

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/25/2336/0F1
2.	Proposed Development:	CHANGE OF USE TO FORM A TEMPORARY 24 HOUR CAR PARK COMPRISING OF 95 PARKING SPACES INCLUDING 7 DISABLED PARKING SPACES
3.	Location:	FORMER JEWSON SITE, COACH ROAD, WHITEHAVEN
4.	Parish:	Whitehaven
5.	Constraints:	ASC Adverts - ASC;Adverts, Flood Area - Flood Zone 2, Coal - Standing Advice - Data Subject To Change, Coal - Development Referral Area - Data Subject to Change
6.	Publicity Representations &Policy	See report.
7.	Report: Site and Location: The Application Site comprises part of the former Jewson's Yard off Coach Road, Whitehaven. The Application Site is located off Coach Road and accessed via Woodstock Lane. The Application Site is bounded to the north by a sports field currently being used by Whitehaven Cricket Club, to the east by Woodstock Lane providing access to a small residential development, to the south by Woodstock Lane and Coach Road, and to the west by National Cycle Routes 7 and 72 (NCN 7 & 72). The Application Site is surfaced with a combination of concrete and tarmac and is enclosed by a combination of masonry walls, palisade fencing, vegetation and buildings. The Application Site is part located within Flood Zone 1 and part located in Flood Zone 2. The access and the adjacent public highways providing access and egress are located within	

Flood Zone 2. The Application Site is identified as being at risk from surface water flooding.

Argo Fitness is located within an existing building located adjacent to the Application Site and accessed via Woodstock Lane. This comprises a gym operating seven days a week between the hours of 0500 and 2100.

Proposal:

This application seeks Full Planning Permission for the temporary use of the land as a 95no. space car park including 7no. disabled spaces.

It is proposed to access to the car park via the existing access to Woodstock Lane, which would be altered to deliver improved visibility splays.

External lighting comprises of three 6m lighting columns and 7no. wall lights operating on sensors is proposed.

It is confirmed that the tenant has registered the car park with the International Parking Community. The car park will be managed using ANPR technology with clear signage setting out the terms of use. Enforcement will be undertaken where necessary to ensure compliance. All operations will be conducted in accordance with the International Parking Community (IPC) Code of Practice, with management and enforcement handled by an accredited third-party provider.

Consultee:	Nature of Response:
Town Council	No objections/comments.
Cumberland Council – Highways and LLFA	<i>Response 1</i> Highways (Local Highway Authority) • Transport Assessment accepted as thorough. • Junction impacts: ◦ Preston Street: small increase in delay (up to +21s peak), but still within capacity. ◦ Corkickle: higher stress (DoS ~80%), but can be reduced to acceptable levels with signal optimisation. ◦ Developer required to pay £3,500 for signal improvements. • Safety: ◦ 8 injury collisions recorded (no clear pattern). ◦ Access visibility on Woodstock Lane currently poor but can be improved (requires submitted drawing and condition). • Conclusion: ◦ No severe impact on highway safety, subject to

