Application No: 2/14/9019  District: Allerdale Borough Council
Applicant: Cumbria County Council  Parish: Workington Town Council
Parkhouse Building  Received: 21 November 2014
Kingmoor Business Park  Carlisle

PROPOSAL: Construction of 143 space car park with new road access; creation of new drop-off area and cycle-parking facilities; new hard and soft landscaping; and demolition of existing building and structures.

LOCATION: Land adjacent to Workington Railway Station, Workington, CA14 2XE
1.0  **RECOMMENDATION**

1.1 That planning permission is **Granted** for the reasons stated in Appendix 1 and subject to the conditions in Appendix 2.

2.0  **THE PROPOSAL**

2.1 It is proposed to develop land adjacent to Workington Railway Station to:

- construct a newly surfaced parking area with space for 143 no. cars and 8 no. motorcycles with a new access road from the A597 (Solway Road);
- widen the A597 to deliver a right turning lane to the new car-park;
- create a new drop-off/pick-up area from Belle Isle Place for private motor-vehicles and taxis;
- reconfigure and re-profile the ground levels of the existing train station forecourt to create a new concourse;
- erect covered cycle-parking facilities adjacent to the station building;
- provide a new bus shelter adjacent to the Falcon Square gyratory;
- provide a new hard and soft landscaping scheme across the whole site;
- erect new boundary fencing;
- provide new lighting, signage and street furniture across the site;
- demolish existing walls, a redundant building and old platform structure.

2.2 The main discrete areas/elements of the proposed development are set out below in further detail:

**Proposed surfaced motor-vehicular parking area**

2.3 The new parking area for motor-vehicles would cover approximately 0.4ha (incorporating vehicle and pedestrian circulation) and would be surfaced with bituminous hardstanding with differing colours deployed to distinguish between pedestrian and vehicular routes. A 1.2m high timber post and rail fence would be provided to the western side of this parking area with the existing steel palisade fence beyond this that bounds the live railway lines being moved and re-erected to a new site boundary line. A timber knee rail fence to the eastern A597 side. A mixture of low level amenity shrub with herbaceous planting and mown amenity grass would be provided to the eastern boundary while some tree planting and species rich grassland would be created between the parking area and access road. It is proposed that this new parking area would be accessed from a new ghost island priority arrangement on the A597 approximately 200m south of the Belle Isle Place access.

2.4 The development of this area requires the remediation of contaminated land and installation of new surface water attenuation (i.e. underground oversized pipes or tanks). The proposals for this latter aspect would include the provision of an above ground pumping station. The development of this area also necessitates the creation of compensatory off-site habitat for the Small Blue Butterfly population and their translocation. It is proposed reptiles present on the site will also be translocated.
Proposed Drop-off/Pick-up area and forecourt/concourse re-configuration

2.5 A new internal site roundabout would be provided to the south of the train station’s existing Belle Isle Place access road. This would include a layby with coloured bituminous surfacing that will have space for up to 7 no. cars to be pulled-up/waiting at any one time. The traffic island at the centre of this internal roundabout will be a gently curved dome in form and utilise stone-setts reclaimed from the site. The island dome will have a gentle gradient rising from 0.25cm in height to 5.25cm. Violet coloured porphyr paving panels will distinguish the main pedestrian route to the train station entrance, while the remainder of the surrounding pedestrian hard-surfaced area will be finished in concrete flags.

2.6 Outside the train-station entrance seven dedicated Blue Badge parking bays (for disabled people with mobility problems) will be provided. The parking bays will be distinguished by concrete sets with concrete block demarcation between these. This area will also be re-profiled to reduce the existing gradient. To achieve this a retaining wall is to be built to the north of the bays, with terracing in a stepped/arcaded profile being provided for pedestrians around this.

Proposed Structures

2.7 A covered cycle-parking shelter would be erected as part of the scheme. The covered cycle storage facility is proposed to be sited adjacent to the station building (north-east of the proposed pick-up/drop-off area) and of a standard design (Marshalls “Pluto”). The cycle shelter would be an open structure with box-sectioned steel column frame with a powder coated blue finish with a curved clear panel polyethylene roof. The shelter would measure 8m in length by 2.12m in width and would have a maximum height of 2.18m. Underneath this 8 galvanised steel hoops would be installed which would be able to accommodate 16 parked cycles.

2.8 New lighting with low energy LED lanterns will be provided across the development. The scheme also incorporates new signage. It is proposed that two way-finding signs will be mounted on old station columns salvaged from the site which have been refurbished. The applicant proposes that the final size, design and content of all the signage be agreed subject to condition of any approval that may be issued.

2.9 A number of other related highways works and improvements would be undertaken in the surrounding area under the applicant’s permitted development rights as a Local Authority and Highways Authority - as set out in Part 12 and Part 9 of the Town and Country Planning (General Permitted Development) (England) Order 2015. These proposed works include providing a new bus passenger shelter adjacent to the northern end of the station building where the existing bus-stop on the Falcon Square gyratory is located.

3.0 CONSULTATIONS AND REPRESENTATIONS

3.1 Allerdale Borough Council’s Planning Department has no objections in principle.

3.2 Workington Town Council recommend rejection of the proposed development. The Town Council’s Planning Committee met on 1 December 2014 and comments as follows:
“The committee could see no effective provision for taxis and no improved provision for buses, and further noted that the proposed plan for rail replacement buses was actually worse than the present. Whilst welcoming the inclusion of feedback from the council’s Workington in Bloom committee and associated environmental improvement work, the committee did not feel the development was in accordance with the Allerdale Local Plan, particularly S6a) which was for a multi-modal transport hub. By concentrating on car parking space and neglecting bus provision the development did not offer an improvement on travel provision for the town.”

3.3 The Highway Authority support the proposal. It is of the view that proposed development will significantly improve both the functionality of the station and resolve several longstanding accessibility/road safety issues as well as significantly improving the visitor impact, not just to Workington, but the north Lakeland area, as Workington and Penrith serve as the interchange point for a significant number of tourists to the northern lakes, between rail and the X4/X5 express bus services. The Highways Authority had issues with the proposed surface water drainage pipe-route and are engaged in negotiations with the applicant to ensure that this is routed to be the least disruptive to traffic on the existing highway network. They recommend that a planning condition be imposed requiring submission of the full engineering details of the surface water drainage system serving the site prior to the commencement of development.

3.4 Network Rail support the scheme and welcome the investment to create additional facilities at the station.

3.5 Natural England has no objections. As regards statutory nature conservation sites, it notes that the proposed development is in close proximity to the River Derwent & Tributaries and Siddick Pond Sites of Special Scientific Interest (SSSI’s) which form part of the River Derwent & Bassenthwaite Lake Special Area of Conservation (SAC). Natural England are satisfied that the proposed development, as detailed in the application, will not damage or destroy the interest features for which these SSSI’s have been notified. Natural England is also of the view that the proposal is not likely to have a significant effect on the interest features for which this SAC has been designated and as such an Appropriate Assessment under the Habitats Regulation is not required to be undertaken.

3.6 The Environment Agency consider that planning permission could be granted for the proposed development subject to a planning condition to protect controlled water from the risks associated with land contamination from the sites former uses. Without such a planning condition, they are of the view that the proposed development on this site would pose an unacceptable risk to the environment and, as such, they would object to the application.

3.7 United Utilities has no objection to the proposed development provided a number of planning conditions requiring the submission of detailed drainage plans prior to the commencement of development are attached to any approval. Amongst these is the prohibition that any surface water, land or highway drainage be connected to the public combined (i.e. foul and surface water) sewer running along Solway Road due to concerns with this part of the sewer networks capacity and the potential risk of pre-mature spills from the combined sewer into local watercourses during storm events that could result in severe environmental impacts on the receiving watercourse.

3.8 Northern Gas Networks has no objections.
3.9 **Electricity North-West** observe that the proposed development could have an impact on their infrastructure and provides consequent advice and guidance to the applicant in order to protect both the electrical apparatus and any personnel working in its vicinity.

3.10 The County Council’s Historic Environment Officer comments as follows:

3.11 “The proposal will impact upon a number of heritage assets surviving on the site. These comprise railway infrastructure and building remains of various late 19th century structures. These assets are considered to be of local interest and have been recorded to a sufficient level in the building recording report submitted with the application. No further work is required to mitigate their loss.

3.12 The area of the site that has the greatest potential for remains to survive below ground, in the vicinity of Belle Isle Place, I understand will only be minimally impacted upon by the ground works of the proposed construction. I do not consider archaeological work is necessary here.

3.13 The only other issue I wish to raise is that the design and access statement indicates that the historic metal columns located on the site will be reused for mounting new signs as part of the proposal. I support this intention and consider it to be a valuable contribution to the design of the proposed development.”

3.14 Allerdale Borough Council’s Environmental Health Department, Butterfly Conservation, The Chief Fire Officer, Cumbria Constabulary’s Local Police Architectural Liaison Officer, Cumbria County Council’s Cycling Development Officer and Local Flood Risk Management Team, and Sustrans have all been consulted but no reply had been received when this report was prepared.

3.15 The application site falls with the County electoral division of St Michael's. The relevant member representing the division, Mr AL Barry, has been notified.

3.16 This application has been advertised as follows:

- Press Advertisement in the West Cumberland Times & Star (published Friday 28 November 2014).
- Site Notices (x4) placed on 1 December 2014.

3.17 No representations had been received from any members of the public when this report was prepared.

4.0 **PLANNING ASSESSMENT**

**Location**

4.1 Workington is located on the West Cumbrian coast at the mouth of the River Derwent. Workington Railway Station is sited on the south side of the River Derwent and to the south of Soapery Beck. The Railway Station is located to the west of the main town centre - being approximately 600m from the edge of the designated town centre as shown on the 1999 Allerdale Local Plan Proposals Map.
The existing site, its context and relevant history

4.2 Workington Railway Station is a main stop on the scenic Cumbrian Coast Line between Carlisle and Barrow-in-Furness. The station was built in 1866 and is constructed from yellow Crewe bricks with a pitched slate roof. The main station building’s entrance fronts onto the Viaduct road. Its materials, large windows and detailing imbue its frontage/facade with a striking presence.

4.3 The station is currently accessed by vehicular traffic off the single carriageway A597 (Solway Road) via a ghost priority junction leading to Belle Isle Place. This access is approximately 40m south of the A597’s traffic-lighted junction with the B5297 (Station Road) / Viaduct to Falcon Place Gyratory. A bus stop for northbound services is located on the Viaduct gyratory 5 metres from the railway station’s main entrance, whilst a bus-stop for south-bound services is located on Falcon Place. Rail replacement buses currently utilise these existing bus stops on the gyratory.

4.4 The application site is situated between the Cumbrian Coast railway line and its associated sidings to its west and the A597 single carriageway road to its east. Derwent Howe Industrial Estate lines the opposite side of the railway track. A few commercial but predominantly residential uses line the eastern side of the A597 but none of them front directly onto the A597, and the vast majority are well screened with verdant trees and planting running along both sides of the highway verge. Workington train station’s buildings lie to the north-west of the site with the Viaduct/Falcon Street gyratory road to the North. Further brownfield land lies to the immediate south with Clay Flatts Industrial Estate beyond this (with the nearest unit being approximately 150m from the application site boundary).

4.5 The application area covers approximately 1.95ha of land with the majority of this being previously developed brownfield land. The application site is characterised by four discrete areas of land/land-use which, moving from north to south, can be categorised/typified as:

i) the existing railway station entrance and car park;
ii) the former Station Hotel site;
iii) brownfield land used as “temporary car-parking” after the Workington Floods of November 2009;
iv) “unused” brownfield land of notable ecological value

The existing railway station entrance and car park

4.6 Directly outside the paved entrance to the railway building is a small circular tarmacked turning area with a 1-2 car drop-off layby. This is edged by a 0.5m high concrete post fence with metal railing and stone cobbles. A late 1980s British Telecom KX100 telephone kiosk and a young street tree (with cobbled surround) are located to the north-east of the building entrance. Just south of the turning area is a small area of formal parking distinguished from the internal road with surfaced with paved setts. The parking area has no designated bays but space to accommodate up to six vehicles. This area of parking does not currently include any allocated bays for disabled users. It is also noted that the existing gradients are not DDA compliant and as such wheelchair users are likely to require assistance when using these spaces. A small strip of green landscaping with shrubs and some young trees lies between this turning / parking area and the A597. The current shrub landscaping is large and overgrown, obscuring views of the impressive Victorian train station building.
4.7 A further small area alongside the train station buildings, fenced-off with metal railings, is reserved for Northern Rail staff car-parking and has approximately 8-10 spaces. There is no formal taxi-bay pick-up/drop-off point or any external cycle parking outside the station. This area has a sloping gradient (approximately 1:10) leading to the train station.

**Image 1** - Existing railway station entrance as seen from the Viaduct Gyratory *(Image from Google Street View – dated May 2009).*

**Image 2** - Railway station entrance as seen from the pavement fronting 21 Belle Isle Place *(Photograph taken by case officer on 3 December 2014).*
The former Station Hotel site

4.8 As well as serving the railway station, the Belle Isle Place access from the A597 also serves a small parcel of land to the south that is currently used as informal car-parking (with space to accommodate approximately 20 cars). Naturally generated flora has begun to colonise the edges of the area. The southern edge of this discrete section is demarcated with a 2m high wall of brick and concrete construction with some scratch layers of plaster and grey palisade security fencing.
4.9 This parcel of land was the site of the former Station Hotel (which existed prior to 1866 and through to the 1990s). Outline applications for use of the former hotel site for a residential development of flats were submitted to Allerdale Borough Council in 2003. The first application (ref. 2/2003/0296) was refused. A subsequent application which incorporated a public car-park underneath the proposed flats (ref. 2/2003/1009) was also refused. An appeal was subsequently lodged and this was allowed by the Planning Inspectorate; however no reserved matters application was forthcoming. Consequently the outline planning permission lapsed in 2008.

4.10 South of the former Station Hotel site is a large open area of brownfield land. From the 1880s through to their demolition in the 1990s, a Goods Shed, Wagon Shop and part of an Engine Shed as well as various railway sidings were present on this large area of previously developed land.

