Application Reference No. 6/20/9004

Application Type: Full Planning Permission

Proposal: Erection of alternative provision facilities building.

Location: Site at Channelside, land off Ironworks Road, Barrow-in-Furness, LA14 2PG

Applicant: Cumbria County Council

Date Valid: 16 October 2020

Reason for Committee Level Decision: Application made by Executive Director for Economy and Infrastructure

1.0 RECOMMENDATION

1.1 That Planning Permission is granted subject to the:

(i) expiry of the statutory period required to publicise this planning application*, and

(ii) the conditions set out in Appendix 1 to this report.

*Please note that this planning application does not accord with the provisions of the Barrow local plan 2016-2031. The Town and Country Planning (Development Management Procedure) (England) Order 2015) requires that a statement to this effect is made when advertising applications of this nature. If Members are minded to approve this application, any grant of planning permission cannot be issued until the expiry of the publicity period (5 December 2020).

2.0 THE PROPOSAL

2.1 Planning permission is sought for the construction of a building on the site to form an alternative education provision facility at land at Channelside, Ironworks Road, Barrow-in-Furness, LA14 2PG.

2.2 An alternative education provision unit is a facility which is aimed at improving outcomes for young people who cannot access mainstream education provision. In this case, following a strategic needs analysis, a site at Barrow was identified which would provide facilities for a targeted cohort in the area. More description is provided at 2.7 below in defining the function and role of the alternative provision facility.

2.3 The proposed building will occupy an existing undeveloped site located close to the town centre of Barrow (0.5 miles to the west) and forms part of a wider area consisting of a mixture of uses – retail, education and to the northern fringe, new residential units. The wider area also contains a proportion of industrial uses with larger residential areas some way beyond to the north-east.
2.4 The area of the site to be developed forms only part of a larger site which is allocated as an ‘opportunity area’ with the Barrow local plan – the scheme will leave some 8000 sq. metres of developable land to the northern part of the site undeveloped which could be utilised for other uses compatible with this allocation.

2.5 The proposal building will take a modular form with some of the assembly of parts taking place off site - this process offers some advantages in terms of speed of construction on site and cost efficiencies. The building will be of moderate size for the location and will create a total floor space of about 1160 sq. metres. Single storey construction is to be used for the building with proposed materials to be standing seam roofing with facing brickwork and render to the walls.

2.6 The scheme will utilise an existing access from Ironworks Road with the necessary improvements made to serve the development site.

2.7 The rationale behind the proposal is to provide educational facilities which are aimed at improving outcomes for young people who are unable, for academic, social or emotional reasons, to access the school curriculum in mainstream schools. This unit would form a key part of the delivery of the Inclusive Cumbria Strategy 2017-2022 (agreed in December 2016 by Cumbria County Council’s Cabinet), which sets out a number of proposals for transforming the County Council’s approach to ensuring that all children have the best possible education and support.

2.8 The AP Unit will work in conjunction with the Pupil Referral Unit located in Barrow and will accommodate up to 40 pupils, comprising 25 young people with Social, Emotional and Mental Health (SEMH) diagnosis, who would otherwise go on to be educated in independent settings, and 15 young people who would be awaiting specific diagnosis and unable to access the school curriculum in mainstream schools. The key aims of the project are to education children close to or within their communities and reduce exclusions, both fixed and permanent.

3.0 SITE DESCRIPTION

3.1 The application site is located about 0.5 miles west of the town centre of Barrow within an existing mixed-use area. A number of use types exist in this location to include retail and commercial premises together with small areas of new residential units to the north. Educational uses are also present, most notably Furness College to the north of the site.

3.2 The site allocation occupies a total area of 2.2 ha, although the proposed scheme will occupy less than half of this area, with the remainder of the site being left undeveloped and outside the scope of the scheme.

3.3 The site is characterised by an area of grassland and scrub, likely to be regeneration from after its past uses have ceased. Part of the site also features areas of hardstanding and an informal access into the site.

3.4 The site is allocated in the new Barrow local plan as an ‘opportunity area’ (policy DS4 is relevant), whereby mixed uses (defined in the policy as housing, tourism, cultural, open space, leisure), are encouraged to offer economic benefits to the
local area and also regeneration opportunities. The borough council are keen to ensure that this site is developed within the period of the local plan (2016-2031).

