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TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

NOTICE OF GRANT OF PLANNING PERMISSION

PFK Rural
10 The Courtyard
Edenhall
Penrith
CA11 8ST
FAO: Mr Simon Blacker

APPLICATION No: 4/26/2078/0F1

**PROPOSED RESIDENTIAL DEVELOPMENT OF 4 DWELLINGS AND
ASSOCIATED INFRASTRUCTURE
HIGH HOUSE, GREENBANK, WHITEHAVEN**

Mr Manfred Strobel

The above application dated 02/03/2026 has been considered by the Council in pursuance of its powers under the above mentioned Act and PLANNING PERMISSION HAS BEEN GRANTED subject to the following conditions:

Standard Conditions

1. The development hereby permitted shall be commenced 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 the Planning and Compulsory Purchase Act 2004.

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, received 2nd March 2026;
Proposed Location Plan, scale 1:500, drawing number 2357 012, received 2nd March 2026;
Location Plan, scale 1:1250, drawing number 2357 001 a, received May 2026;
Proposed Site Plan, scale 1:500, drawing number 2357 010 C, received May 2026;
Proposed House Type 1, scale 1:100, drawing number 2357 011, received 2nd March 2026;
Proposed House Type 2, scale 1:100, drawing number 2357 012, received 2nd March 2026;
Drainage Appendices, received June 2026;
Biodiversity Net Gain Statement, written by Envirotech, received 2nd March 2026;
BNG Habitat Schedule, written by Westwood Landscape Design, received 2nd March 2026;
Coal Mining Risk Assessment, written by Arbtech, received 2nd March 2026;
Landscape Plan, scale 1:200, drawing number WW/L01, received 2nd March 2026;
Plant Schedule, written by Westwood Landscape Design, received 2nd March 2026;
Flood Risk Assessment, drawing number 2025-064 A, written by Waterway Drainage Engineering, received 2nd March 2026;
Drainage Strategy Report, drawing number 2025-064 B, written by Waterway Drainage Engineering, received June 2026;
Planning Statement, written by SRE Associates, received 2nd March 2026;
Design and Access Statement, received 2nd March 2026;
Preliminary Ecological Appraisal, written by Envirotech, received 2nd March 2026;
Fire Appliance Swept Path, scale 1:200, drawing number 2357 011 a, received May 2026.

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.

Prior to Commencement of Development Conditions

- 3 Prior to the commencement of development, a Habitat Management and Monitoring Plan must be submitted to and approved in writing by the local planning authority.

The Habitat Management and Monitoring Plan must include the following:

- i. A detailed scheme of habitat creation and habitat enhancement works

- that demonstrate the delivery of a minimum 10% net gain in biodiversity value post development over a minimum period of 30 years.
- ii. Planned management activities including details of site-wide aims and objectives.
 - iii. Details of the persons and organisation(s) responsible for delivery of the habitat creation and habitat enhancement works.
 - iv. The habitat condition targets that form the basis of what the Habitat Management and Monitoring Plan is setting out to achieve.
 - v. Details of monitoring methods and a monitoring reporting schedule.
 - vi. Details of adaptive management approaches.

Reason

In the interests of ensuring measurable net gains to biodiversity and in accordance with the provision of the National Planning Policy Framework and The Environment Act 2021.

4. Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:
- (i) An investigation of the hierarchy of drainage options in the National Standards for Sustainable Drainage Systems (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;
 - (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
 - (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
 - (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
 - (v) Foul and surface water shall drain on separate systems.

The approved schemes shall be in accordance with the National Standards for Sustainable Drainage Systems (2025) or any subsequent replacement national standards. Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason

To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

Prior to First Occupation Conditions

5. The carriageway, footways, footpaths, cycleways etc must be designed, constructed, drained to the satisfaction of the Local Planning Authority and in this respect further details, including longitudinal/cross sections, must be submitted to the Local Planning Authority for approval before the first occupation of the dwellings hereby approved. The approved works must be completed prior to the first occupation of the dwellings hereby approved.

Reason

To ensure a minimum standard of construction in the interests of highway safety and in accordance with Policy CO7 of the Copeland Local Plan 2021-2039.

6. Full details of the surface water drainage system (incorporating SUDs features as far as practicable) and a maintenance schedule (identifying the responsible parties) must be submitted to the Local Planning Authority for approval prior to the first occupation of the dwellings hereby approved. Any approved works must be implemented prior to the development being completed and must 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 and in accordance with Policies DS6 and DS7 of the Copeland Local Plan 2021-2039.

7. A Construction Environmental Management Plan (CEMP) must be produced and submitted to the Local Planning Authority to detail the procedures for protecting the environment during construction to address the following points (but not limited to):
 - Pollution prevention control

- Dust mitigation
- Impaction of habitats
- Species protection during construction (see below)
- A sensitive lighting scheme for bats and other wildlife

The document must be submitted and approved, prior to the first occupation of the dwellings and its mitigation and conclusions adhered to at all times.

