

SCHEDULE A: Applications with Strategic Significance

Application Reference Number:	FUL/2024/0085
Application Type:	Full Planning Permission
Application Address:	West Farm, West Street, Aspatria, CA7 3HH
Proposal:	Erection of a Battery Energy Storage System (BESS), together with associated cable route and infrastructure, site levelling works, site access, landscaping, and ancillary works.
Applicant:	Net Zero Seventeen Limited
Agent:	Jonathan Coombs (Pegasus Group)
Valid Date:	22/04/2024
Case Officer:	Naomi Howard

Cumberland Area and Allerdale Region

Ward:

Aspatria

Parish:

Aspatria CP

Relevant Development Plan

Allerdale Local Plan (Part 1)

Allerdale Local Plan (Part 2)

Reason for Determination by the Planning Committee

This application is of strategic significance and is reported to Planning Committee as the application is for a renewable energy development which covers an area of 1 hectare or more.

Recommendation

It is recommended that the application is approved subject to the conditions in Appendix 1.

1.1 Site and Location

1.1 The application site comprises 7.4 hectares of agricultural land, located 500 metres to the West of Aspatria. The site is located between the A596 to the South and a minor road to the North, with further agricultural fields bounding the site to the West and East. It comprises a single large open agricultural field, bound by mature hedgerows with a small number of trees. The site is gently undulating, with an overall fall from the South-East to North-West of approximately 12 metres. There is an existing low voltage power line that runs

from North-East to South-West through the site. Vehicular access is gained by field gates direct from the A596 to the South and the unclassified lane to the North.

- 1.2 The red-line boundary also includes the cable route, which runs from the proposed location of the Battery Energy Storage System (BESS) in a Western direction along the A596 to another field within the same ownership. Within this field, there is a connection point to an existing pylon which serves the 132kV power lines that run through the main site. This field has an existing vehicular access from the A596 to its South and rises gently to the North.
- 1.3 The closest residential property to the application site is Castlemont located 200 metres to the East. The site, including the battery connection, is otherwise surrounded by agricultural land. The site contains no public rights of way. There are no Listed buildings within the vicinity of the application site, nor is it located within a Conservation Area. The application site is located within Flood Zone 1 and is not subject to any heritage, landscape or ecological designations.

2. Proposal

- 2.1 The application seeks full planning permission for the construction and operation of a Battery Energy Storage System (BESS) with a capacity of up to 50MW, in addition to the construction of the associated cable route and infrastructure including inverters, transformers, switchgear buildings, security infrastructure, access tracks and landscaping. The cable route will run from the proposed BESS facility to the 132kV overhead power line connection to the West. This would be for a temporary period of 40 years.
- 2.2 The proposed development involves a cut and fill strategy to level the topography of the land and to enable the construction of a drainage infiltration basin to the North of the BESS facility. The remaining part of the application site, which does not comprise the battery compound, will be used for landscaping and biodiversity enhancements. The main components of the development are set out below:
 - Up to 56no. containerised battery storage units, arranged in rows;
 - 7no. Twin Skid TX units each of which would be situated between 2no. PCSK Inverter units (total of 14no. PCSK Inverter units);
 - 14no. Battery Interface cabinets;
 - 1no. Auxiliary Transformer unit;
 - 1no. 132kv Substation/HV Switchgear building;
 - 1no. Customer Switchgear Container unit;
 - 2no. Storage containers;
 - 1no. water tank and associated pump;
 - 2no. acoustic fences;

- Fire hydrants;
 - Substation Compound with associated equipment and District Network Operator Control Room structure;
 - Access track from the A596;
 - Compound area to be demarcated by perimeter fence line;
 - Pole mounted CCTV cameras;
 - Landscape planting and introduction of drainage basin.
- 2.3 The current scheme design is based on a lithium-ion based battery technology. Each battery unit is made up of a number of battery racks, which have their own battery management system and interfaces with a centralised control management system. Each battery unit is fitted with thermoregulating air conditioning, as well as fire detection and suppression systems.
- 2.4 The proposed containerised batteries measure 7.8 metres in length by 1.7 metres in width and 2.8 metres in height. Each battery unit will be sited atop a 150 millimetre concrete plinth foundation. The current proposed battery units would have the appearance similar to standard shipping containers and have a height comparable to shipping containers.
- 2.5 A new 132kV substation compound is proposed to the immediate North of the proposed compound area. A separate access will be provided to the substation compound and a dedicated control room structure will be provided. The control room is a single-story brick building measuring 7.9 metres in length by 6.5 metres in width and 3.4 metres in height.
- 2.6 Security fencing is proposed around the perimeter of the BESS compound in order to restrict access. Gates will be installed at the access point to the BESS compound for maintenance access. In addition to fencing, it is proposed that pole mounted infrared CCTV security cameras would be positioned at intervals along the inside face edge of the fencing (facing towards the proposed development).

3. Relevant Planning History

- 3.1 Reference SCR/2024/0001 - Screening Report for Installation of a Battery Storage Facility and Associated Infrastructure.

4. Consultations and Representations

Cumberland Council Historic Environment Officer: The applicant has helpfully commissioned a heritage statement and archaeological geophysical survey of the site. The results indicate that the course of a Roman road is thought to cross the site and cropmarks of a probable prehistoric settlement lies close to the site boundary and may extend within the development area. Furthermore, the

geophysical survey detected a small number of anomalies that may be of possible archaeological interest. It is therefore considered that there is the potential for buried archaeological assets to survive within the site and these would be disturbed by the construction of the proposed development.

Consequently, I recommend that, in the event planning consent is granted, the site is subject to archaeological investigation and recording in advance of development. I advise that this work should be commissioned and undertaken at the expense of the developer and can be secured through the inclusion of a condition in any planning consent. I suggest the following form of words:

No development shall commence within the site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority. This written scheme will include the following components:

- i. An archaeological evaluation;*
- ii. An archaeological recording programme the scope of which will be dependent upon the results of the evaluation;*
- iii. Where significant archaeological remains are revealed by the programme of archaeological work, there shall be carried out within one year of the completion of that programme on site, or within such timescale as otherwise agreed in writing by the LPA: a post-excavation assessment and analysis, preparation of a site archive ready for deposition at a store approved by the LPA, completion of an archive report, and submission of the results for publication in a suitable journal.*

Reason: To afford reasonable opportunity for an examination to be made to determine the existence of any remains of archaeological interest within the site and for the preservation, examination or recording of such remains.

