

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/26/2059/0F1
2.	Proposed Development:	RENOVATION TO THE EXTERIOR OF THE BUILDING INCLUDING NEW CLADDING/FENESTRATION WORKS, NEW ENTRANCE DOORS, WINDOWS, EXTENSION TO REAR, NEW ACCESS ROAD/FOOTPATH, ASSOCIATED CAR PARKING & HARD AND SOFT LANDSCAPING
3.	Location:	FLORENCE ARTS CENTRE, FLORENCE MINE, EGREMONT
4.	Parish:	Egremont
5.	Constraints:	ASC Adverts - ASC;Adverts, SSSI - SSSI, Coal - Off Coalfield - Data Subject To Change, Outer Consultation Zone - Sellafield 10KM
6.	Publicity Representations &Policy	See report.
7.	Report:	<p>Site and Location:</p> <p>The Application Site comprises the Florence Arts Centre, Florence Mine, Egremont.</p> <p>Mining of haematite iron ore began at the site in the early 1900s, however the current pit head opened in 1947. The remaining structures include the headframe and heapstead, the winding engine, fan house, compressor, workshops and the ore processing plant. The pit head buildings were Grade II listed in 2018.</p> <p>Florence Mine is believed to have been the last iron mine to close in Europe and was last worked in 2007. Florence Mine in West Cumbria is one of the best surviving mining sites nationally. It is noted by Historic England as being the best surviving example of an iron mining pit head in England, retaining a full suite of buildings complete with nearly all its</p>

machinery and equipment.

The site is now home to an arts centre which provides workshop areas, theatre space, storage and an art gallery. The building which houses the arts centre was formerly the administration space for the mine housing offices and shower rooms.

The Application Site is located within the Florence Mine S.S.S.I..

The Application Site is principally located in Flood Zone 1. A small peripheral area of the existing access is located in Flood Zone 2 and 3.

Planning Application History:

App. ref. 4/91/0055/0 - Change of use of some rooms to a mining heritage, centre (museum).

Proposal:

The development proposed includes:

- Development of existing car park into a play area space, cafe seating/amenity, staff parking and delivery area.
- Development of car parking spaces to the east and south of the existing building.
- Development of walkways around the existing building.
- Internal and external alterations to the existing building. Externally these include: creating a new entrance, changing the external materials to an oxide red cladding system to the elevations and anthracite grey roof cladding system to the roof, and alterations to the fenestration.
- Creation of a one way system through the site using the access lane via Little Mill.

It is proposed to dispose of foul and surface water to an existing private treatment system and attenuated discharge to watercourse.

Consultee:	Nature of Response:
Town Council	No objections.
Parish Council	No objections.
Cumberland Council – Highways and LLFA	<i>Local Highway Authority Response:</i> The LHA has no objection in principle to the development as it is considered that the location of the site is suitable in terms of the local road network for access. The proposed one-way system is also acceptable, however, notes that a traffic mirror is proposed opposite the exit. This is



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not permitted by the LHA and it appears that the required visibility is possible from the exit. Since the exit is an existing, established arrangement, no improvements or changes are necessary.

The LHA welcome the footway on the access road and we also note the recognition of the local footpath link using Little Mill which is an important link for local residents and bus visitors to the site.

The LHA has no objection to the proposal but recommends imposition of planning condition in relation to access gates and securing a CTMP.

Lead Local Flood Authority Response:

Note and accept that due to ground conditions infiltration is feasible. The proposed drainage strategy utilises permeable paving for attenuation and treatment. This combined with an additional attenuation storage tank provides the necessary attenuation for the building, yard area and car parking and a suitably controlled flow discharge into the ordinary watercourse as not to increase flood risk downstream.

Note the proposed ACO channel at the exit. This will prevent any surface water flowing uncontrollably onto the highway.

It is not clear how the resurfaced access road with footway will drain and whether the drainage connects into the site drainage. Whilst the drainage design drawing states that 'Existing hard landscaping to drain as per the current regime with no alterations proposed' the proposal involved a 6m wide impermeable highway (4m carriageway +2m wide footway). This appears far more developed than the existing track and is likely to generate a noticeable increase in surface water run-off.

