Jacobs

Planning Statement

Document no: BCU00027-JAC-GEN-PL-RP-C-0001

Version: P01

Cumberland Council

Cleator Moor Connected Town – Proposed Shared Walking and Cycling Paths

20 December 2024



Planning Statement

Client name: Cumberland Council

Project name: Cleator Moor Connected Town – Proposed Shared Walking and Cycling Paths

Project no: B2462301

Document no: BCU00027-JAC-GEN-PL-RP-C-0001 **Project manager:** Colm Smyth

Version: P01 **Prepared by:** Oliver Bright

Date: 20 December 2024 File name: Cleator Moor Connected Towns

Planning Statement

Document status: For Issue

Document history and status

Version	Date	Description	Author	Checked	Reviewed	Approved
P01	20/12/24	For Issue	ОВ	ВН	AS	CS

Jacobs U.K. Limited

5 First Street Manchester M15 4GU United Kingdom T +44 (0)161 235 6000 F +44 (0)161 235 6001

www.jacobs.com

© Copyright 2024 Jacobs U.K. Limited. All rights reserved. The content and information contained in this document are the property of the Jacobs group of companies ("Jacobs Group"). Publication, distribution, or reproduction of this document in whole or in part without the written permission of Jacobs Group constitutes an infringement of copyright. Jacobs, the Jacobs logo, and all other Jacobs Group trademarks are the property of Jacobs Group.

NOTICE: This document has been prepared exclusively for the use and benefit of Jacobs Group client. Jacobs Group accepts no liability or responsibility for any use or reliance upon this document by any third party.

Contents

1.	Intro	oduction and Background	4	
	1.1	Introduction	4	
	1.2	Planning Statement	4	
	1.3	Background to the Scheme	4	
2.	Prop	Proposed Scheme		
	2.1	Location Description	6	
	2.2	Scheme Description	6	
	2.3	Scheme Objectives	6	
	2.4	Planning History	7	
	2.5	Community Engagement	7	
3.	Envi	ronmental Appraisal	8	
	3.1	Introduction	8	
	3.2	Ecology	8	
	3.3	Biodiversity Net Gain	9	
	3.4	Arboriculture	9	
4.	Plan	ning Policy Context	10	
	4.1	Background	10	
	4.2	National Planning Policy	10	
	4.3	Local Planning Policy	11	
		4.3.1 Copeland Local Plan 2013-2028	11	
		4.3.2 Cumbria Transport Infrastructure Plan 2022-2037	13	
5.	Plan	ning Assessment	14	
	5.1	Principle of the scheme	14	
	5.2	Ecology Impact	14	
	5.3	Tree impact	14	
6.	Sum	mary and Conclusions	16	

1. Introduction and Background

1.1 Introduction

This Planning Statement has been prepared by Jacobs UK Ltd on behalf of Cumberland Council to support an application for planning permission for the development of two shared walking and cycling paths in Cleator Moor, Cumberland (the 'proposed scheme').

The proposed scheme is intended to make journeys on foot or by bike in Cleator Moor easier and more attractive, helping improve access to employment and education sites for pedestrians and cyclists, and provide opportunities for healthy living through physical activity.

1.2 Planning Statement

This Planning Statement describes the proposed scheme, details the consultation that has been carried out on the proposals, summarises the environmental surveys that assess the impact of the proposals and sets out the relevant planning policy context and an assessment of the proposed scheme against those policies.

Drawings that accompany the planning application are:

- Location Plan (Reference: BCU00027-JAC-B5295-HGN-DR-C-0100).
- Existing Site Plan (Reference: BCU00027-JAC-B5295-HGN-DR-C-0101).
- Proposed Site Plan (Reference: BCU00027-JAC-B5295-HGN-DR-C-0102).
- Proposed Cross Section (Reference: BCU00027-JAC-B5295-HGN-DR-C-0103).
- Landscape Proposals (Reference: BCU00027-JAC-B5295-ELS-DR-L-0007).