*Brownfield land used as “temporary car-parking” after the Workington Floods of November 2009;*

4.11 The County Council improved part of this brownfield land, laying tarmac and installing large street lighting columns of a standard design so as to provide a temporary car park during the recovery from the 2009 floods. This improved area
of land is still being used as informal parking and currently provides space for up to 40 cars. This area of land has its own separate gated access to its northern end with a large bell-mouth from the A597. A secure gateway to inhibit access by large high-sided motor-vehicles is currently present at the access.

Image 7 – Access to temporary car parking land on former goods yard site as seen from A597 (Image from Google Street View – dated August 2011).

Image 8 – Temporary car parking land on former goods yard site and historic stone setts (Photograph taken 25 March 2014).

4.12 Only some old platform sidings, former tracks and the ruined structural remains of one small brick-building building remains on site. This latter building is located at the north end of this area and corresponds to a larger collection of buildings shown in the area from at least 1793. The remaining structures on site have been subject to a programme of archaeological recording.

4.13 This ex-operational railway land contains compressible ground, some made ground and is contaminated with a small number of contamination hot-spots. The site is level and contains a mixture of tarmac, old sett paved surface, areas of granular hard standing and patchy vegetation.
4.14 The southernmost area of the site is brownfield land that has been subject to little disturbance and in which a much greater amount of natural regeneration has taken place with grass and scrubland habitat becoming established. As such it consists mainly of herb-rich neutral grassland interspersed with areas of scrubland and scattered scrub. Along its eastern boundary to the A597 is a hedge and adjacent to this a narrow section of hard-standing. Some remnants of rail infrastructure also remain on site i.e. sections of track and a set of railhead buffers. Ecological surveys of this have ascertained that it hosts healthy populations of reptiles (common lizard), butterflies (small blue, dingy skipper and small heath) and breeding birds (house sparrow, dunnock, blackbird, wren and linnet).

**Overview of Project Drivers, Background and Development**

4.15 Currently car parking and cycle parking at Workington Railway Station is ad-hoc and insufficient. Furthermore private motor-vehicles dominate the station’s exterior concourse and access to the site for pedestrians and cyclists is relatively poor. These problems, together with train service shortcomings, have been recognised by the applicant as negatively impacting on the attractiveness of the Cumbrian Coast railway line for travel-to-work, travel-to-education and leisure journeys. Moreover they have resulted in an over-reliance on private car travel particularly for travel-to-work journeys along the Cumbrian coast.

4.16 The purpose of the development is to improve the transport links and facilities at Workington Railway Station to encourage the use of more sustainable forms of transport (with a strong focus on diverting car users to rail). To this extent the scheme provides formal motor-vehicle parking spaces, a cycle-parking shelter, and bus shelter whilst also re-prioritising pedestrian spaces and improving their legibility and accessibility and enhancing the quality of urban realm around the station. The applicant envisions the proposed works as complementary to train service improvements which will be delivered through the new passenger franchise which is currently expected to come into operation on the Cumbrian Coast Railway Line in April 2016. As such the development seeks to provide for an expected increase in footfall/usage of the railway station in the short-term as a result of its own undertaking and due to increased services / better timetabling on the Cumbria coast railway line; and in the longer-term, so as to divert private motor-vehicular journeys associated with the proposed Moorside Nuclear Power Station (in terms of its development and subsequent operation) and other associated ancillary growth within its supply chain and the energy sector to the railway.

4.17 This application is a revision of an earlier scheme that was being developed for the site which focused on providing bus to rail interchange. A loss of funding following the abolition of the Regional Development Agencies combined with the fact that the proposed diversion of buses from their main existing route (around the Viaduct / Falcon Place gyratory) was not supported by the bus operating
companies meant this scheme became unviable. Whilst this application does not seek to alter bus interchange routing, the wider scheme of works do seek to improve provision for bus passengers at both of the existing bus stops by providing shelters (subject to feasibility studies and consultation with affected frontages), DDA complaint drop-kerbs and tactile paving and improving pedestrian access/routing. The applicant reports that investigations into relocating these bus stops to other locations along the existing routes have failed to find more suitable or convenient location than the present ones. The application now before members would enable brownfield land to be brought back into productive use and the form of development proposed would not preclude the potential incorporation of some form of bus interchange in the future if the bus operating companies position was to change.

**Key Planning Designations / Constraints**

4.18 The majority of the development site is brownfield land with varying levels of contamination present as a resulting of its previous uses. The presence of contamination on site also limits the drainage options available for the proposed development as discharge of surface water to the ground will not be acceptable to the Environment Agency due to the potential for mobilising contaminants and associated risk to groundwater.

4.19 The northernmost section of the application site is within the St Michael’s Conservation Area. The application site does not directly interface with any designated public rights of way. A public footpath (Ref. No. 262010) runs through Derwent Howe industrial estate on the east side of railway tracks to south-east of site while Cycle Route No. 72 (i.e. The Coast to Coast) runs along Gray Street – approximately, 700m east of the site. As such it is considered that no public rights of way or viewpoints from them will be affected by the proposed development.

4.20 The application site is in the Coal Authority’s Low Risk Standing Advice and as such requires no further assessment of risk relating to the town’s coal mining legacy. A number of underground and overground utilities cross the site and their presence has been taken into account in the scheme design.

**Planning Policy Context / Assessment Framework**

4.21 The relevant statutory local development plan policy documents currently in force in the area are *Allerdale Borough Council’s Local Plan Part 1: Strategic and Development Management Policies 2014-2029* [ABC-LP Part 1] (adopted July 2014) and the saved planning policies of the *Allerdale Local Plan 1996-2006* (adopted November 1999). Within these the key policies relevant to the determination of this planning application are considered to be:

- Policy S1 - Presumption in Favour of Sustainable Development
- Policy S2 - Sustainable Development Principles
- Policy S4 - Design Principles
- Policy S5 - Development Principles
- Policy S6a - Area Based – Workington
- Policy S12 - Land and Premises (Economy)
- Policy S22 - Transport Principles
- Policy S23 - Supporting and Safeguarding Strategic Infrastructure
- Policy S24 – Green Infrastructure
- Policy S27 - Heritage Assets
- Policy S29 - Flood Risk and Surface Water Drainage
Policy S30 – Reuse of Land
Policy S32 - Safeguarding Amenity
Policy S33 - Landscape
Policy S35 - Protecting and Enhancing Biodiversity and Geodiversity
Policy S36 - Air, Water and Soil Quality
Policy DM3 - Protection of Employment Sites
Policy DM10 - Improvements to the Public Realm
Policy DM14 - Standards of Good Design
Saved Policy EM2 – Renewal of Industrial Allocations in NALP and SALP
Saved Policy WKTR1 – Transport Integration, Workington Railway Station

4.22 The National Planning Policy Framework (NPPF), published March 2012, is also a material consideration in the determination of planning applications. The following sections and paragraphs are considered to be relevant material considerations to the determination of this application.

- Paragraphs 6-10 - Achieving sustainable development
- Paragraphs 11-14 - The presumption in favour of sustainable development
- Delivering Sustainable Development
  - Section 4 - Promoting sustainable transport
  - Section 7 - Requiring good design
  - Section 8 - Promoting healthy communities
  - Section 10 - Meeting the challenge of climate change, flooding and coastal change;
  - Section 11 - Conserving and enhancing the natural environment.
  - Section 12 - Conserving and enhancing the historic environment

Main Planning Issues

4.23 The key planning issues relevant to the proposed scheme are considered to be whether:

a) the proposed use/development is acceptable in principle – i.e. its’ conformity with planning policy objectives for the local area and national planning policy guidance;

b) there is sufficient capacity on the existing highway network to accommodate the use/development;

c) there is adequate parking provision for users;

d) inclusive (disabled) access is provided and suitable;

e) it would impact on residential and local amenity;

f) the design and layout are acceptable;

g) it would impact on the character, appearance or setting of St Michael’s Conservation Area;

h) impacts on nature conservation interests on site – in particular the exceptional population of common lizards (which are nationally protected reptile species) and the population of Small Blue Butterfly (which are UK Biodiversity Action Plan [BAP] Priority species and a Cumbria Biodiversity Action Plan species of County Importance) can be acceptably mitigated;
i) it provides appropriate measures for the prevention of contamination pathways and prevent unacceptable risk from pollution for future users and the water environment;

j) it appropriately manages surface water and does not increase flood risk;

**Principle of the proposed development / land-use & its planning policy fit**

4.24 The site allocations set out on the Proposals Map of the *Allerdale Local Plan 1996-2006* are saved, although they are currently being reviewed through the emerging *Allerdale Local Plan (Part 2): Site Allocations Development Plan Document (DPD)*. Within these ‘saved’ allocations the station forecourt and the former Station Hotel site are part of a broad area designated for Housing Area Improvement as part of “Station Road Community Improvement Area”. The WKSR suite of policies associated with this area are deleted, but emphasised issues which are still relevant: citing problems with on-street car-parking – in terms of highways flow and safety and on the aesthetics of this area (in particular Falcon Place). Deleted Policy WKSR4 specifically addressed the former Station Hotel site and stated that:

“The Council will, subject to other relevant policies of the Local Plan, approve commercial or residential development on the former Station Hotel site, which provides an attractive street frontage and transport interchange and/or park and ride facilities”.

4.25 Whilst this policy established a favourable consideration for commercial and residential development of this area, it is noted that despite an outline planning consent being granted for residential development in 2003, no reserved matters application was forthcoming and as such this proposal was not implemented and that planning permission expired. These facts, and the absence of any other commercial or residential schemes coming forward to develop the site over the 15 years since the sites allocation raise questions regarding the viability and deliverability of this parcel of land for residential or commercial use. It is also observed that the proposals fit with the latter aspects of this policy providing for an improved streetscape and improved parking and interchange facilities.

4.26 The Proposals Map of the *Allerdale Local Plan 1996-2006* plan denotes the temporary car park and adjacent brownfield land as “Former Goods Yard Workington” and allocates them for industrial/employment use – specifically use classes B1 (Business), B2 (General Industrial) and B8 (Storage or Industrial) associated with the local market sector as part of Saved Policy EM2. Saved Policy EM2 carries this site forward from previous local plans. Policy S12 (Land and Premises) of *Allerdale Borough Council’s Local Plan – Part 1: Strategic and Development Management Policies 2014-2029* (adopted July 2014) temporarily retains and safeguards the previous Local Plan’s employment site allocations until they are reviewed through the site allocations process of Part 2 of the Plan. Policy S12 continues to state that:

“During the review the Council will consider whether the sites meet, or can be improved to meet the needs of modern business and consider opportunities to de-allocate sites of poor quality which may be better suited to alternative uses.”

4.27 Policy S12 establishes support for proposals within allocated employment sites provided they fall within the use class B1, B2, B8 or appropriate Sui generis (employment). However it does not completely rule-out non-employment focused
uses, as it continues to qualify that: “...proposals outwith these uses will only be permitted where they also accord with other plan policies”. Policy DM3 (Protection of Employment Sites) sets out that proposals for the redevelopment of existing allocated employment land to an alternative use may be granted where the applicant has demonstrated to the satisfaction of the Council that the site a) cannot be easily adapted to meet the needs of modern business; b) its loss would not significantly impact upon the long term supply of employment land in terms of quality and quantity; c) it would not undermine the spatial strategy of the local plan. In making such judgements, the policy states that due regard will be given to market signals. In light of this, and the reasons set out in the above paragraphs, the weight to be attached to the 1996-2006 plan allocations and saved policy is considered to be substantially diminished.

4.28 As previously stated, the Allerdale Borough Council Local Plan (Part 2): Site Allocations Development Plan Document (DPD) is currently being produced. The ‘Issues and Options’ Discussion Paper for the Site Allocations was published in July 2014 and consultation on this document concluded on 30 September 2014. A further consultation upon the additional sites submitted during the ‘Issue and Options’ concluded on 27 February 2015. The Council's 'Preferred Options', which will identify the Council’s preferred sites and boundaries for allocation, is currently anticipated to be published for consultation toward the end of 2015. The Issues and Options Discussion Paper made it clear that the Site Allocations DPD will be focusing upon the ‘de-allocation’ of employment sites as there is considered to be a cumulative oversupply of employment land in Allerdale Borough and it explores the possible de-allocation/removal of under used and underperforming sites.

4.29 The Issues and Options consultation on the Allerdale Local Plan (Part 2): Site Allocations Development Plan Document (DPD) maps a number of submitted sites and proposed uses. On the ‘Workington Central 1’ map on Page 21, the northern section of the former goods yard site is identified as ‘1/WOR/018/1’ and the document proposes re-allocating this as “Utilities Infrastructure”. The majority of the south of the site is identified as ‘1/WOR/076/E’ with a suggested Employment Allocation while a small slither adjacent to the railway tracks identified as 1/WOR/071/W with a suggested use as a Local Wildlife Site.

4.30 In light of the recognition of an over-supply of employment land within Workington; the emerging Site Allocations DPD’s objective to de-allocate previously allocated employment land; and the fact that no proposals for the development of the “former Goods Yard” for business, industrial or any other use have come forward in the 20 years since the development of the Allerdale Local Plan 1996-2006 suggests that this land is not considered to be commercially viable in its present contaminated form. So whilst the sites broad location and topography is suitable for such development it is clear that the site is not deliverable and realistic in market terms. As such, I am minded to attach substantially reduced weight to this historically preferred allocated land-use.

4.31 The proposed development and use of this part of the former Goods Yard adjacent to Workington Railway Station for a “Transport Hub” is, in light of it central and strategic location with good highway connectivity; considered to be acceptable. It is also noted that it would not be dissimilar from a B1, B2 and B8 use in terms of the potential impacts or the pattern of vehicle movements the use would generate. Moreover there is strong support from other new and saved policies for transport integration around Workington Railway Station.
4.32 Saved Policy WKTR1 requires the integration of bus and railway services and the provision of car parking for passengers around Workington Railway Station when assessing development proposals adjacent to the station. The proposed development is considered to align well with this policy objective; although it is acknowledged that the level of bus integration this policy most likely envisaged is not carried forward by the proposal due to the reticence of bus operating companies to divert from existing routes. However, whilst the proposal’s bus provision does not realise the full vision of the saved policy, it does go some way to realising the aspirations of better integrated transport systems in the area and by remediating the land, re-surfacing it and providing a new access it would not prejudice any future proposals for improved bus provision that may come forward.

