Surface water management details during the construction phase

Condition 5

Condition 5 is not for the LHA and LLFA to discharge.

Condition 6

Condition 6 is not for the LHA and LLFA to discharge

25th March 2025

Condition 3 -

The LLFA have reviewed the supporting documents submitted alongside this application, we can confirm that we have no objection to the drainage proposals as it is an improvement on the existing buildings drainage system, therefore Condition 3 can be discharged.

Condition 4 -

Construction traffic management plan (CTMP)

The LHA and LLFA have reviewed the supporting documents submitted alongside this application, we can confirm that all points in the CTMP have now been addressed, therefore Condition 4 can now be discharged.

Condition 5 -

Condition 5 is not for the LHA and LLFA to discharge.

Condition 6 -

Condition 6 is not for the LHA and LLFA to discharge

### Environmental Health

As far as the requirement for a Construction Environmental Management Plan (condition 5) is

concerned, Environmental Health are satisfied that the details submitted in the Construction Phase SHE Plan (dated as amended March 2025) are sufficient and, as such, this condition can be discharged.

**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.

Cumberland Council continued the preparation of the Copeland Local Plan 2021 - 2039 (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 2013-2028.

The relevant policies comprise:

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

Strategic Policy E1: Economic Growth

Strategic Policy E2: Location of Employment

Strategic Policy R1: Vitality and Viability of Town Centres and Villages within the Hierarchy

Strategic Policy R2: Hierarchy of Town Centres

Strategic Policy R4: The Key Service Centres

Policy R9: Non-Retail Development in Town Centres



## Cumberland Council

Strategic Policy T1: Tourism Development

Policy SC5: Community and Cultural Facilities

Strategic Policy N1: Conserving and Enhancing Biodiversity and Geodiversity

Strategic Policy N2: Local Nature Recovery Networks

Strategic Policy N3: Biodiversity Net Gain

Strategic Policy BE1: Heritage Assets

Policy BE2: Designated Heritage Asset

Strategic Policy CO4: Sustainable Travel

Policy CO5: Transport Hierarchy

Policy CO7: Parking Standards

### **Other Material Planning Considerations**

National Planning Policy Framework (2024)

National Design Guide (NDG)

Cumbria Design Guide

Planning (Listed Buildings and Conservation Areas) Act 1990

Conservation Area Design Guide SPD (Adopted December 2017)

The Conservation of Habitats and Species Regulations 2017 (CHSR)

### **Assessment**

#### Condition 3

A drainage plan has been submitted which illustrates an attenuated surface water drainage system with a controlled rate of discharge. Foul drainage is to connect into the public sewer.

The LLFA has confirmed that they have no objection to the drainage proposals as it is an improvement on the existing buildings drainage system.

#### Condition 4

A Construction Phase SHE Plan has been submitted which sets out how construction activities including traffic will be managed. The Highway Authority has confirmed that the submitted details are acceptable and address the issues originally raised.

#### Condition 5

A Construction Phase SHE Plan has been submitted which sets out how construction activities including traffic will be managed.

|   |   |                          |
|---|---|--------------------------|
|   | <p>The Environmental Health team has confirmed that they are satisfied that the details submitted in the Construction Phase SHE Plan (dated as amended March 2025) are sufficient and, as such, this condition can be discharged.</p> <p><u>Condition 6</u></p> <p>An ecology report has been submitted with the application. This confirms that the property has been fully inspected. and 2 dusk roost surveys have been carried out to assess whether bats are using, or have used the building, for roosting purposes. An assessment is also made of the potential the buildings have to host bats or nesting birds, and whether this proposed development will have any negative impacts on individual bats, or the local bat population.</p> <p>No evidence of bats was seen in the survey, and there are no records from the property in the data search. The two dusk surveys found that the area is well used by feeding pipistrelles (especially along the mature trees), but no bats emerged from the building. Only pipistrelles were observed around the property. No roosts were found, and as such no EPS licence is needed for the project. Bats will often change roost sites throughout the season. As there is a reasonable level of bat activity in the area, and several potential roosts around the slate roof of the building, a precautionary approach to the re-roofing work is recommended - with a licenced ecologist on site for the initial roof strip. There was evidence of previous nesting attempts by corvids (probably jackdaw) and pigeons, and several dead birds in the upper floor of the property. All native birds are protected whilst in the process of nesting, and so some avoidance measures have been suggested to reduce the risk of delays to the project due to nesting birds.</p> <p><b>Conclusion</b></p> <p>Approve requirements of Planning Conditions 3, 4, 5 and 6.</p> |                          |
| 8.  | <p><b>Recommendation:</b></p> <p>Approve Discharge of Conditions</p>  |                          |
| <b>Case Officer:</b> C. Burns/N.J. Hayhurst |   | <b>Date :</b> 24/04/2025 |
| <b>Authorising Officer:</b> N.J. Hayhurst   |   | <b>Date :</b> 24/04/2025 |
| <b>Dedicated responses to:- N/A</b>         |   |                          |