Cumberland Council Public Rights of Way: There is no Public Right of Way that would be affected by any of the planned works. Public Footpaths 205001 and 205012 are close by to the red line boundary but shouldn't be affected by any of the plans stated in the application and is acknowledged in the Design and Access statement. Therefore, we would have no objections to the works planned in this application.

Cumberland Council Environmental Health: We have considered the information within the application and I have the following comments to make. The submitted Noise Assessment demonstrates that the noise levels from the transformers and inverters will be below background noise levels during the day and at night provided that the 5 metre acoustic fence (density 15kg/m²) is installed. Therefore, provided this is undertaken then I have no objections to this application in terms of noise.

Cumberland Council Ecology: The Council ecologist confirms that Biodiversity Net Gain (BNG) is in scope for this development and approves the BNG documents submitted with the application. Please note that if planning permission is granted this is a planning permission only, and the development will be subject to the biodiversity gain condition.

Cumberland Council Local Highway Authority:

13th May 2024

The LHA welcomes the comprehensive Construction Traffic Management Plan. It confirms that the main impact on the public highway is the construction (and subsequent decommissioning) phase(s). The trips during operation would be minimal. Even, then, the HGV trips during the 12 month construction period are forecast to be 2 x 2-way movements per day. This would not cause a material impact on the highway.

The LHA concur with the Plan and favour Route 1. This removes the more awkward pinch points and priority junction onto the A595. The LHA would want that a condition to reflect this or the plan changed to state all traffic must use Route 1 via Maryport.

Visibility splays and a suitable sized and constructed access for the predicted HGV use must be provided on the A596. The LHA has no objection in principle but has some concerns about the suitability of the visibility splay to the east which shows that only 193m can be achieved. Unless speed survey evidence is provided to demonstrate a lower 85th %ile speed, this needs to be 215m for a derestricted (60mph) road.

I note in the mitigation measures that it is an option to use traffic signals to control egress if required. This might be necessary depending on the time of day and weight of traffic but would not be preferred solution as it introduces potentially unnecessary delay for all road users. Instead, we suggest that a speed survey is carried out at the location of the proposed access to ascertain the necessary splay and see if it can be designed in or the access moved to accommodate both splays.

The Plan states that the delivery times can be managed / restricted to outside of peak hours if necessary. The LHA consider this is a sensible and desirable mitigation proposal to minimise impact and risk on the highway and should be included in the CTMP.

We also require a Road Safety Audit on the proposed access once it has been finalised with the correct visibility splays.

The applicant will be required to enter into a S278 Agreement with the Highway Authority to construct the new access. This requirement will be conditioned but there will be a separate S278 process with technical review etc to undertake as well.

The LHA would like the non-compliant visibility splay matter resolved before providing a final recommendation.

7th June 2024

The LHA welcomes the speed survey data. I am now satisfied that the proposed splays (215m to the west and 153m to the east) are suitable for the measured 85th %ile speeds. The principle of the access is therefore satisfactory. Further details of the access and any changes / proposals including road marking and signs will need to be submitted to the LHA for approval as part of the technical review of the S278 or S184 process. This will also include the submission of an RSA to demonstrate the detailed design has no unacceptable residual risks.

The CTMP needs to be updated to include the previous comments. This plan can be submitted for approval at the detailed design / discharge of conditions stage.

The LHA has no objection to the proposal but recommends that the following conditions are included in any permission:

The development shall not commence until visibility splays providing clear visibility of 215 metres to the west, and 153 metres to the east, measured 2.4 metres down the centre of the access road and the nearside channel line of the carriageway edge have been provided at the junction of the access road with the county highway. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be planted or be permitted to grow within the visibility splay which obstruct the visibility splays. The visibility splays shall be constructed before general development of the site commences so that construction traffic is safeguarded.

Reason: In the interests of highway safety.

The development shall not commence until a Stage 2 Road Safety Audit has been undertaken and submitted to the local planning authority.

Reason: In the interests of highway safety

The development shall not commence until a revised Construction Traffic Management Plan has been submitted to and approved in writing by the local planning authority. The CTMP shall include details of:

- **Details of proposed crossings of the highway verge;**
- **Retained areas for vehicle parking, manoeuvring, loading and unloading for their specific purpose during the development;**
- **Cleaning of site entrances and the adjacent public highway;**
- **Details of proposed wheel washing facilities;**
- **The sheeting of all HGVs taking spoil to/from the site to prevent spillage or deposit of any materials on the highway;**
- **Delivery times to be managed / restricted to outside of peak hours (08.00-10.00 and 15.00-18.00) to minimise impact and risk on the highway and its users; Construction vehicle routing which must be via Route 1 via Maryport. This removes the more awkward pinch points and priority junction onto the A595;**
- **Details of any proposed temporary access points (vehicular / pedestrian);**
- **Surface water management details during the construction phase.**

Reason: To ensure the undertaking of the development does not adversely impact upon the fabric or operation of the local highway network and in the interests of highway and pedestrian safety.

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

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

Cumberland Council Lead Local Flood Authority:

13th May 2024

I note that the site is in Flood Zone 1 and I concur that it is at Low or Very Low risk from all sorts of flooding.

I also note from the FRA & Surface Water Drainage Strategy that the site is underlain by sandstone bedrock geology with superficial deposits of loamy clayey till. This subsoil is likely to exhibit poor or very poor infiltration rates according to the SUDS manual. No testing has been carried out at this stage so the worst-case or lower of the range of infiltration rates has been adopted in the drainage design for the infiltration basin.

This is a conservative approach but with such poor infiltration properties any variations in ground conditions could lead to unintended flow routes or surcharging surface water onto highway. I note from historic OS Maps that the site of the basin used to be an old quarry sandstone (I assume) - see below. So without some kind of intrusive ground investigation and infiltration testing at a representative depth of the proposed invert of the basin I am not confident of this approach without further evidence as I am not sure how the quarry activity and subsequent restoration will affect infiltration.

