

## CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/25/2344/0F1	
2.	<b>Proposed Development:</b>	PROPOSED NEW ACCESS ROAD FOR MAINTENANCE VEHICLES AND DISABLED PARKING & IMPROVEMENTS TO PEDESTRIAN & CYCLE ROUTES FROM SALTHOUSE ROAD TO THE COMMUNITY LEISURE CENTRE	
3.	<b>Location:</b>	MILLOM SCHOOL, SALTHOUSE ROAD, MILLOM	
4.	<b>Parish:</b>	Millom	
5.	<b>Constraints:</b>	ASC Adverts - ASC;Adverts, Flood Area - Flood Zone 2, Flood Area - Flood Zone 3, Coal - Off Coalfield - Data Subject To Change, Key Species - Potential areas for Natterjack Toads,	
6.	<b>Publicity Representations &amp; Policy</b>	Neighbour Notification Letter	Yes
		Site Notice	Yes
		Press Notice	No
		Consultation Responses	See Report
		Relevant Policies	See Report
7.	<b>Report:</b>		
	<b>Site and Location</b>		
	<p>The application relates to a small area of land to the north of Millom School, located on the northern edge of Millom. The site comprises Millom Secondary School and Sixth Form, Millom Community Hub, and the associated car park.</p> <p>The site is bounded to the north west by Salthouse Road (A5093), to the south by the</p>		

existing school complex, and to the north and east by the existing school playing fields.

Access to the school site is from Salthouse Road to the south of the current application site, providing access to the car park to the front of the existing buildings.

The application has been submitted by Cumberland Council.

### **Directly Relevant Planning Application History**

4/96/9011/0 – Demolition of disused gym and pool plant building, and erection of a new pool plant building – County Council Approved.

4/03/9003/0 – New lift in lift shaft external enclosure – County Council Approved.

4/05/9014/0 – Single storey extension and refurbishment of part of an existing school building to create network centre – County Council Approved.

4/18/9005/0F2 – Prior notification of proposed demolition of swimming pool – County Council Approved.

4/24/2355/0F1 – Community leisure centre and associated parking and landscaping including formation of temporary construction compound – Approved by Planning Committee.

4/25/2022/0F1 – Prior approval for demolition of caretakers cottage – Approved.

4/25/2085/DOC – Discharge of conditions 11, 12, 13, 14 and 15 of planning application 4/24/2355/0F1 – Approved.

4/25/2136/DOC – Discharge of conditions 4, 5 and 10 of planning application 4/24/2355/0F1 – Approved.

### **Proposal**

In February 2025, Members of the Planning Committee approved an application (ref: 4/24/2355/0F1) at Millom School to erect a community leisure centre and associated parking and landscaping including formation of temporary construction compound.

The approved leisure centre is located to the rear of the school buildings and is currently under construction.

Access to the leisure centre has been approved via the main school site entrance from the A5093, providing access to the car park and access road to the north of and adjacent to the existing school buildings. It was proposed under planning approval 4/24/2355/0F1 that this access road would only provide access for service vehicles, pedestrians, and for those utilising the four accessible parking spaces and 26 cycle parking spaces at the entrance to the leisure centre.

The current application seeks to create a new access road to the north of the school site for



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use by maintenance vehicles and for access to disabled parking. The proposal also includes improvements to pedestrian and cycle routes from Salthouse Road to the community leisure centre. The proposed works are required to address safety risks of the existing shared access which have been established through post approval assessments.

The proposed access road will utilise the existing field access to the north of the school which fronts onto Salthouse Road. The existing field access will be altered to create visibility splays of 2.4m x 43m in both directions, serving a new northern access road from the A5093 to the leisure centre providing dedicated vehicular access for disabled parking bays previously approved. Pedestrian, cycle and maintenance vehicles will utilise the existing northern access road adjacent to the school buildings with enhancements to ensure safe segregation.

A 1.2m timber post and rail fence will separate the existing running track and new access road. A field gate and pedestrian crossing will be provided to ensure access to the playing field. Existing vegetation and the stonewall the front of the site will be reduced in height to under 1m within the visibility splays to ensure splays are maintained. A new 1m reclaimed stone wall is proposed to the north of the entrance.

