

<b>Application Reference Number:</b>	4/25/2198/0F1
<b>Application Type:</b>	Full Planning Application
<b>Application Address:</b>	LAND AT HODBARROW NATURE RESERVE, MILLOM
<b>Proposal</b>	ERECTION OF VISITOR CENTRE WITH CAFÉ/SHOP, GROUP ROOM, STAFF/VOLUNTEER, TOILET FACILITIES AND CAR PARK; CONSOLIDATION REPAIR AND INSTALLATION OF INTERPRETIVE SCULPTURE TO TOWSEY HOLE WINDMILL; REFURBISHMENT OF EXISTING TERN HIDE; NEW BIRD HIDES/VIEWING SCREENS, PATHWAYS, GATEWAY FEATURES, STREET FURNITURE AND DEMARCATION OF SPACES AT EXISTING CAR PARK; ENHANCEMENT OF WILDLIFE HABITATS; ASSOCIATED LANDSCAPING AND DRAINAGE INFRASTRUCTURE; AND MAINTENANCE OF BYWAY WITH RESTRICTED VEHICULAR ACCESS (THE IRON LINE PROJECT)
<b>Applicant</b>	Cumberland Council
<b>Agent</b>	c/o Story Contracting Ltd
<b>Valid Date</b>	25 <sup>th</sup> June 2025
<b>Case Officers</b>	Christie Burns

### Updates Following Publication of the Committee Report

As detailed in the Committee Report, ecology and biodiversity are key considerations in the determination of this planning application.

As a reminder to Members the following additional information has been requested from the Council's Ecology Consultant (Tetra Tech) in order to progress the application:

- Additional information to allow a full assessment of the submitted Habitat Regulation Assessment, in relation to breeding birds;
- Additional information in relation to the validity of the surveys relating to some protected species, and local and non-statutory sites; and
- Updates to the Amphibian Mitigation and Management Plan in relation to the impact on Greater Crested Newts.

Since the publication of the Committee Report discussions have been undertaken with Tetra Tech which has resulted in the amendment and removal of some of the conditions set out within the original agenda report. An updated list of conditions is included at the end of this update report for completeness to reflect these changes.

Since the Committee Report was published the following additional information has been submitted to address outstanding information:-

- Additional information in relation to the location and layout of the proposed compound;
- Response to Tetra Tech from applicant's Ecologist;
- Updated Amphibian Mitigation and Management Plan;
- Updated Construction Environmental Management Plan;
- Updated Landscape and Ecological Management Plan.

This information has been referred to the Councils Consultant Ecologist for an updated response.

### **Council Ecologist Update**

I have reviewed some of the requests for additional ecological information that have been specified by the Councils consultant Tetra Tech. I have set out my view below following my further assessment:-

#### **Condition 6**

The requirement to clean the concrete from particulates should be stated rather than having to be detailed.

#### **Condition 7**

A previous request was made for a detailed breakdown of the recommended buffer zones for wintering birds to avoid disturbance. This is a potential problem because, in the Ecological Impact Assessment (EclA) these exclusion zones can be up to 1km+ depending on the species. I suggest that the wording of the CEMP is amended to give the ECoW the responsibility to guide the development according to the best practice as they themselves have to be part of CIEEM.

A map has also been requested to show where these birds are. There isn't the data from RSPB to provide this, however data is held to show which bird species are using the site and which part of the site is particularly important. It is industry practice to show which bird is flying over which bush and whether it is flying or resting. I suggest that the data that is currently available is able to help design sound and robust mitigation for birds.

The requirement for a series of 'mitigation statements' to be provided as part of the CEMP is not required as the information has already been presented and it has been written so that the document isn't confusing for contractors. The ECoW will also be carrying the responsibility.

#### Condition 8

It has been requested that the ECoW should have a Natterjack Toad (NT) licence to undertake ECoW duties. This is significant because there are very few ecologists in the UK with such a licence as the species is so rare which limits the ability to get hands-on experience that is sufficient to secure the appropriate licence. It is unreasonable to require a NT licenced ECoW to be able to move the animal to a place of safety should the ECoW find one. This is because, not only has it been deemed unlikely that NT will be found, but work would also have to cease anyway to apply for a licence should one be found, and the animal will not want to be exposed to predators and will hop to a place of safety. To overcome this, I suggest having a statement in the AMMP which sets out that if a NT is found, then works will stop to allow Natural England to be consulted. This is the procedure adopted for Great Created Newt which is also a European Protected Species.

#### Bats

The request for photographs to provide proof that the windmill structure is unsuitable for bats is not necessary. Photographs themselves do not put the windmill in the context of the local environment. A survey was done by a famously reputable bat ecologist in 2021 who deemed the building to hold negligible potential. A Further update survey was done in the summer of 2025 by Greengage Ecologists. It was assessed last summer that the condition of the building had not changed and therefore the conclusions of the 2021 report remained valid. I suggest that if an enhanced level of protection on the building is required then works could be done under supervision from an ECoW who holds a Level 2 bat licence with Natural England. This is sufficient from a legal standpoint as the surveys have already been undertaken and remain valid.

The applicants Ecologist has agreed to produce a statement regarding the survey done in the summer to provide additional clarification on this point.

#### **Highway Authority (LHA)/Local Lead Flood Authority (LLFA) Update**

Having discussed the proposed conditions further with the project team, I realise that the conditions originally suggested are too onerous and don't reflect the level of detail that has been provided at this stage. On this basis I have reviewed the LHA & LLFA responses against the submitted plans and suggest that the conditions are refined to simplify them as specified below: -

3. The vast majority of the carriageway and footways etc do show sufficient detail, especially with alignment, however there are some elements that need to be reviewed and approved but these are relatively minor and can be conditioned to be submitted for approval prior to construction, not commencement to facilitate an earlier start on key elements of the project. The items / areas that we need more detail on (as referenced in my response) are:
  - the layout / spacing of bollards, fences / barriers etc at access control points;
  - the bollard specification (including details of finish and height);
  - detailed construction cross-section & specification of the carriageways, footpath and cycleways; (I note that some surfaces i.e. 'vehicular macadam' are 'To engineer's detail and spec')
4. On further review of the Surface Water Drainage design revised documents Nov 2025, I am satisfied that these provide all the necessary details as listed in Appendix 7 of the CDDG EXCEPT for an Exceedance Route Diagram / plan showing the exceedance route from the SW drainage system in the event of a storm in excess of the design storm (i.e. >1:100 yr storm). This is to demonstrate that the exceedance flow is routed away from vulnerable areas and does not increase flood risk downstream. So, this condition can be revised to just request the exceedance plan and confirmation of the water level in the Hodbarrow Lagoon and invert level of the outfall.
5. The CSWMP seems to be embedded in the CEMP as a PDF but I cannot open it. It is also referenced in the CEMP Addendum but says it will be confirmed in the design phase. I can find the drawing for the CSWMP but not the plan itself, unless I have missed it for which I apologise. So, I would rather this condition remains and since it is a pre-construction condition, it will not delay the scheme at this time.