13th August 2024

Cumberland Council as the Lead Local Flood Authority (LLFA) has reviewed the Geotechnical Soakaway Test Report and I am satisfied that the infiltration coefficient of the made ground is favourable for a soakaway strategy. Additionally, I note that the quarry was a sandstone quarry and that underlying ground is also likely to be suitable, evidenced by Trial Pit TP03A which shows the underlying ground is 'silty gravelly SAND with occasional cobbles of sandstone' down to a depth of 2.6m. This is considered to be suitable ground for a soakaway. I have no objections to the surface water strategy to adopt a soakaway proposal.

However, at the detailed design stage there will need to be further testing and review of the groundwater monitoring to develop a bespoke surface water drainage design to reflect the ground conditions and water table etc. I suggest the following condition is included in any consent:

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

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

The drainage scheme submitted for approval shall also be in accordance with the principles set out in the Flood Risk Assessment & Surface Water Drainage Statement dated 20/03/24 proposing surface water discharging to ground via soakaways. The Surface Water Scheme submission must also include a Maintenance Schedule (identifying the responsible parties). The works shall be constructed, maintained and managed in accordance with the approved details.

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

Environment Agency: This development does not hit any of our statutory consultation triggers so, on this occasion, we will not be providing our bespoke comments.

Cumbria Wildlife Trust: No comments.

Cumbria Fire Service: Following examination of plans in connection with the above application, I have to inform you that the Fire Authority has no objections to this application. However, it should be noted that access for firefighting and water supplies must comply with Approved Document B Requirement B5: Access and Facilities for the fire service.

Cumbria Police: This application complies with Policies S4 and DM14 of the Allerdale Local Plan (Part 1). It is apparent from the published documents that crime prevention measures have been incorporated into this development and therefore shows compliance with the local plan. However, I would make these recommendations to enhance the measures already described to reduce the opportunities for crime.

Drawing SD-09 shows a metal palisade fence at 2.4m and matching gates. Some types of palisade fencing can be easily breached without the use of cutting tools, I therefore recommend the chosen fence product should be certified to LPS1175 standard or a more secure type of fence such welded mesh or extruded metal and certified to LPS1175 standard. Gates should be secured with security rated locking devices e.g., padlock certified to a LPS1659 or Europrofile cylinder certified to Sold Secure SS312.

It is noted that the lighting scheme is motion sensor lighting therefore it may be falsely triggered by wildlife. Drawing number SD-10 advises of the CCTV scheme, there is no information as to how reports of activations will be responded to. If police attendance is required the CCTV equipment and appointed Alarm Receiving Centre must be compliant with National Police Chiefs Council Security Systems Policy.

Historic England: Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application.

Natural England: No objection. Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

National Highways: We have checked through this application and due to its proximity from the Strategic Road Network, we therefore offer no comments.

4.1 This application has been advertised by display of site notice, press notice and by means of notification letters sent to over 40 neighbouring properties. During the consultation period, 3 letters of objection were received. The objection letters raised the following material considerations:

- Impact on archaeological features;
- Loss of agricultural land;
- Location of the proposed site versus wider strategic planning concerns;
- Location of chosen site versus emergency response capacity;
- Protecting groundwater from chemical leakage;
- Protection of residential amenity from noise pollution and noxious odours.

5. Planning Policy

Development Plan

- 5.1 On the 1st of April 2023, Allerdale Borough Council ceased to exist and was replaced by Cumberland Council as part of the Local Government Reorganisation of Cumbria.
- 5.2 Cumberland Council inherited the local development plan documents of each sovereign Councils including Allerdale Borough Council, which combine to form a Consolidated Planning Policy Framework for Cumberland.
- 5.3 The inherited local development plan documents continue to apply to the geographic area of the sovereign Councils only.

Allerdale Local Plan (Part 1) Adopted July 2014 (ALPP1)

Strategic Policies

Policy S1 Presumption in Favour of Sustainable Development

Policy S2 Sustainable Development Principles

Policy S3 Spatial Strategy and Growth

Policy S4 Design Principles

Policy S5 Development Principles

Policy S19 Renewable Energy and Low Carbon Technologies

Policy S22 Transport Principles

Policy S29 Flood Risk and Surface Water Drainage

Policy S32 Safeguarding Amenity

Policy S33 Landscape

Policy S35 Protecting and Enhancing Biodiversity and Geodiversity

Policy S37 Shoreline Management and Coastal Development

Development Management Policies

Policy DM14 Standards of Good Design

6. Other Material Planning Considerations

National Planning Policy Framework (NPPF) (2023);

National Policy Statement for Energy (EN-1 July 2011);

National Policy Statement for Renewable Energy Infrastructure (EN-3 July 2011) as updated by the Department for Energy Security & Net Zero's "Overarching National Policy Statement for Energy" (EN-1) (March 2023);

Cumbria Landscape Character Guidance and Toolkit (March 2011).

7. Assessment

Principle of Development

- 7.1 In 2005, the UK together with 37 other countries signed the Kyoto Protocol, an international agreement that aimed to reduce carbon dioxide emissions and the presence of greenhouse gases in the atmosphere. Subsequently, leading on from the global agreement and climate pact established at COP26, during the 27th United Nations Climate Change Conference in November 2022, governments were requested to revisit and strengthen 2030 targets for mitigating climate change in their national climate plans by the end of 2023, to limit global warming to 1.5 degrees.
- 7.2 Nationally, The Climate Change Act (2008) set legally binding carbon budgets for the UK to reduce UK carbon dioxide emissions by 34% by 2020 and, in line with European guidelines, at least 80% by 2050. These figures were revised on 12th June 2019 when the Government laid the draft Climate Change Act 2008 (2050 Target Amendment) Order 2019 by introducing a target for at least a 100% reduction of greenhouse gas emissions (compared to 1990 levels) in the UK by 2050. The draft order would amend the 2050 greenhouse gas emissions reduction target in the Climate Change Act from at least 80% to at least 100%, thereby, constituting a legally binding commitment to end the UK's contribution to climate change. This revision reinforces the objectives of both the National Policy Statement for Energy (EN-1 July 2011) and National Policy Statement for Renewable Energy Infrastructure (EN-3

July 2011) which set out how the energy sector can deliver the Government's climate change objectives for low carbon energy infrastructure and the importance of renewable energy in achieving the Government's ambitious targets for renewable energy generation.