3.5 The site allocation covers more land to the north of the development site, as stated above to form a larger designated site.

3.6 The area has remained undeveloped for many years and the immediate area has an industrial past stretching back many decades.

3.7 To the east of the site is Barrow town centre and to the west is the Walney Channel and sea promenade. Areas to the north and south of the site contains other education uses together with the Barrow dockyard museum and local travel inn.

4.0 SITE PLANNING HISTORY

4.1 No relevant planning site history

5.0 CONSULTATIONS AND REPRESENTATIONS

5.1 Barrow Borough Council Planning Department: No response received at the time of report writing

5.2 Barrow Borough Council Environmental Health Department: No objections having considered the supporting reports in relation to ground conditions at the site. A suite of conditions is suggested to address any contamination issues during construction works.

5.3 Natural England: Do not object to the development – consider the impact on the protected European sites not to be significant, given the interested features and species within those sites (particularly identified as wintering birds and mudflat habitat). They suggest that if the scheme is approved, a condition should be imposed to require details of an environmental construction management plan to be submitted to minimise impacts during the implementation phase of the scheme. An appropriate Habitats Regulation Assessment will be required from the County Council to support the decision. Sustainable drainage options should be pursued for the drainage of the site, together with suitable on-site enhancements as recommended in the submitted ecological reports.

5.4 CCC Highways DM & LFRM - South (SL & Barrow) - Cumbria Highways and Local Flood Risk Management: No objection to the scheme, consider the impacts on highway safety will be limited and acceptable. No objection is raised in terms of the proposed drainage strategy to the site with the use of swales welcomed.

5.5 Crime Prevention Design Advisor: No objections, but some recommendations made in terms of security fencing and door and window lock specifications

5.6 Cumbria CC - Active School Travel Officer: No comments received

5.7 Simply ecology: the submitted ecological reports are deficient and insufficient to assess the quality of the habitat upon which the development will be constructed. However, following a visit to the site, the ecologist is satisfied that the habitat is not unusually diverse but is an important and quite rare example of grassland habitat. He is content that the development can proceed with recommended conditions. It is also concluded that there will be no likely significant effects on
the adjoining internationally designated nature conservation site (Morcambe Bay Special Area of Conservation and Morecambe Bay and Duddon Estuary Special Protection Area).

5.8 Cumbria CC - School Organisation: No comments received

5.9 Cumbria Fire and Rescue Service - Fire Protection Unit: No objections – however, the site should comply with the required standards for access and water supplies. This is likely to be controlled under a building regulations application.

5.10 Environment Agency: No objection to the development, however, the development should be carried out in accordance with the FRA submitted – this can be secured by a condition.

5.11 Hindpool ED - Mrs A Burns: No comments received at the time of report writing

5.12 United Utilities Water Ltd PLC Developer Services and Planning Team Water network: No objection to the scheme and consider the submitted proposed drainage strategy to be acceptable. A condition is suggested to ensure the scheme is drained in accordance with the agreed strategy.

5.13 Sports England: No comments to make on the application

5.14 No representations had been received at the time of report writing.

6.0 PLANNING POLICY

6.1 Section 38(6) of the Planning & Compulsory Purchase Act 2004 provides that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. Government policy is a material consideration that must be given appropriate weight in the decision making process.

6.2 The Barrow Borough Local Plan 2016-2031 - adopted 4 June 2019. The following polices are considered relevant to this proposal:

- Policy DS4 – Opportunity areas
- Policy DS1 – Sustainable development
- Policy DS2 - Sustainable development criteria
- Policy DS5 – Design
- Policy DS6 – Landscaping
- Policy C1 – Flood risk and erosion
- Policy C4 – Land stability and contamination
- Policy I4 – Sustainable travel choices
- Policy I6 – Parking
- Policy EC7 – Energy use opportunity areas
- Policy HE1 – Heritage assets and their setting
- Policy N3 – Protecting biodiversity and geodiversity
- Policy N4 – Protecting other wildlife features
- Policy HC15 – Education provision

6.3 The National Planning Policy Framework (NPPF) was published in a revised and
updated form in February 2019. The national online Planning Practice Guidance (PPG) suite was launched in March 2014 and is continually updated. Both are material considerations in the determination of planning applications. The following sections and paragraphs of the NPPF are relevant to the determination of this application:

- Section 8 (Promoting healthy and safe communities), paragraph 74
- Section 2 (Achieving sustainable development), paragraphs 7, 8, 10, 11, 12
- Section 12: Achieving well-designed places - Paragraph 127
- Section 14: Meeting the challenge of climate change, flooding and coastal change - Paragraphs 148, 150, 153, 157, 163, 165
- Section 15: Conserving and enhancing the natural environment – Paragraphs 170, 175, 178, 180

7.0 PLANNING ASSESSMENT

7.1 The key planning issues relevant to the proposed scheme are:

Is the principle of the development acceptable in accordance with the site allocation in the Barrow local plan and policy DS4?

