

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/25/2124/0B1	
2.	Proposed Development:	APPLICATION UNDER SECTION 73 TO VARY CONDITIONS 2, 3, 5, 6, 7 & 10 TO REFLECT UPDATED DRAINAGE & HIGHWAY INFORMATION OF PLANNING APPLICATION 4/22/2042/0F1 - USE OF LAND FOR SITING OF FOUR GLAMPING PODS WITH SMALL DECKING AREA, CONSTRUCTION OF PARKING COMPRISING 4 SPACES, FOOTWAYS & ASSOCIATED DRAINAGE & MINOR EARTHWORKS TO REGRADE THE LAND LEVELS	
3.	Location:	5 ELLERBECK BARNS, EGREMONT	
4.	Parish:	Egremont, St. Bees	
5.	Constraints:	ASC;Adverts - ASC;Adverts, Flood Area - Flood Zone 2, Flood Area - Flood Zone 3, Coal - Off Coalfield - Data Subject To Change, Outer Consultation Zone - Sellafield 10KM	
6.	Publicity Representations & Policy	Neighbour Notification Letter	Yes
		Site Notice	Yes
		Press Notice	No
		Consultation Response	See Report
		Relevant Policies	See Report

7.

Report:

Site and Location

This application relates to a residential property, known as 5 Ellerbeck Barns, which is situated within a group of five barn conversions located off the B534, the main road running south from the residential area of St Bees. The residential property benefits from two large conservatories, a porch, parking areas, and a large area of land surrounding the dwelling.

Relevant Planning History

4/12/2280/OF1 – Change of use from residential to bed & breakfast – Approved.

4/18/2204/OF1 – Change of use from bed and breakfast to one private dwelling – Approved.

4/22/2042/OF1 – Use of land for the siting of four glamping pods with small decking areas, construction of parking comprising 4 spaces, footways and associated drainage and minor earth works to regrade the land levels – Approved.

Proposal

In April 2023, planning permission (ref: 4/22/2042/OF1) was granted for the use of land for the siting of four glamping pods with small decking areas, construction of parking comprising 4 spaces, footways and associated drainage and minor earth works to regrade the land levels.

This current application seeks to vary conditions 2, 3, 5, 6, 7 and 10 attached to planning permission 4/22/2042/OF1. These conditions state the following:

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:-
 - Ariel View (Amended), Scale 1:1250, Drawing Number: 210825-01-00, Rev: B, received by the Local Planning Authority on the 17th February 2023.
 - Location Plan (Amended), Scale 1:1250, Drawing Number: 210825-01-01, Rev: A, received by the Local Planning Authority on the 7th February 2023.
 - Proposed Site Plan (Amended), Scale 1:200, Drawing Number: 210825-01-02 Rev: B, received by the Local Planning Authority on the 7th February 2023.
 - Site Photographs (Amended), Drawing Number: 210825-01-03, Rev: A, received by the Local Planning Authority on the 17th February 2023.
 - Proposed Drainage Plan (Amended), Scale 1:100, Drawing Number: 210825-01-04, Rev: C, received by the Local Planning Authority on the 7th February 2023.
 - Pod Elevations, Scale 1:50, Drawing Number: 210825-01-05, received by the



**Cumberland
Council**

Local Planning Authority on the 28th January 2022.