- 7.3 More recently, The Electricity System Operator (ESO) are driving the changes needed to achieve the 2035 and 2050 targets. Future Energy Scenarios outline four different pathways for the future of the whole energy system to reach carbon zero by 2050. Recognising when and where electricity storage is needed, so that it can be used during later and peak periods, is vital to accommodate higher renewable penetration in power systems and ensure security of electricity supply.
- 7.4 The Energy White Paper (2020) sets out the UK Government's commitment to deliver net zero by 2050. The Energy White Paper stipulates the importance of renewable energy schemes in reaching net zero by 2050 and in ending coal in the electricity mix by 2025. Specifically, in respect of the application before Committee Members, The Energy White Paper recognises the importance of energy storage systems in achieving the goals of becoming carbon neutral. The Paper states that "flexibility will come from new cleaner sources, such as energy storage in batteries... by 2050, we expect low carbon options, such as clean hydrogen and long duration storage, to satisfy the need for peaking capacity and ensure security of supply at low cost".
- 7.5 Paragraph 157 of the NPPF states that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources and support renewable and low carbon energy and associated infrastructure.
- 7.6 Paragraph 163 supports this and explains that when determining planning applications for renewable and low carbon development, local planning authorities should not require applicants to demonstrate the overall need for renewable or low carbon energy and recognise that even small-scale projects provide a valuable contribution to significant cutting greenhouse gas emissions and approve the application if its impacts are (or can be made) acceptable.
- 7.7 The National Planning Practice Guidance (PPG) recognises that "increasing the amount of energy from renewable and low carbon technologies will help to make sure the UK has a secure energy supply, reduce greenhouse gas emissions to slow down climate change and stimulate investment in new jobs and businesses. Planning has an important role in the delivery of new renewable and low carbon energy infrastructure in locations where the local

environmental impact is acceptable". In respect of electricity storage, the PPG goes on to highlight that "electricity storage can enable us to use energy more flexibly and de-carbonise our energy system cost-effectively – for example, by helping to balance the system at lower cost, maximising the usable output from intermittent low carbon generation and deferring or avoiding the need for costly network upgrades and new generation capacity".

- 7.8 Policy S1 'Presumption in Favour of Sustainable Development' from the Allerdale Local Plan (Part 1) states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF). It will work proactively with applicants jointly to find solutions which secure development that improves the economic, social and environmental conditions in the area.
- 7.9 Policy S3 'Spatial Strategy and Growth' states that new development will be located in accordance with the spatial strategy and will be concentrated within the towns and villages identified in the settlement hierarchy. The scale of development proposed will be expected to be commensurate to the size of the settlement and reflect its position in the settlement hierarchy.
- 7.10 This is supported by Policy SA2 'Settlement Boundaries' from the Allerdale Local Plan (Part 2) which explains that there is a presumption in favour of sustainable development within the settlement boundaries as defined on the Policies Map. Proposals outside the settlement boundaries will be supported where it can be demonstrated that it complies with Policy S3 and other policies in the Local Plan.
- 7.11 Policy S3 explains that any developments located outside of the settlement boundaries will be required to demonstrate that they meet one of the following exceptions:
- a) housing essential for rural workers in the operation of a rural based enterprise;
 - b) housing following the rural exceptions policy;
 - c) an appropriate diversification of an existing agricultural or land-based activity;
 - d) the optimal viable use of a heritage asset or appropriate enabling development secure the future of heritage assets;
 - e) a recreation or tourism proposal requiring a countryside location;
 - f) facilities essential to social and community needs;
 - g) the replacement of an existing dwelling;
 - h) a suitably scaled extension to an existing building;
 - i) the conversion or reuse of a suitable existing building;

- j) other development requiring a countryside location for technical or operational reasons.

- 7.10 Policy S19 Renewable Energy and Low Carbon Technologies from the Allerdale Local Plan (Part 1) states that the Council will seek to promote and encourage the development of renewable and low carbon energy resources given the significant wider environmental, community and economic benefits. Proposals where impacts (either in isolation or cumulatively) are, or can be, made acceptable will be permitted.
- 7.11 The application seeks full planning permission for the construction of a BESS to provide energy storage. The submitted Planning, Design and Access Statement explains that the chosen location for the BESS is due to the grid connection requirements (i.e., the existing pylons and power lines). Whilst the application site is located outside of the designated settlement boundary for Aspatria, Officer's consider that the principle of development is established under criteria j 'other development requiring a countryside location for technical or operational reasons' of Policy S3.
- 7.12 Furthermore, there is as clear international and national drive to move the country from a fossil fuel-based energy network to a net zero renewable energy network, and battery energy storage systems will play an important part in reducing carbon emissions, providing energy security, and ensuring energy affordability by mitigating the frequency volatility created by a renewable energy network. Without these mitigating systems, the energy network that the country is moving towards would be subject to energy fluctuations. In overall terms, the proposed development would contribute towards sustainable development, and it is a type of development that is both nationally supported through EN-1, the NPPF and PPG and locally through the Allerdale Local Plan (Part 1) and (Part 2). The benefits towards a net-zero carbon future must be given substantial weight, as must its contribution towards sustainable development due to it meeting the environmental role of sustainable development.

Residential Amenity

- 7.13 Paragraph 185 of the NPPF states that planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:
- a) mitigate and reduce to a minimum potential adverse impact resulting from noise from new development - and avoid noise giving rise to significant adverse impacts on health and the quality of life;