The applicant should explain how this is drained and factor it into the final design. The applicant will need to apply for consent to construct a headwall for a discharge point into the un-named watercourse.

Can confirm that the LLFA has no objection to the proposal but recommends the a condition securing a detailed drainage design, unless further details are submitted at this stage to

		satisfy the LLFA that the access road drainage has been accommodated.	
	Cumberland Council – Conservation Officer	<p>Supportive of the general proposal, which should enhance this centre’s functionality and viability without harming its significance.</p> <p>Questions whether the layout could be improved by placing the café, spillout seating and play area at the west end instead of the east end, moving them further away from the vehicular routes, while placing the staff parking and delivery access nearer to the vehicular routes.</p>	
	C20th Soc.	<p>The Society welcomes plans to restore the pithead of the mine, and the development of the arts centre will help to secure its future by attracting more visitors and funding.</p> <p>The proposed changes will have little adverse impact on the listed structures of the Florence mine, and are limited to the administration building on the site which is already in use as an arts centre. We defer to the conservation officer on the detailed plans of the proposals.</p>	
	Arb. Consultant	<p>Following our site visit, we have the following comment/observation to make on the proposed development.</p> <p>The property has a variety of self-seeded trees generally growing in groups around the site.</p> <p>The applicant has submitted an Arboricultural Impact Assessment and Method Statement to show the impact of the proposed development on the surrounding trees. All About Trees have produced the report and plans dated 11 March 2025. It discusses the current health and condition of the trees and the barrier fencing necessary to protect the retained trees during construction of the proposed scheme.</p> <p>The report concludes that two trees (3 & 6), three groups (3, 5 & 6), parts of another three groups (2, 7 & 9), and part of a hedgerow (1) need removing to allow construction of the proposed development.</p> <p>Recommend the imposition of a planning condition securing completion in accordance with the submitted details.</p>	



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	<p>Environment Agency</p>	<p>The proposed development partially falls within Flood Zone 3, which is land defined in the planning practice guidance as being at risk of flooding.</p> <p>We have produced a series of standard comments for LPAs and planning applicants to refer to on 'lower risk' development proposals. These comments replace direct case-by-case consultation with us. This proposed development falls within this category.</p> <p>These standard comments are known as Flood Risk Standing Advice (FRSA). They can be viewed at Flood risk assessments: applying for planning permission - GOV.UK</p> <p>We recommend that you view our standing advice in full before making a decision on this application. We do not need to be consulted.</p>	
	<p>Environmental Health</p>	<p>Contaminated Land</p> <p>The site is marked on Council mapping as being potentially contaminated land due to its industrial legacy. The application is accompanied by three separate reports on this – a Preliminary Risk Assessment (Phase 1 Desk Study), a Geo-environmental Appraisal (Phase 2 Assessment) and an Intrusive Ground Investigation Fieldworks Report. Collectively, these confirm that the geo-environmental conditions of the site are more benign than may have initially been feared and that full remediation is not necessary. It would be standard practice, nevertheless, to request a condition on any planning approval for unexpected contamination as a safeguard to encountering contamination during groundworks.</p> <p>Foul Drainage</p> <p>A Drainage Strategy report has been submitted. Whilst the provision for surface water dispersal is the responsibility of the LLFA, Environmental Health have considered the proposal to retain the current foul drainage septic tank arrangements, subject to the confirmation of their adequacy. This may or may not be acceptable to current standards, and therefore a condition for foul drainage arrangements is requested.</p> <p>Demolition / Construction Works</p>	