		improvements. Active Travel • Positive inclusion of pedestrian link to C2C cycleway. Flood Risk & Drainage (LLFA) • Site partly in Flood Zone 2; car park use acceptable. • However, surface water flood risk is high across most of the site. • Existing drainage strategy is inadequate: ◦ No attenuation, flow control, or treatment. ◦ Does not meet SuDS standards (June 2025) expectations. • Key issues: ◦ Runoff should aim toward greenfield rates (or justified alternatives). ◦ Risk of pollution to Pow Beck without treatment measures. ◦ Risk of water discharging onto the highway (safety concern). ◦ Lack of threshold drainage. <i>Response 2</i> Highways (Local Highway Authority) • Assessment updated following additional information. • Junction impacts: ◦ Corkickle junction increase in DoS (74.6% → 80.2%) is not considered 'severe' under policy. ◦ Queue increase minimal (9 to 11 PCUs), delay negligible (~1s). ◦ Junction remains within capacity without optimisation. No financial contribution required. • Safety: ◦ Visibility splay of 2.4m x 20m confirmed acceptable (secured by condition). ◦ Some fence alterations required to achieve this. • Construction phase: ◦ Construction Traffic Management Plan (CTMP) required, including controls for HGVs and measures to protect the nearby school. • Conclusion: ◦ No severe impact on traffic conditions; acceptable subject to conditions. Flood Risk & Drainage (LLFA) • Proposal considered a retrofit development, limiting full SuDS application. No increase in impermeable area; therefore, no
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		increase in runoff or flood risk. Overall impact is neutral (net zero) on drainage and Pow Beck. • Existing drainage system not shown on plans. • Maintenance details not provided. • No objection, subject to conditions securing drainage details and maintenance. <i>Response 3</i> The Highway Authority has reviewed the submitted revised Flood Risk Assessment. The proposal comprises a less vulnerable use, as recognised in my previous response, and incorporates a flood management strategy including active monitoring of Environment Agency flood warnings, closure of the site during flood events, and measures to facilitate the removal of vehicles prior to inundation. Subject to the implementation and ongoing management of these measures, the Highway Authority raises no objection on highway safety grounds. The Authority recommends that the submitted Flood Management Procedure be secured and maintained for the lifetime of the development.
	Ecologist	<i>Response 1</i> Reason: The Council Ecologist notes that there is natural habitat on site even if it is pioneering species within rubble. These areas are larger than 25m² and therefore this site is not exempt from the biodiversity gain condition. Planning conditions proposed to secure ecological supervision and prevent impacts on breeding birds. <i>Response 2</i> Accepts that this application is exempt from the Biodiversity Gain Condition.
	Environmental Health	<i>Response 1</i> In terms of its remit, Environmental have considered the following matters: Part of this site is marked on Council mapping as being potentially contaminated land as defined by Part 2A Environmental Protection Act 1990. This is due to its long historical use as a former saw mill with an

		associated timber yard and rail sidings. The saw mill building is noted on an OS Map dated 1863 and is still present on the 1968 OS Map. There has obviously been more recent redevelopment of the site since then and the proposed car park surface is currently of a tarmac and concrete finish. As this hard surface is to be retained, it does effectively break the potential contamination pathway link between any pollutants in the sub/soil and human health. A condition for unexpected contamination is suggested if any signs of visual / olfactory contamination is encountered during removal of existing fencing for instance. The size of the proposed car park falls under the threshold whereby an Air Quality Assessment may be required. In terms of local air quality around Whitehaven town centre, the Council measures for nitrogen dioxide pollution in the air, largely from road traffic sources, by way of passive diffusion tubes. The nearest monitoring point is on Strand Street (south) and recorded an annual average mean level of NO₂ in 2024 of 10.7 ug/m³. (The UK national air quality objective is an annual average mean of 40 ug/m³). It is possible, using DEFRA predicted background air pollutant maps for 2024, to also show the local annual mean predicted level of PM₁₀ as 7.845 ug/m³ and PM_{2.5} as 4.294 ug/m³ of air. (The UK national air quality objectives are annual mean averages of 40 ug/m³ for PM₁₀ and 20 ug/m³ for PM_{2.5} particulate matter respectively). As is demonstrated, therefore, any slight increase in localised road traffic as a result of this proposed development would not significantly affect the local air quality that is to be found in Whitehaven. The proposed use as a 24 hour car park may throw up the potential issues during darkness and night time hours of external artificial light pollution and noise disturbance. There is no mention of any addition of artificial lighting scheme in the planning submission though any such lighting provision should be sensitive to the nearby residential dwellings. A suggested condition on this is noted below. The application also predicts that peak use of the car park will be during
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		normal working hours. If night time (23.00 – 07.00 hours) noise does become problematic, the statutory nuisance provisions of the Environmental Protection Act 1990 may provide redress to any affected residents, otherwise Environmental Health do not require a noise assessment with this application. The Flood Risk Assessment indicates that surface water from the site is positively drained into an existing surface water drainage system via an existing outfall to a watercourse. Presumably this would be to Pow Beck, which is designated an EA 'main river'. It would be advisable that petrol / silt interceptors are fitted to the existing surface water drainage off the proposed car park to prevent undue pollution to the beck, which ultimately discharges into Whitehaven Harbour. As regards general day to day management of the proposed car park (including litter removal, vandalism etc), a car park management plan is suggested. In conclusion, therefore, Environmental Health do not object to this proposed development and offer the following conditions to any planning approval. <i>Response 2</i> Thank you for the above planning consultation and the additional information on the proposed external lighting scheme. To provide further guidance on this, Environmental Health would advise that the lighting scheme makes reference to BS 5489-1:2020 Lighting of Roads and Public Amenity Areas and EN 12464-2 Outdoor Workplaces as well as GN01/21 LLP Guidance on the Reduction of Obtrusive Light, given that the area has both residential and commercial use: Can the developer therefore please provide a Lighting Impact Assessment showing: • Maintained horizontal average illuminance level across the site (lux) • Uniformity (Uo) meeting 0.25 for car parks • Glare control • Light spill to boundaries, particularly to residential facades • Compliance with lighting Environmental Zone E3 GN01 / 21 Obtrusive Light As regards the Car Park Management Plan, the information from the agent is helpful and acceptable to Environmental Health.	
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		A fuller CPMP submission should include: - Introduction - Site description - Purpose of car park (employees, visitors, customers, residents etc) - Management responsibilities (car park operator or management company and primary contact details) - Access and layout management - Parking allocation and control - Lighting and security - Pedestrian safety - Servicing and emergency access - Environmental considerations (lighting scheme, oil spillages, litter etc) - Maintenance - Complaints and monitoring - Plan review and amendments - Summary
	Environment Agency	National FRSA should be applied.
	Coal Authority	No consultation response received.
	United Utilities	All options for the sustainable management of surface water must be thoroughly investigated before we will accept any surface water connections from new development to the public sewer. Where a new surface water connection to the public sewer is proposed, we will require robust evidence to demonstrate the drainage hierarchy has been fully investigated and there are no more sustainable options available for the management of surface water. It is the applicant's responsibility to investigate the existence of any pipelines that might cross or impact their proposed site and also to demonstrate the exact relationship between United Utilities' assets and the proposed development. The applicant should not rely solely on the detail contained within asset maps when considering a proposed layout.
	Neighbour Responses:	
	The application has been advertised by way of a planning application site notice and neighbour notification letters issued to neighbouring properties. 9no. representations have been received in objection from 4 parties. Highway Safety and Traffic Impact - Increased traffic generation from a 95-space car park exacerbating existing congestion on Coach Road, which already serves a school, church, sports clubs, and recreational facilities - Additional turning movements and congestion giving rise to conflict between vehicles, pedestrians, and cyclists, including schoolchildren - Existing unsafe access arrangements, including reported near misses at the gym access point, likely to worsen with increased usage - Absence of clear traffic management measures or enforceable controls for vehicle movements and servicing	

