

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/25/2324/0F1	
2.	Proposed Development:	PRIOR APPROVAL APPLICATION TO DEMOLISH FORMER SCHOOL (RE-SUBMISSION OF 4/25/2199/0F1)	
3.	Location:	FORMER HORN HILL SCHOOL, HORN HILL, MILLOM	
4.	Parish:	Millom	
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Off Coalfield - Data Subject To Change, Key Species - Potential areas for Natterjack Toads	
6.	Publicity Representations &Policy	Neighbour Notification Letter	Yes
		Site Notice	Yes
		Press Notice	No
		Consultation Responses	See Report
		Relevant Policies	See Report
7.	Report:		
	Site and Location		
		This application relates to the former Horn Hill School, located of the A5093 Horn Hill within the centre of Millom. The site is in a dilapidated state and is sited at a lower level to the existing highway. The site is bounded to the north by the A5093, the west by residential properties, the east by another dilapidated building, and to the south by playing fields.	

Relevant Planning History

4/11/2034/0F1 – Erection of 9 dwellings and new access road – Approved.

4/11/2372/0B1 – Amend condition 5 (estate road) of planning application 4/11/2034/0F1 (9 dwellings & new access road) – Approved.

4/25/2199/0F1 – Prior approval application to demolish former school – Withdrawn.

Proposal

This application provides prior approval of the intention to demolish the former school building. This application is a resubmission of application 4/25/2199/0F1 which was withdrawn due to technical details.

It is proposed to demolish the old single storey school building which is currently redundant and in a poor state of repair.

In terms of demolition, the works will be carried out manually or by a machine. It is proposed that the site will be prepared by establishing exclusion zones, barriers and warning sign, and carrying out structural surveys and asbestos surveys. A soft strip will then be undertaken removing non-structural elements, any hazardous materials, and implementing dust suppression methods. The demolition will be undertaken using controlled mechanical techniques, employing progressive dismantling methods, with materials segregated and transported to licensed disposal facilities.

Post demolition, including removal of the sub surface structure, the ground will be infilled as required then compacted and levelled with hardcore.

Consultation Responses

Subject to Part 11 Class B paragraph (b)(v) of the Town and County Planning (General Permitted Development) Order 2015, the applicant must display a site notice on or near the land on which the building to be demolished is sited, and must leave the notice in place for not less than 21 days in the period of 28 days beginning with the date on which the application was submitted to the local planning authority. The applicant has confirmed that this site notice has been erected.

Millom Town Council

No objections in principle to this application.

Cumberland Council – Highway Authority & Lead Local Flood Authority

The Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) can confirm that



Cumberland Council

we have no objection to the proposed development as it is considered that it will not have a material effect on existing highway conditions, nor will it increase the flood risk on the site or elsewhere.

Natural England

NO OBJECTION

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes

Cumberland Council – Ecologist

Bats:

Demolition works must have been undertaken within 18 months of the bat survey (undertaken on 31st July 2025).

Breeding Birds:

Works should be completed outside of the breeding bird period (March – August inclusive). If this is not possible a breeding bird check should be carried out no more than 48 hours prior to the planned development to ensure no birds and their nests are present. If active nests are discovered an appropriate buffer zone should be established and works within that area ceased until the young have naturally fledged.

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.

Cumberland Council – Environmental Health

There are no objections to this proposal from Environmental Health.

As per our previous response, we would request that working hours are confined to 08.00 – 18.00 Monday to Friday and 08.00 – 13.00 Saturday unless there are health and safety considerations that require a deviation from this.

The Demolition Method Statement is acceptable to Environmental Health. We would also request that debris netting is provided to any heras-type boundary fencing to prevent the escape of debris from the site, and care is taken to avoid debris entering the drainage system.

Public Representation

No comments have been received to this application.

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.

Strategic Policy DS1: Settlement Hierarchy

Strategic Policy DS2: Settlement Boundaries

Policy DS4: Design and Development Standards

Strategic Policy N1: Conserving and Enhancing Biodiversity and Geodiversity

Other Material Planning Considerations

National Planning Policy Framework (2024)

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

The Conservation of Habitats and Species Regulations 2017 (CHSR)



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Assessment

Demolition is classed as permitted development under Schedule 2 Part 11 Class B of The Town and Country Planning (General Permitted Development) (England) Order 2015. This order sets out certain conditions for the prior approval of demolition, which requires the submission of a method of demolition and details of the proposed restoration of the site.

Method of Demolition

A demolition method statement has been submitted to support this application. The statement provides details of the site set up, the removal of debris, asbestos removal, the method of demolition, site finishes, and removal of materials from the site. The statement has been updated to include the request from Environmental Health to secure debris netting at the site. The measures are appropriate and proportionate to the scale and location of the proposed demolition.