4.33 Policy S6a of Allerdale Borough Council’s Local Plan – Part1: Strategic and Development Management Policies 2014-2029 sets out Area Based Policies for Workington. These establish support for the creation of a multi-modal transport hub with the potential for mixed-use development and additional car parking; and improvements to rail services including the functionality, facilities and bus links at Workington train station. These policy objectives are further reinforced within Policy S23 (Supporting and Safeguarding Strategic Infrastructure) which supports the establishment of viable transport hubs across the Plan Area and seeks improvements to the West Cumbrian Coastal Railway service. The proposed development is considered to be strongly compliant with these policy directives.

4.34 Policy S30 (Reuse of Land) meanwhile encourages the effective reuse of previously developed and vacant sites within the Plan Area in line with local regeneration and sustainability objectives. The proposed development would bring a relatively prominent parcel of land that has been a scene of urban dereliction for a substantial time period back into productive use, and opening up land to the south for further future investment.

4.35 The NPPF establishes that sustainable development involves seeking positive improvements in the quality of the built environment and the conditions in which people live, work, travel and take leisure. It also sets out a presumption in favour of sustainable development and that development proposals which accord with the development plan should be approved without delay. The proposal is considered to provide a positive development that will improve the urban realm and promote more sustainable journeys. It also considered that the proposal complies with key strategic policies of the local development plan. It is also noted that Allerdale Borough Council offer no objections (on policy grounds or otherwise) as regards the proposals. Consequently it is judged that this development/use in this location is acceptable in principle in policy terms.

**Traffic Impact / Implications**

4.36 Policy S5 (Development Principles) states that new development will be acceptable provided it does not exceed the capacity of local infrastructure. Policy S22 (Transport Principles) directs that new development should be located in areas which help to reduce journey times and have safe and convenient access to public transport. It also stipulates that new development should seek to improve travel choice and reduce the need to travel using private motor vehicles. It continues to state that new development is required to improve accessibility and movement in the local area and facilitate links with public transport nodes and hubs.
4.37 The NPPF requires developments that generate significant amounts of movement to be supported by an evidence-based consideration of transport issues. The Transport Statement (TS) submitted by the applicant provides data of existing traffic movements in the area alongside forecasting of future trip movements (by train and car) and a PICADY assessment underpinned with other sensitivity tests of the proposed new access junction and existing Belle Isle Place station forecourt access junction for the PM peak hour. The TS also considers the capacity of the Viaduct Gyratory during the PM peak hour. The TS concludes that there is ample spare capacity within the highway network to accommodate the proposed development. The assessments and conclusions of the TS are considered sound and the Highways Authority has no objections.

4.38 The design and layout of the scheme in terms of the new access point and junction arrangement with the A597 (which provides a 35m length right turning lane on the A597 that can accommodate 6-7 cars) and internal road will enable the free-flow of traffic and may even positively improve flows at the northern Solway Road end of the A597 by reducing the amount of traffic utilising the existing Belle Isle Place junction. Moreover the new access would provide safe and suitable access to the site.

4.39 Given the nature and capacity of the highway network connecting to the site, it is considered construction traffic would have a negligible impact upon the highway. The applicant states that they intend to phase construction works so as to maintain availability of parking spaces equivalent to the currently existing number so as to minimise disruption. To ensure that this is achieved, it is proposed that a phasing plan should be submitted for approval under a planning condition. Surface water from the site would be discharged to the watercourse to the north.

4.40 In light of the above, the overarching objectives of the project and the development’s strategic location adjacent to Workington Railway Station, it is considered the proposal would serve to enhance accessibility to train services and improve movements in the local area. As such the proposal is deemed to comply with the strategic development and transport principles set out in Allerdale Borough Council’s Local Plan – Part1: Strategic and Development Management Policies 2014-2029.

Parking Provision


4.42 Excluding the staff parking area, the development site can currently informally accommodate in the region of 70 parked automobiles. The proposed development would increase the amount of car parking, providing a total of 143 formally delineated spaces for rail-users. The applicant purports that this additional capacity would provide sufficient space to cater for existing latent demand and expected future increases in demand (based on current rates of increase in passenger numbers on the Cumbrian Coast Railway Line, forecast rail-use demand, and taking into account substantial future growth in job opportunities along the Energy Coast associated with emerging major projects). The applicant’s Design and Access Statement sets-out the statistics, assumptions and calculations that underpin the parking provision figure. The National Planning Practice Guidance advises local planning authorities to ensure
“parking provision is appropriate to the needs of the development and not reduced below a level that could be considered reasonable”. The Coalition Government’s abolition of maximum parking standards for new development in 2011 is also duly noted. Accordingly the level of car-parking provision is considered justified and reasonable.

4.43 The parking facilities are intended to be free-to-use, as the scheme’s primary objective is to improve access to and promote use of the Cumbrian Coast railway line for commuters. The distance of the railway station from Workington Town Centre and the sites separation from the nearest residential properties by the busy A597 and its substantial verges, mean it will not be immediately attractive to other users. As a contingency, the car park has been designed so that, once operational, should it be found that non-rail users were occupying spaces to the detriment of rail users, the car park could be retrofitted with Automatic Number Plate Recognition equipment as part of a charging regime which would disincentivise non-rail users whilst reimbursing rail users’ charges.

Accessibility

4.44 The proposals increase in parking provision would be complimented by the formal organisation and significant upgrading of the facilities for all users. The layout of the scheme has been designed so as to ensure users who require access closest to the station entrance are duly prioritised and accommodated in the main concourse area; that is to say putting Blue Badge holder vehicles, railway staff, cyclists and people being dropped-off / picked-up in closest proximity to the entrance with all other long-stay private motor-vehicle parking being located beyond these. The site layout also gives priority to pedestrian and cycle movements and, combined with the proposed range of paving materials, improves the legibility of pedestrian routes to and through the site to the station entrance – thus minimising opportunities for conflicts between motor-vehicles, cyclists and/or pedestrians.

4.45 The design has also sought to address the gradient issues in the northern section of the site so as to improve ease of access to the station entrance for users with severe mobility problems. Inclusive (disabled) access is designed into the scheme with step-free routes incorporated. The design is judged comply with the principles and standards set-out in the Manual for Streets (Department for Transport, 2007) and Manual for Streets 2 (Chartered Institution of Highways and Transportation, 2010). The proposed scheme design thus improves accessibility to the railway station entrance for all users and is accordingly considered to comply with the NPPF.

Local and residential amenity

4.46 The change of use of the former goods yard to car-parking and removal of the existing boundary planting on the site has the potential to adversely impact on the visual and environmental amenity of nearby residential properties to the eastern side of the A597 (Solway Road).

4.47 It is considered that the visual impact of the proposal would be minimal due to the retention of the existing mature screen planting on the eastern side of the A597 highway boundary and the orientation of properties and their layout in relation to streets and roads. Moreover the redevelopment of the land would improve this longstanding area of urban dereliction bringing it back into the public realm and formal management. The proposed landscaping scheme for the development proposes providing a strip of low level amenity shrub and
herbaceous planting along the eastern edge of the car park in order to partially screen and soften the site. Five no. trees have also been thoughtfully sited across the site so as to soften and green the space; whilst areas of amenity grass to be maintained as mown areas instead of planting are proposed for either side of the new southern entrance in order to provide the required highway visibility splays.

4.48 The proposed use also has the potential to have a negative impact upon local amenity with respect to the increasing air pollution, noise from idling engines, and attracting of anti-social activity.

4.49 As regards air quality, the Preliminary Environment Appraisal submitted in support of the application notes that there are no sensitive receptors (i.e. schools, hospitals, etc…) within 150m of the proposed development and that there are no Air Quality Management Areas (AQMA) within 1km of the site. The integration of the scheme into existing road infrastructure reduces the possibility of idling vehicles to an absolute minimum. Although the development may marginally increase the number of vehicle movements in the area; the fact that the site occupies an open area and that residential properties to the east are already adjacent to the A597 and well screened by mature flora would serve to prevent any significant increase in concentration of emissions that could contribute to a reduction in local air quality and adversely impact upon local/residential amenity.

4.50 Noise impact from idling engines is considered to be minimal in light of the distance of the car park from residential properties (the nearest dwellings being at least 22m from the sight), filtering of intervening vegetation and in the context of the existing noise generated by traffic on the A597 and passage of trains on the railway line. By integrating the scheme into existing road infrastructure and laying out the car park to position the entrance to the west, the possibility of idling vehicles is also reduced to a minimum.

4.51 The NPPG states that natural surveillance of parked cars is an important consideration. It is considered that the proposed development of this land would not increase the risk or improve opportunity for levels of crime and anti-social behaviour. Moreover, by demolishing existing walls and structures and removing the existing overgrown hedgerow and replacing it with a low-level soft and hard landscaping scheme and providing further lighting the proposal would open-up better sightlines and round-the-clock visibility across the site which would aid/improve natural surveillance opportunities and deter congregation for criminal or antisocial behaviour. Moreover, by bringing the land back into active use and creating the conditions for increasing levels of usage of the railway station, it would increase footfall/usage which can deter illegitimate and anti-social activity. As such the scheme is considered to be designed to create a safe and secure environment and deter crime and anti-social behaviour.

4.52 Operations associated with the remediation of the land have the potential to generate dust and noise. As such a pre-commencement condition is proposed to require a scheme to be submitted to set out measures to minimise and manage noise and dust generation and prevent conveyance of dust off-site during groundworks.

4.53 In light of the above potential impacts, considerations and mitigation; it is considered that the proposal will improving the quality of the environment on the development site and have negligible impact on local and residential amenity and as such complies with Policy S32 (Safeguarding Amenity).
Design and Layout

4.54 The NPPF attaches great importance to the design of the built environment in making places better for people and emphasises the achievement of high quality and inclusive design for all development, including public spaces. The NPPG advises that public transport interchanges should be designed as an integral part of the street layout and states that: “the quality of design, configuration and facilities can make interchanges feel safe and easy to use, give them a sense of place to support social, economic and environmental goals, whilst also instilling a sense of civic pride in those that use them”.

4.55 Allerdale Borough Council’s Local Plan – Part1: Strategic and Development Management Policies 2014-2029 similarly emphasises high quality design as a key objective to the appearance and functionality of spaces. Policy S4 (Design Principles) seeks proposals to be visually attractive; of an appropriate scale and appearance; respond positively to the character, history and distinctiveness of its location and integrate well with existing development; improve connections between people and places through the provision of well thought out layouts, public realm and landscaping. In this respect policies S24 (Green Infrastructure), S33 (Landscape), DM10 (Improvements to the Public Realm) DM14 (Standards of Good Design) are also of pertinence as they expect development to respect and incorporate the openness, biodiversity features, ecological networks, paving, and other site features which are already present on site and contribute to the character and amenity of the area and enhance them further. Furthermore they also expect it to incorporate tree-planting; minimising street clutter; demonstrate an integrated and unifying theme through the use of complementary surfacing and hard landscaping materials; appropriate soft landscaping and boundary treatments.

4.56 The applicant has adequately demonstrated that inclusive connectivity and ecological considerations have been master-planned into the design and that local context in terms of the existing built environment has been taken into account. The layout and materials successfully implement the principles set out in the ‘Manual for Streets’ (2007 and 2010). This is exemplified by the range of contrasting hard-surfacing treatments to delineate spaces for different uses so as to distinguish between motor-vehicular and pedestrian areas by employing different coloured hard-surfacing in the main car-park and different types of paving material on the main station concourse (setts and trims). Attention has also been given to improving pedestrian routes to reflect desire-lines. It is considered the scheme design, in terms of its layout and proposed soft and hard landscaping will provide significant aesthetic improvements to one of the key gateways to the town. To ensure this is the case, conditions are proposed to require the submission of paving materials for prior approval.

Heritage Assets

Impact upon St. Michael’s Conservation Area

4.57 Conservation Areas are defined by statute as areas ‘of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance’. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities (LPAs) to pay special attention to the desirability of preserving or enhancing the character or appearance of that area (in terms of the buildings or land in that area). In addition to this statutory duty, the NPPF requires LPAs to identify and assess the
particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) and that when considering the impact of a proposed development on the significance of a designated heritage asset, that great weight should be given to the asset’s conservation.

4.58 St. Michael’s Conservation Area was designated in 2002 and covers the historic centre of Workington. The Conservation Area centres on St Michael’s rectory (a 16th Century Grade 1 listed building) and the mainly Victorian buildings surrounding this. A loss of traditional features has led to this conservation area being included on the national “Heritage at Risk Register” published by Historic England. This denotes the St. Michael’s Conservation Area as being in very bad condition, of medium vulnerability and within a deteriorating trend.

4.59 St. Michael’s Conservation Area encompasses the train station buildings and its concourse, extending until Belle Isle Place. Approximately 0.2ha of the application site is within St Michael’s Conservation Area. The Conservation Area also encompasses Belle Isle Street to the east of the station and Falcon Street to the north-east.

4.60 The main train station building is considered to be an important part of St Michael’s Conservation Area, representing an impressive and distinctive Victorian heritage asset. It is considered the re-surfacing, re-grading and associated public realm improvements to the concourse would not harm or adversely affect the character or appearance of the conservation area. Moreover the proposed remodelling of the wider concourse area will open up views of the building. Paragraph 137 of the NPPF expects that proposals which make a positive contribution to and/or better reveal the significance of a heritage asset should be treated favourably.