The area subject to this application currently sites the temporary construction access approved under applications 4/24/2355/0F1 and discharged under application 4/25/2085/DOC.

### **Consultation Responses**

#### Millom Town Council

*31<sup>st</sup> October 2025*

No objections in principle to this application.

*29<sup>th</sup> January 2026*

No objections in principle to this application.

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

*20<sup>th</sup> November 2025*

The Local Highway Authority and Lead Local Flood Authority can confirm that we have no objections to the proposal, we would however recommend that the following conditions are included in any consent you may grant: use of access, details of surface water drainage, and design and construction of carriageway, footways, footpaths, cycleways.

*12<sup>th</sup> January 2026*

The Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) can confirm that the response made previously should still apply.

#### Cumberland Council – Ecology Team

28<sup>th</sup> October 2025

Suggested Planning Conditions

*Biodiversity Net Gain*

No development hereby permitted shall commence until the following are met:

- a) a Biodiversity Gain Plan has been submitted to the planning authority demonstrating a 10% net gain,
- b) the planning authority has approved the plan in writing,
- c) the habitat provision is accompanied by a Habitat Management and Monitoring Plan in place for 30 years as the gains whether it be onsite or offsite,
- d) if off-site provision used it must be secured through a Section 106 for a period of 30 years, and is approved by the council in writing,
- e) Monitoring results are to be programmed to be submitted to the council. These should include evidence demonstrating how BNG is progressing towards achieving its objectives, evidence of arrangements and any rectifying measures needed. The development shall be carried out in accordance with the approved plans.

22<sup>nd</sup> December 2025

The County Ecologist acknowledges the updated BNG information and confirms that the response remains unchanged.

Suggested Planning Conditions

*Biodiversity Net Gain*

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- b) the planning authority has approved the plan in writing,
- c) the habitat provision is accompanied by a Habitat Management and Monitoring Plan in place for 30 years as the gains whether it be onsite or offsite,
- d) if off-site provision used it must be secured through a Section 106 for a period of 30 years, and is approved by the council in writing,
- e) Monitoring results are to be programmed to be submitted to the council. These should include evidence demonstrating how BNG is progressing towards achieving its objectives, evidence of arrangements and any rectifying measures needed. The development shall be carried out in accordance with the approved plans.

Sports England



## Cumberland Council

18<sup>th</sup> November 2025

Thank you for consulting Sport England on the above application.

### *Sport England – statutory consultee role and policy*

We understand that you have consulted us as a statutory consultee in line with the above Order. Therefore, we have considered the application in light of the National Planning Policy Framework (NPPF), in particular paragraph 104, and Sport England's Playing Fields Policy, which is presented within our 'Playing Fields Policy and Guidance Document':  
[www.sportengland.org/playingfieldspolicy](http://www.sportengland.org/playingfieldspolicy)

Sport England's policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of:

- all or any part of a playing field, or
- land which has been used as a playing field land remains undeveloped, or
- land allocated for use as a playing field

unless, in the judgement of Sport England the development as a whole meets with one or more of five specific exceptions. The exceptions are provided in the Annex to this response.

### *The proposal and impact on playing field*

Proposed access road that encroaches onto playing field land that includes a number of sports pitches and other outdoor sports such as athletics. The playing field also includes a recently constructed active track and sports lighting.

### *Assessment against Sport England's Playing Fields Policy and NPPF*

Playing field policy is a restrictive policy based on a presumption against any development which results in the loss of playing field (in whole or part) or prejudices its use. As such, for development not to encounter an objection from Sport England it must be shown to be of a form covered by one of the exceptions (to the presumption against) set out in the Annex below.

As part of the assessment of this consultation, Sport England has sought the views of the relevant National Governing Body of Sport who act as Sport England's technical advisors in respect of their sport and their sport facilities.