- Road and Access Plan (Amended), Scale 1:100, Drawing Number: 210825-01-06, Rev: A, received by the Local Planning Authority on the 17th February 2023.
- Lighting Plan (Amended), Scale 1:100, Drawing Number: 210825-01-08, Rev: A, received by the Local Planning Authority on the 7th February 2023.
- Artist Impressions (Amended), Drawing Number: 210825-01-09, Rev: A, received by the Local Planning Authority on the 17th February 2023.
- Cross Section (Amended), Scale 1:100 & 1:250, Drawing Number: 210825-01-11, Rev: B, received by the Local Planning Authority on the 17th February 2023.
- Market Research, Prepared by Glampitect, received by the Local Planning Authority on the 8th August 2022.
- Design & Access Statement, Prepared by Glampitect, received by the Local Planning Authority on the 28th January 2022.
- Flood Risk Assessment, Prepared by Ashfield Solutions Group June 2022, received by the Local Planning Authority on the 24th June 2022.
- Landscaping Plan (Amended), Scale 1:200, Drawing Number: 210825-01-10, Rev: A, received by the Local Planning Authority on the 17th February 2023.
- Ground Levels Plan (Amended), Scale 1:200, Drawing Number: 210825-01-14, received by the Local Planning Authority on the 17th February 2023.
- Existing Cross Section (Amended), Scale 1:100 & 1:250, Drawing Number: 210825-01-12, Rev: A, received by the Local Planning Authority on the 17th February 2023.
- Traffic and Speed Survey Analysis, Prepared by CTS Traffic and Transportation January 2023, received by the Local Planning Authority on the 13th January 2023.
- Speed Survey – Analysis Sheet, received by the Local Planning Authority on the 13th January 2023.
- Speed Survey – Northwest Bound (Class), received by the Local Planning Authority on the 13th January 2023.
- Speed Survey – Northwest Bound (Speed), received by the Local Planning Authority on the 13th January 2023.
- Speed Survey – Southeast Bound (Class), received by the Local Planning Authority on the 13th January 2023.
- Speed Survey – Southeast Bound (Speed), received by the Local Planning Authority on the 13th January 2023.

- Speed Survey – Location Map, received by the Local Planning Authority on the 13th January 2023.
- Speed Survey Report – Appendix 2, received by the Local Planning Authority on the 13th January 2023.
- Visibility Splay Images, received by the Local Planning Authority on the 13th January 2023.
- Minimum Visibility Splays (Amended), Scale 1:250, Drawing Number: 210825-01-07, Rev: D, received by the Local Planning Authority on the 17th February 2023.
- Proposed Surface Water Drainage Plan (Amended), Scale 1:100, Drawing Number: 210825-01-15, received by the Local Planning Authority on the 21st March 2023.

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. No development must commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme must include:
 - I. An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation must include evidence of an assessment of ground conditions and the potential for infiltration of surface water;
 - 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); and
 - III. A timetable for its implementation.

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

The development hereby permitted must be carried out only in accordance with the approved drainage scheme.

Reason

To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with the provision of Policy ENV1 and Policy

DM24 of the Copeland Local Plan 2013 – 2028.

5. Details of all measures to be taken by the applicant/developer to prevent surface water discharging onto or off the highway must be submitted to the Local Planning Authority for approval prior to development being commenced. Any approved works must be implemented prior to the development being completed and must be maintained operational thereafter.

Reason

In the interests of highway safety and environmental management in accordance with Policy T1 and DM22 of the Copeland Local Plan.

Prior to Use/Installation Conditions

6. The foul drainage for the development hereby approved, must be carried out in accordance with principles set out in the approved plan 'Proposed Drainage Plan (Amended), Scale 1:100, Drawing Number: 210825-01-04, Rev: C, received by the Local Planning Authority on the 7th February 2023'. For the avoidance of doubt no surface water will be permitted to drain directly or indirectly into the public sewer. Prior to occupation of the proposed development, the drainage schemes must be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason

To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with the provision of Policy ENV1 and Policy DM24 of the Copeland Local Plan 2013 – 2028.

7. Prior to its first installation full details of the proposed water treatment plant must be submitted to and approved in writing by the Local Planning Authority. The development must be completed in accordance with any approved details and retained as such for the lifetime of the development.

Reason

To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with the provision of Policy ENV1 and Policy DM24 of the Copeland Local Plan 2013 – 2028.

10. Details showing the provision of a vehicle turning space within the site, which allows vehicles visiting the site to enter and leave the highway in a forward gear, must be submitted to the Local Planning Authority for approval. The development must not be brought into use until any such details have been approved and the turning space constructed. The turning space must not thereafter be used for any other purpose.