Based on these responses the list of Planning Conditions set out in the Committee report has been revised to reflect the comments and requests made by the Highway Authority/LLFA.

## Updated Recommendation

That Members authorise the Service Manager for Development and Implementation with delegated authority to approve the application subject to Natural England's & the Council's Ecology Consultant's acceptance of the revised ecological information submitted, the planning conditions outlined at the end of the update report, and to add to and/or make amendments to the conditions as considered appropriate.

## Updated List of Conditions and Reasons:

### Defining The Permission

1. The development hereby permitted must be commenced before the expiration of three years from the date of this permission.

#### 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:
  - Application Form, received by the Local Planning Authority on the 25<sup>th</sup> June 2025.
  - Drawing Base, Scale 1:3000, Number: XX-ZZ-DWG-L-xxxx, Revision: -, received by the Local Planning Authority on the 25<sup>th</sup> June 2025.
  - Site Masterplan (Amended), Scale 1:3000, Number: XX-ZZ-DWG-L-1000, Revision: P03, received by the Local Planning Authority on the 8<sup>th</sup> December 2025.
  - Application Boundary, Scale 1:3000, Number: XX-ZZ-DWG-L-1001, Revision: P02, received by the Local Planning Authority on the 25<sup>th</sup> June 2025.
  - Drawing Locator Key, Scale 1:3000, Number: XX-ZZ-DWG-L-1002, Revision: P02, received by the Local Planning Authority on the 25<sup>th</sup> June 2025.
  - Visitor Centre 1:500 (Amended), Scale 1:500, Number: XX-ZZ-DWG-L-1202, Revision: P06, received by the Local Planning Authority on the 8<sup>th</sup> December 2025.
  - Visitor Centre 1:200 (Amended), Scale 1:200, Number: XX-ZZ-DWG-L-1203, Revision: P09, received by the Local Planning Authority on the 8<sup>th</sup> December 2025.
  - Iron Line Railway Pass (Amended), Scale 1:100, Number: XX-ZZ-DWG-L-1205, Revision: P04, received by the Local Planning Authority on the 8<sup>th</sup> December 2025.

- Coal Pit Hide (Amended), Scale 1:100, Number: XX-ZZ-DWG-L-1206, Revision: P04, received by the Local Planning Authority on the 8<sup>th</sup> December 2025.
- Coal Pit Hide Details (Amended), Scale 1:25, Number: XX-ZZ-DWG-L-6011, Revision: P04, received by the Local Planning Authority on the 8<sup>th</sup> December 2025.
- Whiterock Junction (Amended), Scale 1:200, Number: XX-ZZ-DWG-L-1207, Revision: P04, received by the Local Planning Authority on the 8<sup>th</sup> December 2025.
- Whiterock Junction Detail (Amended), Scale 1:10 & 1:20, Number: XX-ZZ-DWG-L-6017, Revision: P02, received by the Local Planning Authority on the 8<sup>th</sup> December 2025.
- Towsey Hole Windmill (Amended), Scale 1:200, Number: XX-ZZ-DWG-L-1208, Revision: P03, received by the Local Planning Authority on the 8<sup>th</sup> December 2025.
- Hodbarrow Beacon (Amended), Scale 1:100, Number: XX-ZZ-DWG-L-1209, Revision: P04, received by the Local Planning Authority on the 8<sup>th</sup> December 2025.
- Annie Lowther Hide (Amended), Scale 1:100, Number: XX-ZZ-DWG-L-1210, Revision: P04, received by the Local Planning Authority on the 8<sup>th</sup> December 2025.
- Annie Lowther Hide (Amended), Scale 1:25 & 1:200, Drawing Number: XX-ZZ-DWG-L-6014, Revision: P04, received by the Local Planning Authority on the 8<sup>th</sup> December 2025.
- Sea Wall (Typical Arrangement) (Amended), Scale 1:200, Drawing Number: XX-ZZ-DWG-L-1211, Revision: P04, received by the Local Planning Authority on the 8<sup>th</sup> December 2025.
- Haverigg Lighthouse (Amended), Scale 1:100, Number: XX-ZZ-DWG-L-1212, Revision: P04, received by the Local Planning Authority on the 8<sup>th</sup> December 2025.
- Haverigg Lighthouse & Tern Island Hide (Amended), Scale 1:200, Number: XX-ZZ-DWG-L-1213, Revision: P04, received by the Local Planning Authority on the 9<sup>th</sup> December 2025.
- RSPB SRP Works (Amended), Scale 1:3000, Number: XX-ZZ-DWG-L-1300, Revision: P04, received by the Local Planning Authority on the 8<sup>th</sup> December 2025.
- Lighthouse & Tern Island Hide – Overview, Scale 1:500, Number: XX-ZZ-DWG-L-1302, Revision: P03, received by the Local Planning Authority on the 25<sup>th</sup> June 2025.
- Lighthouse & Tern Island Hide – Slag Bund, Scale 1:500, Number: XX-ZZ-DWG-L-1303, Revision: P03, received by the Local Planning Authority on the 25<sup>th</sup> June 2025.
- Sea Wall Cross Section, Scale 1:50 & 1:100, Number: XX-ZZ-DWG-L-1304, Revision: P03, received by the Local Planning Authority on the 25<sup>th</sup> June 2025.