No objections were raised from the England and Wales Cricket Board, the Rugby Football League, the Football Foundation, England Netball and Volleyball England who all consider that the development proposal to not have an adverse impact on their sport. However, concerns have been raised by England Athletics, as summarised below:

England Athletics seeks confirmation that the proposal will not prevent use of the track (including lighting) during construction and that the timber post rail will be minimum 1m from the outer edge of the Active Track and that the two access points will not impact on the track

usage and lighting column.

The following assessment has been made in relation to our policy exceptions:

Exception 1 – No information has been provided that demonstrate there is an excess of playing field provision in the locality, which will remain the case should the development be permitted.

Exception 2 – The proposal is not an ancillary facility supporting the principal use of the site as a playing field.

Exception 3 – Given, the above comments from England Athletics, it is considered that there is insufficient information for Sport England to consider that the development proposal would not have an adverse impact on the playing field for athletics.

Exception 4 – No equivalent replacement playing field is proposed.

Exception 5 – The proposal is not for an indoor or outdoor sports facility.

Therefore, the proposal does not meet any of our policy exceptions.

#### *Sport England's position*

Given the above, Sport England raises a statutory objection to the application because it is not considered to accord with any of the exceptions to our Playing Fields Policy or paragraph 104 of the NPPF.

#### *Potential to overcome the statutory objection*

Sport England would be pleased to review the objection with a view to considering potentially withdrawing it if the applicant can provide the following:

- Site plans at an appropriate scale that addresses England Athletics comments. They should clearly show how the development proposal would not have an adverse impact on the active track and its safety run off area, including its sports lighting.
- Reassurance and clarification as to the proposed measures to ensure the continued use of the playing field during construction works.
- Given the proposed encroachment onto the playing field, clarification is sought as to whether the applicant is willing to enter into a community use agreement to secure the benefits to community sport, if one is not in place already.

Should the applicant require any technical advice in respect of the proposed relationship between the development proposal and the active track they should directly contact Ed Hunt from England Athletics (Email: [ehunt@englandathletics.org](mailto:ehunt@englandathletics.org)).

The applicant is advised that England Athletics can only provide technical advice in relation to athletics. They cannot provide a planning judgment as that is a matter reserved for Sport England as the consultee.



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### *Determining the application*

If this application is to be presented to a Planning Committee, we would like to be notified in advance of the publication of any committee agendas, report(s) and committee date(s).

Sport England would be pleased to comment on further details that address the above comments.

*18<sup>th</sup> December 2025*

Thank you for consulting Sport England on the additional information in response to Sport England's representation of the 18 November 2025.

The additional information includes an email dated 25 November 2025 and an amended layout plan.

### *The views of the National Governing Bodies for Sport*

Sport England sought the views of England Athletics on the additional information, but at the time of writing, no comments have been received.

### *Assessment against Sport England's Playing Fields Policy and NPPF*

In Sport England's representation of the 18 November 2025, we stated that:

Sport England would be pleased to review the objection with a view to considering potentially withdrawing it if the applicant can provide the following:

1. Site plans at an appropriate scale that addresses England Athletics comments. They should clearly show how the development proposal would not have an adverse impact on the active track and its safety run off area, including its sports lighting.
2. Reassurance and clarification as to the proposed measures to ensure the continued use of the playing field during construction works.
3. Given the proposed encroachment onto the playing field, clarification is sought as to whether the applicant is willing to enter into a community use agreement to secure the benefits to community sport, if one is not in place already.

Sport England has reassessed the planning application having regard to our previous comments on the most recent consultation documents. Taking the above issues into account, Sport England makes the following comments:

### *Issue 1: Site plans at an appropriate scale that addresses England Athletics comments.*

The applicant has now provided a detailed plan of the proposal and shows the athletic facilities on the plan. The plan includes fencing and shows that the road and fence will be clear of the athletics facilities.

Sport England did consult England Athletics (EA) on the suitability of this plan, but we did not receive a response from them. Ideally, Sport England would have liked confirmation from EA that the plan was acceptable, as they act of Sport England's technical advisors in respect of

their sport facilities.

In the absence of any technical comments from EA, Sport England has reviewed the submitted plan and consider that it has addressed the matters previously raised by EA.

