

Planning Application Reference Number:	4/26/2132/0F1
Application Type:	Full Planning Permission
Application Address:	Plot 19, Leconfield Industrial Estate, Cleator Moor.
Proposal	Full Planning Permission for the Erection of a New Building Primarily for General Industrial, Office and Research and Development (E(G)(I), (Ii) & (Iii)), Including Associated Car Parking, Hard and Soft Landscaping, Associated Infrastructure and Biodiversity Enhancements
Applicant	Cumberland Council
Agent	Avison Young
Valid Date	28 April 2026
Case Officer	Heather Morrison

Cumberland Area and Region

Copeland and Cleator Moor Parish

Relevant Development Plan

Copeland Local Plan 2021 – 2039

Reason for Determination by The Planning Committee

The application would result in the creation of a large-scale building covering a floor area of 2974 sq. m and therefore falls within the definition of a strategic planning application for the purposes of Cumberland Council's Planning Scheme of Delegation.

Recommendation

That the application is granted subject to the conditions outlined at the end of this report, with the Service Manager for Development and Implementation being given delegated authority to add to and/or make any amendments to the conditions as considered appropriate and agree a Legal Agreement between the relevant parties to secure:

- a Travel Plan monitoring fee of £6,600 and
- A contribution of £38,276 towards the cost of highway improvements at Moresby Road/Cleator Moor Road/Main Street and

- A contribution of £15,789 towards the cost of highway improvements at Cleator Moor Road/ Overend Road.

1. Site and Location

- 1.1 Leconfield, an established industrial estate. comprises 17.6ha in area and is strategically located within Cleator Moor, between the town centre and the built-up area to the north-west. It forms part of what is known as Cleator Moor Innovation Quarter (CMIQ), a 'business cluster' for the new nuclear and clean energy sectors, as a focus for collaboration, innovation and diversification.
- 1.2 The estate currently accommodates some 20 industrial and warehouse units of varying sizes, a number of which are vacant. There are also several vacant / cleared plots. This established industrial estate has been in use since the 1940's but more recently has suffered from a period of decline.
- 1.3 Main vehicular access to the estate is via a mini roundabout off the B5295 /Leconfield Street which forms the main part of the southern boundary, with the C2C cycle route forming the boundary to the north. To the west and east the estate is flanked by predominantly residential areas and community uses.
- 1.4 The ambition is to regenerate this important industrial estate and help create sustainable long-term employment by creating a new centre for nuclear engineering excellence.
- 1.5 The site the subject of the application comprises an area of 1.316 ha of mainly level concrete floor plates, a legacy from previously demolished industrial units, and parcels of grass / scrubland. It is L- shaped in configuration and comprises plot 19 and an associated area to the east for car parking. In terms of boundaries, it adjoins an existing industrial unit to the west and vacant plot 9. To the east it borders vacant land including plot 12. Planning permission was recently approved for the redevelopment of vacant plots 9 and 12 (application 4/25/2411/0F1 refers).
- 1.6 The estate access road lies to the north and there is an open area of scrub to the south, which is to be developed as open mosaic habitat, along with a similar area behind belonging to plots 9 and 12, which will help increase Biodiversity on the site.

Background

- 1.6 The proposal forms part of a wider regeneration initiative led by the Council and partners including Sellafeld Ltd, the Nuclear Decommissioning Authority and the former Cumbria Local Enterprise Partnership (now Enterprising Cumbria) to develop a "business cluster". The initial focus is on regenerating the Leconfield Industrial Estate of which this application form's part.
- 1.7 The ISH Hub Building was previously granted planning permission on a different site within Leconfield Industrial Estate; located within the northeast corner of the estate, an area currently occupied by an established tenant,

BOC (4/22/2184/001 refers). This site is no longer available, and this application seeks to relocate the hub building to a more central position within the estate. It also now comprises an entirely new design from that previously proposed.

2. Relevant Planning History

Most Relevant

4/22/2256/0F1 - temporary planning permission for the SPIDA project on plot 19 of the site. Permission was granted on 2 September 2022 for temporary construction, testing and demolition of a mock chimney structure, erection of a demolition platform and associated works. This site is immediately adjacent to the proposed development area for Plots 9 & 12.

4/24/2236/0B1 - Variation of Condition 2 (time period) of 4/22/2256/0F1 Temporary construction, testing and demolition of a mock chimney structure, erection of a demolition platform and associated works. This was approved and extended the time period of the temporary consent until 9 February 2026. The chimney / associated work activity however is still on site and have hence breached their planning permission. An application to remedy this is expected.

As the permission for the Spida Project was granted on a temporary basis negotiations are underway to ensure the site is vacated by end of February 2027 to enable construction to start on neighbouring plots 9 and 12. It is not expected to provide any considerable constraints to this scheme and the Hub development.

4/25/2411/0F1 - Consent was granted recently on 18 June 2026 for the erection of two large general industrial buildings on neighbouring plots 9 and 12 adjoining the site, plus car parking and associated landscaping along with biodiversity enhancements across the wider Leconfield estate.

Others include:

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 (sui generis) to the east comprising up to 44,350 sqm of new floorspace. Proposed uses also include research and development, light 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. This application remains pending with no decision on policy grounds relating to the industrial extension to the north.

4/22/2184/001 - Outline Application for the Erection of a New Building (the Hub) up to 4,000sqm in Floorspace, for Various Uses with associated access,

Car Parking, Landscaping and Engineering Works with Full Details of Scale and Access. Approved 30 October 2024.

Various condition discharges, S73 application and minor works for the installation of drainage have been approved since plus:

4/22/2211/0F1 - UNIT 1A Works to Refurbish Existing Industrial Unit, approved 6 July 2022

4/22/2212/0F1 - UNITS 15A-H Works to Refurbish Existing Industrial Unit, approved 6 July 2022

4/22/2213/0F1 - UNITS 20A-B Works to Refurbish Existing Industrial Unit, approved 6 July 2022

4/22/2161/0F1 - Use of Land as Storage and Distribution Centre (Class B8) for Gas Bottles Together with the Siting of Two Single Storey Prefabricated Cabins for Administrative Use, approved 4 August 2022

4/22/2170/0A1 - Advertisement Consent for Single Totem Sign at Site Entrance, approved 4 August 2022

3. Proposal

- 3.1 A major application for the erection of a new 'HUB' building primarily for general industrial, office and research and development (E(g)(i), (ii) & (iii)) uses, including associated car parking, hard and soft landscaping, infrastructure and biodiversity enhancements.
- 3.2 The building will be rectangular in form with a footprint of 1548 square metres. It will comprise two internal floors with a gross internal area of 2794 square metres.

3.3 Uses

The ground floor will accommodate a number of innovation workshops centred around a support area comprising meeting rooms, toilets and shared social space. The first floor will mirror the ground floor layout.

- 3.4 Primary uses will be limited to Class B2, and E(g). Ancillary uses will include light industry, business administration and office uses etc.

3.5 Vehicle Access

The proposed new hub building will be served by the existing site access road of minimum 7.3m width. A new simple priority junction will be provided at the connection between the new car park and existing road serving the estate providing vehicular access to the car park and hub building. Proposals also include a shared footway/cycleway along the southern side of the existing access road (north), separated from the carriageway with a 3m wide grass

verge. The new car park will provide some 112 spaces. To the west there will also be a Hub layby for short term stays.

4. Consultation Responses

Cleator Moor Town Council

No objection.

Cumberland Council – Local Highway Authority (LHA) and Local Lead Flood Authority (LLFA)

Local Highway Authority response

Summary

No objection subject to minor amendments regarding cycle provision and footways within the site which can be adequately dealt with via a condition and conditions covering detailed highway works. Whilst an issue had arisen regarding an assumption that had been made in respect of the base line / masterplan for the consultation response which hadn't taken into account the fact that the original outline application for the wider estate re-development remains pending, it is considered that notwithstanding this/ irrespective - it does not affect the consultation response which is stand alone and in compliance with local plan policy.

A legal agreement is also required to cover financial contributions for off-site highway improvements.

