

Copeland area Planning Department, Cumberland Council

For the attention of Christie M Burns

Date: 20 May 2024

Your reference: 4/24/2044/0F1

Dear Christie M Burns

## CONSULTATION ON PLANNING APPLICATION

**Appn:** 4/24/2044/0F1  
**Site Address:** LAND AT EAST ROAD, EAST ROAD, EGREMONT  
**Proposal:** DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF A DISCOUNT FOOD STORE, ALTERATIONS TO VEHICULAR AND PEDESTRIAN ACCESS, PROVISION OF CAR AND CYCLE PARKING, SERVICING AREA, HARD AND SOFT LANDSCAPING AND ASSOCIATED WORKS

Thank you for your consultation on 1 May 2024 regarding the above Planning Application.

Cumberland Council as the Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) has reviewed the additional evidence, revised designs and Highways Technical Note dated 19/4/24 and revised Flood Risk and Drainage Assessment submitted in connection with the above planning reference and our findings are detailed below. The notes in italics are headings from my previous comments and observations and my new response based on evidence in the applicants response contained in the Technical Note and Flood & Drainage Assessment.

### **Local Highway Authority response:**

#### **Access:**

##### **Vehicle**

- *The proposed store access is suitable but needs to have a dropped kerb crossing with tactile paving across the mouth of the junction (this detail can be conditioned).*
  - I am satisfied that the revised layout includes dropped kerbs as necessary.
- *The shared nature of the access & risk of conflict.*
  - I accept it is normal practice and the system works well enough at other stores through good delivery management. A Delivery Management Plan will be conditioned - this can be as part of the Travel Plan.
- *Visibility splay at the access onto East View .*

- I note and welcome the revised layout of the Wyndham Terrace / East Road junction. This allows for easier entry and exit from large vehicles to reverse down Wyndham Terrace and drive out using the slacker side of the road. With the build-out crossing, it also provides the necessary visibility. Note, the small 'recess' between the kerbed radii and crossing build-out needs to be 'filled in' which can be designed and approved at the S278 detailed design stage.
- *East Road footway width*
  - It is a shame that the extra width cannot be found for shared footway layout to better accommodate cycles as well but 2m is an acceptable footway width.
- *Wyndham Place*
  - The revised layout is acceptable

### ***Cycle and Pedestrian link to the Town Centre***

I note the revised path is now a 1:30 ramp, 2.5m wide. This is a distinct improvement but it is still disappointing that an at-grade path could not be established from the underpass lower level but I appreciate the many constraints associated with that proposal. The proposed ramp is acceptable to the LHA.

### ***Parking/Turning:***

#### ***Car Parking***

I have studied the Healaugh Park, Yarm case study evidence. I am satisfied that this is a representative example and that it translates to this site as well. The CDDG is a course tool based on non-specific types of stores or locations so errs on the cautious / robust side. The site specific evidence provided satisfies the LHA that sufficient parking spaces have been provided.

#### ***Provision for Cyclists***

I note and welcome the increased provision for cycle parking as requested. Further details will be required to be submitted for approval during the detailed design stage.(Condition No.1)

### ***LHA Conclusion***

The LHA now has no objection to the proposal but recommends the following conditions be included in any consent:

**Condition 1.**

**The carriageway, footways, access ramp and cycle parking facilities etc shall be designed, constructed, drained to the satisfaction of the Local Planning Authority 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. 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.

**Condition 2.**

**The development shall not commence until visibility splays providing clear visibility of**

**1) 43 metres measured 2.4 metres down the centre of the access road and the nearside channel line of Wyndham Place carriageway edge AND**

**2) 43 metres (south) and 30m (north) measured 2.4 metres down the centre of the Wyndham Place and the nearside channel line of East Road carriageway edge**

**have been provided at the junction of the access road with the county highway. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be planted or be permitted to grown within the visibility splay which obstruct the visibility splays. The visibility splays shall be constructed before general development of the site commences so that construction traffic is safeguarded.**

**Reason:**In the interests of highway safety.

**Condition 3.**

**The access and parking/turning requirements shall be substantially met before any building work commences on site so that constructional traffic can park and turn clear of the highway.**

**Reason:**The carrying out of this development without the provision of these facilities during the construction work is likely to lead to inconvenience and danger to road users.

