



Cumberland Council
Cumbria House
107-117 Botchergate
Carlisle
Cumbria CA1 1RD
Telephone 0300 373 3730
cumberland.gov.uk

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

NOTICE OF GRANT OF PLANNING PERMISSION

Avison Young
Central Square
Forth Street
Newcastle Upon Tyne
NE1 3PJ
FAO: Tom Wignall

APPLICATION No: 4/25/2141/0F1

**EXTENSION AND RECONFIGURATION OF EXISTING CAR PARK, ERECTION
OF MEMORIAL GARDEN, AND ASSOCIATED LANDSCAPING IMPROVEMENTS**

**LAND TO SOUTH EAST OF SELLAFIELD COMPLEX, FROM THE A595T TO THE
B5344, SEASCALE**

Civil Nuclear Constabulary

The above application dated 11/04/2025 has been considered by the Council in
pursuance of its powers under the above mentioned Act and PLANNING
PERMISSION HAS BEEN GRANTED subject to the following conditions:

Standard Conditions

1. The development hereby permitted shall begin not later than three years from
the date of this decision.

Reason

To comply with the requirements of Section 91 of the Town and Country
Planning Act 1990 as amended by Section 51 of the Planning and
Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans/details: -

Planning Application Form, received 11th April 2025

Site Location Plan. Drawing number CNC-001, received on 19th February 2025

Proposed Site Location Plan, Drawing Number AY-CNC-007 Setting, received on 19th February 2025

Proposed Car Park Layout Plan, drawing number JN2826- 0006C, received on 05th June 2025

Proposed Elevations, drawing number AY-CNC-009, received on 19th February 2025

Topographical Survey Sheets 1 and 2, drawing numbers 141214/001 and 002

Transport Statement, reference JN2826- Rep-0001.2, prepared by SAJ

Transport Consultants, dated October 2024

Design and Access Statement, prepared by Avison Young, dated 03 April 2025

Preliminary Ecological Assessment and Biodiversity Net Gain Report, prepared by DWS Ecology, dated July 2025

Reason

For the avoidance of doubt and in the interests of proper planning.

Pre Commencement Conditions

Landscaping

3. No development shall commence until a detailed scheme of soft landscape works has been submitted to and approved in writing by the Local Planning Authority.

These shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers / densities; an implementation programme and a five-year maintenance plan.

The agreed scheme shall be carried out as approved to the agreed timetable.

Any trees / shrubs which are removed, die, become severely damaged or diseased within five years of their planting shall be replaced in the next planting season with trees / shrubs of similar size and species to those originally required to be planted.

Reason

To safeguard and enhance the character of the area and secure high quality landscaping in accordance with the provisions of Policy DS5 of the Copeland Local Plan 2021-2039.

Access

4. No development shall commence until details of the proposed access, including details of a specification, construction, materials, finishes, colours including a block / detailed layout plan (to scale) have been submitted to and approved in writing by the Local Planning Authority.

Any works so approved shall be constructed in accordance with the approved details before the development is complete.

Reason

To ensure a minimum standard of construction in the interests of highway safety in accordance with the provisions of Policy CO4 of the Copeland Local Plan 2021-2039.

Lighting

5. Before development commences details of a sensitive construction and operational lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. This lighting scheme shall be in line with the Bat Conservation Trust's Guidance Note 8 for Bats and Artificial Lighting:
<https://theilp.org.uk/publication/guidance-note-8-bats-and-artificial-lighting/>

Reason

To safeguard local wildlife in the area.

Biodiversity Net Gain

6. Prior to the commencement of development, a Habitat Management and Monitoring Plan shall be 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 Strategic Policy N3 of the Copeland Local Plan 2021-2039, the National Planning Policy Framework and The Environment Act 2021.

- 7. The development hereby approved shall not be brought into use until the habitat creation and habitat enhancement works detailed in the Habitat Management and Monitoring Plan 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 Strategic Policy N3 of the Copeland Local Plan 2021-2039, 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 Strategic Policy N3 of the Copeland Local Plan 2021-2039, 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 Strategic Policy N3 of the Copeland Local Plan 2021-2039, 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 Strategic Policy N3 of the Copeland Local Plan 2021-2039, the National Planning Policy Framework and The Environment Act 2021.

Informatives

Biodiversity Net Gain - Applicable

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

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

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be Cumberland Council.

There are statutory exemptions which mean that the biodiversity gain condition does not always apply.

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 one of the statutory exemptions is considered to apply.

Ecology small mammals

All development work should be carried out with care to avoid small mammals such as hedgehogs. Contractors should be briefed about the potential presence of hedgehogs and Works should be supervised during initial clearance of the Site to avoid injury to any disturbed individuals.

Any trenches or excavations that are left open overnight should have a means of escape for mammals i.e. a scaffold board to act as a ramp. This is especially important as hedgehogs have been recorded on site.

Drainage United Utilities

United Utilities encourage all developments to include sustainable drainage systems to help manage surface water and to offer new opportunities for wildlife to flourish. Request that applicants/ developers do all they can to avoid surface water entering the public sewer. It is the surface water that uses up a lot of capacity in our sewers and results in the unnecessary pumping and treatment of surface water at our pumping stations and treatment works. If new developments can manage flows through sustainable drainage systems that discharge to an alternative to the public sewer, it will help to minimise the likelihood of sewers spilling into watercourses and the flooding of homes and businesses.

National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) advise that surface water from new developments should be investigated and delivered in the following order of priority:

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

The applicant/ developer should consider their drainage plans in accordance with the drainage hierarchy outlined above.

In the event that the applicant, or any subsequent developer, approaches United Utilities regarding a connection for surface water to the public sewer, it is likely that UU will request evidence that the drainage hierarchy has been fully investigated and why more sustainable options are not achievable. This will be managed through either our 'S106 Sewer Connections' or 'S104 Adoptions' processes.

When considering their drainage proposal, the applicant/ developer should investigate the existence of any pipelines and/or apparatus that might impact their detailed design.

It is the applicant's / developer's responsibility to ensure that any detailed drainage plans comply with our 'Standard Conditions for Works Adjacent to Pipelines' which can be found on the UU website: Working near our pipes - United Utilities. Failure to consider existing pipelines may result in the redesign of proposals,

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.

Please read the accompanying notice



Nick Hayhurst
Head of Planning and Place
Thriving Places

10th October 2025

**APPROVALS
(OUTLINE, FULL RESERVED MATTERS & HOUSEHOLDER)**

**TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT
PROCEDURE) (ENGLAND) ORDER 2015**

PART 2

TOWN AND COUNTRY PLANNING ACT 1990

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- Appeals can be made online at: <https://www.gov.uk/appeal-planning-decision> . If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)

Purchase Notices

- If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part V1 of the Town and Country Planning Act 1990.