The Hub shall be considered on its own merits in accordance with the development plan and the assessment focus on detailed and site-specific matters.

In particular, the key considerations are:

- confirmation that the proposal accords with proposals for the wider site and integrates with Plots 9 & 12 in terms of layout, access, parking and design
- the appropriate apportionment and securing of contributions, ensuring the development makes its proportionate contribution to wider infrastructure mitigation identified; and
- the detailed design and implementation of the approved drainage strategy, ensuring compliance with the agreed drainage hierarchy and site-wide approach.

On this basis, the proposal represents a compliant and coordinated Phase 1 element of the wider CMIQ regeneration, with the principle and strategic impacts already accepted, and only proportionate mitigation and detailed technical matters remaining to be resolved.

Transport Assessment

The trip generation and principles have been agreed with the applicant as explained in the TA, based on the Masterplan Application taking into account the reduction in the proposed development area adjusted to account for the reduction in proposed development from 9,735m² to 6,436m².

Development trips have been derived using the proposed development GFA of 2,794m². As per the methodology used for the S106 contributions for junction improvements for Plots 9 & 12, the proportion of development traffic over the 2032 base+committed flows has been used.

Highway Safety

Having reviewed the evidence, the LHA can agree there is nothing to suggest an existing safety issue with no clearly identifiable clusters. Following a review of the records, it is agreed there is not an existing safety issue that is likely to be exacerbated by the proposed development.

Access and Layout

I note the new proposed access road is 7.3m wide as required by the CDDG for commercial development. Turning diagrams have been provided which demonstrate the layout is suitable.

Highway Construction Details

I note that the car park will be constructed of a tanked permeable system, providing both attenuation and treatment and the access road will be heavy duty asphalt concrete. The details / cross-sections shown on ISH-BGP-19-XX-D-C-19137 Rev. P01 are acceptable to the LHA.

Active Travel and Infrastructure

Welcome:

- The proposed 3m wide shared path set-back from the road by a 3m wide verge.
- Cycle parking and stands, as well as the potential for cycle maintenance stand
- Provisions of shower and change is also welcomed.
- Location of bin storage in a different location from cycle parking. Co-location of cycle parking and bins can be a significant deterrent to use.
- There are also the required links to the C2C path to the eastern perimeter of the site.

There are, however, some detailed layout aspects of the cycle and active travel provision that require clarification and possible minor revisions to deliver further improvements applicant is asked to review:

1. The layout of the cycle parking marked as cycle storage on the Landscape site plan. The drawing appears to place the Sheffield Stand type cycle parking behind lockers.
2. The applicant is advised to co-locate the visitor cycle parking with the Cycle Storage. This will increase overlook from the reception desk. Overlook is a factor in perceived personal safety
3. The applicant is advised to provide a 3m width path in front of the Cycle Storage area.
4. The applicant could also consider provision of lockers in the public space area on the ground floor of the drawing GA Plan – Level 00. These details will be reviewed and detailed in the DoC detailed design stage with the requirement secured by way of a suitable worded condition.

Parking I note that the proposed car parking provision (97 +24 EV spaces) meets the CDDG standard of 112. This supply is welcomed and will reduce the likelihood of parking on the road.

Financial Contributions and Off-site highway improvements

Active Travel

ID5 & ID10 Providing off-road cycle access to the NCN 71 from Leconfield Estate £8,300, Local Plan contributing Site: Leconfield Hub (Area 1) application

ID5 & ID10 New signalised pedestrian crossing near Bowthorn Road to connect to bus stops on Leconfield Street £45,000, Local Plan contributing Sites: Leconfield Area 3 sites

Public transport

ID17 Improved bus shelter on Leconfield Street £5,500, Local Plan contributing Site: Leconfield Hub (Area 1) application

Local Highway Network Junctions

ID31 Moresby Road / Cleator Moor Road / Main Street, Whitehaven Proposed signalisation of Moresby Road /Cleator Moor Road / Main Street junction £805,800

Local Plan contributing Site(s): All sites to contribute proportionally across the Local Plan development sites list.

ID32 Cleator Moor Road / Overend Road, Whitehaven Proposed signalisation of Cleator Moor Road /Overend Road junction £332,400

Local Plan contributing Site(s): All sites to contribute proportionally across the Local Plan development sites list.

The above elements have been addressed as follows:

- The cycle link has been provided for in the Unit 9 & 12 proposal
- The proposed crossing near Bowthorn Street is associated with Phase 3.
- The bus shelter is being provided through the Town Deal scheme.

The impact on junctions 9 and 10 in the TA have been identified for Percentage Impact Assessments. According to the TA, these show relatively small %age impact from the development of less than 1% against base +committed +development flows. However, whilst the net increase including base traffic (including growth) is small, the justification of the identified highway improvements in the TIS is based on the capacity impact of the committed development traffic. The attached methodology uses the outline TA figures for the whole site trips and the trips estimated for the Hub site. I have adopted the same methodology to calculate a proportional financial contribution for both ID31 and ID32 as used in the Units 9 & 12 application for consistency.

With indexation applied, the financial contributions to these two highway improvements are:

ID31 Moresby Road / Cleator Moor Road / Main Street

- Total cost identified in the TIS = £805,800,
- Contribution requested (with indexation) = £38,276

ID32 Cleator Moor Road / Overend Road

- Total cost identified in the TIS = £332,400
- Contribution requested (with indexation) = £15,789

Both - To be paid prior to prior to first occupation.

Travel Plan

In comparison with the TP for Plots 9 & 12, both Interim Travel Plans are strategically aligned and effectively use the same toolkit of measures and targets, reflecting a coordinated approach across the Cleator Moor Innovation Quarter Development. The main differences are driven by scale and role: The iSH Hub is a smaller, centrally located facility with minor traffic impacts, acting more as a supporting and integrative component within the estate.

The TP is considered suitable. It contains acceptable targets and measures, even if the targets of a 6% modal shift away from private car use seems low. This target can be reviewed and revised, if necessary, in the final TP to be submitted as part of the DoC.

Local Highway Authority (LHA) Conclusion

The LHA has no objection to the proposals but recommends highway conditions governing highway design details and minor layout revisions,

provision of a Construction Management Traffic Plan (CTMP), a Final Travel Plan and monitoring arrangements including a financial contribution.

Lead Local Flood Authority (LLFA) response:

Flood Risk Assessment

Having reviewed the FRA and the latest NAFRA2 flood risk mapping the LLFA are satisfied that the site area is in Flood Zone 1 and that the risk of flooding from all sources is Low. The proposed uses of land are appropriate in this Flood Zone and the LLFA is satisfied there is no material risk of flooding to the site.

Surface Water Drainage Strategy Discharge Destination

Due to the made-ground, high groundwater level and very variable measured infiltration rates the LLFA accept that infiltration is not feasible. The proposal to discharge to Nor Beck is acceptable.

Impermeable Areas and Restricted Discharge Rate

Note the proposed hub development site is included in the impermeable area calculations for flow control. The total impermeable area is approximately 2.15 Ha.

The proposed brownfield discharge rate is 87 l/s, which is a 50% betterment (the minimum acceptable betterment accepted by the LLFA),

Attenuation

Attenuation is provided by way of an attenuation tank as part of a previous application. I note that the required climate change allowance of 50% has been included in the calculations.

Treatment

The SUDS pollution indices assessment shows that the combination of permeable paving and the downstream defender delivers the required treatment.

Maintenance / Management

The proposed management and maintenance arrangements in the SUDS Management Plan and Drawing are comprehensive and contain all the necessary measures. The LLFA finds these proposals acceptable.

Conclusion:

The LLFA find the surface water design satisfactory and have no objections to the proposals subject to a SUDS condition being included in any consent and approval of a construction surface water management Plan

Cumberland Council – Ecologist

Raises no objection subject to conditions and informatives covering the following:

Construction Environmental Management Plan (CEMP)

In particular recommends the provision of a Construction Environmental Management Plan (CEMP) with the aim of minimising indirect impacts to ecologically important features including dust mitigation, impaction of habitats, pollution prevention control, a sensitive lighting scheme for bats and other wildlife and a chapter incorporating the Reasonable Avoidance Measures (RAMS) report (Tetra Tech, 2024i).