- b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.
- 7.14 Policy S32 'Safeguarding Amenity' of the Allerdale Local Plan (Part 1) seeks to ensure that new developments do not harm the safety or amenity of existing and future residents or the natural environment. New developments will be resisted where they have the potential to incur statutory nuisances or poor standards of residential amenity by virtue of impacts such as air pollution, noise, odour, dust, vibration, light or other pollution.
- 7.15 The nearest residential occupiers to the proposed development are Castlemont, Leesgill and West Garth, which are located over 200 metres to the east. Following this, Hall Bank Farm is located over 400 metres to the south-west. Given the significant separation distances, Officers do not consider that the proposed development will cause material harm to these occupiers as a result of overbearing development, loss of visual amenity or loss of light. An extensive landscaping scheme accompanies the proposed development which will contribute to screening views from these dwellings.
- 7.16 The application is supported by a Noise Assessment which found that the proposed development will result in sound levels that do not exceed the measured background sound level in the area during the day and night. As such, it is considered to result in a 'Low Impact'.
- 7.17 The Noise Assessment also demonstrates that the sound levels will be within the range of 'No Observed Adverse Effect Level' from the National Planning Practice Guidance. 'No Observed Adverse Effect Level' means that noise can be heard, but does not cause any change in behaviour, attitude or other physiological response. These sound levels can slightly affect the acoustic character of the area but not such that there is a change in the quality of life.
- 7.18 The Noise Assessment recommends the erection of a 5-metre high fence surrounding parts of the compound that face towards the nearest sensitive receptors (Castlemont, Leesgill and West Garth). The recommendation advises that the fence should be installed along the eastern boundary of each plant compound area. The fence should be solid, continuous, sealed at all interfaces and have a surface density in the order of 15 kg/m².
- 7.19 Environmental Health have been consulted on the application and have confirmed no objections subject to the installation of the 5-metre high fence prior to the operation of the BESS. This can be secured by an appropriate planning condition and Officers consider the proposed development to be acceptable under the provisions of the NPPF and Policy S32.

Highways

- 7.20 The vehicular access to the application site is proposed from the A596 via an existing field gate which will be upgraded. The access will be 6 metres wide with a 9 metre junction radius on the western side and a 6 metre radius on the eastern side with a 12.8 metre long taper to accommodate the largest construction vehicles entering and exiting the site.
- 7.21 All construction vehicles will arrive at the site by exiting the A66 at the Fitz Roundabout onto the A595, travelling north-east along the A595 before turning northwest on the A594 at the Bell Vue Roundabout to the signal-controlled junction at Maryport before entering the A596. A temporary construction compound will be set up during construction. Any vehicles associated with construction will therefore be contained within the site and no unnecessary parking will occur on the local highway network. Once operational, the proposed development will result in 2 maintenance visits per month by either 4x4 or a small van.
- 7.22 The Local Highway Authority have been consulted on the application and have confirmed no objections subject to the imposition of conditions and an informative. The recommended conditions require the visibility splay to be completed prior to the development commencing; a road safety audit to be undertaken prior to development commencing; the submission of a revised Construction Traffic Management Plan prior to development commencing and the provision of access, parking, unloading and turning areas prior to building work. The informative requires the developer to gain the appropriate permits under highway legislation.

Drainage and Flood Risk

- 7.23 The application site is in Flood Zone 1 and is at 'low' or 'very low' risk from all sources of flooding. The application is supported by a BRE365 Infiltration Testing Report which has been reviewed by the Lead Local Flood Authority.
- 7.24 The LLFA have confirmed that the submitted report provides sufficient evidence that the ground conditions are suitable for soakaway with regards to the surface water drainage. The LLFA have no objections to the proposed development subject to the imposition of a pre-commencement condition requiring full details of the proposed surface water drainage scheme.

Landscape Character

- 7.25 Policy S19 'Renewable Energy and Low Carbon Technologies' from the Allerdale Local Plan (Part 1) states that the Council will take a positive view where proposals do not have a significant adverse impact on the location, in

relation to visual impact and impact on the character and sensitivity of the surrounding landscape.

- 7.26 Policy S33 'Landscape' from the Allerdale Local Plan (Part 1) states that the landscape character and local distinctiveness of the Plan Area shall be protected, conserved and, wherever possible, enhanced. The Cumbria Landscape Character Assessment Toolkit will be used to inform the detailed assessment of individual proposals. Proposals for development should be compatible with the distinctive characteristics and features of Cumbria's landscape types and sub-types.
- 7.27 The application site is located within the landscape type 5 'Lowland' and the sub-type 5a 'Ridge and Valley'. The Cumbria Landscape Character Assessment Toolkit explains that the sub-type 5a runs in an unbroken band from Carlisle to Workington alongside the limestone fringe landscape. Its key characteristics include a series of ridges and valleys that rises gently toward the limestone fringes of the Lakeland Fells. Hedge bound pasture fields dominate, interspersed with native woodland, scattered farms and linear villages along ridges. Large scale structures are generally scarce and the ridge tops and valley rims are sensitive to large scale ridge line development where a significant contrast could arise between the small-scale settlements and large-scale features. Open and uninterrupted views from ridge tops to the Solway Firth and Lakeland Fells are also sensitive to large scale infrastructure development.
- 7.28 The application is supported by a Landscape and Visual Impact Assessment (LVIA) which includes a 3-kilometre study area centred on the proposed development site. The appraisal also includes a number of viewpoints to assess the visibility of the proposal from different directions, distances and receptor types, and provide an understanding of the baseline conditions and context of them.
- 7.29 The LVIA advises that the proposed development will introduce a new built form and man-made features onto the western part of the application site. The proposed substation, which includes the tallest components of the development (e.g., the 10 metre floodlight column and the 6.8 metre transformer in the customers compound), will be sited in the southern part of the BESS and set back from the open north-western boundaries of the site. Retained hedgerow and trees on the site's boundaries, which will be enhanced and managed, will provide an enclosure for the proposed development and would be supplemented with new hedgerow, tree, and woodland planting which would be provided increased filtering and screening of the proposed development overtime.

- 7.30 The LVIA concludes that the proposed development would result in a minor alteration to the physical and perceptual attributes of landscape sub-type 5a 'Ridge and Valley'. During construction and at Year 1, the proposed development would give rise to a low magnitude of change and a minor adverse level of effect on the landscape sub-type. At Year 15, the proposed development including proposed infill hedgerow and tree planting would be established in the view and the magnitude of change would reduce to very low. The level of effect would be no greater than minor adverse on overall.
- 7.31 With regards to the impact of the proposed development on nearby resident's visual amenity, existing mature garden boundary hedgerows and trees, along with the enhanced screening on the eastern boundary of the proposed development, will filter and provide low-level screening from views from Castlemont. Due to distance, the scale of the proposed development, and the presence of existing development including residential development at Prospect, 132kV overhead lines, wind turbines, and Aspatria solar farm in the view from Viewpoint 8, the proposed development would result in a very low magnitude of change on views. Whilst there would be a new identifiable component from property views, this would be viewed in the context of the 132kV overhead lines and wind turbines at Westnewton wind farm. As such, it is not considered that the proposed development would result in adverse visual effects as a result of being overbearing or oppressive.
- 7.32 In conclusion, it is considered that the addition of the BESS, within a landscape that has been influenced by substantial man-made structures, would not have a significant adverse impact upon the landscape character. The proposed development is therefore acceptable under the provisions of Policy S19 and S33.