Reason

To ensure that provision is made for vehicle turning within the site and in the interests of highway safety.

Consultation Responses

Egremont Town Council

No objections.

St Bees Town Council

St Bees Parish Council has considered this application to vary conditions of approval 4/22/2042/0F1 for the siting of holiday pods. It is noted that the drainage proposals are based on a maximum occupancy of 8 people. The Parish Council trusts that Highways will comment on the highways aspects of the application, as the site is quite close to a bend on a road with a 60mph limit so refuse vehicles parking on the road could present a hazard.

Cumberland Council – Highway Authority & Lead Local Flood Authority

6th May 2025

The Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) has reviewed the revised proposals and can confirm as follows.

The changes are relatively minor and do not impact the highway in terms of trips and visibility. I note the proposed change to the surface water infiltration design, but this is also considered a minor change.

The conditions securing the visibility onto the highway and conditions seeking further designs for approval for the surface water drainage management are still in place. The proposals to be submitted to discharge these conditions will protect the highway and its users, as well as mitigate any increase in flood risk from the development.

The LHA and LLFA have no objection to these conditions being varied.

12th June 2025

The Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) has reviewed the revised proposals and can confirm as follows.



**Cumberland
Council**

Variation of Condition 2 - List of Approved drawings etc

No objection

Variation of Condition 3 - Surface Water Drainage Scheme

I have reviewed the revised outline drainage design, and I consider that the proposed linear gravel soakaways will manage the surface water run off appropriately and will not increase flood risk.

I have no objection to the variation of this condition to reflect the revised design.

Variation of Condition 5 - Measures to prevent surface water discharging onto the highway

There is no specific reference of how this surface water risk is mitigated. I note that the proposed car parking area is 'permeable material' but the material type / construction is not defined. Sub-base or MoT Type 1 for example is not considered to be permeable.

Also, loose permeable material (i.e. gravel) would not be acceptable within 5m of the highway as it is likely to spread onto the carriageway.

I cannot accept this Condition to be varied on the basis of the drawings submitted as they do not address this requirement.

Variation of Condition 6 & 7 - Foul Water Drainage Scheme

No comment - The LLFA does not review / assess the suitability of foul drainage systems.

Variation of Condition 10 - Vehicle Turning Space

The swept path analysis drawing satisfactorily shows that turning is possible. I have no objection to this condition being varied to reflect the submitted design.

The LHA and LLFA have no objection to these conditions being varied to reference the revised drainage design.

16th July 2025

The Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) has reviewed the revised proposals and further to my response of 12 June 2025 can confirm as follows.

Variation of Condition 2 - List of Approved drawings etc

No objection

Variation of Condition 3 - Surface Water Drainage Scheme

I have no objection to the variation of this condition to reflect the revised design.

Variation of Condition 5 - Measures to prevent surface water discharging onto the highway

I note the clarification of the access track surfacing type is to be crushed stone and gravel which should be permeable but there is also a cut-off french drain at the threshold to prevent water from flowing onto the highway. The first 5m of the access is also a bound surface to

prevent loose material migrating onto the carriageway.

The proposals are considered to address the requirements of this condition, so I have no objection.

Variation of Condition 6 & 7 - Foul Water Drainage Scheme

No comment - The LLFA does not review / assess the suitability of foul drainage systems.

Variation of Condition 10 - Vehicle Turning Space

I have no objection to this condition being varied to reflect the submitted design.

Environment Agency

In our previous responses to planning application 4/22/2042/0F1, we had no objections to the development as proposed, however we included informative comments in relation to foul drainage.

Environment Agency position

We have reviewed the information accompanying this application and we have no objections to the variation of the above conditions and wish to make the following informative comments, including changes to the extent of flood risk at the site:-

Foul drainage

In addition to planning permission, you may also require an Environmental Permit from the Environment Agency. Please note that the granting of planning permission does not guarantee the granting of an Environmental Permit. Upon receipt of a correctly filled in application form we will carry out an assessment. It can take up to 4 months before we are in a position to decide whether to grant a permit or not.