*Issue 2: Reassurance and clarification as to the proposed measures to ensure the continued use of the playing field during construction works*

Sport England notes that the additional information states:

*“There will be no conflict with the track. During construction there will be minimal disruption, Contractors Thomas Armstrong are currently on site building the new community leisure facility behind the school, they access the site from this location on a temporary road, this works would make that temporary access permanent. The contractor and myself regularly engage with the school and running club to ensure all parties interests are protected, with disruption kept to a minimum.”*

*Issue 3: Community Use*

The applicant has provided comment that the school already has community use.

*Sport England’s position*

The proposal will run along the southern boundary of the playing field. The Football Foundation have provided comments to Sport England that the road allows for better access to the site, which is likely to have a positive effect on overall usage.

The proposal would have a small encroachment onto the playing field. However, having considered the nature of the playing field, and its ability to accommodate pitches, it is not considered that the development would reduce the sporting capability of the site. As previously stated, the road allows for better access to the site, which is likely to have a positive effect on overall usage.

Consequently, Sport England are of the view that the proposal broadly meets exception E3 of our playing fields policy, in that:

'The proposed development affects only land incapable of forming part of a playing pitch and does not:

- reduce the size of any playing pitch;
- result in the inability to use any playing pitch (including the maintenance of adequate safety margins and run-off areas);
- reduce the sporting capacity of the playing field to accommodate playing pitches or the capability to rotate or reposition playing pitches to maintain their quality;
- result in the loss of other sporting provision or ancillary facilities on the site; or
- prejudice the use of any remaining areas of playing field on the site.'



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Given the above, Sport England raises *withdraws its objection* to the application because it is considered to broadly accord Exception E3 of our Playing Fields Policy and paragraph 104 of the NPPF.

The absence of an objection to this application, in the context of the Town and Country Planning Act, cannot be taken as formal support or consent from Sport England or any National Governing Body of Sport to any related funding application, or as may be required by virtue of any pre-existing funding agreement.

### Public Representation

This application has been advertised by way of a site notice, and neighbour notification letters issued to 17 properties.

One objection has been received to this application raising the following concerns:

- Increased difficulty in pulling out of the Castle View junction.
- Issues exacerbated by the cycle lane that is mentioned in the plans.
- Cycle lane effects the parking spaces outside existing homes and will reduce parking on Salthouse Road resulting in more residents parking in Finch Street which in turn will increase traffic coming out of the Castle View junction.

### Public Reconsultation

Following the receipt of amended/additional information for the application and an amendment to the application description a reconsultation was undertaken for all neighbouring properties and those who previously commented on the application.

One objection has been received to this application raising the following concerns:

- One of the drawing arrangements named "Proposed General Arrangement" generated by WSP UK Ltd drawing number 70117729-WSP-xx-xx-SK-C-0105 shows modifications to Salthouse Road to incorporate a cycle path alongside the existing pedestrian walkway to run past the front of my house and my neighbours houses on our side of the road. The design is to widen the walkway/cycle path from the school main entrance to the new proposed pedestrian crossing into the school/running track area further up the road.
- Myself and my neighbours are really concerned that we may no longer be able to park outside our houses because of the new cycle path.
- This could create a problem with parking because there are issues at the rear of our properties in Finch Street, trying to get parking is difficult at the best of times.

Following discussions with the objector the concerns relate to modifications to Salthouse Road to incorporate a cycle path alongside the existing pedestrian walkway on Salthouse Road and the design to widen the walkway/cycle path from the school main entrance to the new proposed pedestrian crossing into the school/running track area further up the road.

The agent for this application has confirmed that this plan shows possible proposed highway works on Salthouse road was included for context as the Highway Authority requested the proposals within this application to consider and tie in with these potential future highway works, (not yet approved), specifically from an Active Travel perspective. These works fall outside the applications redline and therefore the works are not subject to this application and will be subject to its own approval process.

Based on these concerns the plans relating to these works have been removed from the application file ensure all works shown are within the red line for the application. No future concerns have been raised from the objector since this clarification has been provided.