		<p>A Construction Environmental Management Plan is requested, to include a demolition method statement, provisions for the control of noise and dust, and the setting of site construction working hours to limit noise disturbance to local residential amenity.</p> <p>Artificial Lighting (external)</p> <p>There are no details provided regarding an external artificial lighting scheme. The site is within a designated SSSI and therefore any lighting scheme should be sympathetic to the setting.</p> <p>Suggest the imposition of planning conditions securing the above.</p>	
	Emergency Planning Officer	No objections to the proposed works.	
	Officer for Nuclear Regulation	No comments.	
	Historic Environment Officer	<p>The proposed scheme may impact upon the setting of the adjacent listed grade II Florence Mine structures and I defer to any forthcoming comments from Cumberland's conservation adviser on this matter.</p> <p>The development proposes to significantly alter the utilitarian appearance of the Art Centre building which originally operated as offices to Florence Mine. The building is the same age as the listed mine buildings and is an integral part of the mining complex. Although it was not considered by Historic England to be of designatable quality at the time when the other mine buildings were listed presumably because of internal changes, its original external appearance and form seem to have been largely retained. The building is therefore considered to be a heritage asset of at least local historical interest.</p> <p>Consequently, I recommend that, in the event planning consent is granted, the Art Centre building is recorded in advance of alterations. This recording should be in accordance with a Level 1 Survey as described by Historic England's document Understanding Historic Buildings A Guide to Good Recording Practice, 2016. I advise that this be secured by</p>	



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	attaching a condition to any planning consent.
National Highways	No objection.
Cumberland Council - Ecology	Natural England SSSI Assent will be required for this application to proceed. General advice provided regarding impact upon protected/priority species. BNG – not exempt.
Natural England	No response.

Neighbour Responses:

The development has been advertised by way of a planning application site notice, press notice and notification letter sent to 12no. neighbouring properties.

Two representations have been received in support.

The material planning issues raised comprise the following:

- Will there be any provision within the plans for lighting and a better surface for Egremont residents walking to the Arts Centre along Little Mill? The Street Lights were removed several years ago and not replaced, leaving the lane totally unlit for residents to take the obvious direct route to the centre.
- An excellent idea for our community as it promotes jobs, tourism and it is a well needed activity for the local area.

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 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 2001-2016.

Strategic Policy DS1: Settlement Hierarchy
Strategic Policy DS2: Settlement Boundaries
Strategic Policy DS3: Planning Obligations
Policy DS4: Design and Development Standards
Policy DS5: Hard and Soft Landscaping
Strategic Policy DS6: Reducing Flood Risk
Policy DS7: Sustainable Drainage
Policy DS8: Soils, Contamination and Land Stability
Policy DS9: Protecting Air Quality
Strategic Policy SC1: Health and Wellbeing
Strategic Policy N1: Conserving and Enhancing Biodiversity and Geodiversity
Strategic Policy N3: Biodiversity Net Gain
Policy N5: Protection of Water Resources
Strategic Policy N6: Landscape Protection
Policy N14: Woodlands, Trees and Hedgerows
Strategic Policy BE1: Heritage Assets
Policy BE2: Designated Heritage Assets
Policy BE4: Non-Designated Heritage Assets
Strategic Policy CO2: Priority for improving transport networks within Copeland
Strategic Policy CO4: Sustainable Travel
Policy CO5: Transport Hierarchy
Policy CO7: Parking Standards

Other Material Planning Considerations:

National Planning Policy Framework (NPPF).



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Planning Practice Guidance (PPG).
National Design Guide (NDG).
Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended)
The Conservation of Habitats and Species Regulations 2017 (CHSR).
Cumbria Development Design Guide (CDDG).

Assessment:

Principle

Florence Mine Art Centre comprises an existing/established culture/community/tourism development.

The development outlined seeks to improve and enhance the existing buildings/facilities to improve the overall offering and accessibility to the local community and other user groups.

A primary thread running through the Copeland Local Plan 2021-2039 is community and support to protect and enhance community facilities.

The principle of the development is therefore acceptable subject to site specific matters.

Design and Heritage

The Enquiry Site comprises part of the setting of the Grade II Listed Florence Mine Structures.

The existing Art Centre Building comprises a non-designated heritage asset as it is the former office range to Florence Mine and dates to the mid-20th century. It is contemporary with the listed buildings and was clearly an integral part of the mining complex. However, it was not considered by Historic England to be sufficient significance/quality at the time when the other mine buildings were listed. This is presumably because of internal changes, its original external appearance and form seem to have been largely retained.

The building appears to have some communal heritage value, judging from its use and the photos of it; it appears to be a place that's valued by its community.

The building is therefore considered to be a heritage asset of at least local historical interest

A Heritage Statement is required in support of any Full Planning Application to assess and justify the impacts of the development upon the designated and non-designated heritage assets.