Breeding Birds

All habitat clearance be undertaken outside of the nesting bird season (generally accepted as March to September inclusive). If not possible, a nesting bird check undertaken by a suitably qualified ecologist will be required to take place 24 hours prior to clearance works. Once complete, a 24-hour window will allow for the area to be made unsuitable for nesting in the area checked.

If these works in the checked area are not completed within 24h, a further inspection may be required. Should an active nest be identified all works within a suitable buffer of the nesting site must cease until the young have fledged / nesting ends. The size of the buffer will depend on the species of bird and will be confirmed by the Ecological Clerk of Works (ECoW).

Invasive Non-Native Species (INNS)

The Ecological Clerk of Works (ECoW) should conduct a pre-commencement walkover to check for the presence of INNS, prior to works commencing. In the event an invasive species is identified at any point during the works, findings should be reported to a suitably licenced Ecologist. If present, recommend specialist contractor control / eradication plan, no work buffer zones with fencing, consider controlled waste disposal requirement.

Amphibians

Precautionary working methods (PWMs) are recommended during the construction phase to avoid harm to common amphibians. Measures recommended include:

- timing works to minimise any potential impacts pre- and during construction; site clearance should ideally be undertaken between April and October (or in temperatures above 5oC) when amphibians are active (bearing in mind that a nesting bird check will be required);
- any vegetation clearance is recommended to be undertaken under the supervision of an experienced ecologist (under a ECoW) who will give a detailed Toolbox Talk prior to the start of each working day.

- Immediately prior to site clearance works the ECoW will conduct a walkover of the site and finger-tip search.
- The methods of vegetation removal include a directional two-stage cut (working towards retained habitats on and beyond the site boundaries to maintain connectivity) where a fingertip search by the ecologist will be conducted prior to both cuts. The first cut should be to a height of approximately 15 cm with the second cut to take down to ground level.
- Any existing soil / brash / log piles acting as potential hibernacula should be removed under supervision of the ecologist.
- Any pipes stored, or installed on-site, should be inspected and covered or capped at night to reduce the risk of animals becoming trapped inside. Precautionary measures should be captured within the site's CEMP.

Bats

A bats-specific lighting scheme to be designed during construction to minimise light impact. This should be in line with the guidance note for Bats and Artificial Lighting (Bat Conservation Trust, 2023).

Precautionary Method of Works

All works are to be undertaken according to the Reasonable Avoidance Measures (RAMS) report (Tetra Tech, 2024i).

Habitat Management and Monitoring Plan and a BNG statutory condition and a BNG Informative.

Cumberland Council – Conservation and Design Officer

No objection.

Acknowledges that the site is a brownfield area of hard surfaces, made ground and undeveloped vegetation within Leconfield Industrial Estate.

Conservation/Design Assessment:

- Not aware of any heritage assets that would be affected by the proposal.
- The design of the building appears well executed in general terms, providing a substantial amount of rectilinear useable space internally over two floors with an external appearance that is attractive.
- The landscaping around the building will provide an attractive and practical context, with substantial parking integrated a short distance away, and the area to the south-east and a large area of landscaping to the south-west. Vegetation appears plentiful and breaks up the site into a series of areas that are more human in scale, designed for walking and dwell time, which does much to mitigate the monolithic scale and form of the building.
- This appears to be a more practical solution than the earlier version previously proposed on a nearby site, which left some open questions

about flexibility and adaptability, and arguably allocated resources to a plan form that wouldn't be easily appreciated from ground level.

- In summary, does not anticipate any heritage impact and view the building as a good quality and pragmatic piece of design, suited to its location and integrated through its landscaping.

Coal Authority

The Coal Authority Response: Material Consideration. That said they raise no objection as the development area is deemed to fall outside the Development High Risk Area and as such no further investigations are required.

The Coal Authority Recommendation

The Coal Authority's general approach in cases where development is proposed within the Development High Risk Area is to recommend that the applicant obtains coal mining information for the application site and submits a Coal Mining Risk Assessment (CMRA) to support the planning application. Notwithstanding the above, we note the submitted Phase 1: Desk Study (April 2026 prepared by Solmek Ltd), the content of which recommends intrusive site investigations. However, when considering this particular proposal, on the basis that the area where development is proposed is not within the defined Development High Risk Area, we do not consider that it would be reasonable to ensure the investigations by way of a planning condition and do not object to this planning application. Notwithstanding the above, and the interests of public safety the Coal Authority recommend that an Informative Note governing potential mining hazards and possible need for mitigation etc. is included within the Decision Notice.

Cumberland Council - Environmental Health

No objections subject to conditions covering unexpected contamination, noise and a CEMP,

Contaminated Land

The Phase 1 Desk Study, Phase 2 Site Investigation and Draft Ground Gas Risk Assessment are accepted by Environmental Health and can be conditioned as approved documents.

The Environment Agency has advised a condition for unexpected contamination in order to avoid water pollution. This reasoning could be broadened as noted below.

Note that full protection for radon is required in the build unless a site-specific check were made that informed otherwise, for further information see

[UKradon - Introduction](#)

Noise

The Noise Assessment is accepted by Environmental Health and can be conditioned as such.

The Ecology team has requested a Construction Environmental Management Plan (CEMP) and details to control excessive construction noise could be added to this.

Noise from works during the construction stage may also be addressed through a condition on construction working hours.

Air Quality

The Air Quality Assessment is accepted by Environmental Health and can be conditioned as such, whilst the CEMP contains a request for details to control dust during the construction stage.

Foul Drainage

There is an existing foul drain and sewer network on the industrial estate, which the proposed development will connect with, prior to joining the public sewer system off site.

As such, there are no objections to this proposed development from Environmental Health, and conditions regarding the reporting of unexpected land contamination and noise from construction work.

Environment Agency

No objection to the original application or the revised Phase 2 Investigation Report / Ground Gas Risk Assessment subject to the inclusion of an advised condition regarding unsuspected contamination.

It should be noted that the current or previous use(s) of the site may present an unacceptable risk of contamination that could be mobilised during site works and construction, potentially leading to pollution of controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site is located upon a secondary aquifer A

The proposed development will be acceptable, if a planning condition is included requiring the submission and validation of a detailed land contamination management strategy for unsuspected contamination during the enabling, construction and/or development works. By cleaning up land contamination, it will be helping to protect and improve the groundwater quality that supports existing drinking water supply, future supply of drinking water and other environmental uses.

Without this condition we would object to the proposal in line with paragraph 187 of the National Planning Policy Framework because it cannot be guaranteed that the development will contribute to and enhance the natural and local environment by remediating and mitigating despoiled, degraded,

derelict, contaminated and unstable land, where appropriate or will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.

Outstanding Consultations

Natural England (NE)

Although no comment has yet been received it is considered that the comments provided recently in relation to the proposed new build on neighbouring plots 9 & 12 (4/25/2411/0F1 refers) equally apply to this application.

NE raised no objection but commented as follows - The site is in close proximity to Nor Beck, which is hydrologically linked to the River Ehen SAC. Natural England requires a Construction Environmental Management Plan to be produced for this application. Appropriate pollution prevention guideline measures should be incorporated to include materials and machinery storage, biosecurity, and the control and management of noise, fugitive dust, surface water runoff and waste to protect any surface water drains and the SAC from sediment, and pollutants such as fuel and cement.

The issues likely to be relevant during construction and operational phases for development proposals adjacent to watercourses include:

- Potential for sediment or other polluting run-off to enter the river, both during the construction period (including earthworks, storage and use of machinery, materials, and fuels) and any potential siltation, run-off or other pollution arising from the development in its construction / operational phase. Any discharge (including foul drainage) and / or run-off / drainage from the site from the site must not lead to a deterioration in water quality in the watercourse.
- Potential for introduction and / or spread of invasive non-native species.

Arboricultural Consultant

This is awaited and any response will be reported at the meeting – it is not considered likely to raise any material issues.