4.61 The development’s use of a mix of quality paving materials and reclaimed stone setts is considered to provide a more attractive setting for the station building whilst the restrained and thoughtful approach to street furniture (for example the use of salvaged and restored cast iron columns from the train station for directional signage) also reflects and respects the character and historic value of the immediate area whilst making a positive contribution to local character, distinctiveness and sense of place. The cycle shelter is sensitively sited and its form/design would be of an appropriate scale while its metal frame and colour would tie into the colour scheme of the existing drainage goods and fencing around the station. The scheme also keeps the number and height of lighting columns to a minimum. Thus, far from harming the Conservation Area or station building, the proposals are considered to enhance the areas appearance. Accordingly it is considered the proposal complies with Policy S27 (Heritage Assets). It is also noted that Policy S33 (Landscape) expresses support for proposals that involve the removal or a reduction in the impact of existing structures and land uses that are detrimental to the visual quality of the landscape. The proposed demolition of existing remnant structures and redevelopment of the site is considered to strongly comply with this policy.

Listed Buildings and other Heritage Assets

4.62 The nearest Listed Building to the proposed development site is the Grade II Listed Viaduct Hotel on Falcon Street which is approximately 50m north-east of the application boundary. In view of this distance and the open nature of the proposed development, it is considered the proposal would not affect this building or its’ setting. There are no designated or undesignated cultural heritage
assets identified within the development site and no other listed buildings or scheduled areas within close proximity to the proposal.

**Ecology / Nature Conservation**

4.63 There are no designated European protected habitats or species on or in the immediate vicinity of the site. The nearest designated habitat is Siddick Pond Site of Special Scientific Interest (SSSI) which is 1.1km north-east of the northern extent of the railway station and on the opposite side of the river Derwent. The development site is 1.25km east of the designated extent of the River Derwent SSSI and Special Area of Conservation (SAC). There is the potential for pollution pathways from the site into the River Derwent due to tidal locking (via Soapery Beck which is 110m north of the site or via The River Derwent itself which is 350m north of the site). Consequently there is a small chance the development could potentially affect mobile species that are interest features of the designated site. The surface water drainage scheme for the site proposes to discharge surface water run-off into Soapery Beck via an outfall. An oil interceptor would be provided at the final surface water collection point ahead of the pumping station, so as to ensure water pumped for discharge would not pollute Soapery Beck.

4.64 An Extended Phase 1 Habitat Survey has been undertaken on site. This determined the presence of reptiles in the form of an ‘exceptional’ population of common lizard; nine species of Butterflies (notably Small Blue, Dingy Skipper and Small Heath); and breeding birds within the scrub on site and boundary hedgerows. Breeding Birds and Reptiles are nationally protected species. Of the nine species of butterflies present on site, the Small Blue, Dingy Skipper and Small Heath are identified as UK Biodiversity Action Plan (BAP) priority species in the latest (2007) review. The Small Blue is of particular interest as it is both a UK BAP Priority Species and a Cumbria Biodiversity Action Plan species. The Cumbria BAP species statement for Small Blue Butterfly observes that it is:

‘One of the rarest butterflies in Cumbria, it is now confined to coastal grassland between Maryport and Workington, mostly on disturbed post or current industrial sites and railway land. Its current distribution is now limited to three main locations: Maryport Coastal Park and Risehow, the Port of Workington/Siddick area and other sites to the south of the River Derwent. Occasional individuals are found between these sites.’

4.65 The proposal would effectively halve the amount of habitat available to the healthy populations of common lizard and small blue butterfly within the blue-line ownership area. In the absence of mitigation:

- Common Lizards are likely to be killed or injured during the site clearance works resulting in an offence being committed under the Wildlife and Countryside Act 1981 (as amended).

- There would be an intermediate adverse impact on the Small Blue Butterfly colony on site as approximately 0.25ha of habitat used by Small Blue Butterfly for feeding and breeding purposes would be lost. This area is a significant proportion of the suitable habitat on the goods-yard site as a whole. This colony is of county importance and its loss would have a significant impact on the meta-population of Small Blue Butterflies in the Workington area south of the river Derwent.

As such avoidance and mitigation measures in themselves would not be sufficient or effective and compensatory measures are required.
4.66 The Habitat Survey notes that this type of brownfield habitat has a low environmental sensitivity and is relatively abundant within the Workington area. Consequently the application sets out mitigation measures to protect these species and address the loss in quantity of habitat on site by providing on-site improvements and compensatory habitat off-site to which reptiles and butterflies can be trans-located to.

4.67 To avoid harm to these species during construction/operation, a programme of trapping and translocation of Common Lizards and Small Blue Butterfly to an enhanced receptor site are proposed. The applicant has identified land in their ownership at Derwent Howe Slag Bank as the most superficially suitable area for consideration as a receptor site due to its herb rich neutral grassland with scrub and prey abundance. Work to enhance 0.5ha of land at Derwent Howe Slag Bank has been undertaken, with kidney vetch plots being created, seeded and appropriate plug plants provided for Small Blue Butterflies in Autumn 2014 and refugia and habitat piles created for reptiles within the established grassland / scrub to offer a varied micro topography for basking and refuge / hibernation. In order to protect and secure the use of this land as wildlife habitat in the medium to long term; the County Council will enter into a legal agreement with Butterfly Conservation (a Registered Charity) to manage and maintain the mitigation land. The legal agreement has been signed by both parties and is being held pending completion by the County Council’s legal team until the planning permission has been granted.

4.68 In addition to the above the proposed scheme seeks to minimise disturbance/development of land along the western fringe of the proposed development adjacent to the railway tracks so that some onsite habitat for butterflies and reptiles is retained. This land would be left in its current state for the most part, with interpretation provided to highlight its nature conservation value. The footprint of the old platform structure which is to be demolished would be enhanced with Kidney Vetch and mixed grasses being planted. A condition is proposed to ensure the timely undertaking of this work and management to ensure the Kidney Vetch establishes successfully.

4.69 The proposed mitigation and compensatory measures are considered necessary, appropriate and acceptable – ensuring no net loss of habitat and providing qualitative improvements which off-set the impacts of this development on these two key species. The reptile capture and translocation methodology set out in the revised mitigation plan and the proposed site restoration plan are also considered acceptable. The development is considered to have been sensitively designed to prevent and minimise damage to onsite habitat during the construction phase and to ensure restoration to a state that will enhance the existing habitat on site. As such it is considered to comply with policies DC10 and BP4 regarding biodiversity and paragraph 118 of the National Planning Policy Framework which encourages opportunities to incorporate biodiversity in and around development.

**Land Contamination / Pollution Pathways**

4.70 The NPPF requires the planning system to contribute to protecting and improving the environment by remediating despoiled, degraded, derelict and contaminated land. Policy S30 (Reuse of Land) of *Allerdale Borough Council’s Local Plan – Part1: Strategic and Development Management Policies 2014-2029* encourages the redevelopment of previously developed land and vacant sites. Policy S32 (Safeguarding Amenity) requires redevelopment of contaminated land to provide appropriate mitigation measures to ensure they do not prejudice the health and
safety of communities and their environments, including nature conservation interests and the water environment. Policy S36 (Air, Water and Soil Quality) requires air and water resources to be protected.

4.71 Made ground is present across the part of the proposed development site formerly used as a railway sidings with structures such as train sheds, goods-sheds and turntables having been present. Ground investigation contamination assessments have determined the presence of arsenic, nickel, and PAH compounds within made ground in some areas of the site. A leachate analysis of the site indicated that the majority of the contaminants are not significantly mobile.

4.72 The Ground Investigation Report submitted by the applicant observes that, with the exception of two contamination hot-spots, the critical concentration of contaminants on site does not exceed the threshold for commercial land-use. It therefore considers the site to be suitable for development as a car-park with impermeable hard-surfacing and minor areas of landscaping as the pollution linkage between human site end-users and localised elevated levels of Benzo(a)Pyrene contamination will be prevented. As regards the two contamination hot-spots on site, the report recommends excavation and off-site removal of made ground in these areas and their replacement with clean soils or appropriately engineered cover systems. These measures would further reduce the magnitude and likelihood/probability of any contaminants being mobilised by redevelopment and impacting on the water environment.

4.73 The level of risk and exposure of end users to contaminated land would thus be extremely low as a result of remediation works and the nature and design of the proposed use. The Environment Agency has no objection. They consider sufficient and acceptable initial ground investigation information has been submitted and that it is acceptable to secure further schemes providing detailed site investigation, risk assessment and remediation via planning condition to ensure the development would not pose any unacceptable risk to end-users.

4.74 The excavation of contaminated soils and earth works involved in the development of the site present potential short-term risks to workers and neighbouring land-uses / receptors (residential properties, highways and rail users) by creating the potential for dust and other emissions. A condition is proposed to require a scheme to be submitted to ensure that these operations are carefully managed and risks mitigated (for example through the use of appropriate personal protective equipment/clothing for workings; locating works away from sensitive receptors; best practice dust management measures etc...).

4.75 Hazardous ground gas monitoring has also been undertaken on site and further monitoring is scheduled. The Ground Investigation Report relates that current results indicate that the majority of the site is of a very low hazard potential and that effective capping of the site will significantly reduce the potential exposure of site end users to volatile gas.

4.76 The main risk to the water environment would be the possible mobilisation of contaminants on site and their conveyance to Soapery Beck. The soils underlying the site have been classed by the Environment Agency as having a high leaching potential. Accordingly they do not consider in-ground infiltration as acceptable due to the potential for mobilisation of contaminants. Therefore the drainage strategy for the proposed car-park area does not include any permeable pavement. This will significantly reduce infiltration of rainwater in this area and thereby inhibit the leaching of contaminants – breaking the pollution
pathway/linkage. Furthermore, the existing site investigation data submitted suggests that there is a low potential for leachate to be generated from the site soils and remediation of the organic contaminants could largely mitigate against the residual risk of contaminant mobilisation due to infiltration. The surface water management scheme includes an interceptor to separate and collect any oils or chemicals from cars from surface water run-off, prior to the water being conveyed for final discharge.

4.77 In light of the above, it is considered that appropriate measures have been designed into the scheme to remove contamination and break contamination pathways and thus adequately address the potential risks associated with redevelopment of the brownfield portion of this scheme. As such the scheme would prevent unacceptable risk from pollution associated with past uses of the site impacting future users (i.e. human receptors) and the water environment. As such the proposal is considered to provide adequate mitigation and thereby comply with policies S32 and S36.

**Flood Risk & Surface Water Management**

4.78 The proposed development is not within a Flood Risk Zone and there are no historic records of any flooding incidents on this site. However the site is adjacent to a Flood Risk Zone 2 area associated with the River Derwent to the north of the site. As the site is more than 1ha in size a Flood Risk Assessment has been submitted in support of the application. This assessment concludes that there is minimal risk of flooding to the site from fluvial, overland surface water and/or groundwater sources, tide-locking or flooding from artificial drainage systems or infrastructure failure.

4.79 As regards management of surface water run-off, the applicant has not been able to pursue a sustainable urban drainage scheme with direct discharge to ground due to the presence of contamination from the previously developed land uses and Environment Agency concerns about the mobilisation of residual contaminants. Engineered borehole soakaways were also investigated, however the high water table and poor porosity of the underlying strata meant this option was also unfeasible. United Utilities have prohibited the applicant from discharging surface water run-off from the proposed site into their public combined sewer running along Solway Road due to concerns with this part of the sewer network’s processing capacity and associated risks of water from the site contributing to pre-mature spills from the sewer into local watercourses during storm events that could result in severe environmental impacts on the receiving watercourse. The applicant reports that the possibility of drilling underneath the railway line to connect into the surface water only sewer in Havelock Road has been considered but that this option is considered unviable for a combination of technical and financial reasons. Consequently it is proposed to pump surface water collected from the site northwards via a rising main running through the site then into a gravity system that will discharge via an outfall into Soapery Beck / River Derwent. Onsite attenuation (to hold rainwater during high intensity rainfall events) would be provided via oversized pipes on the network or in belowground cellular storage. A planning condition is proposed requiring the submission and approval of the full engineering detail of the surface-water management system prior to development being commenced.

4.80 The applicant has clearly demonstrated why more sustainable forms of water management are not achievable in this instance and consequently a hard-engineered pumped solution is accepted as the only viable option for the site. The outline drainage strategy is considered achievable and can be acceptably
designed so as to ensure the proposal will not contribute to flood risk. The Environment Agency has no objections to the drainage strategy or drainage layout. The proposals are considered to comply with Policy S29 (Flood Risk and Surface Water Drainage).

**Other Planning Matters / Considerations**

**Economic Considerations**

4.81 The scheme is forecast to enhance the regional economy in terms of employment and Gross Value Added (GVA) as it is designed to connect people with employment opportunities in the nuclear sector. Improving connectivity leads to business locations being more attractive and thus leads to increased economic activity and employment expansion. The proposal therefore fits well with the Government’s climate change and sustainable economic growth objectives.

**Potential Archaeological Impact**

4.82 There are some features of potential local archaeological interest relating to the previous industrial uses on parts of the site. Archaeological recording of these items has been undertaken.

**Lighting**

4.83 The application demonstrates the use of appropriate lighting classes and considerate design so as to avoid light spillage or glare which would cause a hazard to road traffic or a nuisance to neighbours.

**Human Rights Act 1998**

4.84 The proposal will have a limited impact on the visual, residential and environmental amenities of the area. Any impacts on the rights of local property owners to a private and family life and peaceful enjoyment of their possessions (Article 8 and Article 1 of Protocol 1) are minimal and proportionate to the wider social and economic interests of the community.

**Conclusion**

4.85 Redeveloping brownfield land and improving public transport connectivity are strongly supported by national and local planning policy. Moreover, the provision of a transport interchange for Workington and the remediation and redevelopment of the former goods yard site is an objective of past, current and emerging iterations of Allerdale Borough Council Planning Policy. The design of the proposed scheme would have a positive effect on the character and appearance of the area.

4.86 The proposal would positively improve the economic, social and environmental conditions in the local area. It is also closely aligned to sustainability objectives-providing enhancements around the existing railway station to make travel by train a more accessible and attractive proposition so rail can meet more of the demand for travel / onward journeys in West Cumbria than is currently the case and thereby contribute to reducing congestion / emissions on the wider Trunk road network.