Domestic effluent discharged from a treatment plant/septic tank at 2 cubic metres or less to ground or 5 cubic metres or less to surface water in any 24 hour period must comply with General Binding Rules provided that no public foul sewer is available to serve the development and that the site is not within an inner Groundwater Source Protection Zone.

A soakaway used to serve a non-mains drainage system must be sited no less than 10 metres from the nearest watercourse, not less than 10 metres from any other foul soakaway and not less than 50 metres from the nearest potable water supply.

Where the proposed development involves the connection of foul drainage to an existing non-mains drainage system, the applicant should ensure that it is in a good state of repair, regularly de-sludged and of sufficient capacity to deal with any potential increase in flow and loading which may occur as a result of the development.

Where the existing non-mains drainage system is covered by a permit to discharge then an application to vary the permit will need to be made to reflect the increase in volume being discharged. It can take up to 13 weeks before we decide whether to vary a permit.

Further advice is available at:

Septic tanks and treatment plants: permits and general binding rules

Flood risk

Publication of New National Flood and Coastal Erosion Risk Datasets

We would like to make you and the applicant aware that the extent of fluvial flood risk has increased at the site, following the updates to the Flood Map for Planning. The existing site entrance and proposed car parking area are now located in Flood Zones 2 and 3.

The Environment Agency is in the process of publishing new national flood and coastal erosion risk datasets. Some datasets have already been published with additional flood risk datasets, including updated Flood Zones and new climate change scenarios, due to be published on Flood Map for Planning on 25 March 2025.

United Utilities

15th April 2025

Further to our review of the submitted Proposed SW & FW drainage, we can confirm the proposals are acceptable in principle to United Utilities. The applicant can discuss their drainage proposals with our Developer Services team by email at

SewerAdoptions@uuplc.co.uk.

Alternative ways to contact the team are detailed in the Appendix, Section 4.0 'CONTACTS'.

On review, development of the proposed car park is over water main infrastructure and the drainage design as part of this submission shows drainage features over and in close proximity to the critical water main.

The applicant is advised to contact DeveloperServicesWater@uuplc.co.uk to understand how any reprofiling and construction of the car park impacts the existing water main in the site.

As this is a Section 73 submission and matters regarding water main protection are still to be concluded, we recommend that the following condition is included in the subsequent Decision Notice to afford appropriate protective measures for this asset: Protection of Water Main.

4th August 2025

Having reviewed the comments from engineers on the comments from the first letter still stand. The water main protection should be dealt with via condition. If the details are to remove the recommended condition then the applicant must agree first via watermains@uuplc.co.uk.

It is appreciated the development itself (the pods) are located away from the water main but there is access proposed close to a shallow main. Any earth movement or level changes associated to accessing/parking would need to be considered.

The RAMs is an option for us to agree protection prior to commencement but should the

applicant wish avoid the condition then the details required in this submission would need the opinion of an engineer so the applicant must agree any additional details via watermains@uuplc.co.uk The details may include tracing the main.

7th August 2025

Further to our review of the submitted documents, Drawing 8910/106, Rev G - Dated 13-03-24, United Utilities has no objection to proposals in the above submission. Any drainage solution must be in accordance with the details outlined in the referenced document.

Cumberland Council – Flood and Coastal Defence Engineer

No comments received.

Cumberland Council – Environmental Health

There are no objections from Environmental Health to this proposal.

Cumberland Council and Westmorland and Furness Council - Resilience Unit

Thank you for the opportunity to comment on the above planning application. This response from the Joint Emergency Management and Resilience Team relates to emergency planning arrangements in the unlikely event of an incident occurring at Sellafield Ltd. The Sellafield site is currently covered by the provision of the Radiation (Emergency Preparedness and Public Information) Regulations 2019.

