



Central Square South
Orchard Street
Newcastle upon Tyne
NE1 3AZ

T: +44 (0)191 261 2361
F: +44 (0)191 269 0076

avisonyoung.co.uk

Our Ref: 14B902299
Your Ref: PP-09695597



28 April 2021

Heather Morrison
Principal Planning Officer
Copeland Borough Council
Development Control
The Copeland
Whitehaven
Cumbria
CA28 7SJ

Via Planning Portal only

Dear Ms Morrison

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

This letter has been prepared by Avison Young on behalf of the Nuclear Decommissioning Authority Property Ltd (NDAPL), the applicant of the above referenced planning application. It has been prepared in response to your correspondence of 27 April 2019 to provide some background context to the delay in discharging the above referenced conditions in relation to the now complete 'Albion Square' development, Whitehaven.

The points below set out the chronology of events since the approval of the planning permission on 23 October 2012.

- During 2013, following the grant of planning permission, various planning conditions were discharged to allow development to commence.
- Construction of the buildings and associated works was completed between 2013 and 2014.
- With respect to the Travel Plan conditions in particular work was commissioned and progressed on behalf of Sellafield Ltd and the NDAPL by consultants WYG in conjunction with Copeland Borough Council and Cumbria County Council. WYG prepared a Travel Plan document between 2013 and 2017. The bullet points below are taken from the revision sheet for the final document which was submitted to the Council and give an indication of the activities and progress over that period.
 - 01/ 11/ 13 - Draft 1
 - 08/ 11/ 13 - Draft Issued to Client for Cumbria County Council Submission
 - 05/ 03/ 14 - Updated for Cumbria County Council and HA Comments
 - 13/ 03/ 14 - Further Updates for Client Comments

- 07/04/14 - Minor Mods and Final Issued to Cumbria County Council
- 09/07/14 - Updated for May 2014 Travel Survey at Sellafield Ltd
- 18/07/14 - Minor Mods and Final Issued to Cumbria County Council
- 05/09/14 - Further Mods for Cumbria County Council Comments
- 18/02/16 - Updated After Copeland Borough Council / Cumbria County Council Meet on 28/01/16
- 04/01/17 - Final Draft Issued
- 02/05/17 - Updated After Progress Report for 2016 Minor Update to remove individual names
- On the basis of the above, the Travel Plan (Issue 5: 07/04/14) was submitted to the Council for approval in April 2014 (prior to opening for business).
- A further updated version (Issue 8: 05/09/14) was provided to the Council in September 2014.
- Following this point the Travel Plan was reviewed together with the Borough Council and County Council via regular meetings and was amended and updated to accommodate requests and comments.
- The May 2017 version Travel Plan document shows this as the 10th (and final) version submitted to the Borough Council with correspondence from Laura Johnson of NDAPL to the Borough Council on 26 July 2017 to enclose the application fee of £97.00 for the discharge of condition application.
- In August 2017 the Council was the subject of a "cyber attack" which impacted systems until February 2018.
- On 22 February 2018 NDAPL received correspondence from the Council's Planning Department confirming receipt of the completed application and Travel Plan but stating that the application had not been received.
- On 15 November 2018 a meeting was held between the Council, NDAPL, Sellafield Limited and Avison Young. At that meeting the Council advised that:
 - *It was now not possible, given the passage of time, to strictly comply with the Travel Plan conditions.*
 - *An application was requested to amend the wording of conditions 22 and 23 to allow an up to date Travel Plan to be submitted.*
- In January 2019 Avison Young (as planning consultants) and Vectos (Transport Consultants) were appointed by NDAPL to take matters forward.
- Meetings were held in February and June 2019 with the Council and County Council to discuss the amendments to the planning conditions and the preparation of the Travel Plan.
- During the second half of 2019 the Travel Plan survey was updated, and the Action Plan reviewed to include clearer targets and measures.

- In early 2020 work on the Travel Plan was paused by NDAPL and Sellafield Ltd due to the coronavirus pandemic.
- In December 2020 Vectos were re-engaged to finalise the preparation of the Travel Plan.
- Meeting held on 10 February 2021 between Avison Young, Vectos and Copeland Council to review the updated Travel Plan.

Given the passage of time and staff changes it is not possible to provide a detailed breakdown of individual issues and events as to why Conditions 22 and 23 remain outstanding, it is however understood that the following have played a considerable part:

- Several staffing changes;
- Changing planning consultants;
- Online security issue – i.e. hacking of Copeland Council's online record system;
- Requirement to undertake updated traffic surveys;
- Requirement to undertake updated personnel transport attitude surveys; and
- COVID-19 travel and work restrictions.

The applicant is apologetic that these conditions remain to be discharged and recognises that consequently they are in breach of planning permission. As evidenced by this planning application they are actively seeking to rectify this situation. To this end a Travel Plan has been prepared, following input from yourself, and is to be submitted as soon as the current variation application has been agreed.

On the basis of the above we respectfully request that the submitted application is validated as soon as practicable to allow for this remaining issue to be resolved.

Yours sincerely

Amy Hordon MRTPI
Senior Planner
+44 0191 269 0096
amy.hordon@avisonyoung.com
For and on behalf of Avison Young (UK) Limited