The development proposes to significantly alter the utilitarian appearance of the building.

The development proposals do not appear to be in contradiction of the communal heritage

value.

The proposed alterations appear to be of good quality and to bring a clear improvement to the appearance and function of the building; however, the design and materiality reflects the historic use of the site and do not detract from the setting of the designated heritage assets.

The loss of vegetation does not threaten the building's heritage value or its overall design quality.

In creating a more commercially robust and well used core to the centre, it would seem likely that outcomes for the surviving elements of mining heritage, including the Grade II listed pit head structure, would also improve.

Whilst it is considered that practical benefits would be gained from the reconfiguration of the layout of the external spaces, these changes do not warrant refusal.

The C20th Society and Cumberland Council Conservation Officer are supportive of the development.

The Historic Environment Officer is supportive of the development subject to a planning condition securing the recording of the building prior to the commencement of the development.

The proposed development will enhance the heritage asset value of the existing Art Centre Building through the improvement of its appearance and delivery of improvements to its communal/community value.

The development will result in changes to the setting of the Grade II Listed Florence Mine Structures. The development will result in changes to the fabric and appearance of structures/areas which are original to the period of operation as a mine. These interventions will result in a combination of neutral, negative and positive impacts upon the significance of the assets. Any harm would fall at the lower end of less than significant and the heritage benefits, community benefits and economic benefits outweigh those harms.

Ecology

An Ecological Appraisal has been prepared in support of the Full Planning Application.

The Appraisal relates to the existing building and immediate curtilage; however, does not include the proposed access lane via Little Mill. The Biodiversity Net Gain Assessment assesses the hedgerow along the access as being made up of Hawthorn with occasional Elder and Sycamore saplings and as being in good condition. It is proposed to replace the hedgerow as part of the achievement of Biodiversity Net Gain; however, a detailed specification has not been submitted.



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The Appraisal concludes that the building is situated in an area with high foraging and commuting potential for bats, that the building exhibits few potential roost sites and that bat activity surveys are not considered necessary.

The Cumberland Council Ecologist suggests the imposition of planning conditions securing mitigation in relation to breeding birds, badgers and small mammals and bats. Given the nature and wording of these requests, they have been included as informative on the decision notice.

The Application Site forms part of the Florence Mine SSSI.

The Application Site is located within 2km of Cints Quarry SSSI, Haile Great Wood SSSI and Black Moss SSSI.

Florence Mine SSSI is a globally renowned geological site, designated in 1996 for its exceptional mineralogy. As Europe's last deep hematite mine, its primary interests include unique "Kidney Ore" (botryoidal hematite), and a array of associated mineral specimens, including white calcite, purple fluorite, barite, and quartz.

Pumping of the mine, and also therefore mining activities, have ceased due to funding difficulties. The underground features of the site are now flooded, and hence inaccessible. The cost of pumping the mine to re-expose the geological features for study is likely to be prohibitively expensive. A survey of the mine was carried out before the mine flooded.

The Application Site is located within the Florence Mine SSSI and the proposals fall within several of the sites ORNECS (Operations Requiring Natural England Consent).

Natural England have been consulted; however, no response has been received, and it must therefore be assumed that they have no comments/concerns.

The development given its nature will not directly impact upon the special interest features of the Florence Mine SSSI which are below ground and subject to the mitigation proposed/secured, will not cause impacts upon the other SSSIs within 2km.

Biodiversity Net Gain

The development is the subject of mandatory Biodiversity Net Gain as required by Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021).

A Biodiversity Metric has been submitted calculating the pre-development biodiversity value of the Application Site. It is identified that the required biodiversity net gain can partially be achieved on the Application Site; however, some off-site credits are to be purchased.

Planning conditions are proposed to secure the delivery and maintenance of the on-site

enhancement, with the purchase of any off site credits to be confirmed via the submission of a Biodiversity Gain Plan as secured via the legislation.

Highways Impacts

The proposed development includes the creation of a one-way system and the introduction of formal staff and visitor parking spaces including disabled spaces, loading areas and cycle spaces.

A pedestrian access is proposed to the vehicular access and via the garden area to the west.