Ecology

- 7.33 Policy S35 'Protecting and Enhancing Biodiversity and Geodiversity' of the Allerdale Local Plan (Part 1) states that conditions for biodiversity will be maintained and improved and important geodiversity assets will be protected. Nationally and internationally protected sites and species will be afforded the highest level of protection.
- 7.34 The submitted Ecological Impact Assessment advises that the application site provides a suitable habitat for a number of protected species including badgers, bats, water voles, dormice, reptiles, birds and invertebrates. Therefore, a number of mitigation measures have been proposed to address any adverse impacts on the protected species. This includes biodiversity protection zones during construction; in-fill planting of boundary hedgerow and new planting (including hedgerow, trees and woodland), and the creation of grassland surrounding the development footprint.

- 7.35 It is also recommended that a Construction Environmental Management Plan (CEMP) is implemented prior to commencement which will include best practice mitigation measures for the control of incidental noise, lighting, air and water pollution through the construction process. This will be secured by an appropriate planning condition.
- 7.36 The Environment Act (2021) requires all development schemes in England to deliver a mandatory 10% biodiversity net gain to be maintained for a period of at least 30 years after the development has been completed. Biodiversity Net Gain (BNG) occurs in development when the scheme leaves the natural environment in a better state than it was prior to the implementation of the development. To achieve BNG, developers are required to ensure that wildlife habitats are created or enhanced resulting in a demonstrable increase in habitat value to the baseline (how the site was prior to development) quantitatively.
- 7.37 The application is accompanied by a Biodiversity Net Gain Assessment Report. This demonstrates that through habitat creation and enhancement, a 28.84% net gain in habitat units and 56.49% in hedgerow units can be achieved (as quantified through the Statutory Defra Biodiversity Metric). This will be secured by a planning condition requiring the submission of a Biodiversity Net Gain Plan to ensure the delivery of the target habitats and conditions.
- 7.38 Cumberland Council Ecology, Natural England, Cumbria Wildlife Trust and Butterfly Conservation Cumbria have all been consulted on the application and raised no objections. Therefore, subject to compliance with the mitigation measures contained within the Ecological Impact Assessment, the submission of a CEMP prior to commencement of development, and the implementation of the landscaping scheme, the development would accord with the provisions of Policy S35 and achieve the statutory 10% biodiversity net gain. Accordingly, should Members resolve to approve the application, conditions are recommended that would ensure that the development is undertaken in strict accordance with the recommendations as detailed in the Ecological Impact Assessment.

Other Matters

- 7.39 The PPG states that when planning applications for the development of battery energy storage systems of 1 MWh or over are submitted to a Local Planning Authority, they are encouraged to consult with their local fire and rescue service as part of the formal period of public consultation prior to deciding the planning application. This is to ensure that the fire and rescue service are given the opportunity to provide their views on the application to identify the potential mitigations which could be put in place in the event of an

incident, and so these views can be taken into account when determining the application. Local Planning Authorities are also encouraged to consider guidance produced by the National Fire Chiefs Council when determining the application.

- 7.40 The National Fire Chiefs Council document 'Grid Scale Battery Energy Storage System Planning - Guidance for FRS' encourages engagement in the planning process. It then provides advice and guidance in respect of system design and construction; testing; design; detection and monitoring; suppression systems; deflagration prevention and venting; site access; access between BESS units and units spacing; distance from BESS units to occupied buildings and site boundaries; site conditions; water supplies; signage; emergency plans; environmental impacts, and recovery.
- 7.41 The application is supported by an Outline Battery Safety Management Plan and a Fire Strategy Plan which identifies the relevant safety and regulatory standards applicable to the development as well as the site-specific measures proposed. The OBSMP sets out that a Detailed Battery Safety Management Plan is to be approved before the site is operated, and can be secured by a planning condition. The Detailed Battery Safety Management Plan will be agreed with Cumbria Fire and Rescue Service, as part of the discharge of condition process.
- 7.42 The OBSMP sets out that an Emergency Response Plan will be provided prior to operation to set out protocols for addressing emergencies at the site. This will be submitted for approval as part of the Detailed Battery Safety Management Plan. However, in broad terms this will include appropriate monitoring and notification systems, multiple points of access to the BESS facility for fire crews, on-site water storage and discharge storage in keeping with the aforementioned National Fire Chiefs Council guidance. Residents will be kept informed of a fire in accordance with the Emergency Response Plan as agreed with Cumbria Fire and Rescue Service.
- 7.43 The type of battery to be specified has not defined at this time as the scheme has not yet reached detailed specification stage. Once at this stage the precise battery model would be determined. Nonetheless, this would be a form of lithium-ion battery and, regardless of the specification, this would be required to meet the relevant safety standards as set out in the OBSMP. The exact battery type will be confirmed within a Detailed Battery Safety Management Plan, which will be secured by planning condition.
- 7.44 Cumbria Fire and Rescue Services has been consulted on the application and have raised no objections subject to the imposition of an informative which recommends the inclusion of a sprinkler system within the design of the premises.

- 7.45 Representations have raised concerns that the proposed development will result in the loss of agricultural land. Paragraph 180 of the NPPF states that planning decisions should contribute to and enhance the natural environment by recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land.
- 7.46 The proposed development would result in the loss of 2.4ha of grade 3 agricultural land (grading system 1 to 5, with 1 being best) for a temporary period of 40 years. As set out above, the Government have made clear the necessity for providing additional renewable energy infrastructure and that this should be afforded significant weight. Officers, therefore, consider the loss of agricultural land to be limited and outweighed by the benefits of the renewable energy scheme.