4.87 The application demonstrates that the proposed development would not have an adverse impact on residential amenity, the highway network or the environment. In the latter case the application provides appropriate mitigation and
compensatory measures to ensure no net loss of habitat or harm to nationally protected and biodiversity action plan species. The application is consistent with the NPPF and, overall, strongly compliant with the strategic and development management policies of Part1 of Allerdale Borough Council's Local Plan. I therefore recommend that planning permission is granted subject to conditions and that upon planning permission being granted the legal agreement between the County Council and Butterfly Conservation will be completed.

**Angela Jones**  
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**Background Papers**  
Planning Application File Reference No. 2/14/9019

**Electoral Division Identification**  
St Michael's ED - Mr AL Barry
Appendix 1
Ref No. 2/14/9019
Development Control and Regulation Committee – 29 July 2015

THE TOWN AND COUNTRY PLANNING
(DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2010

SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION

1 This application has been determined in accordance with the Town and Country Planning Acts and the local development plan and in the context of the national planning policy framework and national planning practice guidance.

2 The key local development plan policies taken into account by the County Council before granting permission were as follows:


Policy S1 - Presumption in Favour of Sustainable Development
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. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Planning applications that accord with the policies in this Local Plan (and, where relevant, with polices in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

a) Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or

b) Specific policies in that Framework indicate that development should be restricted.

Policy S2 - Sustainable Development Principles
The Local Plan will promote sustainable development as a core principle running through the entire plan. All development within the Plan Area, regardless of scale or nature, will be assessed against this policy.

The Council will:

Economic …
• Improve communications within the area as well as nationally and internationally, both in terms of digital connections, transport infrastructure and services.

Social
• Promote sustainable, well designed, safe and accessible places that respect the setting and character of the surrounding area;
• Promote inclusive, cohesive and empowered communities and encourage community involvement in the design, development and management of places;
• Ensure a good standard of amenity for existing and future residents;
• Ensure development (either cumulatively or in isolation) will not harm highway safety and does not exceed the capacity of the local transport network; …
• Support the sustainability of communities by supporting a shared provision of services, employment opportunities, physical and social infrastructure and transport options;
• Ensure physical and social infrastructure is fit for purpose and support improvements to ensure sufficient capacity for planned development;
• Ensure development (either cumulatively or in isolation) will not harm highway safety and does not exceed the capacity of the local transport network.

Environmental …
• Ensure that the impact of new development on climate change is mitigated and that a comfortable, resilient and liveable environment is achieved across the Plan Area by adapting to the effects of climate change; …
• Minimise the impact on natural resources by avoiding pollution, promoting waste reduction / recycling and by promoting renewable or low carbon energy and avoid sterilisation of mineral resources;
• Promote high standards of design that make a positive contribution to the local area and ensure that, wherever possible, existing natural, historic and environmental assets are enhanced and in all circumstances conserved; …
• Ensure the efficient use of land and infrastructure, encouraging the reuse of previously developed land that is not of high environmental value; …
• Conserve and enhance the diversity and distinctiveness of towns, villages and landscapes including the character, appearance and significance of Heritage Assets;
• Protect, maintain, enhance and re-connect the range and vitality of habitats and species to allow species to adapt to climate change and create a viable ecological network within and out with the Plan Area;
• Ensure that landscape character and local distinctiveness is protected, conserved and wherever possible enhanced; …
• Minimise the risk to people and property as a result of flooding and ensure that future development will not undermine existing flood defences or other flood alleviation methods;
• Ensure the use of Sustainable Drainage Systems (SuDS) is explored and implemented wherever possible;
• Protect soils, water sources and water quality, and ensure they are resilient to climate change; …
• Minimise the need to travel, promote mixed use developments and increase the opportunities to make journeys by foot, cycle or public transport.

Policy S4 - Design Principles
Achieving high quality design for all development is a key objective of the Local Plan. Good design relates not only to the appearance of a development but to how it functions within its location and to how it contributes towards a sustainable community. The Council will plan positively for well designed and inclusive places, including individual buildings, public and private spaces and wider area development schemes.

Proposals for all new development (including conversions, extensions and alterations) will therefore be required to demonstrate high standards of design and must:
• Be visually attractive, of appropriate scale and appearance;
• Respond positively to the character, history and distinctiveness of its location and integrate well with existing development;
• Improve connections between people and places through the provision of well thought out layouts, public realm, landscaping, streetscape and public and private green spaces;
• Enhance, protect and integrate effectively with the historic and natural environment;
• Function well by ensuring suitable standards of access and amenity are achieved and maintained in relation to the development itself and the local area; …

Applications for developments which offer a poor standard of design and which fail to positively contribute to the character or quality of the site and surrounding area will be refused.

Policy S5 - Development Principles

New development will be concentrated within the physical limits of Principal, Key and Local Service Centres, Limited Growth Villages and appropriate development adjacent to Infill / Rounding Off Villages as identified within the settlement hierarchy. The scale of the development proposed will be expected to be commensurate to the size of the settlement and reflect its position within the hierarchy. Where available and if appropriate the Council will encourage and prioritise the effective reuse of previously used land and buildings or vacant and underused land.

For settlements within the hierarchy, proposals, including conversions, will be acceptable provided that the proposed development is in conformity with all policies set out within the Local Plan and:

a) The development is of a scale and design which will not detract from the character of the settlement;
b) The development includes acceptable arrangements for car parking and access;
c) The capacity of local infrastructure and/or environmental assets would not be exceeded by the proposed development;
d) The site of the proposed development is not considered to have significant amenity value;
e) The site is not considered to make a significant contribution to the character of the settlement in its undeveloped state;
f) The development will not incur any significant harmful effects on environmental or heritage assets, habitats or wildlife, which cannot be successfully mitigated.

Policy S6a - Area Based – Workington

In relation to the following issues in the Workington Locality, the Council will: …

Sustainable Communities and Infrastructure
• Support proposals in Workington to create a multi modal transport hub with the potential for mixed use development and additional car parking;
• Support improvements and enhancements to rail services including the functionality, facilities and bus links at Workington train station;

Built and Historic Environment
• Seek the continued protection of the attractive historic buildings within the conservation areas of Portland Square, Brow Top and St Michael's;

Natural Environment
• Protect and enhance the special character of the River Derwent and River Derwent Corridors as Natura 2000 sites and the Siddick Pond Site of Special Scientific Interest, as well protecting and enhancing other biodiversity and geodiversity assets;
• Support proposals which minimise the risk of flooding and effectively contribute to flood defence management.

**Policy S12 - Land and Premises (Economy)**

The Council will plan proactively to support sustainable economic development by ensuring sufficient quality employment land is available to accommodate current and future needs identified in S3. The Council will ensure a diversity of quality sites is available to meet new and existing business needs across the Plan Area and as such, Strategic, Business Park and Local Needs Sites will be set out in the Site Allocations DPD.

Existing employment sites and allocations will be retained and safeguarded until these are reviewed through the site allocations process. During the review the Council will consider whether the sites meet, or can be improved to meet the needs of modern business and consider opportunities to de-allocate sites of poor quality which may be better suited to alternative uses. The Council will develop robust criteria in order to review site suitability and where de-allocation is suggested priority will be given to alternative uses in sequence.

The Council will support development, redevelopment and change of use proposals within employment sites as defined on the Proposals Map, providing that the proposal is included within the use class B1, B2, B8 or appropriate Sui generis (employment). Proposals for office B1(a) will be directed to defined town centres, and will be expected to satisfy the appropriate tests outlined in national policy to confirm they cannot be located as such. Proposals out with these uses will only be permitted where they also accord with other plan policies.

**Policy S22 - Transport Principles**

New development should be located in areas which help to reduce journey times and have safe and convenient access to public transport, open space, Key and Local Service Centres and utilities. Where possible, new development should actively seek to improve travel choice and reduce the need to travel using private motor vehicles.

All new development in the Plan Area will:
- a) Be required to improve accessibility and movement in the local area reflecting the Local Transport Plan;
- b) Ensure they can be accessed safely and that they do not compromise the safety of any transport route, including railway lines and level crossings;
- c) Ensure they can access all major traffic attractors (employment, retail, schools and leisure) in a reliable time;
- d) Encourage attractive and well-connected street networks that, where necessary, make provision for heavy goods vehicles;
- e) Make provision for pedestrians and cyclists to be given the highest priority within town centres and new development, and facilitate links with public transport nodes and hubs;
- f) Where necessary be accompanied by Transport Assessments/Travel Plans in accordance with local and national guidance;
- g) Protect and, where appropriate, enhance or create new designated public rights of way;
- h) Be required to ensure the accessibility requirements of vulnerable people are taken into account;
- i) Be required to protect, enhance and capitalise upon sustainable transport links offered by green infrastructure corridors wherever possible;
j) Be required to provide adequate levels of car parking, cycle facilities, and where appropriate incorporate charging points for electric and hybrid vehicles.

**Policy S23 - Supporting and Safeguarding Strategic Infrastructure**
The Council will support priorities and improvements set out in the Local Transport Plan and other delivery documents by working with partners and ensuring development will not prejudice the implementation of proposed schemes and projects. The Council will: …
   a) Support the establishment of viable transport hubs across the Plan Area;
   …
   d) Seek improvements to the West Cumbrian Coastal Railway service and encourage greater movement of freight via railway;
   …
   f) Support efforts to improve the flood resilience of Allerdale’s infrastructure;
   g) Support and lobby for infrastructure improvements required to enable delivery of economic growth and sustainable communities; …

**Policy S24 – Green Infrastructure**
The Council will promote the creation, enhancement, maintenance and protection of a range of green infrastructure assets that contribute to a diverse network of natural and man-made green and blue spaces, links, habitats and landscapes, which is accessible to all. The Council will work with partners and developers to:
   a) Promote high quality, attractive places which allow everyone to enjoy direct and regular contact with the natural environment;
   b) Seek to ensure green infrastructure is woven into new development wherever possible;
   c) Protect, manage, enhance and create key natural and semi-natural habitats and wildlife corridors, including watercourses, wetlands, woodlands (including ancient woodland and trees) and parklands;
   d) Seek to alleviate open space deficiencies in existing communities whilst ensuring all new open space provision is high quality, attractive and safe;
   e) Promote design and management of parks and natural green spaces to increase biodiversity and maximise their function as nature reserves;
   f) Promote health and fitness through provision of open space and opportunities for community involvement in outdoor exercise, sport and active recreations;
   g) Encourage use of street trees, where appropriate, to define streets, improve the urban environment and provide linkages in habitat networks;
   h) Promote creation of multi-functional habitat networks, such as communal / private courtyards, pocket green spaces and green buildings, which are responsive to a range of microclimatic conditions and provide an experience of nature on people’s doorstep;
   i) Seek the creation of new and enhanced links and corridors between towns and settlements such as cycle ways and footpaths;
   j) Promote improvements in air, water and soil quality and more sustainable drainage and flood mitigation solutions;
   k) Seek the protection and rehabilitation of landscapes and habitats damaged or lost by development or land management practices;
   l) Maximise opportunities to enhance and create assets which have the potential to attract visitors, create employment and attract investment to the area;
   m) Explore the potential of existing and new green infrastructure assets to provide opportunities for renewal energy schemes;
n) Promote opportunities for farmers, foresters and other land managers to diversify and promote woodland management, including opportunities for new planting schemes;
o) Support key specific projects which would contribute significantly to the Green Infrastructure network.

Policy S27 - Heritage Assets
The historic environment including all heritage assets and their settings will be conserved and enhanced in a manner appropriate to their intrinsic historic value and significance, their importance to local character, distinctiveness and sense of place, and to other social, cultural economic or environmental benefits/values.
The Council will work with partners to seek the conservation and enhancement of all designated or non-designated heritage assets within the Plan Area.

In determining applications that could affect the significance (including character, appearance, historic value, value to people and setting) of a heritage asset and/or archaeological asset, the following factors will be taken into account:

- The level of significance of the heritage asset(s).
- The impact of the proposal on the significance (including setting) of the heritage asset(s).
- How the significance and/or setting of the asset could be better revealed.
- Opportunities for mitigating climate change without damaging significance.

Only proposals which do not harm any positive qualities of the heritage asset(s) will be approved, unless there is a clear and convincing public benefit to the proposal that will outweigh the harm caused to the asset(s). If the public benefits of a proposal outweighs and justifies the loss of a heritage asset, it must be fully recorded in accordance with agreed criteria which will be proportionate to the value and significance of the heritage asset.

Where there is evidence of deliberate or conscious damage to, or neglect of, a heritage asset, the Council will take action that may involve prosecution, serving an Urgent Works or Repairs Notice to prevent further decay or adding the building to the National Buildings at Risk Register.

Schemes which help ensure a sustainable future for Allerdale’s heritage assets, especially those identified at being at risk of loss or decay will be supported.

Policy S29 - Flood Risk and Surface Water Drainage
Developments should be avoided in locations that would be at risk of flooding or where it would increase the level of flooding elsewhere. Development within areas at the greatest risk of flooding, as identified within the Allerdale Strategic Flood Risk Assessment (SRFA) and/or Lead Local Flood Authority (LLFA) Local Flood Risk Management Strategy, will be strongly resisted.

In order to minimise the risk to people, property and places from flooding, the Council will:

a) Assess all proposed development sites through both the Site Allocations process and development proposals against the SFRA and/or LLFA Local Flood Risk Management Strategy and ensure that new development is fully compliant with the national policy and guidance.
b) Ensure that developments identified in national policy as requiring a Flood Risk Assessment, should ensure that as a minimum, the scale and nature of the assessment should be appropriate with the development proposals and should be completed in accordance with national policy and guidance.

The Council will expect all developers to demonstrate that they have separated surface water from foul drainage to remove pressure on foul drainage system. The
Council expect the incorporation and/or retention of soft landscaping, permeable surfaces, water storage systems and infiltration systems (SuDS) to have been considered for all developments.