- Design and Access Statement (Incorporating Heritage Statement & Materials Information) (Amended), Prepared by Layer.studio, Ref: 289-LYR-XX-ZZ-RPT-L-0013, Rev: 02, received by the Local Planning Authority on the 8<sup>th</sup> December 2025.
- Planning Statement (Amended), Prepared by HG Associates December 2025, Reference No: 2567, received by the Local Planning Authority on the 8<sup>th</sup> December 2025.
- Existing and Proposed Windmill Installation, Scale 1:100, Drawing Number: 24044-PL09, Revision: -, received by the Local Planning Authority on the 25<sup>th</sup> June 2025.
- Tern Hide As Proposed, Scale 1:50, Drawing Number: 24044-PL12, Revision: -, received by the Local Planning Authority on the 25<sup>th</sup> June 2025.
- Arboricultural Assessment and Arboricultural Method Statement, Prepared by Claire Raw BSC (Hons) MAborA – Providing Arboricultural Surveys April 2025, received by the Local Planning Authority on the 25<sup>th</sup> June 2025.
- Drainage Details – Sheet 1 (Amended), Scale 1:20, Number: 081617-CUR-XX-XX-D-C-92200, Revision: P04, received by the Local Planning Authority on the 25<sup>th</sup> November 2025.
- Drainage Details – Sheet 2 (Amended), Scale 1:20, Number: 081617-CUR-XX-XX-D-C-92201, Revision: P04, received by the Local Planning Authority on the 25<sup>th</sup> November 2025.
- Drainage Strategy – Sheet 1 (Amended), Scale 1:250 & 1:1000, Number: 081617-CUR-01-ZZ-D-C-92001, Revision: P06, received by the Local Planning Authority on the 25<sup>th</sup> November 2025.
- Drainage Strategy – Sheet 2 (Amended), Scale 1:250 & 1:1000, Number: 081617-CUR-01-ZZ-D-C-92001, Revision: P06, received by the Local Planning Authority on the 25<sup>th</sup> November 2025.
- Drainage Strategy – Sheet 3 (Amended), Scale 1:1000, Number: 081617-CUR-01-ZZ-D-C-92003, Revision: P05, received by the Local Planning Authority on the 21<sup>st</sup> November 2025.
- Ecological Impact Assessment and Preliminary Ecological Appraisal Update (Amended), Prepared by Greengage December 2025, received by the Local Planning Authority on the 8<sup>th</sup> December 2025.
- External Lighting Strategy Statement, Ref: 3468-CWC-XX-XX-RP-E-0301, received by the Local Planning Authority on the 25<sup>th</sup> June 2025.
- Hodbarrow Car Park (Amended), Scale 1:100, Number: XX-ZZ-DWG-L-1201, Revision: P04, received by the Local Planning Authority on the 8<sup>th</sup> December 2025.
- Iron Line Entrance (Amended), Scale 1:100, Number: XX-ZZ-DWG-L-1204, Revision: P04, received by the Local Planning Authority on the 8<sup>th</sup> December 2025.
- Landscape and Visual Appraisal, Prepared by One-Environments May 2023, Ref: N1315-ONE-ZZ-XX-RP-L-0001-P04, received by the Local Planning Authority on the 25<sup>th</sup> June 2025.

- Landscape and Visual Appraisal Addendum, Prepared by Layer.studio April 2025, Rev: 03, received by the Local Planning Authority on the 25<sup>th</sup> June 2025.
- Mainsgate Road Entrance (Amended), Scale 1:250, Number: XX-ZZ-DWG-L-1200, Revision: P04, received by the Local Planning Authority on the 8<sup>th</sup> December 2025.
- Preliminary Ecological Appraisal (Summary), Prepared by Appletons December 2021, received by the Local Planning Authority on the 25<sup>th</sup> June 2025.
- Shadow Appropriate Assessment (Amended), Prepared by Greengage April 2025, received by the Local Planning Authority on the 8<sup>th</sup> December 2025.
- Shadow Habitats Regulations Assessment (Amended), Prepared by Greengage December 2025, received by the Local Planning Authority on the 8<sup>th</sup> December 2025.
- Statement of Community Involvement Iron Line, Prepared August 2023, received by the Local Planning Authority on the 25<sup>th</sup> June 2025.
- Visitor and Access Management Plan, Prepared by Appletons Landscape Institute April 2025, Rev: A, received by the Local Planning Authority on the 25<sup>th</sup> June 2025.
- Visitor Centre Proposed Elevations and Sections (Amended), Scale 1:100, Drawing Number: MIL-APL-VC-PL08, Revision: P02, received by the Local Planning Authority on the 26<sup>th</sup> November 2025.
- Proposed Floor Plans (Amended), Scale 1:100, Drawing Number 24044-PL07, Revision: P01, received by the Local Planning Authority on the 25<sup>th</sup> November 2025.
- Visitor Centre Detailed Section 01 (Amended), Scale 1:50 & 1:750, Number: XX-ZZ-DWG-L-6019, Revision: P03, received by the Local Planning Authority on the 9<sup>th</sup> December 2025.
- Visitor Centre Detailed Section 02 (Amended), Scale 1:25, 1:50 & 1:750, Number: XX-ZZ-DWG-L-6020, Revision: P02, received by the Local Planning Authority on the 9<sup>th</sup> December 2025.
- Visitor Centre Detailed Section 03 (Amended), Scale 1:20 & 1:250, Number: XX-ZZ-DWG-L-6021, Revision: P02, received by the Local Planning Authority on the 9<sup>th</sup> December 2025.
- Written Scheme of Investigation for an Archaeological Watching Brief (Amended), Prepared by Wardell Armstrong July 2025, received by the Local Planning Authority on the 24<sup>th</sup> September 2025.
- Construction Environment Management Plan (Amended), Prepared by Story March 2025, received by the Local Planning Authority on the 8<sup>th</sup> December 2025.
- Construction Phase SHE Plan, Prepared by Story Construction March 2025, received by the Local Planning Authority on the 25<sup>th</sup> June 2025.
- Drainage Strategy Report (Amended), Prepared by Curtins November 2025, Ref: 081617-CUR-ZZ-ZZ-T-C-92002, received by the Local Planning Authority on the 28<sup>th</sup> November 2025.