To inform the design and understand the impact of the proposed scheme, environmental surveys have been carried out, which are detailed in the following reports that accompany the planning application:

- Preliminary Ecological Appraisal (PEA) Report.
- Biodiversity Net Gain (BNG) Assessment Report for Planning.
- Tree Survey Report.

1.3 Background to the Scheme

Working with Copeland Borough Council, the Cleator Moor Town Deal Board secured funding from the Government's Towns Fund initiative in July 2021 for four projects to ensure the town and its communities thrive now and into the future. The four projects are:

- Enterprising Town a project to develop an enterprise campus on the Leconfield Industrial Estate aimed at leveraging the economic growth potential of the Sellafield supply chain through a cluster approach to growing and diversifying the West Cumbria economy.
- Revitalised Town to increase activity and footfall around the Town Square by bringing vacant and underutilised buildings back into active use while creating an attractive new public realm. Uses will include a new cultural community hub and enhanced business space.
- Healthy Town enhancing existing sports and leisure provision as well as providing a modern multipurpose centre including an indoor sports hall, flexible studio space, gym and café, alongside wider health and well-being provision and targeted youth activity. This will improve population health and generate more reasons for people to visit and spend time in Cleator Moor.

Planning Statement

• Connected Town - this scheme will deliver a high-quality integrated and sustainable transport network which improves connections between employment, education, amenities and leisure and transforms the accessibility and attractiveness of Cleator Moor.

The proposed scheme relates to the Connected Town project, which seeks to deliver a programme of transport and related public realm interventions which will result in Cleator Moor having a high-quality integrated transport network, transforming the accessibility and attractiveness of the town. The project encompasses investment in gateways and corridors to improve connectivity between residential and employment areas; corridor enhancements to improve access on foot; and improved local infrastructure for active travel.

The Connected Town project objectives are:

- To promote clean growth and decarbonisation. There is opportunity to promote low carbon journeys, with short trips on foot or by bike, creating environmentally low impact clean growth journeys.
- To promote active travel. Ability to capitalise on the town's walkable catchment and flat landscape which lends itself to walking and cycling. This would see Cleator Moor's town centre once again become a viable hub for both the local community and visitors.
- Tackling poor health outcomes. Encouraging participation in active journeys, promoting a healthier lifestyle with increased physical activity.
- Capitalise on existing assets. The Lake District National Park World Heritage Site, employment and services at Whitehaven and Sea to Sea cycling route are significant assets which could be better linked to Cleator Moor.
- Strengthen the attractiveness of Cleator Moor. There is clear opportunity to strengthen perceptions of Cleator Moor by giving the town a better sense of place.

The Connected Town project, through the delivery of an integrated walking and cycling network in Cleator Moor, improvements to key roads and junctions, as well as environmental and public realm improvements at key 'gateways' is aiming to result in:

- An increase in the number of new and upgraded cycle and walking routes;
- An increase in upgraded road infrastructure; and
- Improved public realm.

As part of the proposals, seven locations across the town were identified for investment in new or improved paths for cyclists and pedestrians.

Following a review of the Connected Town project proposals with town planning officers from Cumberland Council, it was agreed that a planning application was required for two of the new shared cycle and walking routes.

This planning application is therefore for two new shared cycle and walking routes, which form part of the Connected Town project. Other transport improvements associated with the Connected Town project, including footpath improvement works, new pedestrian crossings and highways junction improvements can be carried out through highways permitted development rights and do not require planning permission, and therefore not been included within this planning application.

2. Proposed Scheme

2.1 Location Description

The proposed scheme is located in Cleater Moor within the borough of Cumberland; it was formerly in the Borough of Copeland before the creation of Cumberland Council. Cleator Moor is located approximately 4 miles east of the town of Whitehaven, and sits to the west of the boundary of the Lake District National Park and UNESCO World Heritage Site.