### **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 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.

Strategic Policy DS1: Settlement Hierarchy

Strategic Policy DS2: Settlement Boundaries

Policy DS4: Design and Development Standards

Policy DS5: Hard and Soft Landscaping Strategic

Policy DS6: Reducing Flood Risk



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Policy DS7: Sustainable Drainage

Policy DS8: Soils, Contamination and Land Stability

Policy R8: Retail and Leisure Impact Assessments

Strategic Policy E1: Economic Growth

Strategic Policy R4: The Key Service Centres

Strategic Policy SC1: Health and Wellbeing

Policy SC2: Sporting, Leisure and cultural Facilities (excluding playing pitches)

Policy SC3: Playing Fields and Pitches

Policy SC4: Impact of new development on sporting facilities

Policy SC5: Community and Cultural Facilities

Strategic Policy N1: Conserving and Enhancing Biodiversity and Geodiversity

Strategic Policy N3: Biodiversity Net Gain

Strategic Policy N12: Protected Open Spaces

Strategic Policy N13: Local Green Spaces

Policy CO5: Transport Hierarchy

Policy CO7: Parking Standards

### **Other Material Planning Considerations**

National Planning Policy Framework

National Planning Practice Guidance (NPPG)

Cumbria Development Design Guide

Cumbria Landscape Character Guidance and Toolkit (CLCGT)

The Conservation of Habitats and Species Regulations 2017 (CHSR)

10 Year Sport and Physical Activity Strategy – Built/Indoor facilities Assessment and Strategy (October 2020)

### **Assessment**

This application raises issues of the principle of the development; settlement character, landscape impact and visual impact; highway safety; and impact on biodiversity and ecology.

The application has been submitted by Cumberland Council. Under the Council's Scheme of Delegation planning applications submitted by or on behalf of the Council only need to be reported to the Planning Committee for determination where representation has been

received objecting to the development on material planning grounds. Although one objection has been received to this application the concerns relate to matters outside of the parameters of this current application, this has been resolved with the objector. On this basis, the application will be determined at Officer Level under delegated powers.

#### Principle of Development

Millom is identified in Strategic Policy DS1 as a Key Service Centre due to it providing a wide range of services, including convenience and comparison stores, employment opportunities, schools and healthcare. They also act as service hubs for nearby villages. It is stated that the focus for development in Key Service Centres will be for town centre developments, employment development and medium scale housing extensions, windfall and infill development.

The settlement boundary for Millom is defined in Strategic Policy DS2. It is stated that development within the defined settlement boundaries will be supported in principle where it accords with the Development Plan unless material considerations indicate otherwise.

Strategic Policy SC1 promotes health and well-being in Copeland by supporting a range of new development types that: improves health, social and cultural wellbeing; creates mixed communities through new or improved developments that are located in areas with access to key services to reduce social isolation and create community resilience; and implements the policies within the Local Plan that promote active travel and protect or deliver new open spaces, sports, cultural and community facilities.

Policy SC3 seeks to protect existing playing fields and pitches. Proposals affecting playing fields will only be permitted where one of the following criteria are met unless one of the exceptions listed below applies: the proposal affects only land incapable of forming part of a playing pitch; the proposal does not reduce the size of any playing pitch; the proposal does not result in the inability to use any playing pitch (including the maintenance of adequate safety margins and run-off areas); the proposal does not reduce the sporting capacity of the playing field to accommodate playing pitches or the capability to rotate or reposition playing pitches to maintain their quality; the proposal does not result in the loss of other sporting provision or ancillary facilities on the site; or the proposal does not prejudice the use of any remaining areas of playing field on the site.

Policy SC4 requires that new developments do not prejudice the use of existing sports facilities, including pitches, within the vicinity of the development site. Where potential harm is identified, mitigation measures must be agreed with the Council and Sport England.

The Application Site is located within the settlement boundary for Millom and relates to part of the playing field to the north of the site currently utilised by Millom School and Millom Community Hub.

The proposed development will create a new access to the new community leisure centre approved (ref: 4/24/2355/0F1) in February 2025 and currently under construction. The



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proposal will alter access to the site for disabled users, maintenance vehicles, pedestrians and cyclists to improve safety following post assessments at the site. The improvements to the access to the site will enhance the new facility for the community and future users and will help to encourage use of sustainable transport measures.