- Drainage/SuDS Operation & Maintenance Manual (Amended), Prepared by Curtins November 2025, Ref: 081617-CUR-ZZ-XX-T-C-92003, Revision: P02, received by the Local Planning Authority on the 28<sup>th</sup> November 2025.
- Drainage Specification, Prepared by Curtins April 2025, Ref: 081617-CUR-ZZ-XX-T-C-00101, received by the Local Planning Authority on the 25<sup>th</sup> June 2025.
- Flood Risk Assessment, Prepared by Curtins April 2025, Ref: 081617-CUR-ZZ-ZZ-T-C-92001, received by the Local Planning Authority on the 25<sup>th</sup> June 2025.
- Interim Travel Plan, Prepared by Curtins April 2025, Ref: 081617-CUR-XX-XX-T-TP-00002, received by the Local Planning Authority on the 25<sup>th</sup> June 2025.
- Mining Risk Mitigation Strategy, Prepared by Curtins April 2025, Ref: 080874-CUR-XX-XX-T-GE-00009, received by the Local Planning Authority on the 25<sup>th</sup> June 2025.
- Remediation Strategy, Prepared by Curtins October 2025, Ref: 080874-CUR-XX-XX-T-GE-00008, received by the Local Planning Authority on the 13<sup>th</sup> October 2025.
- Mining Risk Assessment, Prepared by Curtins April 2025, Ref: 080874-CUR-XX-XX-T-GE-00005, received by the Local Planning Authority on the 25<sup>th</sup> June 2025.
- Phase 1 Preliminary Risk Assessment, Prepared by Curtins April 2025, Ref: 080874-CUR-00-XX-RP-GE-001, received by the Local Planning Authority on the 25<sup>th</sup> June 2025.
- Phase II Survey Report Addendum (Amended), Prepared by Greengage, received by the Local Planning Authority on the 8<sup>th</sup> December 2025.
- Phase 2 Ground Investigation Report (Amended), Prepared by Curtins September 2025, Ref: 080874-CUR-XX-XX-RP-GE-00006, received by the Local Planning Authority on the 13<sup>th</sup> October 2025.
- Phase 2 Ground Investigation Report (Zones 3-10), Prepared by Curtins April 2025, Ref: 080874-CUR-XX-XX-T-GE-00007, received by the Local Planning Authority on the 25<sup>th</sup> June 2025.
- Transport Assessment, Prepared by Curtins April 2025, Ref: 081617-CUR-XX-XX-T-TP-00001, received by the Local Planning Authority on the 25<sup>th</sup> June 2025.
- Updated Archaeological Desk-Based Assessment, Prepared by Wardell Armstrong March 2025, received by the Local Planning Authority on the 25<sup>th</sup> June 2025.
- Biodiversity Net Gain Assessment (Amended), Prepared by Greengage July 2025, received by the Local Planning Authority on the 8<sup>th</sup> December 2025.
- Biodiversity Metric (Amended), received by the Local Planning Authority on the 22<sup>nd</sup> January 2026.
- Email Response to Flood and Coastal Defence Engineer, received by the Local Planning Authority on the 24<sup>th</sup> September 2025.

- Piling Risk Assessment, Prepared by Curtins October 2025, Ref: 080874-CUR-XX-XX-T-GE-00010, received by the Local Planning Authority on the 13<sup>th</sup> October 2025.
- Landscape and Ecological Management Plan (Amended), Prepared by Greengage December 2025, received by the Local Planning Authority on the 23<sup>rd</sup> February 2026.
- External Lighting Design, Scale 1:200, Project Ref: 25-142-1A, received by the Local Planning Authority on the 21<sup>st</sup> November 2025.
- Cycle & Pedestrian Routes to Visitor Centre (Amended), Scale 1:200, Number: XX-ZZ-SKE-L-0050, Revision: P01, received by the Local Planning Authority on the 8<sup>th</sup> December 2025.
- External Lighting and Electrical Services, Scale 1:100, Drawing No: 3468-CWC-XX-XX-DR-E-6001, Rev: T02, received by the Local Planning Authority on the 21<sup>st</sup> November 2025.
- First Floor General Lighting and Emergency Lighting, Scale 1:50, Drawing No: 3468-CWC-XX-01-DR-E-6301, Rev: T02, received by the Local Planning Authority on the 21<sup>st</sup> November 2025.
- Quarry Hide Detail (Amended), Scale 1:5, 1:25, 1:50, 1:200 & 1:2500, Number: XX-ZZ-DWG-L-6013, Revision: P04, received by the Local Planning Authority on the 8<sup>th</sup> December 2025.
- Railway Pass Detail (Amended), Scale 1:10 & 1:75, Number: XX-ZZ-DWG-L-6008, Revision: P02, received by the Local Planning Authority on the 8<sup>th</sup> December 2025.
- Surface Water Drainage Calc 00001, Rev: P04, received by the Local Planning Authority on the 21<sup>st</sup> November 2025.
- Surface Water Drainage Long Section, Scale 1:250, Number: 081617-CUR-01-ZZ-D-C-92101, Revision: P03, received by the Local Planning Authority on the 21<sup>st</sup> November 2025.
- Addendum to: "Visitor and Access Management Plan, Final Rev A", Prepared by HG Associates December 2025, received by the Local Planning Authority on the 8<sup>th</sup> December 2025.
- Amphibian Mitigation and Management Plan (Amended), Prepared by Greengage February 2026, received by the Local Planning Authority on the 23<sup>rd</sup> February 2026.
- Bespoke Bench Details, Scale 1:10, Number: XX-ZZ-DWG-L-6023, Revision: P01, received by the Local Planning Authority on the 8<sup>th</sup> December 2025.
- Boat Entrance Details, Scale 1:20 & 1:200, Number: XX-ZZ-DWG-L-6006, Revision: P02, received by the Local Planning Authority on the 8<sup>th</sup> December 2025.
- Car Park Timber Detail, Scale 1:10, 1:20 & 1:100, Number: XX-ZZ-DWG-L-6005, Revision: P02, received by the Local Planning Authority on the 8<sup>th</sup> December 2025.
- Coal Pit Hide Detail – Material Exploration, Scale -, Number: XX-ZZ-DWG-L-6012, Revision: P02, received by the Local Planning Authority on the 9<sup>th</sup> December 2025.