The proposed scheme involves works in two locations to the north-east of the B5295 High Street:

- between the Leconfield Industrial Estate and the National Cycle Network Coast to Coast (C2C) route to the private road alongside Cleator Moor Celtic Football Club and the Cleator Moor Health centre which is accessed from Birks Road. This area comprises mainly of open grassed / overgrown vegetated land.
- between Aldby Street and Quarry Road, alongside the football pitch at the Cleator Moor Activity Centre. This area comprises mainly of overgrown vegetated land.

2.2 Scheme Description

The general arrangement of the proposed scheme is shown on the Proposed Site Plan (Reference: BCU00027-JAC-B5295-HGN-DR-C-0101)

The proposed scheme is to create two cycling and walking paths, 3 m wide and fully separated from motor vehicles (as shown in Figure 2-1). The routes will allow access from the National Cycle Network to the town centre of Cleater Moor along quieter roads whilst avoiding the main road of Leconfield Street. The National Cycle Network connects Cleator Moor, Egremont, Whitehaven and Sellafield, as well as providing onward connections to the north along the 'Hadrian's' route and to the east along the 'Coast to Coast' (C2C) route.

Both pathways include a proposed landscaping and a biodiversity enhancement scheme. Bench seating would be provided at three locations on the paths.

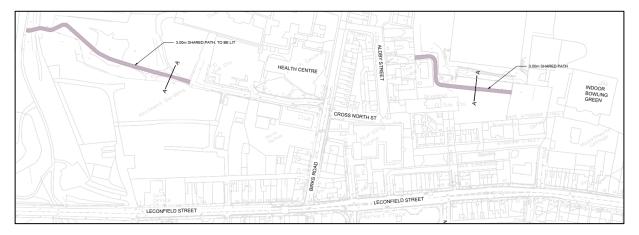


Figure 2-1 Proposed Path Alignments

2.3 Scheme Objectives

The intended key objectives of the scheme are:

• Improved convenience and sustainability of travel options to, and from places of work.

- Improved convenience and sustainability of travel options to and from places of interest (especially shops and amenities).
- Enhanced town centre experience that prioritises the health, safety and mobility of pedestrians.

2.4 Planning History

There are two relevant planning applications consented which relate to the area of the proposed walking and cycling routes:

- 4/22/2308/001 Outline application for the redevelopment of an existing industrial estate, a new industrial extension on land to the north, an additional extension for hotel (c1) & student accommodation (Siu Generis) to the east comprising up to 44,350 square metres of new floorspace, proposed uses also include research & development, light industrial, general industrial, storage & distribution (class e(g), b2, b8 uses) with ancillary food/drink (class e(b)), education & new community facilities (class f1(a & e)) along with car parking, other infrastructure & full details of the accesses Leconfield Industrial Estate, Cleator Moor Currently pending decision.
- 4/24/2089/0F1 Community activity centre refurbishment and extension, and associated parking and landscaping. Land to the rear of Wyndham Street, Cleator Moor Currently pending decision

2.5 Community Engagement

Public engagement event took place in the Cleator Moor Civic Hall on Tuesday 30th July 2024 to which around 70 people attended. A questionnaire was made available online prior to the event, and hardcopies at the event, for the public to view proposals and provide comments. Members of the design project team and client project team were present at the event and answered queries from members of the public who attended. The event also provided an opportunity for residents and business owners to provide insights to inform the design development.

Analysis of the resulting 45 completed questionnaires showed that 72% were very supportive, supportive or neutral in response to the proposed improvements.

3. Environmental Appraisal

3.1 Introduction

This chapter summarises the key environmental impacts of the scheme, as detailed in the environmental survey reports that accompany this planning application.

A review of environmental constraints and designations show the site:

- Is within Flood Zone 1 which indicates a low probability of flooding.
- Does not contain any listed buildings, schedules ancient monuments, registered parks and gardens, registered battlefields or conservation areas.
- Contains no statutory or non-statutory ecological designated sites.
- Is not covered by any Tree Preservation Orders (TPOs).
- Is not within an Air Quality Management Area (AQMA).
- Is not within a National Park, National Landscape Area or valued landscape area.