8. Planning Balance and Conclusion

- 8.1 National and local planning policy supports the development of renewable energy resources where impacts are or can be made acceptable and the government has recognised the need to not only harness the energy from renewable sources but also to ensure that the power can maintain a secure network of power supply through flexible energy storage. The proposed development would contribute towards sustainable development, and it is a type of development that is nationally supported through EN-1, the NPPF and PPG. The benefits towards a net-zero carbon future must be given substantial weight, as must its contribution towards sustainable development due to it meeting the environmental role of sustainable development. The principle of development is therefore acceptable.
- 8.2 Taking into account the scale and technical specifications of the proposed development, and the existing man-made structures in the vicinity, Officers do not consider that the proposed development would have a significant impact on the landscape, the residential amenity of the occupiers of neighbouring properties in terms of visual amenity and noise, highway safety, drainage, flood risk or ecology. We, therefore, consider that the proposed development is acceptable under the provisions of the Allerdale Local Plan (Part 1) and (Part 2). For the reasons set out above, having regard to all the matters raised, it is therefore recommended that planning permission is granted subject to conditions.

Recommendation

It is recommended that the application is approved subject to the conditions in Appendix 1.

Appendix 1

List of Conditions and Reasons

1

The development shall be begun not later than the expiration of 5 years beginning with the date of the grant of this permission.

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of 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:

Dwg FST012-SD-11 rev01 - Access Track
Dwg FST012-SD-14 rev02 - 240000L Water Tank
Dwg FST012-SD-09 rev01 - 2.4 Palisade Fence and Security Gate
Dwg FST012-SD-08 rev01 - Battery Unit
Ecological Impact Assessment
Dwg FST012-SD-07 rev01 - PCSK Inverter
Dwg FST012-SD-10 rev01 - CCTV Camera and Pole
Biodiversity Net Gain Report
Dwg FST012-EL-01 rev02 - Contextual Elevations Sheet 1 of 2
Dwg FST012-SD-17 rev01 - 5m Acoustic Fence
FRA and Surface Water Drainage Strategy
Dwg FST012-SD-04 rev01 - Battery Interface Cabinet
Dwg FST012-SD-01 rev02 - 132kV Substation (plan)
Dwg FST012-SD-15 rev01 - 20ft Spares Container
Noise Assessment
Dwg FST012-SD-03 rev01 - 40Ft Spares Container
Dwg FST012-SD-05 rev01 - Aux Transformer
Dwg FST012-SD-06 rev01 - Twin Skid (TX)
Dwg FST012-CA-01 rev05 - Cut Fill Analysis
Dwg FST012-EL-02 rev02 - Contextual Elevations Sheet 2 of 2
Dwg FST012-FS-01 rev01- Fire Strategy Plan
Dwg FST012-PL-01 rev05 - Proposed Site Layout
Dwg FST012-SD-02 rev02 - 132kV Substation (section)
Dwg FST012-SD-12 rev02 -DNO Control Room
Dwg FST012-SD-13 rev01 - Customer Switchgear
Dwg FST012-SD-16 rev01 - 40ft Welfare Container
Dwg No P23-2522_EN_06 Rev C Landscape Masterplan
Dwg No P23-2522 Figure 3.1 Rev A Proposed Site Access Arrangements
Amended Plan Dwg No FST012-SP-01 Rev 04 - Site Location Plan Received 25th June 2024

Amended Plan Dwg No FST012 PL-01 Rev 07 - Proposed Site Layout Plan
Received 25th June 2024

Reason: To define the permission.

Prior to Commencement Conditions

3

No development shall commence until a Biodiversity Management and Monitoring Plan to ensure that there is a minimum 10% net gain in biodiversity within a 30 year period as a result of the development has been submitted to and agreed in writing by the Local Planning Authority. The Biodiversity Management and Monitoring Plan shall include 30 year objectives, management responsibilities, maintenance schedules and a methodology to ensure the submission of monitoring reports.

Monitoring reports will be submitted to the Council during years 2, 5, 7, 10, 20 and 30 from commencement of development unless otherwise stated in the Biodiversity Management and Monitoring Plan, demonstrating how the BNG is progressing towards achieving its objectives, evidence of arrangements and any rectifying measures needed.

Reason: In the interests of ensuring measurable net gains to biodiversity and in accordance with Policy S35 of the Allerdale Local Plan (Part 1) (2014), the National Planning Policy Framework and The Environment Act 2021.

4

No development shall commence until a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority. No surface water shall discharge to the public sewerage system either directly or indirectly.

The drainage scheme submitted for approval shall also be in accordance with the principles set out in the Flood Risk Assessment & Surface Water Drainage Statement 20 March 2024 which proposes surface water discharging to ground via soakaways.

The surface water drainage scheme must also include a Maintenance Schedule (identifying the responsible parties). The works shall be constructed, maintained and managed in accordance with the approved details.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution

5

No development shall commence until a Stage 2 Road Safety Audit has been undertaken and submitted to the Local Planning Authority.

Reason: In the interests of highway safety.

6

No development shall commence until a revised Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority. The CTMP shall include details of:

- Details of proposed crossings of the highway verge;
- Retained areas for vehicle parking, manoeuvring, loading and unloading for their specific purpose during the development;
- Cleaning of site entrances and the adjacent public highway;
- Details of proposed wheel washing facilities;
- The sheeting of all HGVs taking spoil to/from the site to prevent spillage or deposit of any materials on the highway;
- Delivery times to be managed / restricted to outside of peak hours (08.00-10.00 and 15.00-18.00) to minimise impact and risk on the highway and its users;
- Construction vehicle routing which must be via Route 1 via Maryport. This removes the more awkward pinch points and priority junction onto the A595;
- Details of any proposed temporary access points (vehicular / pedestrian);
- Surface water management details during the construction phase.

Reason: To ensure the undertaking of the development does not adversely impact upon the fabric or operation of the local highway network and in the interests of highway and pedestrian safety.

7

No development shall commence until visibility splays providing clear visibility of 215 metres to the west, and 153 metres to the east, measured 2.4 metres down the centre of the access road and the nearside channel line of the carriageway edge have been provided at the junction of the access road with the county highway. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be planted or be permitted to grow within the visibility splay which obstruct the visibility splays. The visibility splays shall be constructed before general development of the site commences so that construction traffic is safeguarded.

Reason: In the interests of highway safety.

8

No development shall commence within the site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority. This written scheme will include the following components:

- i. An archaeological evaluation;
- ii. An archaeological recording programme the scope of which will be dependent upon the results of the evaluation;
- iii. Where significant archaeological remains are revealed by the programme of archaeological work, there shall be carried out within one year of the completion of that programme on site, or within such timescale as otherwise agreed in writing by the LPA: a post-excavation assessment and analysis, preparation of a site archive ready for deposition at a store approved by the LPA, completion of an archive report, and submission of the results for publication in a suitable journal.