- Construction Environment Management Plan Addendum (Amended), Prepared by Greengage January 2026, received by the Local Planning Authority on the 23<sup>rd</sup> February 2026.
- Double Leaf Gate Detail, Scale 1:20 & 1:500, Number: XX-ZZ-DWG-L-6010, Revision: P02, received by the Local Planning Authority on the 8<sup>th</sup> December 2025.
- Entrance Gate Detail, Scale 1:10 & 1:200, Number: XX-ZZ-DWG-L-6007, Revision: P02, received by the Local Planning Authority on the 8<sup>th</sup> December 2025.
- Furniture Details – Bins/Bollards/Cycle Stands, Scale 1:10, Number: XX-ZZ-DWG-L-6004, Revision: P02, received by the Local Planning Authority on the 9<sup>th</sup> December 2025.
- Habitat Management and Monitoring Plan (HMMP), Prepared by Envirotech November 2025, received by the Local Planning Authority on the 8<sup>th</sup> December 2025.
- Haverigg Entrance, Scale 1:200, Number: XX-ZZ-DWG-L-1218, Revision: P02, received by the Local Planning Authority on the 8<sup>th</sup> December 2025.
- Haverigg Lighthouse Detail, Scale 1:25 & 1:200, Number: XX-ZZ-DWG-L-6016, Revision: P02, received by the Local Planning Authority on the 8<sup>th</sup> December 2025.
- Image Elevations, received by the Local Planning Authority on the 8<sup>th</sup> December 2025.
- Iron Line Access 01, Scale 1:200, Number: XX-ZZ-DWG-L-1219, Revision: P02, received by the Local Planning Authority on the 8<sup>th</sup> December 2025.
- Iron Line Access 02, Scale 1:200, Number: XX-ZZ-DWG-L-1220, Revision: P02, received by the Local Planning Authority on the 8<sup>th</sup> December 2025.
- Post Development Habitats Zoomed 1 out of 1, received by the Local Planning Authority on the 8<sup>th</sup> December 2025.
- Pre Development Habitats Zoomed in 1 out of 2, received by the Local Planning Authority on the 8<sup>th</sup> December 2025.
- Pre Development Habitats Zoomed in 2 out of 2, received by the Local Planning Authority on the 8<sup>th</sup> December 2025.
- Quarry Hide, Scale 1:200, Number: XX-ZZ-DWG-L-1217, Revision: P02, received by the Local Planning Authority on the 8<sup>th</sup> December 2025.
- Response to Consultees, Prepared by HG Associates December 2025, received by the Local Planning Authority on the 8<sup>th</sup> December 2025.
- Single Leaf Gate Detail, Scale 1:20 & 1:500, Number: XX-ZZ-DWG-L-6009, Revision: P02, received by the Local Planning Authority on the 8<sup>th</sup> December 2025.
- Outline Methodology, Phasing Plan & Strategy, Prepared by Story, received by the Local Planning Authority on the 11<sup>th</sup> December 2025.
- Compound Layout, Scale: -, Drawing Number: 0324-SCL-CMP-001, Revision: -, received by the Local Planning Authority on the 8<sup>th</sup> December 2025.

- Surface Water Management Plan, Scale: -, Drawing Number: 0324-SCL-SWP-001, Revision: -, received by the Local Planning Authority on the 8<sup>th</sup> December 2025.
- Streetlife Bench Base Detail, Scale 1:10, Number: XX-ZZ-DWG-L-6015, Revision: P02, received by the Local Planning Authority on the 8<sup>th</sup> December 2025.
- Towsey Hole Windmill Detail Section, Scale 1:50 & 1:200, Number: XX-ZZ-DWG-L-6024, Revision: P01, received by the Local Planning Authority on the 9<sup>th</sup> December 2025.
- Towsey Hole Windmill Path Detail, Scale 1:20 & 1:200, Number: XX-ZZ-DWG-L-6018, Revision: P02, received by the Local Planning Authority on the 9<sup>th</sup> December 2025.
- Typical Details – Hardworks, Scale 1:10, Number: XX-ZZ-DWG-L-6000, Revision: P03, received by the Local Planning Authority on the 8<sup>th</sup> December 2025.
- Typical Details – Hardworks, Scale 1:10, Number: XX-ZZ-DWG-L-6001, Revision: P03, received by the Local Planning Authority on the 8<sup>th</sup> December 2025.
- Typical Fence Detail, Scale 1:10, Number: XX-ZZ-DWG-L-6003, Revision: P02, received by the Local Planning Authority on the 8<sup>th</sup> December 2025.
- Typical Fence Detail – Ecology, Scale 1:5 & 1:10, Number: XX-ZZ-DWG-L-6022, Revision: P01, received by the Local Planning Authority on the 8<sup>th</sup> December 2025.
- Typical Knee Rail Detail, Scale 1:5 & 1:10, Number: XX-ZZ-DWG-L-6002, Revision: P02, received by the Local Planning Authority on the 8<sup>th</sup> December 2025.
- Email Response to RSPB and Tetra Tech, received by the Local Planning Authority on the 23<sup>rd</sup> January 2026.
- Response to Tetra Tech, Prepared by Greengage January 2026, received by the Local Planning Authority on the 23<sup>rd</sup> January 2026.
- Compound Layout, Drawing Number: 0324-SCL-CMP-001, received by the Local Planning Authority on the 19<sup>th</sup> February 2026.
- Compound Layout (Location), Drawing Number: 0324-SCL-CMP-001, received by the Local Planning Authority on the 19<sup>th</sup> February 2026.
- Response to Tetra Tech, Prepared by Greengage February 2026, received by the Local Planning Authority on the 23<sup>rd</sup> February 2026.

#### 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. Development must not commence (other than site set up and preparation inclusive of the compound/cabins etc, associated off-site works to Mainsgate Road re. drainage and connection to utilities/services, the provision of utilities/services by or on behalf of relevant providers in accordance with the approved plans, and the piling and construction of the raft foundation for the hereby permitted visitor centre) hereby permitted visitor centre) until details of the following footway, footpath, cycleway and highway infrastructure elements have been submitted to the Local Planning Authority for approval.
  - a) the layout of fences, bollards and barriers etc. at access control points; indicating arrangement of infrastructure and spacing of bollards to control illegal access but to accommodate safe passage by walkers and wheelers;
  - b) bollard specification (including details of finish and height);
  - c) detailed construction cross-section & specification of the carriageways, footways, footpath and cycleways;

Any works so approved must be constructed before the development is complete and must be retained for the lifetime of the development.

#### Reason

To ensure a minimum standard of construction in the interests of highway safety in accordance with Policy CO4 of the Copelan Local Plan.

4. Development must not commence (other than site set up and preparation inclusive of the compound/cabins etc, associated off-site works to Mainsgate Road re. drainage and connection to utilities/services, the provision of utilities/services by or on behalf of relevant providers in accordance with the approved plans, and the piling and construction of the raft foundation for the hereby permitted visitor centre) until the following elements of the Surface Water Drainage Scheme have been finalised and submitted to the Local Planning Authority for approval:
  - a) Exceedance Route Diagram / plan showing the exceedance route from the SW drainage system in the event of a storm in excess of the design storm (1 in 100-year storm event, including an allowance for climate change).
  - b) Confirmation of the water level in the Hodbarrow Lagoon and invert level of the outfall.