Cumberland Council – Highways has confirmed no objections to the development subject to the imposition of planning conditions in relation to the provision of access gates and the submission, approval and implementation of a CTMP.

National Highways has confirmed no objections.

Flood Risk and Drainage

The Application Site is principally located in Flood Zone 1. A small peripheral area of the existing access is located in Flood Zone 2 and 3.

The physical development proposed is located within Flood Zone 1.

It is proposed to dispose of foul and surface water to an existing private treatment system and attenuated discharge to watercourse.

Cumberland Council LLFA and EHO have confirmed that insufficient details have been provided in relation to the design of the proposed drainage systems and have requested the imposition of pre-commencement planning conditions securing detailed schemes for both systems.

Ground Conditions

The Application Site is marked on Council mapping as being potentially contaminated land due to its industrial legacy.

The Full Planning Application is accompanied by three separate reports relating to ground conditions – a Preliminary Risk Assessment (Phase 1 Desk Study), a Geo-environmental Appraisal (Phase 2 Assessment) and an Intrusive Ground Investigation Fieldworks Report. Collectively, these reports confirm that the geo-environmental conditions of the site are more benign than may have initially been feared and that full remediation is not necessary.

Environmental Health have raised no objections; however, they have requested a planning condition be imposed to provide safeguards in relation to unexpected contamination



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	<p>encountered during groundworks.</p> <p>While the ultimate responsibility for a safe development rests with the developer, sufficient information has been submitted to demonstrate that all risks have been identified and can be effectively mitigated.</p> <p><u>Amenity</u></p> <p>Given the scale, form and nature of the development proposed and relationship to the existing dwellings, adverse impacts upon the living conditions of the occupants through overlooking, loss of light, overshadowing or overbearing will not occur.</p> <p><u>Construction Management</u></p> <p>The development has potential to cause adverse impacts upon residential amenity, the safe operation of the public highway and the environment during construction.</p> <p>Planning conditions are proposed to limit hours of operation and to secure a Construction Environmental Management Plan and Construction Traffic Management Plan to both prevent, control and mitigate impacts during construction activities.</p> <p>Planning Balance</p> <p>In order terms, it is considered that the development is in accordance with the relevant provisions of the development plan and National Planning Policy Framework when taken as a whole.</p>
8.	<p>Recommendation:</p> <p>Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <p>1. The development hereby permitted shall begin not later than three years from the date of this decision.</p> <p>Reason</p> <p>To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.</p> <p>2. The development hereby permitted shall be carried out in accordance with the following approved plans/details:</p>

Application Form

Location Plan – Drawing No. S4726-BDN-XX-XX-M3-A-(05)3001 Rev. P5

Existing Site Plan – Drawing No. S4726-BDN-XX-XX-M3-A-(05)3002 Rev. P6

Proposed Site Plan – Drawing No. S4726-BDN-XX-XX-M3-A-(05)3006 Rev. P6

Existing Floor Plan – Drawing No. S4726-BDN-Z1-GF-DR-A-(05)3003 Rev. P4

Proposed Floor Plan – Drawing No. S4726-BDN-Z1-GF-DR-A-(05)3008 Rev. P4

Existing Roof Plan – Drawing No. S4726-BDN-Z1-RF-DR-A-(05)3004 Rev. P3

Proposed Roof Plan – Drawing No. S4726-BDN-Z1-RF-DR-A-(05)3009 Rev. P3

Existing Elevations – Drawing No. S4726-BDN-Z1-XX-DR-A-(05)3005 Rev. P3

Proposed Elevations – Drawing No. S4726-BDN-Z1-XX-DR-A-(05)3010 Rev. P3

Demolition Floor Plan – Drawing No. S4726-BDN-Z1-GF-DR-A-(05)3007 Rev. P3

Existing Axonometric – Drawing No. S4726-BDN-ZZ-XX-DR-A-(05)3011 Rev. P2

Proposed Axonometric – Drawing No. S4726-BDN-ZZ-XX-DR-A-(05)3012 Rev. P2

Transport Statement - Florence Arts Centre Improvements - Florence Mine, Egremont, CA222NR.