Residential Amenity (Noise, Disturbance and Lighting)

- Noise and disturbance arising from 24-hour operation, including engine idling, car doors slamming, alarms, and general vehicle activity
- Intermittent vehicle-related noise identified as particularly harmful, especially during night-time and early morning periods
- Potential sleep disturbance and associated impacts on health and wellbeing of nearby residents
- Light pollution from headlights and installed lighting columns, including light spill into residential properties
- Lack of technical lighting details, including lux levels, shielding and directional control

Anti-Social Behaviour, Security and Community Safety

- Increased risk of anti-social behaviour associated with a 24-hour car park and new pedestrian access route
- Existing issues of anti-social behaviour along the adjacent cycle/footpath network (e.g. littering, broken glass)
- Creation of an unmonitored through-route potentially facilitating crime and reducing perceptions of safety
- Lack of proposed security measures such as CCTV or a comprehensive “designing out crime” strategy

Character, Visual Impact and Environmental Effects

- Adverse visual impact from hard surfacing, lighting columns, fencing, and signage introducing urbanising features
- Harm to the character and appearance of the locality and potential conflict with wider regeneration objectives
- Increased surface water runoff and insufficient information regarding drainage arrangements

Need for Development and Policy Compliance

- Lack of evidence demonstrating need for additional car parking provision within the area
- Concerns regarding underutilisation of existing town centre car parks
- Conflict with sustainable transport objectives, including national policy promoting reduced reliance on private vehicles

Temporary Nature and Lack of Long-Term Benefit

- Limited long-term benefits arising from the temporary nature of the development
- Risk that the temporary use may become effectively permanent, prejudicing more beneficial redevelopment of the site
- Loss of opportunity to deliver alternative uses such as housing or mixed-use development