The works must be constructed, maintained and managed in accordance with the approved details for the lifetime of the development and must be completed in accordance with the approved details prior to the first use of the site.

#### Reason

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

5. No development shall commence until a construction surface water management plan has been submitted to and agreed in writing with the Local Planning Authority. The development must be carried out in accordance with the approved details at all times thereafter.

#### Reason

To safeguard against flooding to surrounding sites and to safeguard against pollution of surrounding watercourses and drainage systems in accordance with Policy DS6 and DS7 of the Copeland Local Plan.

6. Prior to the commencement of development, a finalised Landscape and Ecological Management Plan (LEMP) must be submitted to and approved in writing by the Local Planning Authority in line with the recommendations set out in the approved document 'Landscape and Ecological Management Plan (Amended), Prepared by Greengage December 2025, received by the Local Planning Authority on the 5<sup>th</sup> February 2026'. The LEMP must include the following:
  - The number and locations of log piles and other invertebrate features proposed as enhancements (e.g. hibernacula);
  - Where existing hardcore is used for hibernacula, this concrete must not have concrete residue or will be cleaned before use to remove any harmful residues / materials which may alter pH or other sand/soil chemistry.
  - Sand will be used in hibernacula to increase suitability for natterjack toad.
  - Scrub management plan;
  - A conservation grazing plan (including details of graziers, stock levels, grazing compartments (either fenced, temporary fenced, or no-fence using cattle collars), grazing calendars, management of animal welfare concerns (around public access areas), funding, and livestock management responsibility.

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

#### Reason

To protect the ecological interests evident on the site in accordance with Policy N1PU and N3PU of the Copeland Local Plan 2021 – 2039.

7. Prior to the commencement of development, a finalised Construction Environmental Management Plan (CEMP) must be submitted to and approved

in writing by the Local Planning Authority. The CEMP must include the following:

- A Vegetation Translocation Method Statement detailing translocation methods including how the receptor area will be prepared, managed and remediation plans will be secured;
- A comprehensive Breeding Bird Method Statement including avoidance through timing or nesting bird checks undertaken by ECoW;
- A Reptile Method Statement for both the wider site and proposed visitors centre, which includes toolbox talk (with identification of common lizard and slow worm), mitigation for impacts such as habitat loss and timing of works;
- The number and locations of log piles and other reptile features, such as hibernacula proposed as enhancements;
- A detailed Badger Method Statement including: a toolbox talk to contractors on identifying badger signs and reasonable avoidance measures; and the dense scrub will be removed under ECoW and using a two phased cut;
- A detailed Otter Method Statement including pre-commencement surveys for otters (adopting best practice guidance); Toolbox talks for all contractors are delivered prior to works; ECoW supervision during habitat clearance;
- A detailed INNS & Biosecurity Method Statement
- The nomination of a Biodiversity champion (or synonymous title).
- A walkover of the site to check for badger signs and all works to the dense scrub areas undertaken under ECoW supervision
- Recommended buffer zones for wintering birds must be detailed to avoid disturbance.

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

#### Reason

To protect the ecological interests evident on the site in accordance with Policy N1PU and N3PU of the Copeland Local Plan 2021 – 2039.

8. Prior to the commencement of development, a finalised Amphibian Mitigation and Management Plan (AMMP) must be submitted to and approved in writing by the Local Planning Authority. The AMMP must include for great crested newt, natterjack toads and common amphibians the following details:
  - Toolbox talks (with identification of target species)
  - Mitigation for impacts;
  - Timing of works to avoid disturbance during the hibernation period;
  - A natterjack toad licenced Ecological Clerk of Works to supervise the pre-construction works at the visitor centre and wider site.
  - Enhancement for natterjack toads including fencing around pools, restricted vehicle access, formalisation of paths, signage and increased refugia;
  - Specifications on refugia hibernacula;
  - Scrapes and loose sandy soils;

- Full details, including timescales for development and management details, of the proposed five natterjack toad/greater crested newt hibernacula.

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

Reason

To protect the ecological interests evident on the site in accordance with Policy N1PU and N3PU of the Copeland Local Plan 2021 – 2039.

9. Prior to the commencement of development, a Notable Plants Method Statement that covers the protection of rare plants on-site, with detailed maps of the locations of plants and appropriate protection measures, must be submitted to and approved in writing by the Local Planning Authority. The development must be carried out in accordance with the approved details at all times thereafter.

Reason

To protect the ecological interests evident on the site in accordance with Policy N1PU and N3PU of the Copeland Local Plan 2021 – 2039.

10. Prior to the commencement of the development, a ground level tree/scrub assessment must be completed on any trees/scrub within the proposed Visitor Centre area (or proposed disturbance area, including a 30m buffer, that will be affected by the works. The results of the assessment must be submitted to and approved in writing by the Local Planning Authority before works commence on site. The development must be carried out in accordance with the approved details at all times thereafter.

Reason

To protect the ecological interests evident on the site in accordance with Policy N1PU and N3PU of the Copeland Local Plan 2021 – 2039.

Prior to First Use/Installation Conditions:

11. The foul drainage for the development hereby approved, must be carried out in accordance with principles set out in the following approved documents:
  - Drainage Strategy – Sheet 1 (Amended), Scale 1:250 & 1:1000, Number: 081617-CUR-01-ZZ-D-C-92001, Revision: P06, received by the Local Planning Authority on the 25<sup>th</sup> November 2025.
  - Drainage Strategy – Sheet 2 (Amended), Scale 1:250 & 1:1000, Number: 081617-CUR-01-ZZ-D-C-92001, Revision: P06, received by the Local Planning Authority on the 25<sup>th</sup> November 2025.

- Drainage Strategy – Sheet 3 (Amended), Scale 1:1000, Number: 081617-CUR-01-ZZ-D-C-92003, Revision: P05, received by the Local Planning Authority on the 21<sup>st</sup> November 2025.
- Drainage Strategy Report (Amended), Prepared by Curtins November 2025, Ref: 081617-CUR-ZZ-ZZ-T-C-92002, received by the Local Planning Authority on the 28<sup>th</sup> November 2025.