Public Rights of Way Officer

No comments received but given that there are no rights of way on or adjoining the site only in the wider Leconfield estate this is unlikely to be an issue.

United Utilities

Comments are still awaited.

Those provided for the adjoining development (plots 9 & 12) raised no objection subject to a condition governing the proposed drainage scheme and relevant informatives regarding SUDS, drainage and water main however are considered to equally relate to this site as follows:

Drainage

Directed by the principles set out in the National Planning Practice Guidance and the new National Standards for Sustainable Drainage Systems (2025) we require developers and Local Planning Authorities, to do all that they can to avoid surface water entering the public sewer, unless absolutely necessary. This applies to all proposed development. See Appendix 1.1 'Surface Water Hierarchy'. All options for the sustainable management of surface water must be thoroughly investigated before we will accept any surface water connections from new development to the public sewer. Where a new surface water connection to the public sewer is proposed, we will require robust evidence to demonstrate the drainage hierarchy has been fully investigated and there are no more sustainable options available for the management of surface water. They considered that the proposals were acceptable in principle and requested a condition ensuring that the submitted drainage strategy is implemented.

Public Representation

The application was advertised by way of a site notice and a press advert. Individual letters of notification were sent to occupied units neighbouring the site.

One letter of comment has been received which makes the following points:-

There is no requirement for this facility when the recently built Workington Innovation Centre offers the same and isn't yet occupied. Also questions whether this project represents value for money.

6. Planning Policy

- 6.1 Section 70(2) of the Town and Country Planning Act 1990/Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permission is determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise.

Development Plan

On 1st April 2023 Copeland Borough Council ceased to exist and was replaced by Cumberland Council as part of the Local Government Reorganisation of Cumbria.

Cumberland Council inherited the local development plan documents of each of the sovereign Councils including Copeland Borough Council, which combine to form a Consolidated Planning Policy Framework for Cumberland.

The inherited local development plan documents continue to apply to the geographic area of their sovereign Councils only.

The Consolidated Planning Policy Framework for Cumberland comprises the Development Plan for Cumberland Council until replaced by a new Cumberland Local Plan. Cumberland Council continued the preparation of the Copeland Local Plan 2021 - 2039 (LP) as commenced by Copeland Borough Council.

The LP was adopted by Cumberland Council on the 5th of November 2024 replacing the Copeland Local Plan 2013-2028 and the saved policies of the Copeland Local Plan 2013-2028.

Copeland Local Plan 2021 - 2039 (LP)

The following policies are relevant to this proposal:

- Strategic Policy DS1: Settlement Hierarchy
- Strategic Policy DS2: Settlement Boundaries
- Strategic Policy DS3: Planning Obligations
- Policy DS4: Design and Development Standards
- Policy DS5: Hard and Soft Landscaping
- Strategic Policy DS6: Reducing Flood Risk
- Policy DS7: Sustainable Drainage
- Policy DS8: Soils, Contamination and Land Stability
- Policy DS9: Protecting Air Quality
- Strategic Policy E1 Economic Growth
- Strategic Policy E2 Location of Employment
- Strategic Policy E4 Cleator Moor Innovation Quarter at Leconfield
- Strategic Policy SC1: Health and Wellbeing
- Strategic Policy N1: Conserving and Enhancing Biodiversity and Geodiversity
- Strategic Policy N2: Local Nature Recovery Networks
- Strategic Policy N3: Biodiversity Net Gain

- Policy N5: Protection of Water - Resources
- Strategic Policy N6: Landscape Protection
- Strategic Policy N9: Green Infrastructure
- Policy N14: Woodlands, Trees, and Hedgerows
- Policy BE1: Heritage Assets
- Policy BE2: Designated Heritage Assets
- Policy BE4: Non-Designated Heritage Assets
- Policy BE6: Advertisements
- Policy DS4: Design and Development Standards
- Policy DS5: Hard and Soft Landscaping
- Strategic Policy CO4: Sustainable Travel
- Policy CO5: Transport Hierarchy
- Policy CO7: Parking Standards

Other Material Planning Considerations

National Planning Policy Framework (NPPF).

Planning Practice Guidance (PPG).

The Conservation of Habitats and Species Regulations 2017 (CHSR).

Planning (Listed Building and Conservation Areas) Act 1990 (LBCA).

Cumbria Development Design Guide (CDDG).

8. Assessment

The main issues and material considerations which are considered relevant to the determination of this application include the following; the principle of development, access and transport, ecology, Landscape / trees, drainage and flood risk, ground conditions / contamination, noise, air quality, design & heritage and residential amenity.

8.1 Principle of Development

The site forms part of an existing large and established industrial estate within the settlement boundary of Cleator Moor, a designated key service centre, and adjacent to the town centre. It comprises an approved plot, currently vacant, which has previously accommodated industrial buildings as well as

other uses, as evidenced by the predominantly concrete slab and hard floorspace. Due to its industrial legacy the site qualifies as previously developed 'brownfield' land the principle of development upon which is already established.

- 8.2 The proposal to redevelop the plot within this industrial location is therefore considered to accord with the adopted Copeland Local Plan 2021 – 2039. Strategic Policies DS1 Settlement Hierarchy and DS2 Settlement Boundaries of the LP are particularly relevant as they seek to ensure development is directed towards the most sustainable locations which includes the site and the wider Leconfield Estate. The development is also compliant with Strategic Policy E1 Economic Growth and Strategic and Policy E2 Location of Employment which support such economic development in key service centres. In addition, it importantly accords with Strategic Policy E4 Cleator Moor Innovation Quarter at Leconfield which is identified as a prime location to attract new businesses and investment.

8.3 Access and Transport

The site is situated within the existing industrial estate and vehicular and pedestrian access will be via the existing internal estate road network. The development, comprising the Hub building and associated car park will be served by a new access from the internal estate road.

- 8.4 The application is accompanied by a Transport Assessment (TA) and Interim Travel Plan. The TA assesses the impact of the proposal on the surrounding road network and shows that the development will be safely connected to, and well-integrated with, the local highway network.
- 8.5 Details on access for all modes of travel and parking provision and an assessment of the site's accessibility by sustainable modes of travel has been undertaken. The site's location will enable the development to benefit from a variety of existing walking, cycling and public transport opportunities.
- 8.6 The internal layout of the site (including parking provision) will be designed in accordance with the adopted local guidelines and standards.
- 8.7 The impact of the proposed development on the future operation of the highway network has been accurately assessed using modelling software. It has been demonstrated that the traffic flows associated with the proposed development will be satisfactorily accommodated on the highway network without resulting in any residual 'severe' cumulative impacts.
- 8.8 A detailed review of road injury accident data has been undertaken, and no highway safety concerns have been identified that will be materially affected by the proposed development.
- 8.9 In summary, it is considered that the development proposals will be accessible and have minimal impact on the surrounding highway network

which aligns with LP Strategic Policies CO4 Sustainable Travel, CO5 Transport Hierarchy and CO7 Parking Standards

- 8.10 The Interim Travel Plan (TP) focuses on enabling active and sustainable travel which encourages uptake in sustainable modes of travel, providing connectivity into the C2C cycle network at two locations and shared pedestrian /cycleway provision within the site. This is supported in Chapter 9 of the NPPF which promotes sustainable transport. It advocates early consideration of transport issues in the development process and identifying potential impacts and transport solutions that deliver well designed places.
- 8.11 A financial contribution towards the cost of monitoring the final TP is required to cover a 5-year period secured by a legal agreement. This will ensure the TP is effectively monitored and enforced thus promoting sustainable travel and mitigating transport impacts.
- 8.12 As regards construction traffic whilst there may inevitably be some highway impacts these will only be temporary and can effectively be controlled via a Construction Management Traffic Plan (CMTTP) the provision of which can be secured by a planning condition. This will detail how construction vehicle movements will be managed to help mitigate any potentially adverse impacts.
- 8.13 The Local Highway Authority raise no objection on highway safety grounds to the proposed development subject appropriate planning conditions and to a Legal Agreement to secure financial contributions towards off-site highway improvements at Moresby Road/Cleator Moor Road and Main Street, proposed junction improvement works at Cleator Moor Road and Overend Road, monitoring of the Travel Plan and appropriate highway conditions.