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Unauthorised Development and Procedural Concerns

- Alleged unauthorised development, including site clearance, surfacing, installation of kerbing, lighting, and signage prior to determination
- Reports of the site already being in active use as a car park and for vehicle storage, including car hire vehicles
- Concerns that submitted application details are inaccurate or incomplete (e.g. commencement of works, materials, site visibility)
- Potential failure to comply with ecological requirements during site clearance
- Perception that retrospective development undermines confidence in the planning process

Other Matters

- Lack of clear operational details, including hours of use, site management, and enforcement mechanisms
- Noise nuisance associated with ancillary activities, including vehicle transporters
- Concerns regarding use of the site beyond a public car park, including commercial fleet storage

Planning Policy

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Development Plan:

On 1st April 2023, Copeland Borough Council ceased to exist and was replaced by Cumberland Council as part of the Local Government Reorganisation of Cumbria.

Cumberland Council inherited the local development plan documents of each of the sovereign Councils including Copeland Borough Council, which combine to form a Consolidated Planning Policy Framework for Cumberland.

The inherited local development plan documents continue to apply to the geographic area of their sovereign Councils only.

The Consolidated Planning Policy Framework for Cumberland comprises the Development Plan for Cumberland Council until replaced by a new Cumberland Local Plan.

Cumberland Council continued the preparation of the Copeland Local Plan 2021 - 2039 (LP) as commenced by Copeland Borough Council.

The LP was adopted by Cumberland Council on the 5th of November 2024 replacing the Copeland Local Plan 2013-2028 and the saved policies of the Copeland Local Plan 2001-2016.

Strategic Policy DS1: Settlement Hierarchy
 Strategic Policy DS2: Settlement Boundaries
 Policy DS4: Design and Development Standards
 Policy DS5: Hard and Soft Landscaping Strategic
 Policy DS6: Reducing Flood Risk
 Policy DS7: Sustainable Drainage
 Policy DS8: Soils, Contamination and Land Stability
 Policy DS9: Protecting Air Quality
 Strategic Policy E1: Economic Growth
 Strategic Policy E2: Location of Employment
 Strategic Policy E6: Opportunity Sites
 Strategic Policy SC1: Health and Wellbeing
 Strategic Policy N1: Conserving and Enhancing Biodiversity and Geodiversity
 Strategic Policy N3: Biodiversity Net Gain
 Policy N5: Protection of Water Resources
 Strategic Policy N9: Green Infrastructure
 Strategic Policy CO2: Priority for improving transport networks within Copeland Strategic
 Policy CO3: Priorities for improving transport links to and from Copeland Strategic Policy
 CO4: Sustainable Travel
 Policy CO7: Parking Standards

Other Material Planning Considerations

National Planning Policy Framework (NPPF).
 Planning Practice Guidance (PPG).
 National Design Guide (NDG).
 The Conservation of Habitats and Species Regulations 2017 (CHSR).
 Cumbria Development Design Guide (CDDG).

Assessment:

Principle

The Application Site is located within the defined settlement boundary of the Principal Town of Whitehaven which is the primary focus for new development in the plan area.

The Application Site comprises part of Opportunity Site ref. OWH05 – Land at Ginns as defined in Strategic Policy E6. Appendix C of the LP defines the preferred uses for the Opportunity Site as being - all town centre uses and also suitable for employment uses – Uses Classes B, C, E, F and Sui Generis (town centre appropriate) uses.

Economic development and regeneration is unlikely to be delivered in the short term. Accordingly, the use of the Application Site as a vehicle car park for a temporary period would comprise a pragmatic use delivering economic benefits to Whitehaven as proposals

and plans for longer term development and regeneration are progressed towards delivery.

The landowner has confirmed that the use as a car park remains a temporary proposal and that the medium/longer term plan is to redevelop the site.

The duration of any temporary planning permission should be limited to the anticipated timescale for commencement of the redevelopment to ensure that a scheme of development is progressed and to ensure that the pursuit of redevelopment is not prejudiced or delayed by the economic benefits resulting from the use for vehicle parking.

The Application Site is located in an edge of town centre location. No sequentially preferable locations for the provision of such facilities are known to exist.

Ecology

The hard surfaced parking area the subject of the application is not of ecological interest given its nature and continuing use. As such, no ecological impacts will occur.