For the avoidance of doubt, no surface water will be permitted to drain directly or indirectly into the public sewer or United Utilities outfall pipe. Prior to the first use of the proposed development, the foul drainage schemes must be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

#### Reason

To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding in accordance with Policy DS6 and DS7 of the Copeland Local Plan.

12. Prior to their first use within the proposed Visitor Centre details of the materials to be used in the construction of the external surfaces of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. Development must be completed in accordance with the approved details of materials and must be retained for the lifetime of the development.

#### Reason

To ensure a satisfactory appearance of the development in the interests of visual amenity in accordance with DS4 of the Copeland Local Plan.

13. Prior to their first use within the refurbishment of the existing Tern Island Hide details of the materials to be used in the construction of the external surfaces of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. Development must be completed in accordance with the approved details of materials and must be retained for the lifetime of the development.

#### Reason

To ensure a satisfactory appearance of the development in the interests of visual amenity in accordance with DS4 of the Copeland Local Plan.

14. Prior to their first use within the construction of the proposed new hides details of the materials to be used in the construction of the external surfaces of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. Development must be completed in accordance with the approved details of materials and must be retained for the lifetime of the development.

Reason

To ensure a satisfactory appearance of the development in the interests of visual amenity in accordance with DS4 of the Copeland Local Plan.

15. Prior to their first installation within the site, details of the proposed artworks, educational features, and signage must be submitted to and approved in writing by the Local Planning Authority. The proposed artworks, educational features, and signage must be installed in accordance with the approved details and must be retained as such thereafter.

Reason

To ensure a satisfactory appearance of the development in the interests of visual amenity in accordance with DS4 of the Copeland Local Plan.

16. Any new signage relating to the King Charles III England Coastal Path must be consistent with designs already used along KCIII ECP as approved by Natural England. Prior to installation of any signage, details must be submitted to and approved in writing by the Local Planning Authority. The proposed signage must be installed in accordance with the approved details and must be retained as such thereafter.

Reason

To ensure a minimum standard of consistency and legibility in route finding in accordance with Policy CO4 of the Copeland Local Plan.

17. Prior to the first installation at the site, an external lighting scheme for the proposed visitor centre and associated car park must be submitted to and approved in writing by the Local Planning Authority. The external lighting must be installed in accordance with the approved details and retained as such for the lifetime of the development.

Reason

To ensure a satisfactory appearance of the development in the interests of visual amenity in accordance with DS4 of the Copeland Local Plan.

18. Prior to the first use of the development hereby approved, a Travel Plan must be submitted to and approved in writing by the Local Planning Authority. The development must be carried out in accordance with these approved details at all times thereafter.

Reason

In the interests of highway safety in accordance with Policy CO4 of the Copelan Local Plan.

19. Prior to the first use of the development hereby approved the required Mining Remediation Completion Report as required by the approved document 'Mining Risk Mitigation Strategy, Prepared by Curtins April 2025, Ref: 080874-CUR-XX-XX-T-GE-00009, received by the Local Planning Authority on the 25<sup>th</sup> June 2025' must be submitted to and approved in writing by the Local Planning Authority. The development must be carried out in accordance with the approved details at all times thereafter.

Reason

To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in accordance Policy DS8 of the Copeland Local Plan.

20. Prior to the first use of the development hereby approved the required Verification Completion Report as required by the approved document 'Remediation Strategy, Prepared by Curtins October 2025, Ref: 080874-CUR-XX-XX-T-GE-00008, received by the Local Planning Authority on the 13<sup>th</sup> October 2025' must be submitted to and approved by writing by the Local Planning Authority. The development must be carried out in accordance with the approved details at all times thereafter.

Reason

To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in accordance Policy DS8 of the Copeland Local Plan.

21. Prior to the first use of the development hereby approved, full details of the proposed wardening programme as agreed with the RSPB must be submitted to and approved in writing by the Local Planning Authority. The site must be operated in accordance with these approved details for the lifetime of the development.

Reason

To protect the ecological interests evident on the site in accordance with Policy N1PU and N3PU of the Copeland Local Plan 2021 – 2039.

22. Prior to the first use of the approved Visitors Centre, and any approved within the Reserve as identified within the approved document 'Outline Methodology, Phasing Plan & Strategy, Prepared by Story, received by the Local Planning Authority on the 11<sup>th</sup> December 2025', details of the approved Traffic

Regulations Order to restrict vehicular access to the BOAT must be submitted to and approved in writing by the Local Planning Authority. This must include details of measures to limit access by vehicles. Development must be completed in accordance with the approved details before the first use of the development hereby approved and must be retained for the lifetime of the development.

Reason

To protect the ecological interests evident on the site in accordance with Policy N1PU and N3PU of the Copeland Local Plan 2021 – 2039.

BNG Conditions:

23. The development hereby approved shall not be occupied until the habitat creation and habitat enhancement works detailed in 'Habitat Management and Monitoring Plan (HMMP), Prepared by Envirotech November 2025, received by the Local Planning Authority on the 8<sup>th</sup> December 2025' 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 the National Planning Policy Framework and The Environment Act 2021.

24. Within 3 months of the completion of the habitat creation and habitat enhancement works detailed in 'Habitat Management and Monitoring Plan (HMMP), Prepared by Envirotech November 2025, received by the Local Planning Authority on the 8<sup>th</sup> December 2025', 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 the National Planning Policy Framework and The Environment Act 2021.

25. The habitat creation and habitat enhancement works detailed 'Habitat Management and Monitoring Plan (HMMP), Prepared by Envirotech November 2025, received by the Local Planning Authority on the 8<sup>th</sup> December 2025' shall be managed and maintained in accordance with the provisions of approved 'Habitat Management and Monitoring Plan (HMMP), Prepared by Envirotech November 2025, received by the Local Planning Authority on the 8<sup>th</sup> December 2025' 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 the National Planning Policy Framework and The Environment Act 2021.

26. Monitoring reports demonstrating how the habitat creation and habitat enhancement works detailed in 'Habitat Management and Monitoring Plan (HMMP), Prepared by Envirotech November 2025, received by the Local Planning Authority on the 8<sup>th</sup> December 2025' 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 'Habitat Management and Monitoring Plan (HMMP), Prepared by Envirotech November 2025, received by the Local Planning Authority on the 8<sup>th</sup> December 2025' unless otherwise stated in 'Habitat Management and Monitoring Plan (HMMP), Prepared by Envirotech November 2025, received by the Local Planning Authority on the 8<sup>th</sup> December 2025'

Reason

In the interests of ensuring measurable net gains to biodiversity and in accordance with the provision of the National Planning Policy Framework and The Environment Act 2021.

