

## CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/25/2239/DOC
2.	<b>Proposed Development:</b>	DISCHARGE OF CONDITION 6 OF PLANNING APPROVAL 4/17/2143/001
3.	<b>Location:</b>	IVY MILL, MAIN STREET, HENSINGHAM, WHITEHAVEN
4.	<b>Parish:</b>	Whitehaven
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change
6.	<b>Publicity Representations &amp;Policy</b>	See Report
7.	<b>Report:</b>  <b>Site and Location</b>  <p>This application relates to the Ivy Mill Site, formally utilised as The Romar Innovate Factory from 2001 – 2016. It is situated within the centre of Hensingham and is located to the east of Copeland's Principal Town Whitehaven. The site covers an area of 0.95 hectares and is currently brownfield land. The site was previously occupied by a large redundant factory unit and two associated office buildings which have now been demolished. The site has a change in levels across its length, with the highest point within the south western corner.</p> <p>The site fronts onto Main Street, and is bound to the south by existing residential properties which front onto Muncaster Road and Queens Close. The site was previously bounded to the north east and south west by redundant sites, however these have now been developed to form a sixty bed care facility (ref: 4/17/9001/0F2) and a fuel forecourt and associated convenience store and parking (ref: 4/16/2167/0F1).</p> <p>The site is currently served by two existing accesses from Main Street, one of these will continue to be used to allow access to the existing electrical substation located to the north of the site.</p>	

### **Relevant Planning History**

4/17/2143/0O1 – Demolition of factory and outline planning for erection of dwellings – Approved in Outline

4/20/2334/0R1 – Reserved matters application for 26 dwellings and associated infrastructure following outline approval 4/17/2143/0O1 – Approved

4/22/2110/0B1 – Variation of condition 2 (revised house types) of planning approval 4/20/2334/0R1 – Reserved matters application for 26 dwellings and associated infrastructure following outline approval 4/17/2143/0O1 – Approved

4/22/2189/DOC – Discharge of conditions 3 and 4 of planning approval 4/20/2334/0R1 – Approved

4/22/2238/DOC – Discharge of conditions 4, 5, 7, 8 and 10 of planning approval 4/17/2143/0O1 – Approved

4/23/2018/DOC – Discharge of conditions 6, 9, 11 and 12 of planning permission 4/17/2143/0O1 – Withdrawn

4/23/2031/DOC – Discharge of conditions 5 and 6 of planning approval 4/20/2334/0R1 – Withdrawn.

4/22/2494/DOC – Discharge of conditions 3 and 4 of planning application 4/22/2110/0B1 – Approved

4/24/2214/DOC – Discharge of condition 8 of planning application 4/17/2143/0O1 – Approved

4/24/2272/0B1 – Variation of condition 2 of approval 4/22/2110/0B1 to amend the external appearance of the house types on site – Withdrawn

4/25/2046/DOC – Discharge of condition 8 of planning approval 4/17/2143/0O1 – Approved

4/25/2246/DOC – Discharge of conditions 11 and 12 of planning approval 4/17/2143/0O1 – Ongoing.

### **Proposal**

In July 2017, outline planning permission (ref: 4/17/2143/0O1) was granted for the demolition of the existing factory and for the erection of dwellings at this site.

This current application seeks to discharge condition 6 of outline planning approval reference 4/17/2143/0O1. This condition states the following:

6. Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and

maintenance plan shall include as a minimum:

1. Arrangement for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
2. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

#### Reason

To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

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

- Application Form, received by the Local Planning Authority on the 7<sup>th</sup> July 2025.
- Maintenance Plan, Prepared by RWO associates April 2025, Version: 1, received by the Local Planning Authority on the 7<sup>th</sup> August 2025.

### **Consultation Responses**

#### Cumberland Council – Highway Authority & Lead Local Planning Authority

The LHA and LLFA are content with the submitted information in support of condition 6, Therefore Condition 6 can be discharged.

#### United Utilities

United Utilities have no comments to make on this application as it is not one of our conditions.

### **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

	<p>Cumberland Council as part of the Local Government Reorganisation of Cumbria.</p> <p>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.</p> <p>The inherited the local development plan documents continue to apply to the geographic area of their sovereign Councils only.</p> <p>The Consolidated Planning Policy Framework for Cumberland comprises the Development Plan for Cumberland Council until replaced by a new Cumberland Local Plan.</p> <p><u>Copeland Local Plan 2021 - 2039 (LP):</u></p> <p>Cumberland Council continued the preparation of the LP as commenced by Copeland Borough Council.</p> <p>The LP was adopted by Cumberland Council on the 5<sup>th</sup> of November 2024 replacing the Copeland Local Plan 2013-2028 and the saved policies of the Copeland Local Plan 2001-2016.</p> <p>Planning approval 4/17/2143/001 was determined under the previous Local Plan, however this current discharge of conditions application is being considered under the Copeland Local Plan 2021-2016 as this now forms the development plan.</p> <p>The following Policies are relevant to this application:-</p> <p>Strategic Policy DS1: Settlement Hierarchy</p> <p>Strategic Policy DS2: Settlement Boundaries</p> <p>Policy DS4: Design and Development Standards</p> <p>Policy DS5: Hard and Soft Landscaping</p> <p>Strategic Policy DS6: Reducing Flood Risk</p> <p>Policy DS7: Sustainable Drainage</p> <p>Policy DS8: Soils, Contamination and Land Stability</p> <p>Strategic Policy H1: Improving the Housing Offer</p> <p>Strategic Policy H2: Housing Requirement</p> <p>Strategic Policy H3: Housing Delivery</p> <p>Strategic Policy H4: Distribution of Housing</p> <p>Strategic Policy H5: Housing Allocations</p> <p>Policy H6: New Housing Development</p> <p>Policy H7: Housing Density and Mix</p>
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## Cumberland Council

	<p>Strategic Policy N1: Conserving and Enhancing Biodiversity and Geodiversity</p> <p>Strategic Policy N2: Local Nature Recovery Networks</p> <p>Strategic Policy N3: Biodiversity Net Gain</p> <p>Strategic Policy BE1: Heritage Assets</p> <p>Policy BE2: Designated Heritage Asset</p> <p>Strategic Policy CO4: Sustainable Travel</p> <p>Policy CO5: Transport Hierarchy</p> <p>Policy CO7: Parking Standards</p> <p><b>Other Material Planning Considerations</b></p> <p>National Planning Policy Framework (2023)</p> <p>National Design Guide (NDG).</p> <p>Cumbria Development Design Guide (CDG)</p> <p><b>Assessment</b></p> <p>This application seeks to discharge conditions 6 of outline planning approval reference 4/17/2143/001.</p> <p><u>Condition 6</u></p> <p>Condition 6 seeks to discharge the requirements for the development to provide a sustainable drainage management and maintenance plan for its lifetime. Based on the information submitted as part of this application the LLFA &amp; UU have confirmed that the condition can be formally discharged.</p> <p>It is therefore confirmed that condition 6 can be discharged.</p> <p><u>Conclusion</u></p> <p>Condition 6 can be discharged.</p>	
8.	<p><b>Recommendation:</b></p> <p>Approve</p>	
<b>Case Officer: Sarah Papaleo</b>		<b>Date : 08/09/2025</b>
<b>Authorising Officer: N.J. Hayhurst</b>		<b>Date : 09/09/2025</b>
<b>Dedicated responses to:- N/A</b>		