In terms of surveys carried out for the proposed scheme, an ecological survey and a tree survey have been conducted and their reports accompany this planning application.

3.2 Ecology

A Preliminary Ecological Appraisal (PEA) has been undertaken for the planned construction works associated with Cleator Moor Connected Town project and accompanies this planning application. It should be noted that the PEA assessed all proposals relating to the Cleator Moor Connected Town project, including the proposals that are to be constructed under permitted development rights. For the purposes of this planning application, just the impacts of the development requiring planning permission (labelled as Areas 2 and 3 in the PEA) are summarised in the paragraphs below.

A desk study was conducted including a 1km search area surrounding the survey area of Cleator Moor and a PEA walkover survey was undertaken in April 2024, which included an inspection of habitats.

No designated site or Priority Habitat would be affected. The proposed scheme would include vegetation clearance in non-priority habitats: 'other broadleaved woodland' and 'other neutral grassland'. The condition of the woodland habitat was assessed as "poor" due to the presence of Japanese knotweed, the low range of age classes and the lack of veteran trees present.

Habitats were assessed for their potential to support protected species. Suitable habitat for badger, foraging and commuting bats, breeding birds, otter, reptiles, red squirrel, water vole and terrestrial invertebrates was identified within the survey area. No buildings or trees were identified as having bat roost potential.

In order to avoid disturbance of protected species during construction, measures would be implemented including:

- Vegetation clearance should be undertaken outside of the main bird breeding season (considered to be March to August inclusive).
- If vegetation clearance must take place within the breeding bird season, the vegetation should be checked within 24 hours of removal by a suitably qualified ecologist.

• If evidence of nesting is found, an appropriate buffer zone would need to be established by the ecologist, appropriate for the species, and all works within this area postponed until the young have fledged.

3.3 Biodiversity Net Gain

The accompanying Biodiversity Net Gain Assessment Report For Planning, details how the proposed scheme meets the statutory requirements for BNG under the Environment Act 2021.

There is an overall biodiversity net loss of -0.41 (-100%) Habitat Units for the Project. Under the Environment Act 2021, which came into effect on the 1st April 2024, there is a mandatory requirement for 10% net gain for planning applications in all aspects of the biodiversity metric. This target is also the minimum required for the Local Planning Authority; Cumberland Council. The Project, has not been able to meet this target with onsite habitat

The mitigation hierarchy has been followed and initial plans to create biodiversity units on site was explored. The first iteration of the proposed scheme allowed for an area of adjacent habitat to be enhanced to provide enough additional habitat units to surpass the mandatory 10% gain. This option was not going to be possible due to the area suggested for enhancement being within the allocated 'Cleator Moor Innovation Quarter' Area 2 within the Copeland Local Plan, which is safeguarded for future growth. A subsequent review of land under the ownership of Cumberland Council did not result in any other viable options for off-site habitat units and it was decided that the only option to gain biodiversity units would be to purchase in the open market.

It is proposed that the biodiversity units required to meet the 10% mandatory net gain will be provided by a third-party supplier, and Cumberland Council has already engaged with suppliers for purchasing units in the open market. This will be completed prior to commencement of the Project.

3.4 Arboriculture

A tree survey has been carried out in accordance with BS 5837:2012 'Trees in Relation to Design, Demolition and Construction- Recommendations' in March 2024, which is detailed in the Tree Survey Report that accompanies this planning application. It should be noted that the Tree Survey assessed all proposals relating to the Cleator Moor Connected Town project, including the proposals that are to be constructed under permitted development rights. For the purposes of this planning application, just the impacts of the development requiring planning permission are summarised in the paragraphs below.

None of the trees are protected by Cumberland Council Tree Preservation Order (TPO). The site contains no veteran trees, Ancient Woodland or registered ancient trees.

There are trees present in the area of the proposed path between the National Cycle Network Coast to Coast (C2C) and the Cleator Moor Health centre. However these have been assessed as 'Grade C' and are of low quality and value.