7.2 The site of the proposed development is allocated on the new Barrow local plan (adopted June 2019) as part of an ‘Opportunity Area’. Within the local plan process, the borough council has allocated a number of sites within its area for this purpose, defining these sites as those which it would be beneficial to develop within the local plan period (2016-31). The site the subject of this application is located about half a mile west of Barrow town centre and is part of a wider area characterised by commercial, industrial, retail and residential land uses. At present the site is vacant and it appears that there have been no significant projects which have come forward to develop the site for an extended period of time. The objective of this site allocation and policy DS4 is to encourage development and regeneration of the site for a number of different uses (defined in the policy as cultural, tourism, employment, open space, leisure and housing).

7.3 Although the proposed education use (falling within use class F1c in the recently amended Use Classes Order, amended in September 2020), is not specifically identified in policy DS4, there are other education uses within the vicinity of the site (particularly the recently approved Furness college to the north) and I consider given that the site has not come forward for development previously, the proposed scheme would be an opportunity to allow partial development of the site with the associated benefits this will bring in terms of regeneration and potential stimulus of other development at the site. The remainder of the site will remain available for other development and could potentially support a mixed use in compliance with policy DS4. I am therefore of the view that the scheme would not significantly harm or prejudice the allocation of the site and would broadly accord with the objectives of policy DS4, particularly in the absence of other suitable schemes coming forward.

7.4 Paragraph 94 of the NPPF also provides support for the scheme. Within this paragraph, the NPPF states that a sufficient supply of school places should be
available within all communities. This is broadly reflected by policy HC15 of the Barrow local plan. In this case, the scheme would result in development within the same planning use class as a school (class F1c), and it is clear the scheme has been conceived to provide a specific educational need and serve a local catchment. I gave weight to this in considering the acceptability of the development on the site in this allocation and consider this factor also to weigh in favour of the proposal.

7.5 I am also persuaded, in addition to 7.4 above, that the proposal further aligns with local policies on education provision contained in the Barrow local plan which reflect to some degree the statements in paragraph 94 of the NPPF. Policy HC15 states that the council will support the provision of education facilities, if possible, on existing sites and to serve a local catchment to reduce the need to travel. In this case, although the proposal will not be directed to an existing education site, it is located sustainability and has been developed to support a specific education need and support strategic educational provision for a local need and catchment.

7.6 Given all of the factors identified above, I conclude that although within policy DS4, education use is not specifically identified in the actual wording of the policy as a specific use within this opportunity area designation, there is in my view a compelling case to support the proposed education use, and, together with the other factors above, weigh in favour of the proposal. I also consider that the proposal will align with the central aim of policy DS4 of the Barrow local plan in allowing development of part of this vacant site.

Does the proposal lead to significant impacts upon highway safety?

7.7 The proposal will occupy a vacant site which is located within proximity to the existing highway network. It is proposed to upgrade the existing access road into the site from Ironworks Road (with improvements made to the junction with this road) and the internal layout proposed will feature a drop and pick point on a loop within the site.

7.8 At present, there is no properly surfaced road leading into the site and this will be created as part of the scheme.

7.9 A footpath is also proposed to the northern side of the new access road into the site to provide safe separation of pedestrians and vehicles – this is welcomed on safety grounds.

7.10 Given the nature and users of the site, most visits to the site will be required by car or private vehicle and I consider that the use of the drop off and pick up points within the site close to the building will be beneficial in dealing with this and to prevent vehicles stacking or queuing onto Ironworks Road during the busier drop off and pick up periods.