The location of the land is situated outside of an area referred to as the Detailed Emergency Planning Zone (DEPZ), therefore no direct liaison with the applicant is required in relation to warning and informing information. However, it is advisable to signpost the applicant to the Cumberland Council Emergency Planning webpage which will assist with general information about the Sellafield Site, please see link below:

<https://legacy.cumberland.gov.uk/emergencyplanning/supportingpages/industrialsites.asp>

The location of the land does sit within a distance of 10km from the Sellafield site, an area known as the Outer Consultation Zone (OCZ) but after viewing the details of the application, the opinion is that the plan for this development is not of significance in relation to this particular zone, and, therefore, liaison with the applicant is not required.

There are no objections to the proposed works.

Public Representation

This application has been advertised by way of a site notice, and neighbour notification letters issued to 8 properties.

Three letters of objection have been received from one objector raising the following concerns:

- My objections add to my objections to the previous application a few years ago.
- The land has a restrictive covenant attached to it to prevent this type of

development agreed with previous owners.

- The land can therefore only be used for agricultural uses not pods or building development.
- The existing water treatment works for the adjacent barn conversions requires an annual licence from the Environment Agency to ensure the final clean water into the Ellerbeck from the existing reed bed is clean enough for glazing livestock to drink downstream.
- I have grazing land immediately below this application land and confirm livestock refuse to drink because of present contamination.
- The extra waste water generated from the proposed 4 glamping pods will effect the Ellerbeck and livestock even more.
- Noise from the pods will also effect grazing as well as their pets.
- The B5345 is the route to and from Sellafield and have no speed limit. The pods will risk the safety of all who pass, access and exit the site.
- I request a copy of the valid EA licence. The planning authority have a responsibility to provide this.

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.

Planning approval 4/22/2042/0F1 was determined under the previous Local Plan, however this current S73 application is being considered under the Copeland Local Plan 2021-2016 as this now forms the development plan.

The following policies are relevant to this proposal: -

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 T1: Tourism Development

Policy T2: Tourism Development along the Developed Coast

Policy T3: Caravans and Camping Sites for Short-Term Letting

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 N6: Landscape Protection

Strategic Policy N7: St Bees and Whitehaven Heritage Coast

Strategic Policy CO4: Sustainable Travel

Policy CO7: Parking Standards and Electric Vehicle Charging Infrastructure

Other Key Material Planning Considerations

National Planning Policy Framework (2023)

National Design Guide (NDG).

Cumbria Development Design Guide (CDG)

The Cumbria Landscape Character Guidance and Toolkit (CLGC)

The Conservation of Habitats and Species Regulations 2017 (CHSR)



Cumberland Council

Assessment

Under Section 73 of the Town and Country Planning Act 1990, an application can be made to vary or remove a condition associated with a permission. The effect of an application under Section 73 is the issue of a new permission sitting alongside the original permission, which remains intact and unamended. The NPPG outlines that to assist with clarity it states that decision notices should also repeat the relevant conditions from the original permission unless they have already been discharged. As a Section 73 application cannot be used to vary the time limit for implementation this condition must remain unchanged from the original permission.

In terms of the conditions attached to the previous decision notice (ref: 4/22/2042/0F1), condition 1 will be amended to ensure timescales for commencement are clearly outlined. Conditions 4, 8, 9, 11, 12, 13, and 14 will be repeated to ensure that works are carried out as per the approved details.

This current application seeks to vary conditions 2, 3, 5, 6, 7, and 10 of the original planning approval (ref: 4/22/2042/0F1).

Condition 2 relates to the approved plans for the development. This application seeks to vary these plans to reflect changes to the previously approved foul drainage scheme and to include the plans submitted as part of this S73 application.

Condition 6 secures the approved details of the foul drainage for the development. The agent has confirmed that the previously approved foul drainage scheme for the development required amendment following the results of the percolation testing undertaken at the site. No objections have been received from statutory consultees in relation to the variation of condition 6.