Concerns were originally raised with the proposal from Sports England due to the potential impacts on the existing play fields, in particular the running track to the north of the application site. Following clarification from the agent and the submission of amended plans to clearly outline the proposal in relation to nearby facilities, Sports England withdrew their objection to the application.

On this basis, the proposed new access is considered acceptable in principle in accordance with Policies DS1, DS2, SC1, SC3 and SC4 of the Copeland Local Plan and provisions of the NPPF.

#### Settlement Character, Landscape Impact and Visual Impact

Policy N6 of the Copeland Local Plan states that the Borough's landscapes will be protected and enhance by: supporting proposals which enhance the value of Copeland's landscapes; protecting all landscapes from inappropriate change by ensuring that development conserves and enhances the distinctive characteristics of that particular area in a manner commensurate with their statutory status and value; ensuring development proposals demonstrate that their location, scale, design and materials will conserve and where possible enhance the natural beauty, wildlife and cultural heritage of the Lake District National Park and Heritage; and Requiring a Landscape Appraisal, and where appropriate a Landscape and Visual Impact Assessment, to be submitted where development has the potential to impact upon landscape character or a protected landscape. Where harm is identified the development will only be permitted where the benefits of the development outweigh any potential harm and mitigation and compensation measures must be provided. This policy further states that development proposals must be informed by the Council's Landscape Character Assessment, Settlement Landscape Character Assessment the Cumbria Landscape Character Guidance and Toolkit and where appropriate, the Lake District National Park Landscape Character Assessment<sup>108</sup> from the earliest stage.

The Cumbria Landscape Character Guidance and Toolkit (CLCGT) identifies the site as being within Sub Type OO: 'Urban'.

The application site is located to the north of the Millom School complex, and forms part of the existing playing fields. The proposal will utilise the existing field access and will create a new access road lying directly adjacent to the existing built form and access road to the north of the School site. The development will therefore be viewed in the context of the existing School site, and is not considered to have a detrimental impact on the character of the area or the overall landscape.

The proposal is therefore considered to comply with Policy N6 of the Copeland Local Plan,

and provision of the NPPF.

#### Impact in Residential Amenity

Policy DS4 of the Copeland Local Plan states that all new development should maintain high levels of amenity.

The proposed access road is located to the north of and directly adjacent to the existing car park for the school and community leisure centre. Whilst the site is located opposite residential properties the development is not considered to have an adverse impact on residential amenity due to existing separation distances. The proposed scheme also only seeks to alter the previously approved access to the site for access to the approved disabled parking spaces at the entrance to the site, maintenance vehicles, pedestrians, and cyclists. The main access to the site will remain as existing. The use of the proposed access road is therefore not considered to be excessive to impact on amenity.

Concerns have been raised by a neighbour with regards to additional works along Salthouse Road, however clarity has been provided that these are part of a wider scheme for the area and do not fall under the current proposal.

The proposal is therefore considered to comply with Policies DS4 of the Copeland Local Plan.

#### Highway Safety

Strategic Policy CO4 requires that proposals must include safe and direct connections to routes that promote active travel, such as cycling and walking routes where appropriate. Support in principle is outlined for developments which encourage the use of sustainable modes of transport, in particular: proposals that have safe and direct connections to cycling and walking routes where appropriate and those that provide access to regular public transport services; proposals that make provision for electric vehicles; and proposals for the integration of electric vehicle charging infrastructure into new developments. It is required that developments that are likely to generate a large amount of movement secure an appropriate Travel Plan and be supported by a Transport Assessment.

The proposal seeks to enhance access arrangements and overcome safety concerns associated with the new leisure centre currently being constructed at the site. Cumbria Highways have been involved in pre application discussions regarding this proposal and have offered no objections to the application subject to the inclusion of conditions relating to the use of access, and the design and construction of carriageway, footways, footpaths, cycleways.

Based on the inclusion of the required conditions the proposal is considered to be compliant with the Policy CO4 of the Copeland Local Plan, and provisions of the NPPF.