Arboricultural Impact Assessment and Method Statement for Trees at The Florence Arts Centre, Egremont – Original Issue

Arboricultural Impact Assessment & Method Statement Existing Trees Shown On Existing Layout – Drawing No. AIA&AMS Exi Rev. –

Arboricultural Impact Assessment & Method Statement Tree Protection Plan (AIA & AMS TPP) – Drawing No. AIA & AMS TPP

Biodiversity Net Gain Feasibility Study Land at Florence Arts Centre CA222NN – Version 1 Preliminary Ecological Appraisal for Land and Buildings at Florence Arts Centre CA222NN - Primary

Land At Florence Arts Centre Intrusive Ground Investigation Fieldworks Report

Florence Arts Centre, Egremont Preliminary Risk Assessment (Phase 1 Desk Study)

S2442/01, Mar 2025 Issue 0.0

Florence Arts Centre - Geoenvironmental Appraisal (Phase 2 Assessment) S2442/02, Apr 2025 Issue 0.0

Flood Risk Assessment Florence Arts Centre, Egremont, Cumbria, CA22 2NR December 2025 - Document Reference: S4726-BDN-XX-XX-RP-C-01 - Revision P1

Heritage Statement - Improvements to the Arts Centre Building and Landscaping - Our Reference: S4726 Revision: P3

Florence Arts Centre – Design and Access Statement - Doc Reference: S4726-BDN-XX-XX-RP-(A1)3001

Reason

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

Pre-Commencement Planning Conditions

Building Recording



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3. Prior to the carrying out of any alterations or construction works, the existing Arts Centre building affected by the proposed development shall be recorded in accordance with a Level 1 Survey as described by Historic England's document Understanding Historic Buildings A Guide to Good Recording Practice, 2016. Within 2 months of the commencement of construction work a digital copy of the resultant Level 1 Survey report shall be furnished to the Local Planning Authority.

Reason

To ensure that a permanent record is made of the building of architectural and historical significance prior to its alteration as part of the proposed development in accordance with the provisions of Strategic Policy BE1 and Policy BE2 of the Copeland Local Plan 2021 – 2039.

Construction Management

4. No development shall commence until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the local planning authority.

The CTMP shall include details of:

- pre-construction road condition established by a detailed survey for accommodation works within the highways boundary conducted with a Highway Authority representative; with all post repairs carried out to the satisfaction of the Local Highway Authority at the applicants expense;
- details of proposed crossings of the highway verge;
- retained areas for vehicle parking, manoeuvring, loading and unloading for their specific purpose during the development;
- cleaning of site entrances and the adjacent public highway;
- details of proposed wheel washing facilities;
- the sheeting of all HGVs taking spoil to/from the site to prevent spillage or deposit of any materials on the highway;
- construction vehicle routing;
- the management of junctions to and crossings of the public highway and other public rights of way/footway;
- Details of any proposed temporary access points (vehicular / pedestrian)
- surface water management details during the construction phase
- specific measures to manage and limit the impact on the school, including working hours, any special measures to accommodate pedestrians deliveries and movement of equipment on the road network surrounding the site must not take place during school muster times in the interests of road safety.

The approved CTMP shall be adhered to throughout the construction period.

Reason

To ensure the undertaking of the development does not adversely impact upon the fabric or operation of the local highway network and in the interests of highway and pedestrian safety in accordance with the provisions of Policy C02 of the Copeland Local Plan 2021-2039.

5. No development shall commence until a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the local planning authority.

The CEMP shall include:

- details of the means of access and parking for construction traffic and vehicles
- procedures for the loading and unloading of plant and materials
- details of the storage of plant and materials used in construction
- details of measures to control dust, emissions, sediments and pollutants arising from the development, specifically including measures to prevent the discharge of such materials to the existing watercourses
- a scheme for recycling/disposing of waste resulting from construction works
- measures to control noise and vibration.

The approved CEMP shall be adhered to throughout the construction period.

Reason

To protect neighbour amenity and to protect the environment from pollution in accordance with Policies DS8, DS9, N1 and N5 of the Copeland Local Plan 2021-2039.

Surface Water

6. Notwithstanding the submitted details, no development shall commence until a foul water drainage scheme and surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme shall be designed in accordance with the National Standards for Sustainable Drainage Systems (July 2025) (or any replacement standards) and shall follow the hierarchy of drainage options in the National Planning Practice Guidance.