The Council will expect all new developments to defer to the drainage hierarchy, seeking to incorporate Sustainable Drainage Systems (SuDS) in preference to discharge to local watercourses or the main sewer. Proposals seeking to discharge surface water to local watercourses or the main sewer will normally be resisted, unless it can be demonstrated to the satisfaction of the Council that:

1. Local ground conditions render a SuDS system impractical; or
2. The cost of installation, maintenance and, where appropriate, operation would render the scheme economically unviable.

In circumstances where a SuDS system is deemed practical and viable, developers will be required to seek the approval of the SuDS Approval Body (SAB) and to submit a management plan outlining how the system will be maintained and managed in the long term. Developers will be required to enter into a planning obligation in order to secure the long term management responsibilities of the SuDS in perpetuity.

**Policy S30 – Reuse of Land**
**Previously Developed Land (Brownfield)**

In line with local regeneration and sustainability objectives, the Council will encourage and where appropriate prioritise the effective reuse of previously developed and vacant sites within the Plan Area.

Proposals for windfall development on greenfield sites may be required to carry out a sequential test to demonstrate that there are no available previously developed sites, which are not of high environmental value, within the settlement that could suitably accommodate the scheme.

**Contaminated and Unstable Land**

For proposals for development of land where there is risk of potential onsite contamination or ground instability, an investigation into the quality of the land will be required. In circumstances where the proposal involves a site that is known to be contaminated or unstable, the Council will require an assessment to be submitted with the application. This must be carried out by a suitably qualified person to the current British Standards and in accordance with local guidance.

**Policy S32 - Safeguarding Amenity**

Support will be given for proposals which make a positive contribution to the area by maintaining or improving the quality of the environment and amenity. The development of new housing or other environmentally sensitive development will normally be resisted in locations where there is potential to incur statutory nuisance or poor standards of residential amenity by virtue of impacts such as air pollution, noise, smell, dust, vibration, light or other pollution.

Proposals will not be supported where they would:

1. Result in pollution or hazards which prejudice the health and safety of communities and their environments, including nature conservation interests and the water environment which cannot be overcome by appropriate mitigation measures;
2. Result in a detrimental effect on the local area in terms of visual amenity, distinctive character or environmental quality;
3. Generate severe highway infrastructure or network problems in relation to access, road safety, traffic flow or car parking;
d. Have an unacceptable effect on residential amenity and surrounding land uses in terms of loss of privacy as a result of overlooking, or increased sense of enclosure as a result of overbearing development or a loss of sunlight/daylight received by the property as a result of overshadowing;
e. Cause significant adverse environmental impact in relation to landscape, biodiversity or geodiversity, cause pollution to the water environment or cause deterioration of the Water Framework Directive Classification Status;
f. Unduly prejudice the satisfactory development or operation of adjoining land and/or the development of the surrounding area as a whole.

Policy S33 - Landscape
The landscape character and local distinctiveness of the Plan Area shall be protected, conserved and, wherever possible, enhanced.
An assessment of the impact on the landscape character will be required for all major residential, commercial and industrial developments and may also be required for any other development which the Council considers may impact upon the landscape, particularly within sensitive or protected areas.
Cumbria Landscape Character Assessment Toolkit (or successor documents) 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. Proposals will be assessed in relation to:

a) locally distinctive natural or built features,
b) visual intrusion or impact,
c) scale in relation to the landscape and features,
d) the character of the built environment,
e) public access and community value of the landscape,
f) historic patterns and attributes,
g) biodiversity features, ecological networks and semi-natural habitats, and
h) openness, remoteness and tranquillity.

The Council will support proposals that involve the removal or a reduction in the impact of existing structures and land uses that are detrimental to the visual quality of the landscape.

Policy S35 - Protecting and Enhancing Biodiversity and Geodiversity
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. A high priority is also given to the protection of locally identified biodiversity or ecologically valuable assets. The Council will seek positive improvements to the quality of the natural environmental through sustainable development resulting in net gains for biodiversity across the Plan Area.
Developments, projects and activities will be expected to:

a) Protect and enhance key ecological habitats and wildlife corridors and stepping stones including watercourses and wetlands;
b) Maintain, and where appropriate enhance, conditions for priority habitats and species identified in the Cumbria and UK Biodiversity Action Plan Priority Species and habitats or the Cumbria Biodiversity Data Centre at Tullie House;
c) Maintain and where appropriate enhance recognised geodiversity assets identified in the Local Geodiversity Action Plan for Cumbria;
d) Protect soil and water resources in line with Policy S36;
e) Contribute to Allerdale’s green infrastructure network in line with Policy S24;
f) Protect existing trees, hedgerows and woodland (including ancient trees and
hedgerows) that are considered important to the local community, contribute positively to the character of the area and/or are of a nature conservation value.

Development that present significant economic or social benefits for the local community may be permitted where the Council, in consultation with relevant partner organisations are satisfied that any necessary impacts can be mitigated or compensated through appropriate habitat creation, restoration or enhancement on site or elsewhere secured via planning conditions, agreements or obligations. Where a development poses significant harm to an irreplaceable habitat which cannot be mitigated or compensated for, permission will be refused.

Policy S36 - Air, Water and Soil Quality
The quality of air and water resources within the Plan Area will be protected and opportunities for enhancement will be pursued. Unless adequate mitigation measures can be secured, development proposals will be resisted that would have a demonstrable direct and/or indirect adverse impact on:

a) Air quality and/or atmospheric conditions;
b) The characteristics of surrounding soils and substrata - through either physical (compaction, erosion) or chemical (pollution, contamination);
c) The chemical composition and quality of waterbodies in the Plan Area;

Whilst having regard for the economic and other benefits of the best and most versatile land, where development is considered necessary, the Council will seek to ensure the use of poorer quality land in preference to that of a higher quality.

Policy DM3 - Protection of Employment Sites
Proposals for redevelopment or to de-allocate existing employment sites or land, to an alternative use may be granted where the applicant has demonstrated to the satisfaction of the Council that;

a) All or part of the site does not, and could not be reasonably be upgraded to meet the current or long term needs of modern business;
b) The loss of the site would not significantly impact upon the long term supply of the Plan Area employment land in terms of quality and quantity;
c) It would not undermine the spatial strategy of the local plan.

In circumstances where land is released from employment use, the Council will give due regard to market signals and give preference to the following in sequence:

d) A mix of employment and non-employment uses excluding residential; such as schemes that incorporate social infrastructure including compatible D1 uses such as education and training facilities, day centres, clinics and health centres;
e) A mix of uses which provide employment opportunities will be preferred to single-use residential development. In the lower tier of the settlement hierarchy live/work units will be supported;
f) Proposals for change to single-use residential use will only be considered where it can be demonstrated that criteria d) and e) has been satisfied, and;
g) Only on sites within settlements that accord with the spatial strategy and are defined in the Settlement Hierarchy; and
h) Where applicants have considered the local housing allocation and provide robust evidence that there are no suitable alternatives for the proposal.
Policy DM10 - Improvements to the Public Realm

The Council will seek to secure ongoing improvements to the visual, functional and inclusive quality of the public realm across the Plan Area.

Proposals involving improvements to the public realm will be expected to:

a) Contribute positively and respect the local character and context of the site, the area and its wider surroundings.
b) Demonstrate an integrated and unifying theme through the use of complementary surfacing and hard landscaping materials;
c) Incorporate tree planting and green infrastructure, wherever possible;
d) Ensure that art installations and street furniture do not clutter or obstruct pedestrian thoroughfares or cause a hazard to people with a visual and/or mobility impairment;
e) Take account of safety and security issues and seek to provide appropriate levels of visibility and lighting;
f) Avoid light spillage or glare which would cause a hazard to road traffic or a nuisance to neighbours.

In the case of proposals affecting designated or non-designated heritage assets the Council will expect, in additional to compliance with above criteria, the use of materials and street furniture that preserve and enhance the special character of the area and/or building.

Policy DM14 - Standards of Good Design

... Design and Layout of New Development

The Council will seek to ensure that the design and layout of all new development creates neighbourhoods and areas with a sense of place that are well integrated and compatible with existing development.

New development will be required to:

a) Reinforce and respect the existing development pattern with regards to plot size, building heights and frontage widths, particularly where they contribute to local character. Consideration should be given to the impact on existing developments at the boundaries of the site;
b) Respect and respond positively to the distinctive qualities of the location and integrate with the characteristics of the site, ensuring that all external materials and boundary treatments are appropriate to the design and distinctiveness of the development, site and location.
c) Development should take advantage of green infrastructure assets, topography, landscape and waterscape features, historic or biodiversity assets. Developers will be encouraged to retain existing features of interest within the site including trees, hedgerows, becks and streams.
d) Create an attractive environment that provides appropriate levels of open and amenity green space, privacy and amenity for the occupants of the properties;
e) Provide appropriate vehicular access, parking and turning arrangements and facilities for cyclists and pedestrians. Suitable consideration should also be given to providing appropriate access for those with disabilities;
f) Make clear distinctions between public and private spaces, promote natural surveillance by ensuring routes and paths are overlooked and demonstrate the inclusion of measures to reduce the potential for crime and disorder.

Landscaping within Development

Development proposals will be required, where appropriate, to be accompanied by landscaping schemes in order to mitigate any visual impact and integrate the development into its wider surroundings. Where required landscaping schemes
should form an integral part of the layout of development proposal, contributing positively to the provision of green infrastructure in the local area and, where possible, enhancing local biodiversity.

**Landscaping schemes will be expected to:**

g) Retain existing trees, hedgerows, walls, fences, paving, and other site features which contribute to the character and amenity of the area;

h) Include appropriate soft landscaping (including tree and plant species, location, sizes and numbers) which respect the landscape characteristics of the site, its setting, and its potential effect on adjacent land uses;

i) Include appropriate hard landscaping including furniture such as seating and play equipment together with surface and boundary treatments, which respect the landscape characteristics of the site and its setting;

j) Maximise the nature conservation and biodiversity value of the development through the incorporation of hard and soft landscaping features that facilitate the creation of wildlife habitats.

k) Conditions will normally be imposed on any planning permission for developments proposals including landscaping schemes in order to ensure their timely implementation, which will typically be the first available planting season.

l) The Council may also require developers to enter into planning obligation in order to ensure that landscaped areas, public open spaces, local areas of play or neighbourhood areas of play to be provided within new developments are properly replanted, replenished and maintained in the future to ensure continuity of use.


**Saved Policy EM2 – Renewal of Industrial Allocations in NALP and SALP**
The following sites, allocated for industrial/employment related development in previous Local Plans are carried forward as such allocations in this Local Plan. Proposals for the appropriate development of these sites will be approved subject to the relevant policies of this Local Plan:

*Table No. 12: ALP Employment Land Allocations*

…

Former Goods Yard, Workington – Local Market Sector – Business/Light Industrial (B1), Limited General Industrial (B2), Storage (B8).

…

**Saved Policy WKTR1 – Transport Integration, Workington Railway Station**
The Local Planning Authority will require the integration of bus and railway services and the provision of Car Parking for passengers around Workington Railway Station, when assessing development proposals adjacent to the station.

3 The Cumbria Local Transport Plan is also a material consideration. Policies LD7 (Design standards) and LD8 (Safety and security) of this are of particular relevance to this application.

4 The **National Planning Policy Framework** (published March 2012) is also a material consideration, and has been taken into account in this report with reference to:

**Achieving sustainable development**

**Paragraph 9:** Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people’s quality of life, including (but not limited to):
making it easier for jobs to be created in cities, towns and villages;
moving from a net loss of bio-diversity to achieving net gains for nature;
replacing poor design with better design;
improving the conditions in which people live, work, travel and take leisure; and
widening the choice of high quality homes.

**Paragraph 14:** At the heart of the National Planning Policy Framework is a **presumption in favour of sustainable development**, which should be seen as a golden thread running through both plan-making and decision-taking. ...

For decision-taking this means:
- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
  - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
  - specific policies in this Framework indicate development should be restricted.

**Delivering sustainable development**

**Section 4 - Promoting sustainable transport**

**Paragraph 32:** All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:
- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
- safe and suitable access to the site can be achieved for all people; and
- improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

**Paragraph 34:** Plans and decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. However this needs to take account of policies set out elsewhere in this Framework, particularly in rural areas.

**Paragraph 35:** Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore, developments should be located and designed where practical to:
- accommodate the efficient delivery of goods and supplies;
- give priority to pedestrian and cycle movements, and have access to high quality public transport facilities;
- create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoiding street clutter and where appropriate establishing home zones;
- incorporate facilities for charging plug-in and other ultra-low emission vehicles; and
- consider the needs of people with disabilities by all modes of transport.

**Section 7 - Requiring good design**

**Paragraph 56:** The Government attaches great importance to the design of the
built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

**Paragraph 57:** It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

**Paragraph 65:** Local planning authorities should not refuse planning permission for buildings or infrastructure which promote high levels of sustainability because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design (unless the concern relates to a designated heritage asset and the impact would cause material harm to the asset or its setting which is not outweighed by the proposal’s economic, social and environmental benefits).

**Paragraph 66:** Applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community. Proposals that can demonstrate this in developing the design of the new development should be looked on more favourably.

**Section 8 - Promoting healthy communities**

**Paragraph 69:** The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Local planning authorities should create a shared vision with communities of the residential environment and facilities they wish to see. To support this, local planning authorities should aim to involve all sections of the community in the development of Local Plans and in planning decisions, and should facilitate neighbourhood planning. Planning policies and decisions, in turn, should aim to achieve places which promote:

- opportunities for meetings between members of the community who might not otherwise come into contact with each other, including through mixed-use developments, strong neighbourhood centres and active street frontages which bring together those who work, live and play in the vicinity;
- safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
- safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas.

**Section 10 - Meeting the challenge of climate change, flooding and coastal change**

**Paragraph 93:** Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development.

**Paragraph 103:** When determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment following the Sequential Test, and if required the Exception Test, it can be demonstrated that:

- within the site, the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location;
and

- development is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed, including by emergency planning; and it gives priority to the use of sustainable drainage systems.

