

Allerdale area Planning Department, Cumberland Council

For the attention of [REDACTED]

Date: 22 May 2025

Your reference: DCO/2025/0001

Dear [REDACTED]

## **CONSULTATION ON PLANNING APPLICATION**

**Appn: DCO/2025/0001**

**Site Address: Land at Dean Moor, Branthwaite, Winscales, Workington, CA14 4ST**

**Proposal: Application for an Order Granting Development Consent for Dean Moor Solar Farm project**

Thank you for your consultation on the above Planning Application.

The Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) can confirm as follows :

### **Local Highway Authority response:**

The LHA has had extensive pre-submission pre-app discussions with the applicant regarding traffic and access matters. Certain parameters, constraints and measures to protect the highway and its users have been agreed in principle.

I have reviewed the:

- Outline Construction Traffic Management Plan (OCTMP)
- Traffic Regulation Measures Plan
- Transport Statement
- Outline Operational Management Plan (OOMP)
- Framework Decommissioning Management Plan (FDMP)

These are comprehensive documents and I note the inclusion of all the measures and proposals as previously discussed, including (not a definitive list), temporary speed limits, details of accesses, delivery management proposals, swept paths, operational hours and routing.

The proposals are acceptable at this stage to manage and offset any material impact on the highway network, including outline proposals for the operational phase and decommissioning operation. However, further details to be approved by the LHA are

required at the relevant stages. It is noted that final CTMP, OMP and DMP are proposed to be submitted as a DCO requirement and we will recommend that this is conditioned.

### **Countryside Access**

There are several Public Rights of Way affected by the proposals, namely: Public Footpaths 260001, 260003, 260010 and 241005 would all be affected to various degrees.

The rights of way are acknowledged in the documents and plans seem to suggest the Public Footpaths would be left unobstructed however we would require more detailed plans on what is proposed to keep the Public Footpaths open and unobstructed if Planning Permission was to be granted.

### **Lead Local Flood Authority response:**

I have reviewed the Environmental Statement: Appendix 2.4 – Flood Risk Assessment and Outline Drainage Strategy (ODS) (in 3 parts) and previously had extensive discussions and meetings with the applicant to establish the requirements and provisions to include in the submission. The FRA & ODS is a very comprehensive document and includes all the necessary measures and procedures as previously discussed and agreed.

I am satisfied that with the measures considered and proposed at this stage for surface water management the development will not increase flood risk to the site nor downstream. The pollution and sediment / silt management aspects are also covered off to provide the necessary treatment which is especially important during the construction phase.

It is noted that a final Drainage Strategy is proposed to be submitted as a DCO requirement and we will recommend that this is conditioned.

### **Construction Surface Water and Flood Risk Management**

I have reviewed the relevant section in the Outline Construction Environmental Management Plan (OCEMP) and I note the inclusion of all the measures and procedures discussed and agreed in pre-app discussions with the applicant. The OCEMP includes the necessary measures for protecting the Site from flooding, controlling the risk of pollution, and the ingress of material such as soil, silt, oil, and chemicals.

Preparation of the final Construction Environmental Management Plan (CEMP) shall be secured by a DCO Requirement and shall be submitted for approval by the Council. The construction of any part of the Proposed Development must be carried out in accordance with the approved CEMP for that part.

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**Conclusion:**

The LHA and LLFA have no objection to the proposals but recommends the following conditions are included in any consent granted:

**The site accesses and any other works to the public highway 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 work commences 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.*

**Details of any works to Public Rights of Way on the Site to protect them and keep them open shall be submitted to the Local Planning Authority for approval before work commences 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 assert and protect the rights of the public to the use and enjoyment of any highway for which they are the Highway Authority and prevent as far as possible the stopping up or obstruction of those highways.*

**Development shall not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the local planning authority. The CTMP must be substantially in accordance with the OCTMP and will:**