The scheme shall be informed by site ground conditions and where infiltration is proposed, the submission shall include infiltration testing to BRE365 (or any successor standard).

Surface water shall not discharge to the public sewer unless it is demonstrated (to the satisfaction of the LPA) that infiltration and discharge to a watercourse are not reasonably practicable, and evidence of agreement in principle from the statutory undertaker is provided.

The scheme shall accord with the principles and parameters set out in the Drainage Strategy



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dated December 2025, including the proposed discharge to the un-named watercourse.

The approved scheme shall be implemented before first occupation (or first use) and shall thereafter be retained, maintained and managed in accordance with the approved details.

Reason

To ensure sustainable drainage, to manage flood risk and pollution, and to secure a scheme that can be implemented and maintained in accordance with the provisions of Policies DS6 and DS7 of the Copeland Local Plan 2021-2039.

Biodiversity Net Gain

7. No development shall commence until a Habitat Management and Monitoring Plan has been submitted to and approved in writing by the Local Planning Authority.

The Habitat Management and Monitoring Plan shall include the following:

- i. A detailed scheme of habitat creation and habitat enhancement works that demonstrate the delivery of a minimum 10% net gain in biodiversity value post development over a minimum period of 30 years.
- ii. Planned management activities including details of site-wide aims and objectives.
- iii. Details of the persons and organisation(s) responsible for delivery of the habitat creation and habitat enhancement works.
- iv. The habitat condition targets that form the basis of what the Habitat Management and Monitoring Plan is setting out to achieve.
- v. Details of monitoring methods and a monitoring reporting schedule.
- vi. Details of adaptive management approaches.

Reason

In the interests of ensuring measurable net gains to biodiversity and in accordance with the provision of Strategic Policy N3 of the Copeland Local Plan 2021-2039, the National Planning Policy Framework and The Environment Act 2021.

Other Planning Conditions

Biodiversity Net Gain

8. The development hereby approved shall not be brought into use until the habitat creation and habitat enhancement works detailed in the Habitat Management and Monitoring Plan secured by Planning Condition 7 have been completed in accordance with the approved details.

Reason

In the interests of ensuring measurable net gains to biodiversity and in accordance with the provision of Strategic Policy N3 of the Copeland Local Plan 2021-2039, the National Planning Policy Framework and The Environment Act 2021.

9. Within 3 months of the completion of the habitat creation and habitat enhancement works detailed in Habitat Management and Monitoring Plan secured by Planning Condition 7, a completion report, evidencing the completed habitat creation and habitat enhancements shall be submitted to and approved in writing by the local planning authority.

Reason

In the interests of ensuring measurable net gains to biodiversity and in accordance with the provision of Strategic Policy N3 of the Copeland Local Plan 2021-2039, the National Planning Policy Framework and The Environment Act 2021.

10. The habitat creation and habitat enhancement works detailed in the Habitat Management and Monitoring Plan secured by Planning Condition 7 shall be managed and maintained in accordance with the provisions of approved Habitat Management and Monitoring Plan secured by Planning Condition 7 for a minimum period of 30 years post completion of the habitat creation and habitat enhancement works.

Reason

In the interests of ensuring measurable net gains to biodiversity and in accordance with the provision of Strategic Policy N3 of the Copeland Local Plan 2021-2039, the National Planning Policy Framework and The Environment Act 2021.

11. Monitoring reports demonstrating how the habitat creation and habitat enhancement works detailed in Habitat Management and Monitoring Plan secured by Planning Condition 7 is delivering on its site-wide aims and objectives and habitat condition targets

Monitoring reports shall be submitted to the Council during years 2, 5, 7, 10, 20 and 25 posts completion of the habitat creation and habitat enhancement works detailed in the Habitat Management and Monitoring Plan secured by Planning Condition 7 unless otherwise stated in the Habitat Management and Monitoring Plan secured by Planning Condition 7.

Reason

In the interests of ensuring measurable net gains to biodiversity and in accordance with the provision of Strategic Policy N3 of the Copeland Local Plan 2021-2039, the National Planning



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Policy Framework and The Environment Act 2021.

