



The Market Hall
Market Place
Whitehaven
Cumbria CA28 7JG
Telephone 0300 373 3730
cumberland.gov.uk

Mr Chris Stanowski
Manning Elliott Partnership
Langlands
Pallet Hill
Penrith
Cumbria
CA110BY

Please Contact: Chris Harrison
Officer Tel No: 01946 598412
My Ref: 4/22/2466/0F1
Date: 11th August 2026

Dear Mr Stanowski,

APPLICATION UNDER SECTION 96A OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) FOR NON-MATERIAL AMENDMENT.

PROPOSAL: REDEVELOPMENT OF FORMER BUILDERS YARD INTO NEW HOUSING TO PROVIDE 35 DWELLINGS.

**LOCATION: LAND ADJACENT TO BORDER YARD, COACH ROAD, WHITEHAVEN.
PLANNING APPLICATION REF: 4/22/2466/0F1.**

I refer to your application for the above received on the 13th July 2026 and amended on the 11th August 2026.

It is proposed to amend the wording of Planning Condition 5, Planning Condition 6 and Planning Condition 7 to the following:

5. No development other than site clearance and preparatory works shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to and approved in writing by the Local Planning Authority. This strategy will include the following components:

- 1. A site investigation scheme, based on the desk study to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.*
- 2. The results of the site investigation and the detailed risk assessment referred to in (1) 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.*
- 3. 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 (2) 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 written consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason

To ensure that the development does not contribute to and is not put at unacceptable risk from or is adversely affected by pollution in accordance with the provisions of the National Planning Policy Framework and Policy ST1 of the Copeland Local Plan 2013-2028.Framework.

6. No development shall commence on any individual dwelling plot, highway, public open space or drainage infrastructure until:
a) a scheme of intrusive site investigations for that specific dwelling plot, highway, public open space or drainage infrastructure has been submitted to and approved in writing by the Local Planning Authority to establish the risks posed by past coal mining activity; and
b) any remediation works and/or mitigation measures identified as necessary for that specific dwelling plot, highway, public open space or drainage infrastructure to address land instability arising from the coal mining legacy have been fully implemented on site.
All intrusive investigations, remediation works and mitigation measures shall be undertaken in accordance with authoritative UK guidance.

Reason

To ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site accordance the provisions of the National Planning Policy Framework and Policy ST1 of the Copeland Local Plan 2013-2028.

7. No development other than site clearance and preparatory works shall commence until a detailed site-specific risk assessment in relation to any deep foundation piling techniques in made ground to be used in the construction of the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. The assessment should include details that demonstrate any techniques do not cause or exacerbate existing contamination. Some techniques may not be suitable. The development shall be completed in accordance with the approved details.

Reason

To ensure that the proposed foundation design and installation does not harm groundwater resources in accordance with the provisions of the National Planning Policy Framework and Policy ST1 of the Copeland Local Plan 2013- 2028.

Decision of Cumberland Council

The proposed revisions are acceptable as non-material amendments of planning application ref. 4/22/2466/0F1.

The development should now proceed in accordance with the amended details.

This is not a reissue of planning application ref. 4/22/2466/0F1, which still stands. A copy of this letter should be attached to the Notice of Grant of Planning Permission for planning application ref. 4/22/2466/0F1 for safekeeping.

Please note that approval under any other legislation, including Building Regulations consent, is not granted by this letter and should be subject of a separate approval.

If you have any queries, please contact the officer on the above number.

Yours sincerely

A handwritten signature in black ink, appearing to read 'I. Fairlamb', written in a cursive style.

Iain Fairlamb
Service Manager for Development and Implementation
Thriving Places