8.14 Ecology

The application is accompanied by an Ecological Appraisal which concludes that the site can be delivered in compliance with local and national ecological policies, including Strategic policy N1 Conserving and Enhancing Biodiversity and Geodiversity, provided that the recommended avoidance, mitigation, compensation and enhancement measures are adopted. These measures include pre-construction species checks, retaining habitats and refugia on site where possible, installation of bat and bird boxes, and achieving 10% biodiversity net gain.

- 8.15 A Biodiversity Net Gain Assessment Report & Metric also forms part of the application. This informs that the baseline value of habitats within the site is 1.11 habitat units. No irreplaceable habitats are present and one high value habitat (Open Mosaic Habitat on Previously Developed Land (OMHoPDL)) is present within the site. It is proposed that these habitats are replaced by the same type. The post-development value of the site is calculated to be 0.86 habitat units and 0.11 hedgerow units. This represents a total percentage change of 77.70% net gain, meeting the habitat trading rules and all other

requirements of the NPPF and Environment Act, as well as Local Plan Policies N1 and N3.

- 8.16 The Council's Ecologist raises no objection subject to planning conditions and informatives including provision of a Construction Environment Management Plan (CEMP) to minimise impacts to any ecologically important features.

8.17 Landscape / Trees

- 8.18 The application is accompanied by an Arboricultural Impact Assessment and Tree Survey. This informs that none of the few trees on the site are subject to statutory or non-statutory designations. There is limited tree cover on the site.
- 8.19 The Tree Survey identifies two small groups of category C trees/ shrubs and one individual category C tree for removal all of which have limited amenity value.
- 8.20 There is no indication of any proposed retained trees on the site but there is acknowledged scope within the site for new tree and shrub planting as proposed in the landscaping plan
- 8.21 The proposed landscaping scheme will not only secure the BNG requirement but also provide the opportunity to enhance the landscape of the Estate in compliance with Policy N14 of the LP and NPPF para 136.
- 8.22 As stated previously, a consultation response is awaited from the Council's consultant Arborist and any response will be reported at the meeting, but it is not expected to raise any material issues.

8.23 Drainage and Flood Risk

- 8.24 The application is accompanied by a Flood Risk Assessment (FRA), Drainage Philosophy and SuDS Management Plan.
- 8.25 The FRA confirms that the site is wholly in Flood Zone 1 - has less than a 1 in 1000 (0.1%) chance of flooding each year. The risk of flooding from fluvial sources is categorised as low.
- 8.26 terms of surface water flooding, various existing areas of access road are identified as subject to low, medium and high risk of surface water flooding. However, this is a localised low point to the northwest of the site away from the area of new development. There is an area of existing access road within the area of new development identified as being subject to a low risk of surface water flooding. However, it is noted that this is a localised low point that is assumed to have defunct drainage due to the nearby demolition and removal of existing industrial units. As the proposals will be positively drained, the likelihood of any surface water flooding will be low following mitigation.

- 8.27 On the whole, the development site is considered to have a low risk of surface water flooding. All hard standing areas are to be positively drained via proposed drainage infrastructure as part of the development works.
- 8.28. Proposed drainage strategy - due to existing ground conditions which comprises of made ground underlain by slag and fused slag, infiltration would not be a feasible option. As such, in accordance with the drainage hierarchy it is proposed that surface water from the development will discharge into the adjacent Nor Beck. Subject to agreement it is proposed that discharge into Nor Beck is to be restricted to a brownfield rate of 87.0l/s.
- 8.29 Attenuation
- Due to the lack of available open space within the site, it is proposed that attenuation is accommodated via a sub-surface attenuation tank with volume to retain the 1 in 100 years + 50% climate change. The proposed foul drainage will remain private within site. The foul sewers are to drain via gravity to existing foul sewers within the adjacent existing access road. The flows thereafter will pass through the private network ultimately discharging to the existing United Utilities 675mm diameter combined sewer to the northwest of site.
- 8.30 As the site is at low risk of flooding and the proposed drainage strategy will not increase risk of flooding on or off-site the proposals are in full accordance with NPPF Paragraph 170 and Local Plan policy DS6 in respect of minimising flood risk.
- 8.31 Whilst a consultation response from UU is outstanding, it is considered that their recent response to the recent planning application for the neighbouring plots 9 & 12 should also apply to this site. This recommended appropriate planning conditions governing the approval and implementation of a surface water drainage scheme.

8.32 Ground Conditions / Contamination

- 8.33 The application is accompanied by a Phase 1 and Phase 2 Site Investigation Report into Ground Conditions and a Draft Ground Gas Risk Assessment.
- 8.34 Policy DS8 of the LP relating to Soils, Contamination and Land Stability applies.
- 8.35 The reports conclude that given the site's proposed commercial land use, the levels of contamination recorded are unlikely to pose a risk to the current and future users of the site. Environmental Health and the EA have reviewed the reports and agree with the results and conclusions derived from risk assessment that development should not cause unacceptable risk of pollution or detriment to water quality.
- 8.36 EA and Environmental Health request a general condition relating to unexpected contamination, given the complex make-up of the site's geo-

environmental features which is provided.

- 8.37 The Coal Authority accept that although the site falls within their defined Development High Risk Area the actual development area falls out with this designation and as such raise no objection subject to a condition re unsuspected contamination and informatives.
- 8.38 EA raise no objection to the original application or the revised Phase 2 Investigation Report / Gound Gas Risk Assessment subject to the inclusion of an advised condition regarding unsuspected contamination (as above).
- 8.39 It should be noted that the current or previous use(s) of the site may present an unacceptable risk of contamination that could be mobilised during site works and construction, potentially leading to pollution of controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site is located upon a secondary aquifer A.
- 8.40 The proposed development will be acceptable, if a planning condition is included requiring the submission and validation of a detailed land contamination management strategy for unsuspected contamination during the enabling, construction and/or development works. By cleaning up land contamination, it will be helping to protect and improve the groundwater quality that supports existing drinking water supply, future supply of drinking water and other environmental uses.
- 8.41 Without this condition the EA would object to the proposal in line with paragraph 187 of the National Planning Policy Framework because it cannot be guaranteed that the development will contribute to and enhance the natural and local environment by remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate or will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.

8.42 Noise

- 8.43 Environmental sound surveys were previously undertaken at locations representative of existing dwellings that would be closest and most exposed to any noise associated with the proposal.
- 8.44 Plant Noise Emission Limits have been identified, and the proposed plant has been assessed against these in accordance with BS 4142:2014+A1:2019. The assessment concludes that the potential noise impact is likely to be low during night-time and negligible during daytime.
- 8.45 Environmental Health are satisfied with the assessments. However, in order to protect general amenity from potential noise arisings from construction work they advise that a suitable condition be imposed governing construction working hours.

8.46 Air Quality

- 8.47 An Air Quality Assessment supports the application. It assesses the potential changes in air quality due to the construction and operation of the proposed development and whether these potential changes would significantly alter air quality.
- 8.48 The assessment of dust soiling and human health impacts during the construction phase of the development results in the proposal of dust mitigation measures. The implementation of these will ensure that residual dust impacts during the construction phases are not significant.
- 8.49 Concentrations of NO₂ and PM₁₀ are likely to be below their respective long and short-term objectives at the proposed development site which is therefore considered suitable for commercial use with regard to air quality. Concentrations of PM_{2.5} are expected to be below the annual mean target.
- 8.50 As a result the proposed development is not expected to have a significant effect on local air quality.
- 8.51 Environmental Health raise no objection to the Assessment which accords with Policy DS9 of the LP.