**Section 11 - Conserving and enhancing the natural environment**

**Paragraph 109:** The planning system should contribute to and enhance the natural and local environment by:

- protecting and enhancing valued landscapes, geological conservation interests and soils;
- recognising the wider benefits of ecosystem services;
- minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government’s commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; and
- remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

**Paragraph 113:** Local planning authorities should set criteria based policies against which proposals for any development on or affecting protected wildlife or geodiversity sites or landscape areas will be judged. Distinctions should be made between the hierarchy of international, national and locally designated sites, so that protection is commensurate with their status and gives appropriate weight to their importance and the contribution that they make to wider ecological networks.

**Paragraph 118:** When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:

- if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- proposed development on land within or outside a Site of Special Scientific Interest likely to have an adverse effect on a Site of Special Scientific Interest (either individually or in combination with other developments) should not normally be permitted. Where an adverse effect on the site’s notified special interest features is likely, an exception should only be made where the benefits of the development, at this site, clearly outweigh both the impacts that it is likely to have on the features of the site that make it of special scientific interest and any broader impacts on the national network of Sites of Special Scientific Interest;
- development proposals where the primary objective is to conserve or enhance biodiversity should be permitted;
- opportunities to incorporate biodiversity in and around developments should be encouraged;
- planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss; and …
Paragraph 120: To prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

Paragraph 121: Planning policies and decisions should also ensure that:
● the site is suitable for its new use taking account of ground conditions and land instability, including from natural hazards or former activities such as mining, pollution arising from previous uses and any proposals for mitigation including land remediation or impacts on the natural environment arising from that remediation;
● after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and
● adequate site investigation information, prepared by a competent person, is presented.

Paragraph 125: By encouraging good design, planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

Section 12 - Conserving and enhancing the historic environment

Paragraph 129: Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 131: In determining planning applications, local planning authorities should take account of:
● the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
● the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
● the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 134: Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Paragraph 137: Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

Paragraph 138: Not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area
or World Heritage Site should be treated either as substantial harm under paragraph 133 or less than substantial harm under paragraph 134, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.

**Decision-taking**

**Paragraph 186:** Local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development. The relationship between decision-taking and plan-making should be seamless, translating plans into high quality development on the ground.

**Paragraph 187:** Local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.

5 The online Planning Practice Guidance (PPG) suite was launched on 6 March 2014 and is also a material consideration in the determination of planning applications. Relevant sections of this have also been taken into account along with specific reference to:

**Paragraph: 042 - Reference ID: 26-042-20140306**

**Street design and transport corridors issues**

... Successful streets are those where traffic and other activities have been integrated successfully, and where buildings and spaces, and the needs of people, not just of their vehicles, shape the area.

In many cases shortcomings in street design reflect the rigid application of highway engineering standards in terms of road hierarchies, junction separation distances, sight lines and turning radii for service vehicles. The result is often a sense of sprawl and formlessness and development which contradicts some of the key principles of urban design. Imaginative and context-specific design that does not rely on conventional standards can achieve high levels of safety and amenity. Each street should be considered as unique – understand its location, character and eccentricities. Designs should relate to these local characteristics, not to something built elsewhere.

Every element of the street scene contributes to the identity of the place, including for example lighting, railings, litter bins, paving, fountains and street furniture. These should be well designed and sensitively placed. Unnecessary clutter and physical constraints such as parking bollards and road humps should be avoided. Street clutter is a blight, as the excessive or insensitive use of traffic signs and other street furniture has a negative impact on the success of the street as a place. The removal of unnecessary street clutter can, in itself, make pavements clearer and more spacious for pedestrians, including the disabled, and improve visibility and sight lines for road users. Street signs should be periodically audited with a view to identifying and removing unnecessary signs. The Department for Transport has published advice to highways authorities on reducing sign clutter.

Public transport, and in particular interchanges, should be designed as an integral part of the street layout. The quality of design, configuration and facilities can make interchanges feel safe and easy to use, give them a sense of place to support social, economic and environmental goals, whilst also instilling a sense
of civic pride in those that use them. Physical measures intended to protect and deliver security benefits, should be considered as an integral part of the design.

The likelihood of people choosing to walk somewhere is influenced not only by distance but also by the quality of the walking experience. When considering pedestrians plan for wheelchair users and people with sensory or cognitive impairments. Legible design, which makes it easier for people to work out where they are and where they are going, is especially helpful for disabled people.

Physical measures intended to protect pedestrians and road users, which can also deliver security benefits, should be secondary but considered as an integral part of the design. Barriers between the road and pedestrians are usually visually unattractive to the street scene, can form a hazard for cyclists who can be squeezed against them, and create the impression that the roads are for cars only; they should only be used when there is an overriding safety issue.

Revision date: 06 03 2014

6 In summary, the reasons for granting permission are that the County Council is of the opinion that the proposed development is in accordance with the development plan, there are no material considerations that indicate the decision should be made otherwise and with the planning conditions included in the notice of planning consent, any harm would reasonably be mitigated. Furthermore, any potential harm to interests of acknowledged importance is likely to be negligible and would be outweighed by the benefits of the development.
PROPOSED CONDITIONS

Time Limit for Implementation of Permission

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Approved Scheme

2. The development shall be carried out strictly in accordance with the approved documents, hereinafter referred to as the approved scheme. The approved scheme shall comprise the following:

   a. The submitted Planning Application Form – dated 21 November 2014;
   b. Archaeological Desk-Based Assessment – dated June 2013;
   c. Archaeological Building Recording – dated November 2014;
   d. Cultural Heritage Statement v3 - dated 6 November 2014;
   e. Design and Access Statement v1.1 – dated 19 November 2014;
   f. Lighting Statement – Rev.1 – dated 6 November 2014;
   g. Preliminary Environmental Appraisal Rev.002 - dated 1 July 2013 (but dated June 2013 on cover) [includes Air Quality, Noise & Vibration, Flood Risk, Accessibility and Landscape & Visual Assessments];
   h. Supporting Statement v1.1 – dated 18 November 2014;
   i. Surface Water Drainage Strategy for Planning Application Rev.2 – dated June 2015
   k. Parking Management Scheme for West Cumbria Rail Station Hubs — dated March 2015
   l. Utilities Statement for Planning Application;
   m. Preliminary Ecological Site Inspection and Desk Based Study – dated May 2012’ (report Ref. No. 120502/01.1.);
   n. Ecological Survey Report – dated October 2012 (report ref no. 120502/02.1);
   o. Species Mitigation and Habitat Enhancement Strategy – dated 18 November 2014;
   p. Ground Investigation Factual Report – dated March 2006 (report ref. E007596/Final1);
   q. Ground Investigation Interpretative Report – dated March 2006 (report ref. E007596/WI/FEB2006/GIIR/V1-Final);
   s. Phase II Supplementary Investigation – Ground Investigation Factual Report – dated January 2007 (report ref. E10127/R001/Final1);
   t. Contamination / Geotechnical Gap Assessment Rev.0 – dated August 2009 (report ref. GC20577/01);
   u. Preliminary Constraints and Opportunities Report Rev.3 - dated October 2013 (report ref. A083367);
v. Data Review and Updated Conceptual Model - dated 31st March 2014 (Report ref. GC20751/01);
w. Ground Investigation Report – Rev.2 – dated 15 May 2015 (report ref. GC20751);

**Plans & Drawings (numbered and named)**
x. CS071951/C/DR/C/005-Rev.P01 – Site Location Plan;
y. CS071951/C/0000/PJW/DR/C/006-Rev.P01 - Existing Site (Block) Plan;
z. CS071951/C/0000/PJW/DR/C/007-Rev.P02 - Detailed Proposed Site Layout Plan;
aa. CS071951/C/0000/PJW/DR/C/008-Rev.P01 - Utilities Statement Plan;
bb. CS071951/C/0000/PJW/DR/C/009-Rev.P01 - Walking and Cycling Connectivity Plan;
cc. CS079812-CAP-00-HGN-RI-C-0008-Rev.P5 - Proposed Drainage Layout Plan;
dd. CS071951/C/3000/PJW/DR/C/0001-Rev.P03 - Landscape Treatment Layout Plan (Full-Site & Cross-Section);
ee. CS071951/C/3000/PJW/DR/C/0002-Rev.P03 - Detailed Landscape Treatment Layout Plan;
ff. CS071951-1300-001-Rev.P07 - Proposed Lighting Layout;
gg. 3033-P-01 - Topographical Survey (Sheet 1 of 3) - dated April 2014;
hh. 3033-P-02 - Topographical Survey (Sheet 2 of 3) - dated April 2014;
ii. 3033-P-03 - Topographical Survey (Sheet 3 of 3) - dated April 2014;
jj. The details or schemes approved in relation to conditions attached to this permission;
kk. This Decision Notice.

*Reason:* To ensure the development is carried out to an approved appropriate standard & to avoid confusion as to what comprises the approved scheme.

3. From the commencement of the development to its completion a copy of this permission, including the approved documents and any other documents and/or drawings subsequently approved relating to conditions within this permission, shall always be available for inspection on site during the carrying out of the development. Their existence and content shall be made known to all operatives likely to be affected by matters covered by them.

*Reason:* To ensure those operating the site are conversant with the approved scheme and are aware of the requirements of the planning permission.

**COMMENCEMENT AND REMOVAL OF PERMITTED DEVELOPMENT RIGHTS**

4. For the purposes of this planning permission, the term “commencement” shall not include operations in connection with:
   a. assessing contamination;
   b. assessing the location or depth of any services or the need for any diversion;
   c. the capture and translocation of reptile and butterfly species.

*Reason:* For the avoidance of doubt.

5. Notwithstanding the provisions of Parts 4 (Class A) and Parts 12 (Class A) of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending, replacing or re-enacting that Order); no temporary construction compound shall be established prior to the commencement of development.

*Reason:* To protect wildlife and ensure the location/siting of the compound does not negatively impact upon local amenity.
SUBMISSIONS REQUIRED PRIOR TO THE COMMENCEMENT OF DEVELOPMENT

Contaminated Land

6. No development shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site has been submitted to and approved, in writing, by the local planning authority:

1.) A preliminary risk assessment which has identified:
   a) - all previous uses;
   b) - potential contaminants associated with those uses;
   c) – an updated conceptual model of the site indicating sources, pathways and receptors;
   d) - potentially unacceptable risks arising from contamination at the site;

2) An updated site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken and measures to ensure that they do not adversely impact on local amenity or health.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. Once approved the scheme shall be implemented in full.

Reason: To protect human health and controlled waters in accordance with Policy S30 (Reuse of Land) of ‘Allerdale Borough Council’s Local Plan – Part1: Strategic and Development Management Policies 2014-2029’ and to comply with Paragraph 109 of the National Planning Policy Framework (NPPF) which requires the planning system to contribute to enhancing the natural and local environment by preventing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution and Paragraph 121 which requires planning decisions to ensure that adequate site investigation information, prepared by a competent person, is presented.

Detailed Soft Landscaping Scheme

7. Prior to the commencement of development a detailed soft landscaping scheme with plans and associated working programme that is in accordance with Drawing No. CS071951/C/3000/PJW/DR/C/0001-Rev.P03 – Landscape Treatment Layout Plan and Drawing No. CS071951/C/3000/PJW/DR/C/0002-Rev.P03 – Detailed Landscape Treatment Layout Plan shall be submitted to and approved in writing by the local planning authority.

The landscaping scheme shall include details of—

a. the location, number, species, and age of trees to be planted;
b. the layout and density/distribution of proposed planting;
c. the method of planting including ground preparation;
d. fencing or other protective measures to protect, manage and maintain the plants;

e. any importation of materials and other operations to ensure plant establishment;

f. habitat enhancement measures provided;

g. existing and proposed finished ground levels;

h. avoidance of impact upon any existing or proposed functional services above and below ground, including power and communications cables and pipelines, manholes and supports;

i. a timetable for the phased implementation of all landscaping works.

Once approved the scheme shall be implemented in full.

Reason: To require for subsequent approval details relevant to the satisfactory implementation of the development, not submitted with the planning application in the interests of visual and landscape amenity and biodiversity in accordance with policies S35 (Protecting and Enhancing Biodiversity and Geodiversity), DM10 (Improvements to the Public Realm) and DM14 (Standards of Good Design) of Allerdale Borough Council’s Local Plan – Part1: Strategic and Development Management Policies 2014-2029’.

Highways Safety Audit (Stage 2)

8. Prior to the commencement of development a Stage 2 Highways Safety Audit shall be submitted to and approved in writing by the local planning authority. The measures highlighted as required by the Audit shall form part of the approved scheme. The Stage 2 Highways Safety Audit shall, as a minimum, take into account:

a. drainage,

b. lighting,

c. signage,

d. restraint systems,

e. the proposed landscaping scheme,

f. utilities,

g. potential obstruction of sight-lines,

h. transitions to the existing highway and pedestrian and cycle routes.

Reason: To ensure that the development is designed and carried out to an appropriate standard that would ensure user safety and be adoptable to the Highway Authority.

Construction Method Statement & Temporary Construction Compound

9. No development shall take place until a Construction Method Statement and Temporary Construction Compound Layout Plan have been submitted to and approved in writing by the local planning authority. The Statement and Plan shall include details of:

a. The proposed phasing of the development and how this has been designed to minimise the impact of the development upon the continued access to and operation of the railway station;

b. Measures to ensure the continued provision of inclusive access for all to the railway station’s main entrance during construction works;

c. Measures to be put in place to protect all habitat outside of the development footprint

d. the location and extent of the temporary construction compound;
e. onsite parking provision for all site operatives and visitors;
f. areas for storage of plant, machinery and materials;
g. areas for loading and unloading of plant and materials;
h. the location, extent and maximum height of all areas for temporary
storage of excavated material and any imported soil/ground making
material;
i. measures to prevent and suppress the emission of dust;
j. pollution prevention measures and contingencies as regards storage and
use of oils, fuels, lubricants, chemicals or other potential pollutants;
k. measures to control/minimise noise and vibration during construction;
l. whether any artificial lighting will be needed during construction, clearly
justifying the need for this and providing details of its specification type,
location and measures to ensure it will not adversely impact on wildlife
or residential dwellings;
m. measures to ensure no vehicle would leave the site in a condition that
would give rise to the deposit of mud, dust or other debris on the public
highway.