- **Demonstrate that construction materials can be delivered, and waste removed, in a safe, efficient and environmentally friendly way;**
- **Identify construction deliveries that could be reduced, re-timed or consolidated, particularly during peak periods on the highway network;**
- **Encourage use of modern, low emission vehicles;**
- **Enable all contractors, suppliers, and hauliers to be familiar and compliant with the requirements of the CTMP; and**
- **Encourage construction workers to travel by non-car modes and low emission transport to the Site.**

**The CTMP shall also include details of**

- **Pre-construction road condition established by a detailed survey for accommodation works within the highways boundary conducted with a Highway Authority representative; with all post repairs carried out to the satisfaction of the Local Highway Authority at the applicants expense;**
- **Details of proposed crossings of the highway verge;**

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- Retained areas for vehicle parking, manoeuvring, loading and unloading for their specific purpose during the development;
  - Cleaning of site entrances and the adjacent public highway;
  - Details of proposed wheel washing facilities;
  - The sheeting of all HGVs taking spoil to/from the site to prevent spillage or deposit of any materials on the highway;
  - Construction vehicle routing;
  - The management of junctions to and crossings of the public highway and other public rights of way/footway;
  - Details of any proposed temporary access points (vehicular / pedestrian)
  - Surface water management proposals during the construction phase

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

**Prior to the development of any phase the applicant must produce and submit a Construction Environmental Management Plan (CEMP) for that part of the Proposed Development, for approval in writing by the local planning authority. The CEMP will adhere to the principles established by the OCEMP.**

*Reason: To protect the Site from flooding and control the risk of pollution, and protecting the aquatic environment from waterborne pollutants such as soil, silt, oil, and chemicals.*

*[Note: The OCEMP and CEMP cover a wide range of construction based risks to the environment. The assessment and recommendations contained in this response relate solely to the water environment as part of the LLFA's duties. A broader, all-encompassing condition relating to the CEMP will be required]*

**Prior to the operation of any part of the Proposed Development, the Applicant must produce and submit an Operational Management Plan ('OMP') for that part of the Proposed Development, for approval in writing by the local planning authority. The OMP must be substantially in accordance with the Outline Operational Management Plan (OOMP) covering traffic management matters as appropriate.**

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

**Prior to the decommissioning of the site or any part of the site a Decommissioning Traffic Management Plan (DTMP) shall be submitted for approval by the Local Planning Authority. The DTMP shall be substantially in accordance with the Framework Decommissioning Management Plan (FDMP)**

*Reason: To manage and minimise the impacts of traffic associated with decommissioning on the local road network.*

**Prior to the commencement of any development, a surface water drainage strategy, shall be submitted to and approved in writing by the Local Planning Authority. (Refer to the CDDG Appendix 7 for list of documents and evidence to be submitted)**

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

**The drainage scheme submitted for approval shall also be in accordance with the principles set out in the Flood Risk Assessment & Outline Drainage Strategy dated March 2025.**

**The works shall be constructed, maintained and managed in accordance with the approved details.**

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

### **Advisory Statements**

1. Prior to any work commencing on the watercourses the applicant should contact the Lead Local Flood Authority by email: [LFRM.consent@cumbria.gov.uk](mailto:LFRM.consent@cumbria.gov.uk) to confirm if an Ordinary Watercourse Flood Defence Consent is required. If it is confirmed that consent is required it should be noted that a fee of £50 will be required and that it can take up to two months to determine.
2. Any works within or near the Highway must be authorised by the Council and no works shall be permitted or carried out on any part of the Highway including Verges, until you are in receipt of an appropriate permit from the LHA Streetworks team. This applies to

temporary speed limit orders and the like which will be required for the duration of the construction phase. Please be aware that we require a minimum of 12 weeks notice for planned works and the works must have been discussed with the Streetworks Team in advance of submitting your application.

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

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

Yours sincerely



Lead Officer - Flood & Development Management