Reasons: To afford reasonable opportunity for an examination to be made to determine the existence of any remains of archaeological interest within the site and for the preservation, examination or recording of such remains.

9

No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall set out site specific measures to control and monitor impact arising in relation to construction traffic, noise and vibration, dust and air pollutants, land contamination, ecology and ground water.

Reason: To afford protection of protected habitats and species during the construction phase of the development in accordance with Policy S35 of the Allerdale Local Plan (Part 1).

Prior to Operation Conditions

10

Prior to the development hereby approved being brought into use, the 5-metre high acoustic fences shall be installed in accordance with Figure 4 of the In Acoustic Noise Assessment dated 25th March 2024. The acoustic fences should be solid, continuous, sealed at all interfaces and have a surface density of 15 kg/m.

Thereafter the acoustic fence shall remain in place in accordance with the approved details and shall be regularly inspected and maintained or repaired as necessary to provide the noise mitigation measures detailed in the approved report.

Reason: To prevent unreasonable noise and disturbance to nearby neighbouring occupants in the interests of protecting residential amenity.

11

Prior to the development hereby approved being brought into use, a detailed Battery Safety Management Plan (BSMP) shall be submitted to, and approved in writing by, the Local Planning Authority. The BSMP shall include safety measures, risk mitigation and emergency response. It shall cover the construction, operational and decommissioning phases of the development. Thereafter the batteries shall be

installed and maintained for the duration of the permission in accordance with the approved BSMP.

Reason: In the interests of safeguarding nearby residents.

Other Conditions

12

The development hereby permitted shall be constructed in strict accordance with the enhancement and mitigation measures contained within the Ecological Impact Assessment undertaken by Clarkson & Woods Ecological Consultants dated April 2024.

Reason: To afford protection of protected habitats and species during the construction phase of the development in accordance with Policy S35 of the Allerdale Local Plan (Part 1).

13

The combined noise emissions from the development shall not exceed the levels set out in the Noise Assessment. If this requirement is exceeded, the applicant shall, within 28 days, propose a scheme of noise mitigation to the Local Planning Authority, to utilise any appropriate on-site measures as is necessary, to ensure that sound levels from the site are reduced to an acceptable level. This scheme shall specify the time scales for implementation.

Reason: To ensure that the proposal would not have an adverse impact on the living conditions of the occupiers of neighbouring properties, in accordance with Policy S32 of the Allerdale Local Plan (Part 1).

14

Notwithstanding the submitted details, construction and de-commissioning works shall not take place outside the hours of 0730 hours to 1800 hours Monday to Friday inclusive and 0730 hours to 1300 hours on Saturdays. No construction or de-commissioning works shall take place on a Sundays or Public Holidays. Exceptions for work outside these hours may be carried out only with the prior written approval of the local planning authority. Emergency works may be carried out at any time provided that the operator retrospectively notifies the local planning authority in writing of the emergency and works undertaken within 24 hours following the event.

Reason: In the interests of amenity to restrict noise impact and the protection of the local environment in accordance with Policies S32 and S35 of the Allerdale Local Plan (Part 1).

15

The landscaping scheme shall be undertaken in strict accordance with the Landscape Masterplan (P23-2522_EN_06 Rev C) and shall be undertaken in the first planting season following the completion of the construction works for the Battery Energy Storage System. Any trees or plants which within a period of 5 years

from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that a satisfactory landscaping scheme is implemented and maintained, in accordance with Biodiversity Net Gain and Policy S35 of the Allerdale Local Plan (Part 1).

16

The development hereby permitted shall be for a maximum temporary period of 40 years from the date when the development is brought into use. 6 months prior to the decommissioning of the site, details shall be submitted to, and agreed in writing by, the Local Planning Authority of a timescale of the decommissioning works and final landscaping details. The decommissioning works shall thereafter be carried out in accordance with the approved details.

Reason: To determine the scope of this permission and in the interests of visual amenity in accordance with Policy S32 of the Allerdale Local Plan (Part 1).

List of Informatives/Advisory Notes

1

The development hereby permitted has a maximum temporary permission of 40 years from the date when the development is brought into use.

2

The Local Highway Authority advises that:

The applicant will be required to enter into a S278 Agreement / or apply for a S184 permit with the Highway Authority to construct the new access. Any works within or near the Highway must be authorised by the Council and no works shall be permitted or carried out on any part of the Highway including Verges, until you are in receipt of an appropriate permit from the LHA Street Works team.

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

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

3

Cumbria Fire and Rescue Service advise that:

Cumbria Fire and Rescue Service is committed to reducing the impact of fire on people, property and the environment. For this reason, it is recommended that the applicant should give consideration to the inclusion of a sprinkler system within the design of the premises. There is clear evidence that sprinklers and other forms of automatic fire suppression systems can be effective in the rapid suppression of fires and therefore play an important role in achieving a range of benefits for both individuals and the community in general. This is because sprinklers can significantly help to:

- Improve the time available to escape from a fire;
- Reduce death and injury from fire;
- Reduce the risks to fire fighters who we ask to fight the fires;
- Protect property;
- Reduce the effects of arson;
- Reduce the environmental impact of fire

These benefits may far outweigh the installation costs of new sprinkler systems. For more information on sprinklers, visit the British Automatic Fire Sprinkler Association at www.bafsa.org.uk.

Cumbria Police advise that:

It is apparent from the published documents that crime prevention measures have been incorporated into this development. However, I would make these recommendations to enhance the measures already described to reduce the opportunities for crime:

Drawing SD-09 shows a metal palisade fence at 2.4m and matching gates. Some types of palisade fencing can be easily breached without the use of cutting tools, I therefore recommend the chosen fence product should be certified to LPS1175 standard or a more secure type of fence such welded mesh or extruded metal and certified to LPS1175 standard.

Gates should be secured with security rated locking devices e.g., padlock certified to a LPS1659 or Europrofile cylinder certified to Sold Secure SS312.

Drawing Number SD-10 advises of the CCTV scheme, there is no information as to how reports of activations will be responded to. If police attendance is required the CCTV equipment and appointed Alarm Receiving Centre must be compliant with National Police Chiefs Council Security Systems Policy.

Appendix 2

Copy of the plans/drawings including red line boundary.