The following conditions required formal discharge however the agent has requested these be varied to avoid a separate discharge of conditions application and to ensure works are carried out in accordance with the approved details:

- Condition 3 sought to secure full details of the proposed sustainable surface water drainage scheme for the development prior to the commencement of works at this site. No objections have been received from statutory consultees in relation to the variation of condition 3.
- Condition 5 sought to secure full details of the proposed measures to prevent surface water discharging onto or off the highway prior to the commencement of works at this site. Following the submission of additional information no objections have been received from statutory consultees in relation to the variation of condition 5.
- Condition 7 sought to secure full details of the proposed water treatment plant prior to its installation within the development. No objections have been received from statutory consultees in relation to the variation of condition 7.

	- Condition 10 sought to secure full details and the implementation of the proposed vehicle turning space within the site prior to the first use of the site. No objections have been received from statutory consultees in relation to the variation of condition 10.
8.	Recommendation: Approve
9.	Conditions: <u>Standard Conditions:</u> 1. The development hereby permitted must be commenced before the 20th April 2026. Reason To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004. 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:- - Ariel View (Amended), Scale 1:1250, Drawing Number: 210825-01-00, Rev: B, received by the Local Planning Authority on the 17th February 2023. - Location Plan (Amended), Scale 1:1250, Drawing Number: 210825-01-01, Rev: A, received by the Local Planning Authority on the 7th February 2023. - Proposed Site Plan (Amended), Scale 1:200, Drawing Number: 210825-01-02 Rev: B, received by the Local Planning Authority on the 7th February 2023. - Site Photographs (Amended), Drawing Number: 210825-01-03, Rev: A, received by the Local Planning Authority on the 17th February 2023. - Pod Elevations, Scale 1:50, Drawing Number: 210825-01-05, received by the Local Planning Authority on the 28th January 2022. - Lighting Plan (Amended), Scale 1:100, Drawing Number: 210825-01-08, Rev: A, received by the Local Planning Authority on the 7th February 2023. - Artist Impressions (Amended), Drawing Number: 210825-01-09, Rev: A, received by the Local Planning Authority on the 17th February 2023. - Cross Section (Amended), Scale 1:100 & 1:250, Drawing Number: 210825-01-11, Rev: B, received by the Local Planning Authority on the 17th February 2023. - Market Research, Prepared by Glampitect, received by the Local Planning

Authority on the 8th August 2022.

- Design & Access Statement, Prepared by Glampitect, received by the Local Planning Authority on the 28th January 2022.
- Flood Risk Assessment, Prepared by Ashfield Solutions Group June 2022, received by the Local Planning Authority on the 24th June 2022.
- Landscaping Plan (Amended), Scale 1:200, Drawing Number: 210825-01-10, Rev: A, received by the Local Planning Authority on the 17th February 2023.
- Ground Levels Plan (Amended), Scale 1:200, Drawing Number: 210825-01-14, received by the Local Planning Authority on the 17th February 2023.
- Existing Cross Section (Amended), Scale 1:100 & 1:250, Drawing Number: 210825-01-12, Rev: A, received by the Local Planning Authority on the 17th February 2023.
- Traffic and Speed Survey Analysis, Prepared by CTS Traffic and Transportation January 2023, received by the Local Planning Authority on the 13th January 2023.
- Speed Survey – Analysis Sheet, received by the Local Planning Authority on the 13th January 2023.
- Speed Survey – Northwest Bound (Class), received by the Local Planning Authority on the 13th January 2023.
- Speed Survey – Northwest Bound (Speed), received by the Local Planning Authority on the 13th January 2023.
- Speed Survey – Southeast Bound (Class), received by the Local Planning Authority on the 13th January 2023.
- Speed Survey – Southeast Bound (Speed), received by the Local Planning Authority on the 13th January 2023.
- Speed Survey – Location Map, received by the Local Planning Authority on the 13th January 2023.
- Speed Survey Report – Appendix 2, received by the Local Planning Authority on the 13th January 2023.
- Visibility Splay Images, received by the Local Planning Authority on the 13th January 2023.
- Minimum Visibility Splays (Amended), Scale 1:250, Drawing Number: 210825-01-07, Rev: D, received by the Local Planning Authority on the 17th February 2023.
- Swept Path Analysis of Proposed Parking Layout, Scale 1:250, Drawing

Number: 159479-001, Rev: -, received by the Local Planning Authority on the 28th March 2025.