8.52 Design & Heritage

8.53 Design

- Local Plan Policy DS4 and NPPF Paragraphs 131 and 135 require that the design of development proposals respond appropriately to the site and surrounding context. The existing site is located within an established industrial estate and comprises of previously demolished industrial structures and is immediately adjacent buildings currently in industrial use.
- 8.54 Overall, there is little architectural merit in the immediate vicinity of the site. build height of the proposal has been informed by consideration of existing topography, tree cover surrounding built environment and other physical site constraints.
- 8.55 It is also noted that a building with a height of 9.6m in this location will have negligible impact on the setting of the Town Centre Conservation Area. The proposed building is 2 storeys, with vaulted ceilings which is in keeping with the general massing across the Leconfield Industrial Estate. The ground floor to mezzanine and mezzanine to eaves heights are both approximately 4m, which is appropriate for the proposed light industrial function of the buildings and the servicing and structural requirements.
- 8.56 The overall width of the building is approximately 33m and the unit has an approximate 2:1 ratio proportion length/width. Given the above considerations

it is considered that the proposals accord with the principles of good design as set out at Local Plan Policy DS4 and NPPF Paragraphs 131 and 135.

8.57 Heritage

There are no heritage assets within the application site or the wider industrial estate that would be directly or indirectly affected by the proposal. The nearest being Cleator Moor Conservation Area situated some 350m to the east. This encompasses the core area of the town centre and contains a number of listed grade II buildings in the vicinity of the Town Square. Whilst at 9.6 m to ridge high (maximum) the proposed Hub would be a fairly tall building it is unlikely to have any significant impact on the town's Conservation Area.

8.58 The Conservation Officer is of the view that the design of the building appears well executed in general terms, providing a substantial amount of rectilinear useable space internally over two floors with an external appearance that is attractive. The landscaping around the building will provide an attractive and practical context, with substantial parking integrated a short distance away, and the area to the south-east and a large area of landscaping to the south-west. Vegetation appears plentiful and breaks up the site into a series of areas that are more human in scale, designed for walking and dwell time, which does much to mitigate the monolithic scale and form of the building.

8.59 He considers the current proposal to be a more practical solution than the earlier version of the Hub previously proposed on a nearby site, which left some open questions about flexibility and adaptability, and arguably allocated resources to a plan form that wouldn't be easily appreciated from ground level.

8.60 Heritage impact will be minimal, and the proposed building is considered to be a good quality and pragmatic piece of design, suited to its location and integrated through its landscaping

8.61 In terms of the Local Plan heritage policies the proposal is compliant with LP Policies BE1 Heritage Assets and BE2 Designated Heritage Assets.

8.62 **Residential Amenity**

8.63 In view of the site's visual containment, it being situated within the confines of an existing industrial estate and flanked by a substantial tree belt to the north and eastern wider boundaries and the existing built form of the estate boundaries to the south and west. Given the nature of proposed operations and separation from residential properties, it is considered that there will be negligible impact on the levels of amenity currently enjoyed by neighbouring residential properties or environmental health more widely resulting from noise, light, ground contamination, air quality or visual impact. The proposals therefore accord with NPPF Paragraphs 131, 187 and Policy DS4 of the Local Plan in protecting residential amenity and environmental health.

9. Planning Balance

- 9.1 This application seeks approval of a new hub building primarily for general industrial, office and research and development (E(g)(i), (ii) & (iii)) uses, including associated car parking, hard and soft landscaping, associated infrastructure, and biodiversity enhancements located centrally within an established industrial estate.
- 9.2 The site is an allocated employment site in the key service centre of Cleator Moor as defined in the adopted Development Plan where development for employment uses is considered acceptable. In this respect the principle of development has been established and is considered acceptable.
- 9.3 It has been satisfactorily demonstrated that the proposal will not severely impact the surrounding highways network and that no junction mitigation is needed. A Legal Agreement will be required seeking financial contributions to the provision of off-site highway works.
- 9.4 In terms of Ecology, no notable or protected species are present on the site and that with appropriate management in place during construction there will be no significant impact on local wildlife. However, there are potential impacts on ecology from site construction works given the proximity to locally sensitive sites this can be made acceptable by the mitigation proposed by a potential Construction Environmental Management Plan.
- 9.5 There will be no significant visual impact from outside the estate, given existing tree cover and topography, notably due to intervening buildings the site is obscured in views from the Conservation Area.
- 9.6 There are no issues relating to drainage and there is minimal risk from flooding. As regards contamination, there is a medium risk which can be effectively controlled by conditions requiring a remediation strategy should unexpected contamination occur. There are also no significant issues raised in relation to residential amenity, trees, design, heritage and air quality and where mitigation is proposed can be adequately addressed by planning conditions.
- 9.7 The proposals accord with national and local planning policies that prioritise the reuse of vacant brownfield land and will assist in the economic regeneration of Cleator Moor and West Cumbria more widely by facilitating the prompt delivery of the CMIQ.
- 9.8 In terms of the planning balance, the proposals will not result in any demonstrable harm that would outweigh the benefits of granting planning permission.
- 9.9 The proposed Hub building (together with neighbouring plots 9 & 12) will help provide a new innovative focal point for the estate. The redevelopment has

the potential to establish a new identity, improve legibility and movement, and act as a catalyst for the long-term regeneration of the industrial estate.

- 9.10 It is considered that the development of a business cluster 'Hub' building as a central feature for Leconfield Industrial Estate and the adjacent community provides a much-welcomed opportunity to enhance and regenerate Cleator Moor which, it is anticipated, will have significant economic and social benefits for both the town and the wider Borough.

Recommendation

That the application is granted subject to the conditions outlined at the end of this report, with the Service Manager for Development and Implementation being given delegated authority to add to and/or make any amendments to the conditions as considered appropriate and agree a Legal Agreement (Unilateral Undertaking) between the relevant parties to secure:

- a Travel Plan monitoring fee of £6,600 and
- A contribution of £38,276 towards the cost of highway improvements at Moresby Road/Cleator Moor Road/Main Street and
- A contribution of £15,789 towards the cost of highway improvements at Cleator Moor Road/ Overend Road.

Appendix 1

List of Conditions and Reasons

1. The development shall commence not later than the expiration of 3 years beginning with the date of the grant of this permission.

Reason

To conform with the requirement of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development shall be undertaken in strict accordance with the approved documents for this planning permission which comprise:

Documents

Design and Access Statement, by Norr

Biodiversity Net Gain Assessment & Metric, by Tetra Tech

Ecological Assessment by Tetra Tech

Aboriginal Impact Assessment, ISH-TTE-00-XX-T-O-78524_V2.by Tetra Tech, dated March 2026 and Revised April 2026.

Tree Survey Report, by Tetra Tech.

Archaeological Desk Based Assessment, by Tetra Tech

Habitats Regulations Assessment, Stage 1 Assessment, by Tetra Tech.

SUDS Management Plan Report, by BGP.

Flood Risk Assessment, by BGP

Drainage Philosophy, by BGP

Site Investigation Phase 1 Study, by Solmek

Phase 2 Site Investigation Report May 2026, RT0 49, Issue 4 as amended, reference ISH SOL-XX-XX-T-Y-0002, by Solmek, received 21/05/26.

Draft Ground Gas Risk Assessment as amended, by Solmek, received 21/05/26

Transport Assessment, by Curtins

Interim Travel Plan, by Curtins.

Air Quality Assessment, by Miller Goodallby NORR

Noise Assessment, by Miller Goodall

RIBA Stage 3 Fire Strategy, OFTR Consultants.

Drawings

Site Location Plan, by NORR, drawing no.

Existing Site Plan, by NORR, drawing no.

Site Block Plan Proposed, by NORR, drawing no.

Site Block Plan by NORR, drawing no.

General Arrangement Plan Level 00 by NORR, drawing no.

General Arrangement Plan Level 01 by NORR, drawing no.

General Arrangement Plan Roof by NORR, drawing no.

General Arrangement Plan Cross Sections by NORR, drawing no.

General Arrangement Plan Elevations (North & South) by NORR, drawing no.

General Arrangement Plan Elevations (East & West) by NORR, drawing no. ISH-NOR-19-ZZ-D-A-00101(P)P01

General Arrangement Plan Long Sections by NORR, drawing no. ISH-NOR-19-ZZ-D-A-00201(P)P02

Amended Landscape Site Plan, by ONE Environments, drawing no ISH-ONE -ZZ- D-L-00001-P08, received 21/05/2026.