7.11 Policy I6 of the new Barrow local plan states that the amount of off-street parking on any proposed development site should accord with the Cumbria Development Design Guide and should only propose a lower provision of parking if a justification is provided and the site is located in a sustainable location. Whilst I consider the site is in a sustainable location, parking provision will be provided on the site for up to 16 vehicles (2 are to be allocated as disabled spaces) – this is a slight overprovision in terms of parking standards. I consider this is sufficient to serve the development as the Cumbria Development Design Guide would require
a total of 15 spaces given the maximum number of staff and users of the site as detailed in the supporting information for the application. The provision of two disabled parking spaces is considered adequate in line with the requirements of the Design Guide. The location of the site close to good highway links and public transport offerings may to some extent reduce the need to travel to the development by private car. I therefore conclude the proposal is in compliance with policy I6 of the Barrow local plan and guidance contained within the Cumbria Design Guide.

7.12 The degree of additional traffic generation as a result of the scheme is considered to be limited given the scale of the development, maximum number of users and the nature of the use. I consider that the existing access road to the site will be able to cope with the extra vehicle movements when finally laid out to the appropriate standards. The submitted Transport Statement does not include details of trip rate generation, however, given that the baseline levels of traffic in this location are quite high, the development is unlikely to significantly add to this. The surrounding road network is designed to carry large volumes of traffic around the town of Barrow and will not be significantly affected by the scheme. The access road will need to be extended into the site to serve the development and it is proposed for the road to be constructed to adoptable standards and drained appropriately. I consider also that the site is located in a sustainable location with close by public transport links and Barrow town centre near to the site – this will encourage modes of transport other than the car where appropriate. I consider the transport assessment provided in support of the application to be sufficient and proportionate to the scale of development and its likely impacts upon the surrounding highway network. Overall, I consider that the scheme will not result in unacceptable impacts upon highway safety and the final internal layout of the road and parking areas can be approved by submission of details under a planning condition.

What are the effects of the proposals on the amenity of the surroundings land use and occupiers of that land?

7.13 The site of the proposed scheme is located mainly within an industrial and commercial setting – there are no residential properties immediately adjacent to the site. I consider therefore that there will be limited impacts on sensitive receptors (the closest residential properties are located to the north on Primrose Road which are located just in excess of 100 metres from the site boundary). Given this distance and that the proposed building will be predominately single storey in height, I consider any physical effects on these properties to be very limited. In term of the impacts on the remaining surrounding buildings, these are commercial properties and are only affected in a limited way in terms of the physical effect of the building and any noise generated by it (the proposed scheme is likely to be a less intensive use than the surrounding uses). To the north and east there are existing parking areas so the closest building is more than 80 metres to the east. I conclude given the nature of the physical development proposed and the surrounding lands uses that any impacts on amenity will be limited and acceptable. I do not consider it justified to impose a condition limiting the hours of use of the building and site – the applicant has confirmed that site will not be used outside normal school day hours.

Is the visual impact of the proposal acceptable?

7.14 The building proposed will be mainly of single storey construction and cover just
cover 1,000 sq. metres in area. Modern construction and modular design will be used, whereby some components are assembled off site to speed up construction on site. The walls of the building will be a mix of facing brickwork and render under a standing seam roof. Rainwater goods will be aluminium and uPVC.

7.15 The overall appearance and design of the building is modern in character and in keeping with its purpose, however, I consider such an approach in this location is acceptable, particularly given the variety of modern building styles in the immediate locality. The development will also feature an area of landscaping, particularly to the western part of the site and this, together with proposed outdoor play areas and sports facilities to the rear of the proposed building, will serve to soften the impact of the building and parking areas themselves to some degree. The building will be set back some way from the main highways where public views of the site are likely to be most significant in conjunction with views from the promenade to the west. This setting back will reduce the overall prominence of the building.

7.16 The character of the area is varied but retains a modern commercial appearance and there is a general lack of a specific character to the site and its surroundings. Much of the past historically character of the area has been lost. I consider the overall appearance of the development compliments the area and results in positive good design for this part of this vacant site. The general appearance of the existing site adds little to the aesthetic of the area and I consider that scheme will add a welcome enhancement in visual terms. I therefore conclude that the proposal broadly accords with policy DS5 of the Barrow local plan.

Are there any significant likely effects on the nearby European protected sites?