**Condition 4.**

**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 (based on the Interim 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.

**Condition 5.**

**An annual report reviewing the effectiveness of the Travel Plan and including any necessary amendments or measures shall be prepared and submitted to the County Council for approval within two months of the 12 month anniversary of the initial Travel Plan report and then each subsequent anniversary of the aforementioned initial Travel Plan Report up to and including the fourth anniversary**

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

**Condition 6.**

**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:**

- 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**

**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.

**Condition 7.**

**Prior to construction commencing, full design details of a scheme for the junction between East Road and Wyndham Terrace / Wyndham Place shall be submitted to and approved in writing by the local planning authority in consultation with the Highways Authority. Such details shall form part of an agreement with the Highways Authority under Section 278 of the Highway Act 1980, unless otherwise agreed in writing with the Local Planning Authority.**

Reason: In the interests of highway safety and the relevant provisions of the National Planning Policy Framework.

**Condition 8.**

**Prior to the start of trading , the junction modifications for the East Road / Wyndham Place / Wyndham Terrace Junction approved in writing under the provisions of the above Condition and as agreed with the Highways Authority under section 278 of the Highways Act 1980, is constructed and completed to the satisfaction of the local planning authority in consultation with the Highways Authority (unless otherwise agreed).**

Reason

In the interests of highway safety and in accordance Policy DM22 of the Copeland Local Plan and the relevant provisions of the National Planning Policy Framework.

**Advisory Statement**

***Any works within or near the Highway must be authorised by the Council and no works shall be permitted or carried out on any part of the Highway including Verges, until you are in receipt of an appropriate permit from the LHA Streetworks team.***

***<https://www.cumberland.gov.uk/parking-roads-and-transport/streets-roads-and-pavements/street-licences-and-permits/street-permit-and-licence-fees-and-charges>***

***Please be advised that the Highway outside and or adjacent to the proposal must be kept clear and accessible at all times.***

**Lead Local Flood Authority Advice and Comments** (only outstanding issues - all other matters are covered in my earlier response)

***Drainage Strategy/Design:***

***Pumped solution and Pump Maintenance***

From the Flood & Drainage Assessment: *'A pumped solution has been designed in order to overcome the difference in invert levels from site to the existing public surface water sewer. Discharging via a gravity connection in to the next downstream manhole on the public surface water sewer has been considered. However, in order to obtain a full gravity drainage system, the invert level of manhole S14 would need to be raised by over 0.4m to achieve a minimum gradient of 1:150. This in turn would require the rest of the proposed underground surface water drainage system invert levels to be raised by the same amount which would not be possible due to the lowest level of the loading bay. The routing of any proposed gravity connection to the aforementioned public surface water sewer would have to navigate the existing Northern Gas gas main to the south east of the site'.*

- Having reviewed the evidence I am satisfied that due to the constraints of the site , a more favourable 100% gravity solution is not viable. I note the inclusion of a pumping station maintenance plan which is a high-level basic summary which will suffice at this stage.

**LLFA Conclusion**

Whilst this solution is not ideal, The LLFA have no objections to the proposals but recommends that the following conditions are included in any consent:

**Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance shall be submitted to and approved in writing by the Local Planning Authority. (Refer to the CDDG Appendix 7 for list of documents and evidence to be submitted)**

**The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing**

**by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.**

**The drainage scheme submitted for approval shall also be in accordance with the principles set out in the Flood Risk Assessment & Drainage Statement dated 18 March 2024 proposing surface water discharging to public surface water sewer in Wyndham Place.**

**The works shall be constructed, maintained and managed in accordance with the approved details.**

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG.

**Advisory Notice**

Prior to any work commencing on the watercourse the applicant should contact the Lead Local Flood Authority on tel: 01228 221331 or email: [LLFA.consent@cumberland.gov.uk](mailto:LLFA.consent@cumberland.gov.uk) to confirm if an Ordinary Watercourse Flood Defence Consent is required. If it is confirmed that consent is required it should be noted that a fee of £50 will be required and that it can take up to two months to determine.

Yours sincerely

**Shamus Giles**

Lead Officer - Flood & Development Management