- Proposed SW & FW Drainage, Scale 1:100, Drawing No: C-P-DN-01, Rev: -, received by the Local Planning Authority on the 28th March 2025.
- Drainage Proposal Report, Prepared by Tweddell & Slater November 2024, received by the Local Planning Authority on the 28th March 2025.
- Septic Tank Details: Kingspan Environmental, 2800, 3800 & 4600 Alpha Septic Tanks, Drawing: DS0552P, received by the Local Planning Authority on the 28th March 2025.
- Road and Access Plan, Scale 1:100, Drawing Number: 210825-01-06, Revision: B, received by the Local Planning Authority on the 9th July 2025.
- UU water Main Record, received by the Local Planning Authority on the 15th July 2025.
- Proposed Surface Water Drainage Plan: Water Mains Plan, Scale 1:100, Drawing Number: 210825-01-16, Revision: -, received by the Local Planning Authority on the 15th July 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. The surface water drainage for the development hereby approved, must be carried out in accordance with principles set out with the following approved plans:

- Proposed SW & FW Drainage, Scale 1:100, Drawing No: C-P-DN-01, Rev: -, received by the Local Planning Authority on the 28th March 2025.
- Drainage Proposal Report, Prepared by Tweddell & Slater November 2024, received by the Local Planning Authority on the 28th March 2025.
- UU water Main Record, received by the Local Planning Authority on the 15th July 2025.
- Proposed Surface Water Drainage Plan: Water Mains Plan, Scale 1:100, Drawing Number: 210825-01-16, Revision: -, received by the Local Planning Authority on the 15th July 2025.

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

lifetime of the development.

Reason

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

4. The development must not commence until visibility splays providing clear visibility of 91m NW and 83m SE measured 2.4 metres down the centre of the access road and the nearside channel line of the major road have been provided at the junction of the access road with the county highway as shown on the approved plan 'Minimum Visibility Splays (Amended), Scale 1:250, Drawing Number: 210825-01-07, Rev: D, received by the Local Planning Authority on the 17th February 2023'. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be planted or be permitted to grow within the visibility splay which obstruct the visibility splays. The visibility splays must be constructed before general development of the site commences so that construction traffic is safeguarded.

Reason

In the interests of highway safety.

5. The development hereby approved must be carried out in accordance with and implement the measures set out in the approved document 'Road and Access Plan, Scale 1:100, Drawing Number: 210825-01-06, Revision: B, received by the Local Planning Authority on the 9th July 2025'. The measures to prevent surface water discharging onto or off the highway must be implemented prior to the development being completed and must be maintained operational thereafter.

Reason

In the interests of highway safety and environmental management in accordance with Policy C04 and C07 the Copeland Local Plan.

Prior to Use/Installation Conditions

6. The foul drainage for the development hereby approved, must be carried out in accordance with principles set out in the following approved plans:

- Proposed SW & FW Drainage, Scale 1:100, Drawing No: C-P-DN-01, Rev: -, received by the Local Planning Authority on the 28th March 2025.
- Drainage Proposal Report, Prepared by Tweddell & Slater November 2024, received by the Local Planning Authority on the 28th March 2025.
- Septic Tank Details: Kingspan Environmental, 2800, 3800 & 4600 Alpha Septic Tanks, Drawing: DS0552P, received by the Local Planning Authority on the 28th March 2025.

For the avoidance of doubt no surface water will be permitted to drain directly or indirectly into the public sewer.

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

Reason

To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with the provision of Policy DS6 and DS7 of the Copeland Local Plan 2021 - 2039.

7. The proposed water treatment plant must be installed in accordance with the following approved details:

- Proposed SW & FW Drainage, Scale 1:100, Drawing No: C-P-DN-01, Rev: -, received by the Local Planning Authority on the 28th March 2025.
- Septic Tank Details: Kingspan Environmental, 2800, 3800 & 4600 Alpha Septic Tanks, Drawing: DS0552P, received by the Local Planning Authority on the 28th March 2025.