Other Conditions:

27. The development must be carried out in accordance with the 'Arboricultural Assessment and Arboricultural Method Statement, prepared by Claire Raw BSC (Hons) MAborA – Providing Arboricultural Surveys April 2025, received by the Local Planning Authority on the 25<sup>th</sup> June 2025'. The development must be carried out in accordance with the approved document at all times thereafter.

Reason

To ensure that existing trees are protected in accordance with Policy N6 of the Copeland Local Plan.

28. The development must be carried out in accordance with and implement all of the details and mitigation measures specified within the approved document 'Flood Risk Assessment, Prepared by Curtins April 2025, Ref: 081617-CUR-ZZ-ZZ-T-C-92001, received by the Local Planning Authority on the 25<sup>th</sup> June 2025', and must be maintained as such at all times thereafter.

Reason

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

29. The development must be carried out in accordance with and implement all of the mitigation, enhancement and compensation measures set out in the approved documents:

- Preliminary Ecological Appraisal (Summary), Prepared by Appletons December 2021, received by the Local Planning Authority on the 25<sup>th</sup> June 2025.
- Ecological Impact Assessment and Preliminary Ecological Appraisal Update (Amended), Prepared by Greengage December 2025, received by the Local Planning Authority on the 8<sup>th</sup> December 2025.
- Phase II Survey Report Addendum (Amended), Prepared by Greengage, received by the Local Planning Authority on the 8<sup>th</sup> December 2025.

The development must be carried out in accordance with the approved document at all times thereafter.

#### Reason

To protect the ecological interests evident on the site in accordance with Policy N1PU and N3PU of the Copeland Local Plan 2021 – 2039.

30. The use of the Visitor Centre hereby approved must only be permitted to the public/customers between:

- 08:00 - 17:00 - Monday to Sundays (including bank holidays)

#### Reason

To minimise potential disturbance to nearby residences and to safeguard the amenities of the locality in accordance with Policy DS4 of the Copeland Local Plan 2021 – 2039.

31. Following approval of the development, construction activities that are audible at the site boundary must be carried out only between the following hours:

- Monday to Friday 08:00 – 18:00;
- Saturday 08:00 – 13:00

There shall be no construction activated at any time on Sundays or Bank Holidays.

Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above unless otherwise agreed with the Local Planning Authority.

Reason

In the interests of the amenities of neighbouring occupiers during the construction of the development in accordance with Policy DS4 of the Copeland Local Plan 2021-2039.

32. The archaeological watching brief and the photographic record of Towsey Hole Windmill described in the submitted written scheme of investigation in the approved document 'Written Scheme of Investigation for an Archaeological Watching Brief (Amended), Prepared by Wardell Armstrong July 2025, received by the Local Planning Authority on the 24<sup>th</sup> September 2025' must be implemented in full by a qualified archaeologist. Within two months of the completion of the development, a digital copy of the archaeological report must be furnished to the Local Planning Authority.

Reason

To afford reasonable opportunity for an examination to be made to determine the existence of any remains of archaeological interest within the site and for the investigation and recording of such remains.

To ensure that a permanent record is made of the building of architectural and historical interest (Towsey Hole Windmill) prior to its alteration as part of the proposed development in accordance with Policies BE1 and BE2 of the Copeland Local Plan.

33. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority.

An investigation and risk assessment must be undertaken and, where remediation is necessary, a remediation scheme must be prepared and be submitted and approved in writing by the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme, a verification report must be prepared which is subject to the approval in writing of the Local Planning Authority.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled

waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off site receptors in accordance with Policies DS8 of the Copeland Local Plan.

34. The development must be carried out in accordance with and implement all of the details and mitigation measures specified within the following approved documents:

- Mining Risk Mitigation Strategy, Prepared by Curtins April 2025, Ref: 080874-CUR-XX-XX-T-GE-00009, received by the Local Planning Authority on the 25<sup>th</sup> June 2025.
- Remediation Strategy, Prepared by Curtins October 2025, Ref: 080874-CUR-XX-XX-T-GE-00008, received by the Local Planning Authority on the 13<sup>th</sup> October 2025.
- Mining Risk Assessment, Prepared by Curtins April 2025, Ref: 080874-CUR-XX-XX-T-GE-00005, received by the Local Planning Authority on the 25<sup>th</sup> June 2025.
- Phase 1 Preliminary Risk Assessment, Prepared by Curtins April 2025, Ref: 080874-CUR-00-XX-RP-GE-001, received by the Local Planning Authority on the 25<sup>th</sup> June 2025.
- Phase 2 Ground Investigation Report (Amended), Prepared by Curtins September 2025, Ref: 080874-CUR-XX-XX-RP-GE-00006, received by the Local Planning Authority on the 13<sup>th</sup> October 2025.
- Phase 2 Ground Investigation Report (Zones 3-10), Prepared by Curtins April 2025, Ref: 080874-CUR-XX-XX-T-GE-00007, received by the Local Planning Authority on the 25<sup>th</sup> June 2025.

All mitigation measures identified must be maintained as such at all times thereafter.

Reason

To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in accordance Policy DS8 of the Copeland Local Plan.

**Informatives:**

1. The granting of planning permission would not give the applicant the right to block or obstruct the Public Rights of Way as shown on the Definitive Map and Statement. The Public Rights of Way as shown on the Definitive Map and Statement must be kept open and unaltered for public use until an order is made to divert, stop up or to temporarily close them has been confirmed.

2. Before undertaking any works in or affecting a watercourse, contact the Lead Local Flood Authority email: [LFRM.consent@cumberland.gov.uk](mailto:LFRM.consent@cumberland.gov.uk) to confirm whether Ordinary Watercourse Flood Defence Consent is required. Where consent is required, a fee applies and determination can take up to two months.
3. 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 the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition)” that development may not begin unless:

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

The planning authority, for the purposes of the Biodiversity Gain Plan is Cumberland Council.

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 none of the statutory exemptions or transitional arrangements are considered to apply.

Before commencing development, a Biodiversity Gain Plan needs to be submitted and approved by the local planning authority.

Commencing development which is subject to the biodiversity gain condition without an approved Biodiversity Gain Plan could result in enforcement action for breach of planning control.

**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.