Drainage Plan, by BGP, drawing no. ISH-BGP-19-XX-D-C-19130-P02

Flood Exceedance Plan, by BGP, drawing no. ISH-BGP-19-XX-D-C-19102-P02

Impermeable Areas Plan, by BGP, drawing no. ISH-BGP-19-XX-D-C-19101-P02

SUDS Construction Details, by GDP, drawing no. ISH-BGP-19-XX-D-C-19137-P01

Reason

In order to ensure that the development shall be carried out in complete accordance with the approved plans and any material and non-material alterations to the scheme are properly considered

Pre – commencement Conditions

Highways

3. The carriageway, footways, footpaths, cycleways, cycle parking etc shall be designed, constructed, drained to the satisfaction of the Local Planning Authority and in this respect further details shall be submitted to the Local Planning Authority for approval in writing before work commences on site. These details shall include:

- A review of the layout of the cycle parking marked as cycle storage.
- Co-location of the visitor cycle parking with the Cycle Storage.
- Provision of a 3m wide path in front of the Cycle Storage area.

No work shall commence until details and layouts have been approved. Any works approved shall be constructed before the development is complete.

Reason:

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

4. 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:

- 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

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.

Biodiversity Net Gain

5. The development shall not commence until a Habitat Management and Monitoring Plan has been submitted to and approved in writing by the Local Planning Authority.

The Habitat Management and Monitoring Plan shall include the following:

- I. A detailed scheme of habitat creation and habitat enhancement works that demonstrate the delivery of a minimum 10% net gain in

biodiversity value post development over a minimum period of 30 years.

- II. A Phasing Strategy for the delivery of the habitat creation and habitat enhancement works.
- III. Planned management activities including details of site-wide aims and objectives.
- IV. Details of the persons and organisation(s) responsible for delivery of the habitat creation and habitat enhancement works.
- V. The habitat condition targets that form the basis of what the Habitat Management and Monitoring Plan is setting out to achieve.
- VI. Details of monitoring methods and a monitoring reporting schedule.
- VII. Details of adaptive management approaches.

Reason

In the interests of ensuring measurable net gains to biodiversity and in accordance with the provision of the National Planning Policy Framework and The Environment Act 2021.

6. Within 3 months of the completion of the habitat creation and habitat enhancement works detailed in Habitat Management and Monitoring Plan secured by planning condition 5, a completion report, evidencing the completed habitat creation and habitat enhancements shall be submitted to and approved in writing by the Local Planning Authority.

Reason

In the interests of ensuring measurable net gains to biodiversity and in accordance with the provision of the National Planning Policy Framework and The Environment Act 2021.

7. The habitat creation and habitat enhancement works detailed in the Habitat Management and Monitoring Plan secured by planning condition 5 shall be managed and maintained in accordance with the provisions of approved Habitat Management and Monitoring Plan secured by planning condition 5 for a minimum period of 30 years post completion of the habitat creation and habitat enhancement works.

Reason

In the interests of ensuring measurable net gains to biodiversity and in accordance with the provision of the National Planning Policy Framework and The Environment Act 2021.

8. Monitoring reports demonstrating how the habitat creation and habitat enhancement works detailed in the Habitat Management and Monitoring Plan secured by planning condition 5 is delivering on its site-wide aims and objectives and habitat condition targets shall be provided.

The Monitoring reports shall be submitted to the Council during years 2, 5, 7, 10, 20 and 25 post completion of the habitat creation and habitat enhancement works detailed in the Habitat Management and Monitoring Plan secured by planning condition 5 unless otherwise stated in the Habitat Management and Monitoring Plan secured by planning condition 5.

Reason

In the interests of ensuring measurable net gains to biodiversity and in accordance with the provision of the National Planning Policy Framework and The Environment Act 2021.

Construction Environmental Management Plan (CEMP)

9. No development shall take place until a site-specific Construction Environmental Management Plan (CEMP) been submitted to and approved in writing by the Local Planning Authority. The plan must demonstrate the adoption and use of the best practicable means during the construction phase of the works:

- To address pollution prevention control
- To reduce the effects of noise including excessive construction noise, vibration and dust,
- To reduce the effects on the local ecological environment during the demolition and construction phase of the works.
- To address impaction of habitats
- Provide a chapter incorporating the Reasonable Avoidance Measures (RAMS) report (Tetra Tech, 2024i).

The development hereby approved shall be carried out in accordance with the approved CEMP.

Reason

To protect amenity and to protect the environment from pollution in accordance with Policy DS9 of the Copeland Local Plan 2021-2039.

Surface Water Drainage

10. No development shall commence until a Construction Surface Water Management Plan has been submitted to and approved in writing by the Local Planning Authority.

Reason

To safeguard against flooding to surrounding sites and to safeguard against pollution of surrounding watercourses and drainage systems.

Ecology

11. A bats-specific lighting scheme shall be designed to minimise light impact during construction on bats and other wildlife. This shall be in accordance with the guidance note for Bats and Artificial Lighting (Bat Conservation Trust, 2023) details of which shall be submitted to and approved by the Local Planning Authority before any construction work commences.

Reason

To minimise any adverse impact on bats and other wildlife as a result of construction work.

Prior to Occupation Conditions

Drainage

12. The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Drainage Plan / Strategy by BGP, drawing no. ISH-BGP-19-XX-D-C-19130-P02. No surface water will be permitted to drain directly or indirectly into the public sewer.

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason

To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.

Other Conditions

Permitted Uses

13. This permission authorises the use of the building hereby approved for the following uses: general industrial (use class B2), offices (use class E (g)(i), mixed research and development (use class E(g(ii))), light industrial use (use class E(g(iii))) and education and community facility uses (class F1(a & e) only.

Reason

To protect the viability and vitality of neighbouring Cleator Moor Town Centre and to ensure non-conforming uses are not introduced into the area.

Unexpected Land Contamination

14. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until further investigation and a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason

To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraphs 187 and 196 of the National Planning Policy Framework.

Drainage

15. The surface water drainage SUDS system 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.

Ecology - Precautionary Method of Works

16. All ecological works shall be undertaken according to the Reasonable Avoidance Measures (RAMS) report (Tetra Tech, 2024i).

Reason

To minimise any adverse impact on wildlife.

Travel Plan

17. 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 in writing a Final Travel Plan with baseline survey, based on the approved Framework Travel Plan.

This Travel Plan 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.

Reason

To aid in the delivery of sustainable transport objectives.

18. Annual monitoring of the Travel Plan shall be undertaken for 5 consecutive years from the baseline survey date. Annual monitoring reports shall be submitted to the LPA within 8 weeks of each survey and shall include: survey datasets, analysis of mode share and trips, progress against targets, measures delivered, proposed adjustments, and any remedial actions where targets are not met.

Reason

To aid in the delivery of sustainable transport objectives.

Noise from Construction Works.

19. Construction activities that are audible at the site boundary shall be carried out only between the following hours. Monday to Friday 08.00 – 18.00 and Saturday 08.00 – 13.00 and at no time on Sunday or Bank Holiday. Deliveries to and removal of plant, equipment, machinery and waste from the site shall only take place within the permitted hours detailed above unless otherwise agreed with the Local Planning Authority.

Reason

In the interests of the amenities of surrounding occupiers during the construction of the development.

External Materials

20. No superstructure shall be erected until samples and details of the materials to be used in the construction of the external surfaces of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details and retained for the lifetime of the development.

Reason

To ensure a satisfactory appearance of the development in the interests of visual amenity.

Landscaping

21. The development shall be carried out in accordance with the Arboricultural Impact Assessment, prepared by Tetra Tech (ref. ISH-TTE-00-XX-T-O-78524_V2) dated March 2026 and updated April 2026. All details and mitigation measures outlined in the Arboricultural Impact Assessment shall be implemented throughout the duration of development operations. The development shall thereafter remain in full compliance with the approved document at all times.

Reason

To ensure an adequate landscaping scheme in accordance with Policy DS5 of the Copeland Local Plan 2021-2039.

