

29 June 2023

Cumberland Council (Copeland area),  
The Market Hall,  
Market Place,  
Whitehaven,  
CA28 7JG,



Sent via email to: [development.control3@cumberland.gov.uk](mailto:development.control3@cumberland.gov.uk)

Dear Sir/Madam,

## **LAND AT THE CIVIL NUCLEAR CONSTABULARY**

### **PLANNING APPLICATION - CHANGE OF USE OF LAND FROM LANDSCAPED AREA TO MEMORIAL GARDEN.**

#### **Overview**

On behalf of our client the Civil Nuclear Constabulary (CNC) Avison Young have been appointed to apply for planning permission for the change of use land currently used as a landscaped area to be used as a memorial garden.

Please find the following plans, forms and documents to support this letter:

#### **Forms and Documents**

- Application Forms (Avison Young); and
- Covering Letter (Avison Young)

#### **Plans**

- AY-CNC-001 Location Plan;
- AY-CNC-002 Detail Specification (Plants);
- AY-CNC-003 Proposed Elevation North;
- AY-CNC-004 Detail Drawings;
- AY-CNC-005 Design Plan;
- AY-CNC\_006 Planting Plan; and
- AY-CNC-007 Setting Out Plan;

#### **Fee Payment**

We calculate that the planning application fee would be £462 for a full planning application for the proposal, exclusive of service charge of £32.20 (including VAT). The associated application fee has been made to the Planning Portal by the applicant via Bank Transfer.

This covering letter seeks to provide an overview of the site, proposed development and relevant planning considerations.

### **The Application Site**

The application site is located within the Civil Nuclear Constabulary (CNC) training facility situated to the north of the Sellafield nuclear site. The Site is to the immediate north of but outwith the Sellafield complex and lies approximately 2km to the south west of Calder Bridge and the A595.

The Site comprises a 168sqm landscaped area located in the northern portion of the CNC training facility. The wider CNC facility comprises 7.3 hectares of land that was previously used for agriculture.

To the north of the facility is a single residential property owned and occupied by Nuclear Decommissioning Authority (NDA) staff, and Grade II Listed Sella Park Country House which operates as a hotel and restaurant.

The west of the facility is bounded by an unnamed road with the former Sellafield visitors' centre. The east of the facility is bounded by land located within Flood Zones 2 and 3 and the River Calder with agricultural land and ancient woodland beyond. To the South, the facility is bordered by an existing dog kennels and training facility, a sewage treatment plant and Sellafield beyond.

### **Ecology**

Avison Young recently obtained approval for planning application 4/23/2022/0F1, for the change of use of land from a landscaped area to a dog training facility (also located within the wider Civil Nuclear Constabulary training facility). The matter of ecology was identified during the determination process. The following justification remains relevant to the proposal Site.

The Site itself is comprised of heavily maintained grass/lawn, and therefore does not have notable biodiversity value that needs to be mitigated or compensated for. Due to the nature of the Site, no ecological interest is evident, therefore an ecological assessment will not be required to accompany the application.

### **Flood Risk**

The application site is wholly located within Flood Zone 1. The proposed uses for the site would be considered 'less vulnerable' in the NPPF Vulnerability Classification Table for Flood Risk. The proposal is therefore acceptable in terms of flood risk. The completion of a Flood Risk Assessment (FRA) should not be deemed appropriate in relation to this application.

### **The Proposed Development**

The planning application proposes the change of use of the land currently used as a landscaped area for use as a memorial garden.

The proposed memorial garden will form part of the wider existing CNC training facility.

The submitted Design Plan (AY-CNC-005) demonstrates the key features that would be included within the memorial garden. The Design Plan sets out the proposed measurements to each of these features and offers visual context. These features include:

- 2 feature trees in the northern section of the memorial garden;
- Local walling stone (height to raise to 1.5m);
- Circular stone laid in paving with white CNC engraving;
- Four hardwood benches;
- 6m diameter lawn;
- Hardy perennials and shrubs
- Raised circular bed with generous slate coping stone for informal seating raising to 400mm in height. Multi stemmed silver birch tree would be centrepiece;
- Gravel paths;
- Double entrance gates;
- Gravel entrance path edged with recessed timber board;
- Four features trees in the southern section of the garden;
- Post and wire fence (1m height);
- Beech hedge underplanted with snowdrops (clipped annually to 1.2m height);
- Natural stone paving in assorted sizes;

The garden walling will reach a maximum height of 1.5 metre. The garden will front on to existing car parking facilities located within the northern section of the wider CNC facility.

### **Planning History**

The planning permission for the wider CNC Training Facility, is summarised below:

- 4/15/2251/0F1 – Construction of an indoor and outdoor training facility comprising three indoor ranges, advanced skills and hub buildings, outdoor training areas, landscaping, security fencing, car parking areas, associated plant and infrastructure and vehicular and pedestrian access.
- Permission was granted subject to conditions on 24 March 2016.
- The Training Facility became operational in January 2018.
- 4/23/2022/0F1 – Change of Use of Land from Landscaped Area to Dog Training Facility. Application approved on 14 April 2023.