The development is part retrospective.

The delivery of biodiversity net gain is not required.

Flood Risk

The Application Site is located in Flood Zone 1 and Flood Zone 2. Elements of Coach Road to the east are located in Flood Zone 3.

The flood mapping shows surface water flooding of 150mm to 600mm on the Application Site. The risk of 600mm depth is identified as low across the Application Site itself. Risk of depths of 600-900mm is identified on Coach Road.

The 2070-2025 climate change flood mapping does not show an increased area of the Application Site to the north being within Flood Zone 2 and increased depths of surface water flooding across the Application Site. This is not directly relevant to the development proposed being a temporary planning permission.

The proposed development comprises a material change of use, the development and access/egress is located within Flood Zone 2. The sequential test is not applicable.

The proposed development comprises a less vulnerable use; therefore, the exception test is also not applicable.

The Standing Advice from the Environment Agency is applicable.

A Site Specific Flood Risk Assessment has been submitted in support of the planning application.

The proposed comprises a less vulnerable use and is compatible with Flood Zone 2. A considerable area to be used for parking is located in Flood Zone 1. Opportunity will exist for vehicles to escape to Woodstock Lane in Flood Zone 1; however, access to Coach Road and beyond may be restricted. In such instances, opportunity will not exist for patrons to enter the site to access vehicles to be removed, limiting risk.

The Application Site comprises an existing surfaced yard finished with flood resistant materials. As such run off will not be increased.

The main electrical equipment is at height.

The submitted FRA confirms that the site will operate as a privately managed car park and that flood risk will be managed through the Environment Agency's Flood Alert and Flood Warning Service, to which the adjacent premises are already subscribed. In the event of a Flood Warning, the car park would be closed, access prevented and users required to remove vehicles during the available warning period before floodwaters affect the site. Permanent signage, including information directing users to live flood warning updates, would be provided. The FRA concludes that these measures would minimise the risk of vehicles becoming stranded or displaced during flood events and would enable safe management of the site.

A planning condition is proposed to require the completion/operation of the development in accordance with the provisions of the submitted FRA.

Drainage

The Application Site comprises an existing surfaced yard finished with flood resistant materials. As such run off will not be increased.

The LLFA have confirmed that since there is no increase in impermeable area and therefore no additional surface water flows into the surrounding drainage systems and ultimately into Pow Beck, the site will have a net zero impact on the run-off and flood risk.

Notwithstanding the above, given the change in the nature of the use, a planning condition is proposed to secure the installation of an interceptor to prevent the discharge of hydrocarbons from the Application Site.

Highways

The LHA is satisfied that the proposal will not have a severe impact on the local traffic conditions.

The visibility at the access is acceptable to the LHA. A planning condition is requested to secure delivery.

A financial contribution to improve junction efficiency was initially requested; however, this request was subsequently removed.

Given that the car park is surfaced and the infrastructure already installed, it is considered that a condition requiring a Construction Traffic Management Plan to allow for suitable control and management of HGV deliveries etc. is not justified.

Residential Amenity

Objections have been received in relation to noise and disturbance arising from 24-hour operation, including engine idling, car doors slamming, alarms, and general vehicle activity and light pollution.

The Applicant predicts that peak use of the car park will be during normal working hours.

It must be accepted that the Application Site is located in an edge of town centre location. Vehicle parking area exist in a number of locations in and around the town centre which border residential development and operate successfully without unacceptable impact upon residential amenity.

Environmental Health confirm that if nighttime (23.00 – 07.00 hours) noise does become problematic, the statutory nuisance provisions of the Environmental Protection Act 1990 may provide redress to any affected residents, otherwise Environmental Health do not require a noise assessment with this application.

The Applicant has submitted a basic lighting scheme. Whilst Environmental Health have requested additional lighting information, given the limited extent of the lighting proposed and its location in relation to the existing residential development, the potential for impact is considered low.

The Application Site benefits from existing use rights as a builders merchants. Whilst the site has not been in use for such purposes for a prolonged period, the fall back and potential impacts of such use are a material planning consideration.

Ground Conditions

Part of this site is marked on Council mapping as being potentially contaminated land as defined by Part 2A Environmental Protection Act 1990. This is due to its long historical use as a former sawmill with an associated timber yard and rail sidings. The sawmill building is noted on an OS Map dated 1863 and is still present on the 1968 OS Map.