7.17 The site itself is not designated as a site of special protection, but it is located with 1 km of a number of European protected sites (Morcambe Bay SAC and Ramsar site, Duddon Estuary SSSI and Piel Flats SSSI). The application is supported by a phase I habitat report and a site specific habitat assessment. The former report considers any potential for likely significant effects on the European protected sites and the latter report focuses on the site itself and the value of the existing habitat. The reports conclude in broad terms that there would be no likely significant effects on the European sites and the features of interest for those sites (in particularly wintering birds and mudflat habitat). Despite the proximity of the proposed development to those sites, disturbance to those protected species is likely to be very low given the nature of the wider area which is heavily developed and active with a variety of uses.

7.18 The site itself is characterised by grassland and scrub and is a potentially suitable habitat for reptiles. The survey conducted within the appropriate window for this species did not reveal any live animals on the site at the time of the survey. The consultant ecologist considers the site to be an important area of neutral grassland and a rare example of this type of habitat, whereby the site has regenerated after its past uses have ceased. It is not considered unusually diverse though and does not cover the entire site. It is also unlikely that the site will support reptiles, particularly given its relatively isolated nature. I consider therefore that the site can be developed with minimal harm to biodiversity, however, mitigation measures will be required in the form of specific landscape
planting and the agreement of a construction environmental management plan during the construction phase of the development. Removal of vegetation will also need to be undertaken outside the bird nesting season. I consider it appropriate to address these issues through conditions.

7.19 Given the conclusion of the reports submitted and the views of the consultant ecologist reviewing the site, I am of the view there are no likely significant effects on the European sites. I also conclude that the site itself is of relatively low ecological value and can be developed without significant harm to protected species or their habitat.

7.20 I conclude therefore that the proposal would not be contrary to policies N3 and N4 of the Barrow local plan and section 15 of the NPPF.

Is there any significant impact on the setting of the nearby listed structure?

7.21 The site is located north of the grade II listed graving dock structure. This feature consists of battered walls which form the sides of the channel feature – this feature is now part of the dock museum. I consider that the proposal will not have a significant affect upon the setting of this listed feature, given that the setting is predominantly commercial in character and there is some distance from this feature and the proposed development.

Does the proposal result in implications for flood risk and is the drainage solution acceptable?

7.22 The majority of the site is located within flood risk zone 1, with a small proportion of the site to the extreme west located in zones 2 and 3. No development is proposal other than in zone 1. Given this, the proposed use would in principle be acceptable in flood zone 1 and there is no requirement for a sequential or exception test to be carried out to justify the location of the development. The application is supported by a flood risk assessment and drainage strategy.

7.23 At present, surface water discharges directly to the ground at the site. A ground investigation has revealed that the site is not suitable for sustainable drainage techniques, that is soakaways and so the next viable option is to discharge surface water to the existing water course only 20 metres from the site. This will then allow discharge into the Walney Channel.

7.24 This drainage strategy is considered appropriate to mitigate any flood risk – surface water discharge from parking area and roadways will need to be treated prior to final discharge to prevent pollutants reaching the water course and channel.

7.25 I consider the flood risk assessment is adequate to assess flood risk at the site and that the drainage solution is acceptable – the Environment Agency and United Utilities do not objection subject to conditions.

Other Material Considerations

Site conditions and contamination

7.26 A desktop site investigation report has been submitted with the application and, in conjunction with previous site investigations, concludes that there are levels of contamination on the site owing to previous uses in the past (industrial). The
conclusions of the report are that an intrusive site investigation should be carried out prior to development beginning on the site. This is a view endorsed by Barrow Borough Council environmental protection officers. I consider it is reasonable to address this by a series of conditions requiring submission and approval of a site investigation report and appropriate remediation verification report to confirm mitigation works have been completed to deal with any contamination found at the site.

**Energy conservation and climate change**

7.27 The building itself will be designed to be energy efficient with thermal efficient walls and double-glazed windows. It is also confirmed that solar panels will be utilised to allow the generation of sustainable electricity where possible. I consider these measures will help the development be generally more suitable and make a small contribution during its lifetime to efforts to reduce emissions and tackle climate change.

**Community engagement**

7.28 The proposed scheme has been the subject of extensive consultation with relevant stakeholders, including the local community and councillors. The site selection has been the subject of careful consideration over a period of time and there has been engagement both with the County Council and Barrow Borough Council in terms of the planning merits of the scheme.