The approved Statement shall be fully adhered to throughout the construction
period.

Reason: In the interests of local amenity and to minimise the impact of the
development in accordance with Policy S32 (Safeguarding Amenity) of
Allerdale Borough Council’s Local Plan – Part1: Strategic and

Protection of Reptiles – Fencing

10. Prior to the commencement of development a reptile fence shall be installed
under the supervision of a suitably experienced ecologist between 1 March to
30 April and maintained for the duration of construction operations. In
accordance with ‘Figure 9 - Plan showing recommended reptile mitigation’ (on
page 41) of the “Species Mitigation and Habitat Enhancement Strategy – dated
18 November 2014”.

Once installed the fencing shall be maintained in a good and reptile proof
condition until all construction works are complete. Vegetation adjacent to the
fence shall be managed so as to prevent reptiles re-entering the site.

Once construction work is complete the fence must be removed.

Reason: So as to contain, trap and translocate reptiles within the development
footprint and exclude reptiles from the wider area entering the
development footprint in order to prevent harm to reptiles in accordance
with the Wildlife and Countryside Act 1981 and in accordance with Policy
S35 (Protecting and Enhancing Biodiversity and Geodiversity) of Allerdale
Borough Council’s Local Plan – Part1: Strategic and Development
Management Policies 2014-2029’.

Protection of Reptiles – Trapping and Translocation

11. No development, or set-up of a temporary construction compound, shall take
place on site until a written report confirming the successful completion of a full
programme of reptile trapping and translocation and providing its results has
been submitted to and approved in writing by the Local Planning Authority.

Any capture/translocation shall take place during Spring and Summer only. For
the avoidance of doubt, the reptile trapping and translocation shall be carried
out in strict accordance with the chronology, timings and methodology set out
in the Recommended Mitigation Strategy for Reptiles which is summarised within the table at Paragraph 6.1.16 (on page 40) of the “Species Mitigation and Habitat Enhancement Strategy – dated 18 November 2014” and under the supervision of a suitably experienced ecologist.

Reason: To ensure the capturing of reptiles is undertaken during the optimum active reptile period season and that the site is adequately cleared of reptiles before works commence. To ensure that no operations take place that would lead to an unacceptable impact upon protected reptile species on site so as to prevent harm to reptiles (in accordance with the Wildlife and Countryside Act 1981) and in accordance with Policy S35 (Protecting and Enhancing Biodiversity and Geodiversity) of Allerdale Borough Council’s Local Plan – Part1: Strategic and Development Management Policies 2014-2029’.

Protection of Small Blue Butterfly – Capture and Translocation

12. No development, or set-up of a temporary construction compound, shall take place on site until a written report confirming the successful completion of a programme of Small Blue Butterfly capture and translocation and providing its results has been submitted to and approved in writing by the Local Planning Authority.

Any capture/translocation shall only take place from mid-May to mid-June (in any year) and shall be carried out in strict accordance with the chronology, timings and methodology set out in the Recommended Mitigation Strategy for Butterflies which is summarised within the table at Paragraph 6.1.24 (on page 45) of the “Species Mitigation and Habitat Enhancement Strategy – dated 18 November 2014” and under the supervision of a suitably experienced ecologist.

Reason: So as to protect Small Blue Butterfly which is a UK Biodiversity Action Plan (BAP) Priority Species and a Cumbria BAP species whose presence in the County is particularly rare and confined to three areas of coastal grassland between Workington and Maryport. In accordance with the Wildlife and Countryside Act 1981 and in accordance with Policy S35 (Protecting and Enhancing Biodiversity and Geodiversity) of Allerdale Borough Council’s Local Plan – Part1: Strategic and Development Management Policies 2014-2029’.

On-site habitat retention and creation

13. Prior to the commencement of development a scheme for on-site habitat retention and creation outside of the development footprint shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

   a) A scale map showing on-site habitat retention and habitat creation areas to support a viable reptile and butterfly population along the railway line edge of the site;
   b) Details of habitat creation works including timings of works;
   c) Details of a 2 year management plan for habitat retention and habitat creation areas including population surveys commencing from the date the use of the site commences;

Once approved the scheme shall be implemented in full.

Reason: To ensure the continued viability of these populations on site. The
populations of these species are significant at a County level. Appropriate measures are required to maintain some of the reptile and butterfly population on the site in tandem with the redevelopment of the site.

**Detailed Surface Water Drainage Design**

14. No development shall take place until a detailed surface water drainage scheme has been submitted to and approved in writing by the local planning authority. The scheme shall:

   a) provide full engineering details of the site’s proposed drainage including how surface water shall be drained on a separate system;
   b) set-out full details of attenuation provisions, their capacity and the rationale/calculations justifying the capacity;
   c) include detailed plans of drainage arrangements for the entire development;
   d) provide detail of how the scheme shall be maintained and managed after completion.

Once approved the scheme shall be implemented in full. No part of the developed site shall come into use until the drainage scheme has been constructed in accordance with the approved detail and is operational. The development shall be completed, maintained and managed in accordance with the approved details thereafter.

*Reason:* To require for subsequent approval details relevant to the satisfactory implementation of the development in the interests of highway safety and environmental management. To support Local Transport Plan Policies: LD7 & LD8. To provide flood storage so as to reduce the rate of conveyance of surface water from the site during high intensity rainfall events and thus reduce the risk from surface-water and sewer flooding from impacting the proposed development and surrounding land off-site in accordance with Policy S29 (Flood Risk and Surface Water Drainage) of Allerdale Borough Council’s Local Plan – Part1: Strategic and Development Management Policies 2014-2029’.

**DEVELOPMENT REQUIREMENTS – DRAINAGE**

**Drainage**

15. No surface water, land drainage, nor highway drainage shall connect into the public combined/foul sewerage system on Solway Road (directly or indirectly).

*Reason:* Excessive surface water flows from peak rainfall events enters into the Combined Sewer Overflow (CSO) structures it will increase risk of premature spills from the CSO into local watercourse during storm events that could result in severe environmental impacts on the receiving watercourse. To support the flood resilience of the sewer network and protect the water environment in accordance with Policies S23 (Supporting and Safeguarding Strategic Infrastructure) and S36 (Air, Water and Soil Quality) of Allerdale Borough Council’s Local Plan – Part1: Strategic and Development Management Policies 2014-2029’.

**DEVELOPMENT REQUIREMENTS – PROTECTION OF WILDLIFE**

**Protection of Birds**

16. No hedgerow, tree or shrub removal shall take place during the bird nesting /
breeding season (i.e. between the 1st March and 31st August inclusive in any year).

**Reason:** To ensure appropriate protection for breeding birds under Section 1 of the Wildlife and Countryside Act 1981.

**Off-site Mitigatory/Compensatory Habitat**

17. Within three months of the completion of the translocation of reptiles and small blue butterfly to the receptor sites, a Five Year Management Plan for the receptor site(s) shall be submitted to and approved, in writing, by the local planning authority. The plans shall include details of:

   a) Assessment of the existing amount, quality and suitability of habitat on site;
   b) Details of, where appropriate, further habitat enhancement work and a timetable for their undertaking and monitoring;
   c) A programme of monitoring of distribution, abundance and details of the life stages of the reptiles and butterflies, using standard methods.

Once approved the management plan shall be carried out and adhered to in full.

**Reason:** Appropriate mitigation measures are required to adequately accommodate the populations relocated because of loss of habitat as a result of the development. In accordance with Policy S35 (Protecting and Enhancing Biodiversity and Geodiversity) of Allerdale Borough Council’s Local Plan – Part1: Strategic and Development Management Policies 2014-2029.

**CONSTRUCTION PHASE - RESTRICTIONS ON CONSTRUCTION OPERATIONS**

**Hours of Construction**

18. With the exception of works within the Highway, no work associated with the construction of the new car-park; including start-up of generators or other plant and/or machinery, and deliveries of equipment and materials; shall take place except between the hours of:

   07.00 am and 18.00 pm Monday to Friday
   08.00am and 13.00 pm on Saturday.

No work shall be carried out on Sundays or public and/or bank holidays.

This condition shall not operate so as to prevent the operation of any traffic control systems and the carrying out, outside these hours, of essential maintenance to plant and machinery used in the construction works.

**Reason:** In the interests of residential and local amenity.

**Sheeting of Vehicles**

19. No vehicle shall be used to transport excavated or potentially contaminated materials onto the public highway unless sheeted.

**Reason:** To ensure that material is not released into the air or deposited upon the highway in the interest of local amenity and highway safety and in accordance with policy S32 (Safeguarding Amenity) of Allerdale Borough Council’s Local Plan – Part1: Strategic and Development Management Policies 2014-2029.
Highway Condition

20. During the undertaking of the development, no vehicle shall leave the site in a condition that would give rise to the deposit of mud, dust or other debris on the public highway.

Reason: In the interests of highway safety.

Control of Noise

21. All plant, machinery and vehicles engaged in construction on site or providing deliveries shall be effectively silenced at all times and maintained in accordance with the manufacturers’ recommendations.

Reason: To safeguard the amenity of local residents by ensuring that the noise generated in their operation is minimised and does not constitute a nuisance outside the boundaries of the site. In accordance with policy S32 (Safeguarding Amenity) of Allerdale Borough Council’s Local Plan – Part1: Strategic and Development Management Policies 2014-2029.

SUBMISSIONS OF SPECIFIC DETAILS REQUIRED PRIOR TO THEIR DELIVERY

Materials – Details of Paving

22. Prior to the commencement of any surfacing work to the front of the railway station buildings, samples of all paving materials to be used and that are in accordance with Drawing No. CS071951/C/3000/PJW/DR/C/0001-Rev.P03 – Landscape Treatment Layout Plan and Drawing No. CS071951/C/3000/PJW/DR/C/0002-Rev.P03 – Detailed Landscape Treatment Layout Plan shall be submitted to and approved in writing by the local planning authority.

The development shall not proceed except in accordance with the approved material details.

Reason: To require for subsequent approval material details relevant to the satisfactory implementation of the development due to its potential to impact upon the character and appearance of St. Michael’s Conservation Area. In accordance with policies S27 (Heritage Assets), DM10 (Improvements to the Public Realm), and DM14 (Standards of Good Design) of Allerdale Borough Council’s Local Plan – Part1: Strategic and Development Management Policies 2014-2029.

Details of Shelters, Signage and other Street Furniture

23. No cycle or bus shelters, signage or other street furniture shall be installed or erected on site until detailed scaled specification plans and elevation drawings of the proposed designs of these items have been submitted to and approved by the Local Planning Authority in writing. The drawings shall clearly set-out details of each items:

a. Materials
b. External finishes (including colours)
c. Siting in context of the scheme and demonstration that they do not impinge upon any visibility splays

Once approved the plans shall be implemented in full.

Reason: To require further detail not provided with the application to ensure the artwork features are to an appropriate standard and do not negatively
DEVELOPMENT STANDARD ASSURANCE AND MAINTENANCE

Highways Safety Audit
24. Within one year of the completion date of the development a Highways Safety Audit shall be undertaken and submitted to and approved in writing by the local planning authority. Any measures highlighted as required by the audit shall be carried out within six months of the audits approval by the local planning authority.

Reason: To ensure that the development is constructed to an appropriate standard that would ensure user safety and be adoptable to the Highway Authority.

Maintenance of Landscaping
25. Should any tree, shrub or other flora planted as part of the approved detailed soft landscaping scheme be removed, die or become seriously damaged or diseased, within a period of 5 years after planting, then it must be replaced in the first available planting season with a specimen of the same species and size as that originally planted, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of biodiversity and to safeguard the visual amenities of the area. In accordance with policies S24 (Green Infrastructure), DM10 (Improvements to the Public Realm), and DM14 (Standards of Good Design) of Allerdale Borough Council’s Local Plan – Part1: Strategic and Development Management Policies 2014-2029'.

Post Translocation Monitoring of Compensatory Habitat and Species
26. The translocated reptile and small blue butterfly populations shall be monitored for at least two years following their translocation.

Within three years of the translocation of the reptiles and butterflies from the development site, details of the post translocation monitoring undertaken for both species and their findings shall be submitted in writing to the local planning authority. The report shall include:

a) An assessment of the amount and quality of habitat on the receptor site;
b) The results of a reptile population size class assessment survey of the receptor site(s) along with the methodology employed.
c) Written details and a plan(s) of the distribution, abundance and details of the life stages of small blue butterflies on site.
d) appropriate recommendations for further habitat enhancement / management based on this data and a timetable for implementation.

Once approved in writing by the local planning authority, any recommended works shall be implemented in full.

Reason: To ensure that the compensatory/mitigatory habitat is of sufficient quality to successfully host translocated species in order to prevent any harm to these protected and rare species. In accordance with the Wildlife and Countryside Act 1981 and Policy S35 (Protecting and Enhancing
INFORMATIVES:

#1 Mitigatory Habitat for Small Blue Butterfly
The applicant has entered into a Legal Agreement with Butterfly Conservation for the management of land at Derwent Howe Slag Bank, Workington, for the conservation of small blue butterflies in order to utilise this as a receptor site for translocation and to compensate for the impact of the development upon the existing Small Blue Butterfly habitat/population recorded on development site.

#2 Coal Authority Standing Advice - Development in a Low Risk Area
The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. It should also be noted that this site may lie in an area where a current licence exists for underground coal mining.

Further information is also available on The Coal Authority website at www.coal.decc.gov.uk

Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority’s Property Search Service on 0845 762 6848 or at www.groundstability.com

#3 Presence of a Public Sewer
A public sewer crosses this site. United Utilities will not permit building over it and require an access strip width of 6 metres; 3 metres either side of the centre line of the sewer which is in accordance with the minimum distances specified in the current issue of "Sewers for Adoption"; for maintenance or replacement. Deep rooted shrubs and trees should not be planted in the vicinity of the public sewer and overflow systems.

#4 Presence of a Water Main
A 4inch PVC water main pipe crosses the site. The pipeline and its 5m easement will need to be protected from any site traffic or ground works.