There has obviously been more recent redevelopment of the site since then and the proposed car park surface is currently of a tarmac and concrete finish. As this hard surface is to be retained, it does effectively break the potential contamination pathway link between any

pollutants in the sub/soil and human health.

A condition for unexpected contamination is proposed.

Environmental Health have raised no objection.

Air Quality

The size of the proposed car park falls under the threshold whereby an Air Quality Assessment may be required.

Environmental Health have assessed for potential impact/harm and have demonstrated that any slight increase in localised road traffic as a result of this proposed development would not significantly affect the local air quality that is to be found in Whitehaven.

Planning Balance

The Application Site lies within the settlement boundary of Whitehaven and forms part of Opportunity Site OWH05 (Land at Ginns), identified within Strategic Policy E6 of the Copeland Local Plan. Whilst the preferred long-term redevelopment of the site remains supported, the proposal would utilise a currently underused brownfield site for a temporary period pending the delivery of a comprehensive redevelopment scheme. The proposal would provide additional public parking in an accessible edge-of-centre location and would support the economic function of Whitehaven town centre and surrounding businesses.

In assessing the proposal, it is acknowledged that concerns have been raised regarding noise, disturbance and the potential impact of a 24-hour car park on neighbouring residential occupiers. However, the site is located within a mixed-use urban environment where vehicle parking is an established feature, and the Council's Environmental Health Officer has raised no objection. Furthermore, the site benefits from a lawful fallback position for industrial-related uses which could give rise to a different and potentially greater level of activity and disturbance.

Technical consultees, including the Local Highway Authority, Lead Local Flood Authority and Environmental Health, have raised no objections subject to planning conditions. The proposal is considered acceptable in relation to highway safety, drainage, flood risk, contamination, air quality and ecology. The submitted Flood Risk Assessment demonstrates that the development constitutes a less vulnerable use compatible with Flood Zone 2 and that appropriate management measures can be implemented to ensure the safe operation of the site during flood events.

Whilst the proposal does not represent the preferred long-term redevelopment of Opportunity Site OWH05, it would deliver a productive temporary use of a vacant brownfield site, support the vitality and viability of Whitehaven town centre, and would not result in unacceptable adverse environmental, residential amenity, highway, drainage or flood risk impacts. Subject



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	to the imposition of conditions, including a temporary consent to ensure the longer-term redevelopment aspirations for the site are not prejudiced, the benefits of the proposal are considered to outweigh any limited harm identified. Accordingly, the proposal is considered to accord with the relevant provisions of the Development Plan taken as a whole and there are no material considerations which indicate that planning permission should be withheld.
8.	Recommendation: Approve
9.	Conditions: 1. The use of the land as a car park hereby permitted shall be discontinued on the 31st August 2029. At the end of this period all materials and equipment brought onto the land in connection with the use as a car park shall be removed and the land restored in accordance with a scheme first submitted to and approved in writing by the Local Planning Authority. Reason The use hereby approved is not considered suitable as a permanent form of development in order to safeguard the future development of the land for alternative uses in accordance with the provisions of the Copeland Local Plan 2021-2039. 2. Permission shall relate to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them: Application Form Location Plan – Drawing No. 17/03/903 - 01 Site Plan – Drawing No. 17/03/903 – 02 a) Flood Risk Assessment - REF: 17/03/903 – FRA received 2nd July 2026 Former Jewson's Yard, Coach Road, Whitehaven – Ref. 784-B074839 - Transport Assessment Biodiversity Net Gain (BNG) Exemption Statement External Lighting Report Car Park - Coach Road, Whitehaven CGC ORLANDO 100W LED Amenity Post Top Light – Specification Information LED SLIM WALL PACK – Specification Information Reason To conform with the requirement of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

3. Notwithstanding the details contained in Flood Risk Assessment - REF: 17/03/903 – FRA received 2nd July 2026 within three months of the date of this planning permission a surface water drainage scheme and surface water drainage maintenance regime shall be submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme shall include details of a method to prevent the discharge of hydrocarbons from the Application Site.

The approved works shall be implemented within 3 months of their approval and shall be maintained for the lifetime of the development.