#### Flood Risk and Drainage

Policy DS6 seeks that development will not be permitted where: there is an unacceptable risk



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of flooding and or, the development would increase the risk of flooding elsewhere.

Policy DS7 requires that surface water is managed in accordance with the national drainage hierarchy and includes Sustainable Drainage Systems where appropriate.

The application site is located within Flood Zone 1.

The proposal will create a new access road, of approximately 100m of tarmac surface upon part of the playing field site. The Lead Local Flood Authority have reviewed the application and have offered no objections subject to the inclusion of conditions to secure details of the proposed surface water drainage system for the access road, and details of the design, drainage, lighting, and construction of the proposed carriageway, footways, footpaths, cycleways.

Based on the inclusion of the required conditions the proposal is considered to be compliant with the Policy DS6 and DS7 of the Copeland Local Plan, and provisions of the NPPF.

### Impact on Biodiversity and Ecology

Policy N1 of the ELP seeks to ensure that new development will protect and enhance biodiversity and geodiversity and defines a mitigation hierarchy.

Policy N3 requires that all development, with the exception of that listed in the Environment Act must provide a minimum of 10% biodiversity net gain over and above existing site levels, following the application of the mitigation hierarchy set out in Policy N1. This is in addition to any compensatory habitat provided under Policy N1. It is stated net gain should be delivered on site where possible and where on-site provision is not appropriate, provision must be made elsewhere in accordance with a defined order of preference.

In England, BNG is now mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Applications must now deliver a Biodiversity Net Gain of 10%, resulting in more or better-quality natural habitat than there was before the development.

The proposals will create a loss of 0.01 low habitat distinctiveness units, and a loss of 0.13 medium habitat distinctiveness units. Due to the nature of the proposal and restrictive nature of the site it is confirmed that it is not possible to fully balance the BNG requirements on site. The submitted preliminary assessment of BNG confirms that it is intended to purchase units from a habitat bank to attain an overall 10% net gain.

Relevant conditions will be included in this decision notice to secure BNG for this development.

The application site is located upon land which was formally identified under planning approval 4/24/2355/0F1 as the approved area for providing the requirements for BNG for the leisure centre development. The agent is aware that the BNG requirements for application and discharged under application 4/25/2136/DOC will need to be amended and resubmitted to the Local Planning Authority for review and approval. This will be dealt with separately to

	<p>this current application.</p> <p>The application site is identified as a potential area for natterjack toads. The application is however not supported by an Ecology Survey as the area subject to this application currently sites the temporary construction access approved under applications 4/24/2355/0F1 and discharged under application 4/25/2085/DOC. The site also forms the wider application for planning approval 4/24/2355/0F1 which was supported by an Ecological Survey and relevant mitigation measure secured by appropriately worded planning conditions.</p> <p>Subject to the planning conditions set out above the proposal is considered to achieve the requirement of Policies N1 and N3 of the Copeland Local Plan and the provisions of the NPPF.</p> <p><u>Planning Balance and Conclusions</u></p> <p>The application site is located within the defined settlement boundary for Millom, which is identified within the Copeland Local Plan as a Key Service Centre.</p> <p>The proposed development will create a new access to the new community leisure centre altering previous access arrangements to the site for disabled users, maintenance vehicles, pedestrians and cyclists to improve safety following post assessments at the site. The improvements to the access to the site will enhance the new facility for the community and future users and will help to encourage use of sustainable transport measures.</p> <p>The development will not impact on existing playing fields. No objections have been raised from Sports England.</p> <p>The development is not considered to have an adverse impact on the overall landscape as it will be seen in the context of the wider school site and is not considered to impact on residential amenity due to existing separation distances and the overall use of the access road.</p> <p>No objections have been received in relation to highway safety, drainage, or ecology. Conditions will however be utilised to secure details of surface water drainage, construction and use of the access road, and BNG.</p> <p>On balance, the proposal is considered to be an acceptable form of sustainable development which is compliant with policies of the Copeland Local Plan and the provisions of the NPPF.</p>
8.	<p><b>Recommendation:</b></p> <p>Approve (commence within 3 years)</p>
9.	<p><b>Conditions:</b></p>