**Secured by design considerations**

7.29 The building will be somewhat isolated being located in a commercial and industrial location and this may result in natural surveillance being limited after the activities in the building and site have finished each day. Given this, some measures have been suggested within the planning application to include security fencing around the access road, but I consider more detail is required in terms of the proposed fencing around the site which may form a reasonably effective strategy to reduce the overall vulnerability of the site to both crime and anti-social behaviour. I consider it is reasonable to security these details by way of a suitably worded condition.

**8.0 CONCLUSION**

8.1 The proposed scheme is not in strict accordance with the site allocation as defined by the Barrow local plan as an ‘opportunity area’ and policy DS4. This is mainly because the policy does not explicitly refer to education uses as being acceptable in its wording.

8.2 I consider however, that there are other factors which weigh in favour of the proposed scheme – these are outlined in the main body of this report.

8.3 The proposed scheme represents an opportunity to allow development of part of this site in a sustainable manner and also to provide a facility which will support a strategy educational need in the local area. There has been careful consideration in terms of site selection during the process of identifying a suitable location for this unit. It was considered that this site represented the best solution in terms of
access for the identified group of users and that the site is located in a highly accessible and sustainable location. Other alternative sites were discounted due to planning constraints or that they would not offer easily accessible provision for the locally identified need. I consider this is a strong case to justify the need to locate the building at this particular site.

8.4 I have found that the scheme overall does not result in any significant harm to the area or to the main aims of developing this allocation site. Further opportunities for development of the site are likely to be possible given that around half its area will remain undeveloped as a result of the scheme. It is also possible, though outside the control of planning, that the scheme may generate demand for further development of the site within the associated regeneration benefits this may bring.

8.5 The lack of compliance with policy DS4 is, in my view, not sufficient to recommend refusal of planning permission and the development complies with the spirit of this policy and also clearly aligns with the NPPF in terms of sustainable development and the provision of education facilities where there is a clear need which has been identified locally.

8.6 In summary, therefore, I consider that the proposed development is broadly in accordance with the development plan, there are no material considerations that indicate the decision should be made otherwise and with the planning conditions proposed, any potential harm would reasonably by mitigated. I therefore recommended that this application be granted subject to conditions.

**Human Rights**

8.7 The proposal will have a limited impact on the visual, environmental and residential amenity 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 of the Human Rights Act 1998) are minimal and proportionate to the wider social and economic interests of the community.

**Angela Jones**  
**Executive Director for Economy and Infrastructure**

**Contact:** Mr Richard Cryer

**Electoral Division Identification:** Hindpool - Mrs. Burns
Appendix 1 - PROPOSED PLANNING 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: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Notification of the date of commencement of the development shall be made in writing to the County Planning Authority within 7 days of such commencement. The County Planning Authority shall also be notified of the commencement date of occupation of the new build, within 7 days of such commencement.

   Reason: To enable the County Council to monitor the development and ensure compliance with this permission

Approved Scheme

3. The development hereby permitted shall be carried out, except where modified by the conditions to this permission, in accordance with the following:

   a. The submitted Application Form – dated 15th September 2020
   b. Flood risk assessment, dated August 2020
   c. Drainage strategy, dated 5th October 2020
   d. Planning statement, October 2020, revision A
   e. Design and access statement, September 2020, revision A
   f. Geotechnical desk top study, dated 17th December 2019
   g. Site waste management plan
   h. Transport statement dated 5th October 2020
   i. Utilities assessment
   j. Plans numbered and named:
      i) Location plan 5430/16/A, dated 5/5/2020
      ii) Site plan 5430/11/E, dated 5/5/2020
      iii) Block plan 5430/15/A, dated 5/5/2020
      iv) Proposed elevations 5430/12/B, dated 5/5/2020
      v) Proposed floor plans 5430/10/G, dated 5/5/2020
      vi) Proposed roof plan, 5430/17, dated 5/5/2020
      vii) Lighting plan, 7236/B/X1, dated 5/9/2020
      viii) Existing survey plan, 5430/14/A, dated 5/5/2020
k. The details or schemes approved in accordance with the conditions attached to this permission.

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

Drainage

4. The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Drainage Strategy, Rev 1 proposing surface water discharging into graving dock. No surface water will be permitted to drain directly or indirectly into the public sewer. A non-return valve should be installed before connecting into the public sewer. Any variation to the discharge of foul shall be agreed in writing by the Local Planning Authority prior to the commencement of the development. The development shall be completed in accordance with the approved details.

Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding in accordance with Barrow local plan policy C1.

5. Full details of the surface water drainage system (incorporating SUDs features as far as practicable) and a maintenance schedule (identifying the responsible parties) shall be submitted to the Local Planning Authority for approval prior to development being commenced. Any approved works shall be implemented prior to the development being completed and shall be maintained thereafter in accordance with the schedule.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. To ensure the surface water system continues to function as designed and that flood risk is not increased within the site or elsewhere in accordance with Barrow local plan policy C1.

Construction Method statement

6. No development shall commence on site until a Construction Method Statement has been submitted to and approved in writing by the County Planning Authority. The Method Statement shall include the following:

a. Details of the construction compound, areas of hardstanding, access tracks, vehicular access/egress, and parking provision during the construction phase;

b. Methods for cleaning of wheels, site entrance and adjacent public highway to prevent debris from the site being deposited upon the public highway;

c. HGV sheeting to prevent debris from the site being deposited upon the public highway;

d. Details of where plant and materials used in construction will be stored;

e. Details of where/how fuels, oils and other chemicals will be stored, and how spillages will be dealt with;

f. A scheme for recycling/disposing of waste resulting from construction works,
including a statement to the effect that there shall be no burning of waste on the site during the construction of the development;
g. Identification of potential sources of and measures to control/suppress noise, dust and vibration;
h. Details of temporary lighting during construction;
i. A written procedure for dealing with any complaints associated with the construction phase;
j. Post-construction restoration/reinstatement of the compound/working areas.

The construction phase of the development shall be carried out in accordance with the approved Construction Method Statement.

Reason: To ensure the construction of the development is carried out in accordance with the approved scheme, in order to minimize impacts on residential and environmental amenity, in accordance with Barrow local plan policy DS2

Contaminated land

7. Prior to commencement of development, a Field Investigation and Risk Assessment, conducted in accordance with established procedures (BS10175 (2011+A2:2017) Code of Practice for the Investigation of Potentially Contaminated Sites and Land Contamination Risk Management (LCRM)), shall be undertaken to determine the presence and degree of contamination and must be undertaken by a suitably qualified contaminated land practitioner. The results of the Field Investigation and Risk Assessment shall be submitted to and approved in writing by the Local Planning Authority before any development begins.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Barrow local plan policy DS2

8. Where contamination is found which poses unacceptable risks, no development shall take place until a detailed Remediation Scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme must include an appraisal of remedial options and proposal of the preferred option(s), all works to be undertaken, proposed remediation objectives, remediation criteria and a verification plan. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Barrow local plan policy DS2
9. The approved Remediation Scheme shall be implemented and a Verification Report submitted to and approved in writing by the Local Planning Authority, prior to occupation of the development.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Barrow local plan policy DS2

10. In the event that contamination is found at any time when carrying out the approved development, that was not previously identified, it must be reported immediately to the Local Planning Authority. Development on the part of the site affected must be halted and Field Investigations shall be carried out. Where required by the Local Planning Authority, remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These shall be implemented prior to occupation of the development.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Barrow local plan policy DS2

**Approval of Materials**

11. No development shall take place on site above foundation level until:

   i. samples of all external materials and finishes to be used on the building;
   ii. samples of all materials and finishes to be used for the hard landscaped areas, including paving and pathways, and
   iii. details (style, colour and finishes/materials) of all boundary treatments, including fences - metal and wooden, walls, gates and railings;

have been submitted to and approved in writing by the County Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure the construction is carried out in accordance with the approved scheme, and in the interests of visual and residential amenity, in accordance with Barrow local plan policy DS2

**Access and roads details**

12. The carriageway, footways, footpaths, cycleways shall be designed,
constructed, drained to the satisfaction of the Local Planning Authority and in this respect further details, including longitudinal/cross sections, shall be submitted to the Local Planning Authority for approval before commencement of development on site. No work shall be commenced until a full specification has been approved. Any works so approved shall be constructed before the development is complete.

Reason: To ensure a minimum standard of construction in the interests of highway safety and to accord with Local Transport Plan Policies LD5, LD7, LD8 and Barrow local plan policy DS2.

