
Copeland area Planning Department, Cumberland Council

For the attention of Nick Hayhurst

Date: 5 December 2025

Your reference: 4/21/2432/0F1

Dear Nick Hayhurst

CONSULTATION ON PLANNING APPLICATION

Appn: 4/21/2432/0F1
Site Address: FORMER MARCHON CHEMICAL FACTORY, HIGH ROAD, WHITEHAVEN
Proposal: HYBRID APPLICATION SEEKING FULL PLANNING PERMISSION FOR THE ERECTION OF 139 RESIDENTIAL DWELLINGS (C3), NEW VEHICULAR ACCESSES OFF HIGH ROAD, PUBLIC OPEN SPACE AND ANCILLARY INFRASTRUCTURE AND OUTLINE PLANNING PERMISSION FOR RESIDENTIAL DEVELOPMENT UNITS, RETAIL (E(A,B,C,E,F), F2(A) AND ANCILLARY INFRASTRUCTURE WITH ALL MATTERS RESERVED OTHER THAN ACCESS

Thank you for the discussion and further info on the above Planning Application. Cumberland Council as the Local Highway Authority (LHA) has reviewed the information and can confirm as follows :

Local Highway Authority

Parking Provision (cars)

Details provided is in order and our previous concerns is addressed..

Parking Provision (cycles)

As stated previously , a suitable level and provision of residential cycle parking can be conditioned as part of the detailed design.

Phase 1 Layout

Our only outstanding concern is that the secondary road between Plots 108-11 has no footway on the south side. This is an anomaly in the layout and since this is a loop road and is on the inside of a bend it is important that a footway is provided on both sides of the road here for road safety reasons and consistency. The current layout in this location is not acceptable to the LHA. This single element could make adoption for this section of

road very difficult. We would therefore recommend that it is amended. This should however not justify a refusal from this authority.

Active Travel Routes Through the site

We still note an alternative active travel link to High Road has been provided as part of Phase 1, also doubling up as an EVA - this is welcomed and accepted by the LHA.

Phase 2 Outline - LHA Comments

Our previous comments still apply.

Lead Local Flood Authority Comments -

Our comment made previously still apply. We had some outstanding elements that needed confirmation from the applicant. I may remind the applicant of our concerns that will need to be addressed during the discharge of conditions / Reserved matters applications.

We stated that the interaction between the basins is not clear neither is how the storage is proportioned / managed between them. Long-sections of the systems will be necessary to explain how the SW strategy works.

With a change to the development area and locations this application engender, the greenfield rates and storage etc, will need to be updated. We therefore require them to address this in the subsequent planning stages to provide an updated full drainage strategy statement. This should include treatment proposals and assessment as well as maintenance proposals.

In light of the above we would seek to condition the Drainage conditions.

Conclusion

The Lead Local Flood Authority and the Local Highway Authority have no objection to this application. We would however recommend that the following obligations and conditions are included in any consent you might grant:

Obligations -

Off-site Contributions and Highway Improvements

All the requested financial contributions and off-site highway improvements requested in previous correspondence, listed below, have been accepted by the applicant.

A zebra crossing on High Road adjacent to Kells Infant School (delivery of crossing scheme)

This is to be implemented through a Section 278 agreement prior to first occupation of Phase 1

English Coastal Path Upgrade (financial contribution)

A contribution of £65,000 is required for improvements to the English Coastal Path (ECP) in the vicinity of the site. To be paid prior to the occupation of the 50th dwelling.

High Road Active Travel Measures (financial contribution)

A contribution of £80,000 to enhance active travel facilities on High Road. To be paid prior to work commencing on Phase 2. (to provide an opportunity for these improvements to be enjoyed by residents of Phase 2)

B5345 Meadow View / Ginns to Kells Junction (delivery of junction upgrade)

The junction between the B5345 Meadow View and Ginns to Kells would be provided with traffic signals to accommodate the increased trips from the site. It has been agreed that this would be implemented prior to occupation of the 80th dwelling through a Section 278 agreement.

The Linsig model shows that signalling this junction will work in theory. The LHA accept the proposed banned movement is necessary and that this will not cause a material impact on the network. Further detail and modelling and the consideration of queue detection will be required in due course as part of the detailed design.

Please be aware of the TRO process and timescale that will be required to make the banned turn legal. The TRO will need to be in place before the junction can be commissioned

Mirehouse Rd / St Bees Rd Junction improvement (financial contribution)

The development will increase traffic at this junction and therefore exacerbate the existing identified problem with the layout. The LHA therefore are requesting a S106 Infrastructure Contribution of £59,600 towards improvement works with the contribution payable before occupation of the 100th dwelling.

Travel Plan monitoring fee

£6,600 for reviewing the Travel Plan monitoring reports over a 5 year period

Conditions (for Outline and Full Elements):

The carriageway, footways, footpaths, cycleways etc shall be designed, constructed, drained and lit to a standard suitable for adoption and in this respect further details, including longitudinal/cross sections, shall be submitted to the Local Planning Authority for approval before work commences on site. No work shall be commenced until a full specification has been approved. These details shall be in accordance with the standards laid down in the current Council Design Guide. Any works so approved shall be constructed before the development is complete.

Reason: To ensure a minimum standard of construction in the interests of highway safety.

No dwellings or buildings or structures shall be commenced until the access roads, as approved, are defined by kerbs and sub base construction.

Reason: To ensure that the access roads are defined and laid out at an early stage

Prior to first occupation of any dwelling hereby permitted the footway and EVA link to High Road shall be installed and completed . This should link continuously and conveniently to the nearest existing footway.

Development shall not commence until a Construction Traffic Management Plan 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 proposals during the construction phase***
- 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***

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.

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

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. To ensure the surface water system continues to function as designed and that flood risk is not increased within the site or elsewhere.

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 the measures that will be undertaken by the developer to encourage the achievement of a modal shift away from the use of private cars to visit the development to sustainable transport modes. The measures identified in the Travel Plan shall be implemented by the developer within 12 months of the development (or any part thereof) opening for business.

Reason: To aid in the delivery of sustainable transport objectives.

To support Local Transport Plan Policies: WS1, LD4

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

Outline elements only.

Details showing the provision within the site for the parking, turning and loading and unloading of vehicles visiting the site shall be submitted to the Local Planning Authority for approval. No dwelling hereby approved shall be brought into use until any such details have been approved and the parking, loading, unloading and manoeuvring facilities constructed. The approved parking, loading, unloading and manoeuvring areas shall be kept available for those purposes at all times and shall not be used for any other purpose.

Reason: To ensure that vehicles can be properly and safely accommodated clear of the highway.

To support Local Transport Plan Policies: LD7, LD8

Yours sincerely

Shamus Giles

Lead Officer - Flood & Development Management