Reason

To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with the provisions of Policy DS7 of the Copeland Local Plan 2021-2039.

4. Within three months of the date of this planning permission, visibility splays providing clear visibility of 20 metres (to the east) measured 2.4 metres down the centre of the access road and the nearside channel line of the carriageway edge shall be provided at the junction of the access with the public highway.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be planted or be permitted to grown within the visibility splay which obstruct the visibility splays.

Reason

In the interests of highway safety in accordance with the provisions of Policy C07 of the Copeland Local Plan 2021-2039.

5. Within three months of the date of this planning permission a Car Park Management Plan setting out how the car park will be managed shall be submitted to and approved in writing by the Local Planning Authority.

The Car Park Management Plan shall include details of:

- The allocation and control of parking spaces
- Management and enforcement arrangements
- Measures to minimise the impact on the existing residential dwellings



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- Signage and marking of parking spaces

The measures shall thereafter be implemented in accordance with the approved details for the lifetime of the development.

Reason

To ensure the safe operation of the approved car park and to safeguard the amenities of nearby residential occupiers in accordance with the relevant provisions of the National Planning Policy Framework.

6. Notwithstanding the details shown on Site Plan – Drawing No. 17/03/903 – 02 a); External Lighting Report Car Park - Coach Road, Whitehaven; CGC ORLANDO 100W LED Amenity Post Top Light – Specification Information; and, LED SLIM WALL PACK – Specification Information no external lighting shall be brought into use until a detailed lighting scheme has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall include:

- Position, height, design, and luminance of all lighting
- Details of light spillage (lux contours)
- Measures to minimise impacts on residential amenity

The approved lighting shall thereafter be installed and retained in accordance with the approved details.

The lighting scheme must conform to requirements to meet the Obtrusive Light Limitations for Exterior Lighting Installations for environmental zone E3 contained within The Institute of Light Engineers Guidance Note GN01/21 (dated 2021) for The Reduction of Obtrusive Light.

Reason

To protect residential amenity, to ensure high quality design and to protect the environment from light pollution in accordance with Policy DS4 of the Copeland Local Plan 2021-2039.

7. Access gates, if provided, shall be hung to open inwards only away from the highway.

Reason

In the interests of highway safety in accordance with the provisions of Policy C07 of the Copeland Local Plan 2021-2039.

8. 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 in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and, where remediation is necessary, a remediation scheme must be prepared and be submitted and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared which is subject to the approval in writing of the Local Planning Authority.

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 off site receptors.

Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.

Informatives

Biodiversity Net Gain – Exemption

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition)” that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the local planning authority, and
- (b) the local planning authority has approved the plan.

The planning authority, for the purposes of the Biodiversity Gain Plan is Cumberland Council.

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun as the proposals comprises development that does not impact a priority habitat and impacts less than:

- 25 square metres (5m by 5m) of on-site habitat; and,
- 5 metres of on-site linear habitats such as hedgerows.

Ecological Supervision

In order avoid committing a wildlife offence under the Wildlife and Countryside Act 1981 (as amended), the applicant must employ an Ecological Clerk of Works (ECoW) for the initial



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clearance works of the rubble areas. The ECoW will ensure the avoidance and protection of breeding birds, small mammals, herptiles (if any) and ensure the works adhere to the procedures set out in the CEMP.

Breeding Birds

Works should be completed outside of the breeding bird period (March – August inclusive). If this is not possible a breeding bird check should be carried out no more than 48 hours prior to the planned development to ensure no birds and their nests are present. If active nests are discovered an appropriate buffer zone should be established and works within that area ceased until the young have naturally fledged.

Small Mammals and Herptiles

All development work should be carried out with care to avoid small mammals such as hedgehogs, and herptiles. The ECoW will supervise the clearance of the rubble areas which must be undertaken before the hibernation period of herptiles and small mammals (starting in November, or when the nighttime temperatures are consistently below 5oC). Contractors should be briefed about the potential presence of these species groups to avoid injury to any disturbed individuals.

Development Low Risk Area - Standing Advice

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 Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242.

Further information is also available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK

Case Officer: Chris Harrison

Date : 04/08/2026

Authorising Officer: N.J. Hayhurst

Date : 10/08/2026

Dedicated responses to:-