13. The school shall not be occupied until the access road including footways has been constructed in all respects to base course level and street lighting where it is to form part of the estate road has been provided and brought into full operational use.

Reason: In the interests of highway safety and to accord with Local Transport Plan Policies LD5, LD7, LD8 and Barrow local plan policy DS2

Ecology and biodiversity

14. No development shall take place on the site until a detailed landscaping scheme and ecological mitigation scheme has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full within the first available planting season and thereafter maintained and managed for a minimum period of five years. Any tree or shrub planted as part of the landscaping scheme that, within a period of five years after planting, dies or becomes, in the opinion of the Local Planning Authority, seriously diseased, must be replaced in the first available planting season with a specimen of the same size as that originally planted, unless an alternative plant size and species have been agreed in writing with the Local Planning Authority.

Reason: In order to ensure no net loss of biodiversity through compliance with the NERC biodiversity duty as reflected in Barrow Local Plan Policy N3 and N4.

15. No development on site shall commence until an Ecological Design and Management Strategy addressing mitigation and compensation for impacts upon habitats has been submitted to and approved by the Local Planning Authority. The EDMS shall focus upon neutral grassland conservation and must be implemented in accordance with the approved details and all features shall be retained thereafter.

The EDMS shall be an enhanced soft landscaping design, which must include the following.

a) Purpose and conservation objectives for the proposed works.
b) Review of site potential and constraints.
c) A design to achieve stated objectives showing the extent and location/area of proposed works on appropriate scale plan.
d) Type, number and source of plants and materials to be used where appropriate, e.g. native species of local provenance, number and make of roost/nest boxes.
e) Timetable for implementation and details of aftercare and 5 year maintenance and remedial measures.

*Reason: To ensure biodiversity is taken into account and demonstrate the Local Planning Authority’s compliance with the National Planning Policy Framework and the NERC biodiversity duty as reflected in the Barrow Local Plan policies N3 and N4.*

16. No development on site shall commence until an Ecological Design and Management Strategy addressing mitigation and compensation for impacts upon habitats has been submitted to and approved by the Local Planning Authority. The EDMS shall focus upon neutral grassland conservation and must be implemented in accordance with the approved details and all features shall be retained thereafter.

The EDMS shall be an enhanced soft landscaping design, which must include the following.

a) Purpose and conservation objectives for the proposed works.
b) Review of site potential and constraints.
c) A design to achieve stated objectives showing the extent and location/area of proposed works on appropriate scale plan.
d) Type, number and source of plants and materials to be used where appropriate, e.g. native species of local provenance, number and make of roost/nest boxes.
e) Timetable for implementation and details of aftercare and 5 year maintenance and remedial measures.

*Reason: To ensure biodiversity is taken into account and demonstrate the Local Planning Authority’s compliance with the National Planning Policy Framework and the NERC biodiversity duty as reflected in the Barrow Local Plan policies N3 and N4.*

17. No development shall take place until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details. The CEMP (Biodiversity) shall include the following.

a) Identification of “biodiversity protection zones”.
b) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
c) The location and timing of sensitive works to avoid harm to biodiversity features.
d) The times during construction when specialist ecologists need to be present on site to oversee works.
e) Responsible persons and lines of communication.
f) The role and responsibilities on site of an ecological clerk of works (ECoW).
g) Use of protective fences, exclusion barriers and warning signs.

*Reason: To ensure biodiversity is taken into account and demonstrate the Local*
Planning Authority's compliance with the National Planning Policy Framework and the NERC biodiversity duty as reflected in the Local Plan and also to ensure no adverse impacts upon the Morcambe Bay SPA and to demonstrate that CCC have complied with our duties in relation to The Conservation of Habitats and Species Regulations 2017 (as amended).

18. All vegetation removal should be undertaken outside of the bird nesting season. The bird nesting season is generally regarded to extend between March and August inclusive. If this is not possible, a suitably qualified ecologist must be present to oversee all vegetation removal and if appropriate, an exclusion zone set up around any vegetation to be protected until any dependent young have vacated the area.

Reason: To ensure biodiversity is taken into account and demonstrate the Local Planning Authority's compliance with the National Planning Policy Framework and the NERC biodiversity duty as reflected in Barrow Local Plan policies N3 and N4.
Appendix 2 - PLAN OF SITE LOCATION/EXTENT