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Our Ref: 14B902299
Your Ref: PP-09695597

31 March 2021 (amended 22/04/2021)

Copeland Borough Council
Development Control
The Copeland
Whitehaven
Cumbria
CA28 7SJ

Via Planning Portal only

Dear Sir/ Madam,

Application to vary wording of conditions 22 and 23 of permission 4/12/2407/0F1

A planning application has been submitted by Avison Young on behalf of the Nuclear Decommissioning Authority Property Ltd ('NADL' - the applicant) under Section 73 of the Town and Country Planning Act 1990, to vary the wording of Conditions 22 and 23 pursuant to approved 'Albion Square' application 4/12/2407/0F1 granted on 23 October 2012 for:

"New office accommodation of 3 and 4 storeys with associated access works, disabled parking provision, landscaping and servicing"

The s.73 application has been prepared following discussions with Heather Morrison, Principal Planning Officer at Copeland Council and highways officers at Cumbria County Council.

The Variations Sought

Condition 22 of permission 4/12/2407/0F1 requires:

"Within 6 months of the development (or any part thereof) opening for business, the developer shall prepare and submit to the Local Planning Authority for their approval a Travel Plan which shall identify measures that will be undertaken by the developer to implement the Interim Travel Plan. The measures identified in the Travel Plan shall be implemented by the developer within 12 months of the development (or any part thereof) being first occupied.

Reason

To aid in the delivery of sustainable transport objectives."

Through an unintended oversight by the applicant 'Albion Square' has been occupied for several years. To rectify this and satisfy the requirements of Condition 22 the wording is required to be amended accordingly. To assist, we suggest the following:

"Within six months of the date of this planning permission a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. Implementation and monitoring of the Plan as approved shall be undertaken thereafter.

Reason

To aid in the delivery of sustainable transport objectives."

Condition 23 as drafted within the planning permission requires:

"An annual report reviewing the effectiveness of the Travel Plan and including any necessary amendments or measures shall be prepared by the developer/occupier and submitted to the Local Planning Authority for approval.

Reason

To aid in the delivery of sustainable transport objectives."

Similarly, to reflect that Albion Square has been occupied for some time, we suggest that the wording of Condition 23 is amended as follows:

"A report reviewing the effectiveness of the approved Travel Plan including any necessary amendments or measures shall be prepared by the developer/occupier and submitted to and approved in writing by the Local Planning Authority and implemented as agreed.

Reason

To aid in the delivery of sustainable transport objectives."

In order to satisfy the requirements of these conditions as amended a Travel Plan has been prepared by travel consultants Vectos with input by Heather Morrison at Copeland Council and highways officers at Cumbria County Council. The Travel Plan has been submitted separately as a discharge of condition application in parallel to this s73 application. It is therefore recommended that the two applications are dealt with by the same planning officer.

Next Stages and Contact

For further information, a Travel Plan has been prepared by travel consultants Vectos with input by Heather Morrison at Copeland Council and highways officers at Cumbria County Council. As such a separate application to discharge the above conditions, as amended, is to follow promptly.



In the meantime, should you have any queries or wish to discuss any aspect of the application then please do not hesitate to contact me using the contact information provided below.

Yours faithfully

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For and on behalf of Avison Young (UK) Limited