The proposals include woodland enhancement of this area, shown on Landscape / BNG Drawing Ref: BCU00027-JAC-B5295-ELS-DR-L-0007.

4. Planning Policy Context

4.1 Background

Section 38(6) of the Planning and Compulsory Purchase Act 2004 (PCPA) states:

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The policies relevant to the proposed development are contained within:

- National Planning Policy Framework (NPPF) 2024.
- Copeland Local Plan 2013-28 Core Strategy and Development Management Policies (adopted 2015) ('the Core Strategy").
- Remaining policies 'saved' from the Copeland Local Plan 2001-2016 (adopted 2006) ("the 2006 Plan").

This chapter sets out relevant planning policies from the development plan and national planning policy.

4.2 National Planning Policy

The government published the revised National Planning Policy Framework (NPPF) in December 2024. It sets out the Government's strategic overview of planning policies for England and how they are expected to be applied in Local Plan making and is therefore a material consideration in planning decisions (NPPF paragraph 2).

The NPPF sets out a 'presumption in favour of sustainable development', which means LPAs should approve development without delay where it accords with the development plan and in cases where there are no relevant development plan policies or the development plan is out of date, granting planning permission unless:

'i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.'

Paragraph 8 of the NPPF sets out that there are three overarching objectives to achieving sustainable development; economic objective; social objective; and environmental objective. These objectives are interdependent and need to be pursued in mutually supportive ways.

Paragraph 96 states that planning policies and decisions should aim to achieve healthy, inclusive and safe places which:

'a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages

b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of attractive, well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas; and

c) enable and support healthy lifestyles, especially where this would address identified local health and wellbeing needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.'

NPPF paragraph 109 states that:

'Transport issues should be considered from the earliest stages of plan-making and development proposals, using a vision-led approach to identify transport solutions that deliver well-designed, sustainable and popular places' including '... identifying and pursuing opportunities to promote walking, cycling and public transport use'

The NPPF places great weight on achieving well-designed places. The creation of high quality, beautiful and sustainable places is fundamental to what the planning and development process should achieve (Paragraph 131).

Paragraph 135 states that planning policies and decisions should ensure that developments:

"a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience."

Paragraph 137 states that design quality should be considered throughout the evolution and assessment of proposals. It recommends that applicants work closely with those affected by their proposals to evolve designs that take into account the views of the community. It states:

"Applications that can demonstrate early, proactive and effective engagement with the community should be looked upon 'more favourably than those that cannot."

NPPF Paragraph 187 notes that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and sites of biodiversity value whilst minimising impacts on and providing net gains for biodiversity.

4.3 Local Planning Policy

The statutory development plan for the application comprises the policies of the Copeland Local Plan 2013-28 Core Strategy and Development Management Policies (adopted 2015) ('the Core Strategy") and remaining policies 'saved' from the preceding Copeland Local Plan 2001-2016 (adopted 2006) ("the 2006 Plan").

4.3.1 Copeland Local Plan 2013-2028

Strategic Objective 6 is:

"Focus major development in Whitehaven, and encourage complementary and additional development in Cleator Moor, Millom and Egremont and in Local Centres where opportunities exist, in line with strategic infrastructure provision."

Strategic Objective 9 is:

"Ensure that all new development meets high standards in terms of sustainable design and construction, energy efficiency, provision for biodiversity, safety, security and accessibility, relates well to existing development, enhances the public realm and develops quality places reflecting their distinctive west and south west Cumbrian character."

Strategic Objective 12 is

"Improve access to employment, services, education/training facilities and the leisure opportunities of the coast and Lakeland fringe, by foot, cycle and public transport."

Strategic Objective 13 is

"Develop and maintain safe, efficient, high quality, modern and integrated transport networks with good internal links and connections to key routes."