Figure 5: Aerial view of CNC Training Facility

### **Planning Policy Context**

The relevant Development Plan affecting the proposed Site comprises the *Core Strategy and Development Management Policies 2012-2027 (2013) of the former Copeland Borough Council*. Adopted policies that are relevant to the Site have been summarised below:

The Site is not specifically allocated within the Development Plan, however the Site lies within the Sellafield Safeguarding Zone, as set out in the adopted Core Strategy. The Core Strategy states that proposed developments within the Sellafield Safeguarding Zone will be required to consult with the Office for Nuclear Regulation (ONR). Within the Inner Zone (0-6km from Sellafield) consultation will be required for any development resulting in an influx of residential or non-residential population. Policy ST2 *Spatial Development Strategy* states that the potential impact of proposals within the Safeguarding Zones must be properly considered.

Policy ST1 encourages high design standards and an efficient use of land. This is reiterated in Policy DM10 *Achieving Quality of Place* which states that the Council will expect a high standard of design in new development, which responds positively to the character of the site and the immediate and wider setting through:

- An appropriate provision, orientation, proportion, scale and massing of buildings;
- Careful attention to the design of spaces between buildings, including provision for efficient and unobtrusive recycling and waste storage; and
- Careful selection and use of building materials which reflects local character and vernacular.

Policy DM22 *Accessible Developments* states that the Council will require development proposals to be accessible to all users. The layout of the development should be permeable and legible, and allow convenient access for pedestrians, cyclists, disabled people, public transport and emergency and service vehicles. The development should also incorporate the standards to

manage traffic access and speeds, and include an appropriate level of car parking in line with the adopted car parking standards.

Cumberland Council are continuing the preparation of a new Local Plan for the former Copeland Borough area. The Copeland Local Plan 2021-2038 was submitted to the Planning Inspectorate in May 2022 for independent examination. This process is likely to last until later on in 2023, therefore this application will continue to be assessed against the policies within the adopted Local Plan.

The emerging Copeland Local Plan 2021-2038 does not specifically allocate the Site, however there are a number of surrounding allocations as shown on the Policies Map. The Site lies to the immediate north of the designated Sellafield Boundary which is subject to a number of emerging policies. Policy NU4PU *Nuclear Development at Sellafield* sets out the Council's approach in dealing with proposals for nuclear development including decommissioning, site remediation and radioactive material management. Section (b) further states that any proposed development outside of the Sellafield Site shall be sited on a designated employment site or on suitable sites within settlement boundaries.

The emerging Local Plan also allocates the Moorside/Cumbria Clean Energy Park to the immediate west of the Site. The Moorside Site is identified in National Policy for Nuclear Power Generation (EN-6) 2011. The detailed proposals are still to be defined, but proposals set out are for up to 3.8 GW of new electricity generating capacity. The Energy Park could host a large nuclear power station, or a mix of large, small and advanced nuclear.

## **Planning Considerations**

The bespoke nature of the activities proposed in this application is such that there is no guidance, either national or local that directly applies to the uses. However, it is considered that the principal planning considerations are:

- Noise Impact
- Car Parking

### Noise Impact

The original application for the facility incorporated an accompanying Noise Assessment that considered the likely noise which would regularly occur from operational activities internal to the proposed development. It was concluded that noise from internal activities would be unlikely to cause disturbance at the nearest sensitive receptors.

The assessment also considered external activities, current external training activities within the CNC facility predominantly utilise the area to the immediate south of the main building, which acts as a barrier to any noise travelling towards the nearest receptors.

The proposed Memorial Garden will not create any additional impact on noise emitted from the CNC facility. The Memorial Garden will offer members of staff and visitors a quiet location to sit within the wider facility.

### Car Parking

As set out in the original Planning Statement for the 2016 permission, in accordance with Core Strategy Policy DM22 and Local Plan Policy TSP8, the scheme proposed sufficient parking which recognised the lack of public transport options in the area balanced against the desire to encourage car-sharing and cycling/walking to work. The existing CNC facility incorporates 101 car parking spaces, 10 motor cycle parking spaces and 20 sheltered cycle parking spaces.

The proposed addition of a Memorial Garden will not create a demand for additional car parking spaces, as the facility will be used by existing members of staff who already use the parking facilities.

### **Conclusions**

This planning application, submitted on behalf of the Civil Nuclear Constabulary (CNC), proposes the construction of a 168sqm memorial garden within the grounds of the wider existing CNC training facility. The memorial garden will provide a quiet location for members of staff and visitors to visit. The proposed development will not create any additional impact that will have a negative impact upon the surrounding area. The proposed Site continues to be afforded policy support by the adopted Local Plan. Therefore, the proposal should be granted planning permission.

Yours sincerely

**Matt Verlander MRTPI**  
**Director**

**For and on behalf of Avison Young (UK) Limited**