Proposed Restoration of the Application Site

Following demolition of the building, including removal of the sub surface structure, the ground will be infilled as required then compacted and levelled with hardcore.

The proposed finish is acceptable given the location of the application site and the context of the wider redevelopment of the site.

Ecology

All bat species are designated and protected as European protected species (EPS). EPS are protected under the Conservation of Habitats and Species Regulations 2017 (CHSR). Regulation 9(1) states that a competent authority must exercise the functions which are relevant to nature conservation, so as to secure compliance with the requirements of the Habitats Directive.

This application is supported by a Preliminary Bat Roost Survey which concludes that the building has negligible suitability for use by roosting bats, no field signs of use by bats were found internally or externally during the inspection, and no further survey work is required.

The mitigation and enhancement measures set out within the Preliminary Bat Roost Survey will be secured as part of any decision notice for this application.

The Council's Ecologist has stated the conditions that the demolition should be undertaken in, including outside the breeding season, within 18 months of the bat survey and with care taken to protect small animals. These details will be included as informative notes on the decision notice.

Conclusion

The method of demolition and proposed restoration of the application site as submitted are appropriate. It is therefore recommended that prior approval is not required and will be

	approved subject to the imposition of planning conditions securing completion of the works in accordance with the submitted details and specifications.
8.	Recommendation: Prior approval not required.
9.	Conditions: <u>Standard Conditions:</u> 1. The demolition/works must be carried out within a period of 5 years from the date of this decision. Reason To comply with the requirements of Part 11 Class B.2 (b) (ix) (aa) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). 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 (Amended), received by the Local Planning Authority on the 6th October 2025. - Location Plan, Scale 1:1250, Drawing No: MEJ/2025/840/002, received by the Local Planning Authority on the 24th September 2025. - Demolition Notice, received by the Local Planning Authority on the 24th September 2025. - Notes, received by the Local Planning Authority on the 24th September 2025. - Demolition Works Method Statement (Amended), Version: ISSUE 1, received by the Local Planning Authority on the 3rd October 2025. - Supporting Photograph – Front Rubble, received by the Local Planning Authority on the 24th September 2025. - Supporting Photograph – Front/Side View, received by the Local Planning Authority on the 24th September 2025. - Supporting Photograph – Rear View, received by the Local Planning Authority on the 24th September 2025.



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- Condition Report, Prepared by HWM Surveyors August 2025, Ref: FM/CC36671, received by the Local Planning Authority on the 24th September 2025.
- Preliminary Roost Assessment, Prepared by Gritstone Ecology August 2025, received by the Local Planning Authority on the 24th September 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.

Other Conditions:

3. Demolition must be carried out in strict accordance with the approved document 'Demolition Works Method Statement (Amended), Version: ISSUE 1, received by the Local Planning Authority on the 3rd October 2025'.

Reason

To ensure a satisfactory standard of demolition.

4. Demolition must be carried out in strict accordance with and implement all of the mitigation and compensation/enhancement measures set out in the approved document 'Preliminary Roost Assessment, Prepared by Gritstone Ecology August 2025, received by the Local Planning Authority on the 24th September 2025'.

Reasons

To protect the ecological interests evident on the site in accordance with Policy N1 of the Copeland Local Plan 2021 – 2039.

5. Demolition works hereby approved must only be carried out during the following working hours:

- 08.00 – 18.00 Monday to Friday and
- 08.00 – 13.00 Saturday

Reason

In the interests of the amenities of surrounding occupiers during the construction of the development in accordance with the provisions of Policy ST1 of the Copeland Local Plan 2013-2028

	Informative Notes: 1. During construction if any bats or evidence of bat is found within this structure the application should contact the National Bat Helpline on 0345 1300 2288 for advice on how to do works lawfully. 2. Demolition works must have been undertaken within 18 months of the bat survey (undertaken on 31st July 2025); 3. Works must be completed outside of the breeding bird period (March – August inclusive). If this is not possible a breeding bird check should be carried out no more than 48 hours prior to the planned development to ensure no birds and their nests are present. If active nests are discovered an appropriate buffer zone should be established and works within that area ceased until the young have naturally fledged. 4. All development work must be carried out with care to avoid small mammals such as hedgehogs. Contractors must 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. 5. For information, Council mapping shows a 300mm combined public sewer passing underneath the grounds of the former school (it runs from a manhole on the rear lane of no.s 1- 19 Horn Hill, passing under the school grounds, and continues under the cricket pitch). The contractor should ensure that any demolition debris does not affect the public sewer and may wish to liaise further with United Utilities on this.
Case Officer: C. Burns	Date : 17.10.2025
Authorising Officer: N.J. Hayhurst	Date : 21.10.2025
Dedicated responses to:- N/A	