22. The approved landscaping scheme (Ref. Amended Landscape Site Plan, by ONE Environments, drawing no ISH-ONE -ZZ- ZZ- D-L-00001-P08) shall be implemented by the end of the first planting season following substantial completion of the development. Any trees or plants that die, are removed, or become seriously damaged or diseased, within a period of 10 years from the completion of the development, shall be replaced in the next planting season with others of similar size and species, unless written approval is given for a variation.

Reason

To ensure an adequate landscaping scheme in accordance with Policy DS5 of the Copeland Local Plan 2021-2039.

Informative Notes

Informative - Environment Agency / Land Contamination

Where a site is affected by contamination responsibility for securing a safe development rests with the developer and/or landowner. Developers should:

- Follow the risk management framework provided in Land Contamination: Risk Management, when dealing with land affected by contamination
- Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed
- Refer to the contaminated land pages on gov.uk for more information

The risk assessment derived from site investigation data shows relatively low concentrations for presence of organic and inorganic contaminants of concern in soils. The leaching tests exhibit concentrations above the target values, but these values are still considered to be low.

Soil and groundwater does not warrant remediation and would not benefit from further quantitative risk assessment given:

- a) the mitigation of impervious capping to reduce leaching impact and
- b) depth and sensitivity of the underlying aquifer.

The low risk implies the land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990. This approach is supported by paragraph 196 of the National Planning Policy Framework.

Informative – Environmental Health

Please note that full protection for radon is required in the build unless site-specific checks were made that informed otherwise, for further information see [UKradon - Introduction](#)

Informative – Biodiversity Net Gain

The effect of paragraph 13 of 7A to the Town and Country Planning act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition ('the biodiversity gain condition ') that development may not begin unless:

- a) A Biodiversity Gain Plan has been submitted to the local planning authority, and
- b) The local planning authority has approved the plan.

The local planning authority, for the purposes of the Biodiversity Gain Plan is Cumberland Council.

Based on the information available this permission is considered to be on which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are

considered to apply. Before commencing development, a Biodiversity Gain Plan needs to be submitted and approved by the local planning authority.

Commencing development which is subject to the biodiversity gain condition without an approved Biodiversity Gain Plan could result in enforcement action for break of planning control.

Informative – Ecology

Ecological Supervision

In order to avoid committing a wildlife offence under the Wildlife and Countryside Act 1981 (as amended), the applicant/ developer must employ an Ecological Clerk of Works (ECoW) for the initial clearance works. The ECoW will ensure the avoidance and protection of breeding birds, small mammals, herptiles (if any) and ensure the works adhere to the procedures set out in the CEMP.

Amphibians

Precautionary working methods (PWMs) are recommended during the construction phase to avoid harm to common amphibians. Measures recommended include;

- timing works to minimise any potential impacts pre- and during construction; site clearance should ideally be undertaken between April and October (or in temperatures above 5°C) when amphibians are active (bearing in mind that a nesting bird check will be required);
- any vegetation clearance is recommended to be undertaken under the supervision of an experienced ecologist (under a ECoW) who will give a detailed Toolbox Talk prior to the start of each working day.
- Immediately prior to site clearance works the ECoW shall conduct a walkover of the site and finger-tip search.
- The methods of vegetation removal include a directional two-stage cut (working towards retained habitats on and beyond the site boundaries to maintain connectivity) where a fingertip search by the ecologist will be conducted prior to both cuts. The first cut should be to a height of approximately 15 cm with the second cut to take down to ground level.
- Any existing soil / brash / log piles acting as potential hibernacula should be removed under supervision of the ecologist.
- Any pipes stored, or installed on-site, should be inspected and covered or capped at night to reduce the risk of animals becoming trapped inside. Precautionary measures should be captured within the site's CEMP.

Breeding Birds

- All habitat clearance is to be undertaken outside of the nesting bird season (generally accepted as March to September inclusive). If this is not possible, a nesting bird check undertaken by a suitably qualified ecologist will be required to take place 24 hours prior to clearance works. Once complete, a 24-hour window will allow for the area to be made unsuitable for nesting in the area checked.
- If these works in the checked area are not completed within 24h, a further inspection may be required. Should an active nest be identified all works within a suitable buffer of the nesting site must cease until the young have fledged / nesting ends. The size of the buffer will depend on the species of bird and will be confirmed by the Ecological Clerk of Works (ECoW).

Invasive Non-Native Species (INNS)

- The ECoW should conduct a pre-commencement walkover to check for the presence of INNS, prior to works commencing.
- In the event an invasive species is identified at any point during the works, findings should be reported to a suitably licenced Ecologist. If present, recommend specialist contractor control / eradication plan, no work buffer zones with fencing, consider controlled waste disposal requirement.

Informative - Coal

The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity at the surface or shallow depth. These hazards can include mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of new development taking place.

It is recommended that information outlining how former mining activities may affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), is submitted alongside any subsequent application for Building Regulations approval (if relevant).

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that

a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at: www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website www.gov.uk/government/organisations/the-coal-authority

Informative - Drainage

SuDS

Where SuDS are proposed as part of the development scheme consideration will need to be given to the implications of this in relation to the stability and public safety risks posed by coal mining legacy. The developer should seek their own advice from a technically competent person to ensure that a proper assessment has been made of the potential interaction between hydrology, the proposed drainage system and ground stability, including the implications this may have for any mine workings which may be present beneath the site.

United Utilities (UU) – Drainage

To discuss the drainage proposals the applicant/ developer should contact UU's Developer Services team by email at SewerAdoptions@uuplc.co.uk Please note, United Utilities is not responsible for advising on rates of discharge to the local watercourse system. This is a matter for discussion with the Lead Local Flood Authority and / or the Environment Agency (if the watercourse is classified as a main river).

Management and maintenance of Sustainable Drainage Systems (SuDS) - without effective management and maintenance SuDS can fail or become ineffective which may have a detrimental impact on the surrounding area, including the performance of the public sewer network (where the two systems interact). Therefore, where SuDS is included in a proposed development, we recommend the Local Authority include a condition relating to SuDS management and maintenance.

When considering their drainage proposal, it is the applicant's/ developer's responsibility to investigate the existence of any infrastructure that might impact their detailed design. This includes water, wastewater, operational and/or abandoned

pipelines. United Utilities will not routinely carry out this assessment when reviewing drainage proposals submitted within a planning application. Where infrastructure exists, the drainage design must comply with the relevant United Utilities guidelines and/or Building Regulations. Further information is available on our website: Working near our pipes - United Utilities. Failure to consider existing infrastructure when designing a drainage proposal may result in the applicant having to redesign proposals at a later date.

United Utilities' Property, Assets And Infrastructure Water Main

A water main ****crosses / is located in the vicinity of**** the site. It must not be built over, or our access to the pipeline compromised in any way. We require an access strip as detailed in our 'Standard Conditions for Works Adjacent to Pipelines', which can be found on our website: Working near our pipes - United Utilities. The applicant must comply with this document to ensure pipelines are adequately protected both during and after the construction period.

Based on the information currently available, it is unclear whether sufficient distance is provided between proposed development features and our water asset(s). We recommend the applicant/developer contacts our Water Developer Services team to ensure existing water assets, along with our required access widths, can be accommodated in the proposed layout.

++It is the applicant's responsibility to investigate the existence of any pipelines that might cross or impact their proposed site and to demonstrate the exact relationship between United Utilities' assets and the proposed development. The applicant should not rely solely on the detail contained within asset maps when considering a proposed layout. It is important that the supporting information contained in the Appendix, Section 2.0 'United Utilities' Property, Assets and Infrastructure', is read in conjunction with this letter. This provides information that might impact a proposed layout and additional guidance that an applicant or developer must consider when United Utilities assets are located in, or in the locality of, the proposed site. Where United Utilities' assets exist, it is essential that the applicant, or any subsequent developer, contacts our Developer Services team prior to commencing any works on site, including trial holes, groundworks or demolition. See Appendix, Section 5.0 'Contacts'.

The UU Appendix referred to in the text (UU Informative) will be attached separately to the decision notice.

Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.