The development must be completed in accordance with the approved details and retained as such for the lifetime of the development.

Reason

To promote sustainable development, secure proper drainage and to manage the risk



Cumberland Council

of flooding and pollution in accordance with the provision of Policy DS6 and DS7 of the Copeland Local Plan 2021 - 2039.

8. The use of the site hereby approved must not be commenced until the access and parking requirements have been constructed in accordance with the approved plan 'Minimum Visibility Splays (Amended), Scale 1:250, Drawing Number: 210825-01-07, Rev: D, received by the Local Planning Authority on the 17th February 2023'. Any such access and parking provisions must be retained and be capable of use when the development is completed and must not be removed or altered without the prior consent of the Local Planning Authority.

Reason

To ensure a minimum standard of access provision when the development is brought into use in accordance with Policy C04 and CO7 the Copeland Local Plan.

9. The access drive must be surfaced in bituminous or cement bound materials or otherwise bound and must be constructed and completed before the development is brought into use. This surfacing must extend for a distance of at least 5.0 metres inside the site, as measured from the carriageway edge of the adjacent highway.

Reason

In the interests of highway safety.

10. The development hereby approved must be carried out in accordance with and implement the measures set out in the approved document 'Swept Path Analysis of Proposed Parking Layout, Scale 1:250, Drawing Number: 159479-001, Rev: -, received by the Local Planning Authority on the 28th March 2025'. The measures for the provision of a vehicle turning space, which allows vehicles visiting the site to enter and leave the highway in a forward gear, must be implemented prior to the development being brought into use and must be maintained operational thereafter. The turning space must not thereafter be used for any other purpose.

Reason

To ensure that provision is made for vehicle turning within the site and in the interests of highway safety.

Other Conditions:

11. The development must be carried out in accordance with and implement all of the details and measures set out within the approved document 'Flood Risk Assessment, prepared by Ashfield Solutions Group June 2022, received by the Local Planning Authority on the 24th June 2022'. Once installed these measures shall be retained at all times thereafter.

Reason

To secure proper drainage and to manage the risk of flooding and pollution.

12. Artificial lighting to the development must conform to requirements to meet the Obtrusive Light Limitations For Exterior Lighting Installations for Environmental Zone E2 within the Institute of Light Engineers Guidance Notes For the Reduction of Obtrusive Lighting GN01 dated 2005.

Reason

To safeguard the amenities of nearby residential occupiers.

13. Any access gates installed within the site must be of a style which do not open onto the highway and must be retained as such at all times thereafter.

Reason

In the interest of highway safety.

14. The development hereby approved must be constructed in accordance with the landscaping details specified within the following approved plans:

- Landscaping Plan (Amended), Scale 1:200, Drawing Number: 210825-01-10, Rev: A, received by the Local Planning Authority on the 17th February 2023.

The development must be carried out and maintained in accordance with this approved detail at all times thereafter.

Reason

In the interest of visual amenity.

Informatives:

1. Any works within the Highway must be agreed with the Highway Authority. No works and/or any person performing works on any part of the Highway, including Verges, will be permitted, until in receipt of an appropriate permit allowing such works. Enquires should be made to Cumbria County Councils Streetwork's team.
2. In view of the fact that this application, if granted, could increase the number of persons in the area (including trade people) the applicant should liaise with the Resilience Unit office via emergency.planning@cumbria.gov.uk to allow for further discussion to ensure the applicant and their trades people/contractors are aware of the appropriate information and actions to take should there be an incident at the Sellafeld site.
3. In addition to planning permission the applicant may also require an Environmental Permit from the Environment Agency. Please note that the granting of planning permission does not guarantee the granting of an Environmental Permit.

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 : 08.10.2025

Authorising Officer: N.J. Hayhurst

Date : 09.10.2025

Dedicated responses to:- N/A