Ground Conditions

12. 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 within 14 days to the local planning authority and once the local planning authority has identified the part of the site affected by the unexpected contamination, development must be halted on that part of the site.

An assessment must be undertaken and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the local planning authority.

The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the local planning authority.

Reason

To prevent harm to human health and the environment in accordance with the provisions of Policy DS8 of the Copeland Local Plan 2021-2039.

Construction Management

13. No work for the construction of these developments, including demolition, shall take place on the site, except between the hours:

08.00 - 18.00 Monday to Friday; and

08.00 - 13.00 on Saturdays;

unless otherwise agreed in writing with the Local Planning Authority. In particular, no work should be carried out on Sundays or officially recognised public holidays without the prior agreement in writing of the Local Planning Authority.

Reason

In the interests of neighbouring residential amenity in accordance with the relevant provisions of the National Planning Policy Framework.

Highways

14. There shall be no vehicular access to or egress from the site other than via the approved

accesses.

Reason

To avoid vehicles entering or leaving the site by an unsatisfactory access or route, in the interests of road safety in accordance with the provisions of Policy C02 of the Copeland Local Plan 2021-2039.

Ecology

15. The development shall not proceed except in accordance with the mitigation strategy described in Preliminary Ecological Appraisal for Land and Buildings at Florence Arts Centre CA222NN – Primary.

Reason

For the avoidance of doubt and to prevent harm to protected species in accordance with the provisions of Policy N1 of the Copeland Local Plan 2021-2039.

External Lighting

16. Artificial external lighting to the development must conform to requirements to meet the Obtrusive Light Limitations for Exterior Lighting Installations for environmental zone E2 contained within The Institute of Light Engineers Guidance Note GN01/21 (dated 2021) for The Reduction of Obtrusive Light.

Reason:

In order to safeguard the amenities of nearby residential occupiers and the area generally in accordance with the provisions of the National Planning Policy Framework.

17. The development must be carried out in accordance with all the details and tree protection measures specified within:

- i. Arboricultural Impact Assessment and Method Statement for Trees at The Florence Arts Centre, Egremont – Original Issue
- ii. Arboricultural Impact Assessment & Method Statement Existing Trees Shown On Existing Layout – Drawing No. AIA&AMS Exi Rev. –
- iii. Arboricultural Impact Assessment & Method Statement Tree Protection Plan (AIA & AMS TPP) – Drawing No. AIA & AMS TPP

All tree protection measures must be implemented prior to any development on the site and must remain in place until completion of the development.



Cumberland Council

Reason

To ensure that existing trees are protected in accordance with Policy DM28 of the Copeland Local Plan 2013-2028.

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.

Informative Notes

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.

The template for the preparation of a Biodiversity Gain Plan can be accessed via this link: <https://www.gov.uk/government/publications/biodiversity-gain-plan>

SSSI Designation

The Application Site is located within the Florence Mine SSSI and the proposals fall within a number of the sites ORNECS (Operations Requiring Natural England Consent).

You must contact Natural England to discuss your proposal prior to the commencement of development.

Ecology

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.

Badgers and Small Mammals

All development work should be carried out with care to avoid mammals such as badgers and hedgehogs. Contractors should be briefed about the potential presence of small mammals and should adopt the following precautionary method of works:

- All work must take place during daylight hours.
- Should any trenches and excavations be required, an escape route for animals that enter the trench must be provided, especially if left open overnight. Ramps should be no greater than of 45 degrees in angle. Ideally, any holes should be securely covered.
- All excavations left open overnight or longer should be checked for animals prior to the continuation of works or infilling. Back filling should be completed immediately after any excavations, ideally back filling as an on-going process to the work in hand.
- Stored materials should be raised (i.e. stored on pallets) in order to ensure that wildlife such as hedgehogs do not shelter in the piles.

Bats

If works do not commence within 18 months of the Preliminary Bat Roost Assessment (February 2025), then this survey is to be repeated.

Case Officer: C. Harrison

Date : 01.05.2026

Authorising Officer: N.J. Hayhurst

Date : 01.05.2026

Dedicated responses to:- N/A