Policy ST1: Strategic Development Principles, sets out a number of measures that developments should adopt to promote strategic development. This includes:

- A) iv) Support development that provides or contributes to the Borough's social and community
 infrastructure enabling everyone to have good access to jobs, shops, services and recreational and
 sports facilities.
- B) Vi) Minimise the need to travel, support the provision of sustainable transport infrastructure and measures that encourage its use.
- D) iii) Accommodate traffic and access arrangements in ways that make it safe and convenient for pedestrians and cyclists to move around.

Policy ST2: Spatial Development Strategy, sets out a number of measures that developments should adopt to promote effective spatial development. This includes:

• B) ii) Supporting moderate levels of development reflecting the respective scale and functions of the smaller towns (Cleator Moor, Egremont and Millom), and contributing to the regeneration of the town centres

Policy ST3: Strategic Development Priorities, sets a priority for development in pursuit of economic regeneration and growth for locations including:

• C) Town centre renewal in Cleator Moor, Egremont and Millom

Policy ER7: Principal Town Centre, Key Service Centres, Local Centres and other service areas: Roles and Functions

Development will be required to meet the needs of the area, to be of a scale appropriate to the centre, and to not adversely impact on the vitality or viability of other nearby centres. The purpose of each centre will differ according to its role and function. Development objectives are to:

• C) Protect and where possible enhance the services and facilities provided in the Key Service Centres of Cleator Moor, Egremont and Millom

Policy T1: Improving Accessibility and Transport

The Council will support transport improvements that maximise accessibility for all modes of transport but particularly by foot, cycle and public transport.

• A) Priority will be given to improving the accessibility of the Borough's key development and regeneration sites, town and village centres, service, employment and transport hubs, and rural areas

Policy ENV3: Biodiversity and Geodiversity

The Council will contribute to the implementation of the UK and Cumbria Biodiversity Action Plan within the plan area by seeking to:

• B) Ensure that development incorporates measures to protect and enhance any biodiversity interest Policy DM28 – Protection of Trees sets out how the council will manage that involve trees, it states "Development proposals which are likely to affect any trees within the Borough will be required to: i) Include an arboricultural assessment as to whether any of those trees are worthy of retention and protection by means of a Tree Preservation Order; ii) Submit proposals for the replacement or relocation of any trees removed, with net provision at a minimum ratio of 2:1, with preference for the replacement of trees on site and with native species"

4.3.2 Cumbria Transport Infrastructure Plan 2022-2037

The Cumbria Transport Infrastructure Plan (CTIP) sets out the policy framework for transport and connectivity in supporting sustainable and inclusive growth in Cumbria for the period 2022–2037. The Transport Vision for Cumbria is:

"In 2037 Cumbria will be one of the best connected rural geographies in the UK. Embracing innovation and opportunity; clean growth and decarbonising transport networks will be integral to a growing, inclusive economy where our communities will be able to access opportunities, services, education and leisure facilities. Cumbria will be a destination of choice; where people choose to live, visit and work."

The CTIP features three broad objectives for the plan, along with their strategic approach:

- Clean and Healthy Cumbria; 1a. Establish comprehensive active travel networks to increase the number of people walking and cycling across Cumbria. 1b. Enhance digital connectivity to ensure more people and businesses have the access they require and to support innovation across transport networks. 1c. Facilitate the delivery of electric vehicle and transmission and distribution infrastructure to support the decarbonisation of our transport networks and meet the needs of a growing economy.
- Connected Cumbria; 2a. Achieve enhanced rail connectivity through improved stations, services and rail infrastructure within Cumbria, for both local and long distance journeys. 2b. Secure delivery of improvements and maintenance to our road networks and to complement the rollout of electric vehicles.
 2c. Grow the role of Cumbria's ports, airport and regional hubs to enhance wider international connectivity and economic performance.
- Community Cumbria; 3a. Establish innovative approaches to the delivery of new bus services and infrastructure, particularly within rural areas. 3b. Enhance active, safe and sustainable travel within the heart of our town centres making connectivity a core part of successful public spaces. 3c. Secure the integration of transport modes, including integrated ticketing and journey planning to support travel choice and the drive to decarbonise our transport networks.