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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. Permission must relate to the following plans and documents as received on the respective dates and development must be carried out in accordance with them:
  - Application Form, received by the Local Planning Authority on the 13<sup>th</sup> October 2025.
  - Site Location Plan, Scale 1:1250, received by the Local Planning Authority on the 13<sup>th</sup> October 2025.
  - Proposed Northern Access Road (Amended), Scale 1:200, Drawing Number: 24015-9022D, Revision: D, received by the Local Planning Authority on the 30<sup>th</sup> January 2026.
  - Proposed External Works Access Road, Scale 1:200, Sheet No: 0818, Rev: P3, received by the Local Planning Authority on the 13<sup>th</sup> October 2025.
  - Transport Assessment, Prepared by SK Transport Planning Ltd July 2023, Ref: 230706/SK22263/TA01(-01), Rev: 01, received by the Local Planning Authority on the 13<sup>th</sup> October 2025.
  - Transport Assessment Addendum Report, Prepared by SK Transport Planning Ltd August 2025, received by the Local Planning Authority on the 13<sup>th</sup> October 2025.
  - Preliminary Assessment of Biodiversity Net Gain (Amended), Prepared by ERAP (Consultant Ecologists) Ltd, Reference: 2025-248, received by the Local Planning Authority on the 18<sup>th</sup> December 2025.
  - Biodiversity Metric, received by the Local Planning Authority on the 18<sup>th</sup> December 2025.
  - Road Safety Audit Stage 1/2, Prepared by SCL Sevenairs Consulting Ltd July 2025, received by the Local Planning Authority on the 27<sup>th</sup> October 2025.
  - Planning Statement (Amended), received by the Local Planning Authority on the 29<sup>th</sup> October 2025.
  - Millom Schools within Radius Field Calculations, received by the Local Planning Authority on the 17<sup>th</sup> November 2025.
  - Email Response from Agent to Sports England, received by the Local Planning Authority on the 25<sup>th</sup> November 2025.

Reason

To conform with the requirement of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

Pre Commencement Conditions:

3. Full details of the surface water drainage system for the access road (incorporating SUDs features as far as practicable) and a maintenance schedule (identifying the responsible parties) shall be submitted to the Local Planning Authority for approval prior to access road being commenced. Any approved works shall be implemented prior to the development being completed and shall be maintained thereafter in accordance with the schedule.

Reason

To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. To ensure the surface water system continues to function as designed and that flood risk is not increased within the site or elsewhere in accordance with Policy DS6 and DS7 of the Copeland Local Plan.

4. The carriageway, footways, footpaths, cycleways etc must be designed, constructed, drained to the satisfaction of the Local Planning Authority and in this respect further details, including longitudinal/cross sections, must be submitted to the Local Planning Authority for approval before work commences on site. No work must commence until a full specification has been approved in writing by the Local Planning Authority. Any works approved must be constructed before the development is complete and 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 Copeland Local Plan.

Prior to First Use Conditions:

5. The access road hereby approved cannot be brought into use until the access road including visibility splays, footways, cycle ways and street lighting to serve the development has been constructed and complete in all aspects.



## Cumberland Council

### Reason

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

6. Prior to the first use of the access road hereby permitted the boundary treatment separating the access road from the existing playing fields, must be installed as shown on the following approved plan:

- Proposed Northern Access Road (Amended), Scale 1:200, Drawing Number: 24015-9022D, Revision: D, received by the Local Planning Authority on the 30<sup>th</sup> January 2026

This boundary treatment should be retained for the lifetime of the development.

### Reason

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

### **Informative:**

#### **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

	<p>approved Biodiversity Gain Plan could result in enforcement action for breach of planning control.</p> <p><b>Statement:</b></p> <p>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.</p>	
<b>Case Officer:</b> C. Burns	<b>Date :</b> 06.02.2026	
<b>Authorising Officer:</b> N.J. Hayhurst	<b>Date :</b> 06.02.2026	
<b>Dedicated responses to:-</b> N/A		