5. Planning Assessment

5.1 Principle of the scheme

The objective of the proposed scheme is to promote active travel in Cleator Moor, encouraging an increase in walking and cycling in the town, promoting a healthier lifestyle, and capitalise on opportunities to link Cleator Moor to existing assets including The Lake District National Park World Heritage Site, employment and services at Whitehaven and Sea to Sea cycling route.

In this respect, the scheme would contribute to meet national and local objectives of promoting sustainable travel, reducing carbon emissions and making cycling and walking a more accessible and popular choice. As such, the scheme aligns with policies from National Planning Policy Framework (NPPF), the Copeland Local Plan and the Cumbria Transport Infrastructure Plan.

5.2 Ecology Impact

The proposed scheme would include vegetation clearance in non-priority habitats: 'other broadleaved woodland' and 'other neutral grassland'. The condition of the woodland habitat was assessed as "poor" due to the presence of Japanese knotweed, the low range of age classes and the lack of veteran trees present.

The scheme proposes landscape enhancement along the route of the paths and at proposed seating areas.

The Biodiversity Net Gain Assessment Report shows that there is an overall biodiversity net gain of -0.41 Habitat Units from the project. Under the Environment Act 2021, which came into effect on the 1st April 2024, there is a mandatory requirement for 10% net gain for planning applications in all aspects of the biodiversity metric. The proposed scheme, has not been able to meet this target with on-site habitat

The mitigation hierarchy has been followed and initial plans to create biodiversity units on site was explored. The first iteration of the Project allowed for an area of adjacent habitat to be enhanced to provide enough additional Habitat units to surpass the mandatory 10% gain. This option was not going to be possible due to the area suggested for enhancement being within the allocated 'Cleator Moor Innovation Quarter' Area 2 within the Copeland Local Plan, which is safeguarded for future growth. A subsequent review of land under the ownership of Cumberland Council did not result in any other viable options for off-site habitat units and it was decided that the only option to gain biodiversity units would be to purchase in the open market.

It is proposed that the biodiversity units required to meet the 10% mandatory net gain will be provided by a third-party supplier, and Cumberland Council has already engaged with suppliers for purchasing units in the open market. This will be completed prior to commencement of the Project.

It is therefore considered that with the purchase of biodiversity units required to meet the 10% mandatory net gain, the proposed scheme will be in accordance with the policies in the NPPF or Local Plan Policy ENV3: Biodiversity and Geodiversity.

5.3 Tree impact

The accompany tree survey shows trees potentially affect in the area of the proposed path between the National Cycle Network Coast to Coast (C2C) and the Cleator Moor Health centre. However these have been assessed as 'Grade C' and are of low quality and value.

None of the trees are protected by Cumberland Council Tree Preservation Order (TPO). The site contains no veteran trees, Ancient Woodland or registered ancient trees.

A woodland enhancement area would be provided to mitigate the impacts of the scheme.

Planning Statement

It is therefore considered that the proposed scheme will not conflict with Local Plan Policy DM28 – Protection of Trees.

6. Summary and Conclusions

The scheme has come forward through the Cleator Moor Connected Town project, which seeks to deliver a programme of transport and related public realm interventions which will result in Cleator Moor having a high-quality integrated transport network, transforming the accessibility and attractiveness of the town.

The proposed scheme for two shared walking and cycling paths in Cleator Moor, Cumberland, which require planning permission, is intended to make journeys on foot or by bike in Cleator Moor easier and more attractive, helping improve access to employment and education sites for pedestrians and cyclists, and provide opportunities for healthy living through physical activity.

Environmental surveys have demonstrated that the scheme would have a limited impact upon its surroundings, and proposed landscape enhancement will provide public realm improvements.

Public consultation has shown a high level of support for the scheme and for an enhanced walking and cycling network.

In the light of the foregoing, it is considered that the scheme accords with the Copeland Local Plan and the NPPF and planning permission should be granted as part of the presumption in favour of sustainable development.