Reason

In the interests of protecting the environment during construction and in accordance with Policy N3 of the Copeland Local Plan 2021-2039.

8. The development hereby approved must not be occupied until the habitat creation and habitat enhancement works detailed in the Habitat Management and Monitoring Plan secured by planning condition 3 have been completed in accordance with the approved details.

Reason

In the interests of ensuring measurable net gains to biodiversity and in accordance with the provision of the National Planning Policy Framework and The Environment Act 2021.

9. Prior to the first occupation of the dwellings hereby approved, the following mitigation measures must be incorporated into the development:
 - Two bird boxes are to be integrated within the development to provide opportunities for breeding birds
 - Two swallow or house martin cups are to be placed on the buildings to provide opportunities for breeding swallows
 - Two bat boxes to be installed, such as:

Reason

In the interests of ensuring enhancements for local wildlife and in accordance with Policy N1 of the Copeland Local Plan 2021-2039.

Other Conditions

10. Noise from construction works Following approval of the development, construction activities that are audible at the site boundary shall be carried out only between the following hours Monday to Friday 08.00 – 18.00 and Saturday 08.00 – 13.00 and at no time on Sunday or Bank Holiday. Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above unless otherwise agreed with the Local Planning Authority.

Reason:

In the interests of the amenities of surrounding occupiers during the construction of the development in accordance with Policy DS4 of the Copeland Local Plan 2021-2039.

11. All landscape works must be carried out in accordance with the details illustrated on the approved Landscape Proposals plan (Dwg. No.:WW/L01) – dated 27/10/25) received by the Local Planning Authority.

The landscaping scheme must be implemented in the first planting season following the completion of the development. Any existing trees that die, are removed, or become severely damaged or diseased, within five years of construction must be replaced the following planting season with trees of a similar species in a similar location, unless varied by written consent from the Local Planning Authority.

Reason

In order to maintain the vegetation on site and in accordance with Policy DS6 of the Copeland Local Plan 2021-2039.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that order with or without modification) no external alterations or extensions, conservatories, dormer, or enlargement shall be carried out to the dwellings, nor shall any detached building, enclosure, domestic fuel containers, pool or hardstandings be constructed within the curtilage other than those expressly authorised by this permission.

Reason

To safeguard the character and appearance of the development in the interests of visual amenity and in accordance with Policy DS4 of the Copeland Local Plan 2021-2039.

Informative Notes

Biodiversity Net Gain - Applies

1) 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 require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

Before commencing development, a Biodiversity Gain Plan needs to be submitted and approved by the local planning authority.

Commencing development which is subject to the biodiversity gain condition without an approved Biodiversity Gain Plan could result in enforcement action for breach of planning control.

Coal Advice

The proposed development lies within an area that has been defined by the Mining Remediation Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can

often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Mining Remediation Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure a suitable engineering design which takes account of all relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Mining Remediation Authority Policy in relation to new development and mine entries available at: Building on or within the influencing distance of mine entries - GOV.UK

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Mining Remediation Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Application forms for Mining Remediation Authority permission and further guidance can be obtained from The Mining Remediation Authority's website at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property What is a permit and how to get one ? - GOV.UK (www.gov.uk)

In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities. To check your site for coal mining features on or near to the surface the Coal Authority interactive map viewer allows you to view selected coal mining information in your browser graphically. To check a particular location either enter a post code or use your mouse to zoom in to view the surrounding area.

If any future development has the potential to encounter coal seams which require excavating, for example excavation of building foundations, service trenches, development platforms, earthworks, non- coal mineral operations, an Incidental Coal Agreement will be required. Further information regarding Incidental Coal Agreements can be found here - <https://www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements>

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Mining Remediation Authority on 0800 288 4242. Further information is available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK

Highway/LLFA Advice

Before undertaking any works in or affecting a watercourse, contact the Lead Local Flood Authority email: LFRM.consent@cumbria.gov.uk) to confirm whether Ordinary Watercourse Flood Defence Consent is required. Where consent is required, a fee applies and determination can take up to two months.

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.
<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.

Ecology

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

All development work should be carried out with care to avoid small mammals such as hedgehogs. Contractors should be briefed about the potential presence of small mammals and should adopt the following precautionary method of works:

- All work must take place during daylight hours.
- Should any trenches and excavations be required, an escape route for animals that enter the trench must be provided, especially if left open overnight. Ramps should be no greater than of 45 degrees in angle. Ideally, any holes should be securely covered.

- All excavations left open overnight or longer should be checked for animals prior to the continuation of works or infilling. Back filling should be completed immediately after any excavations, ideally back filling as an on-going process to the work in hand.
- Stored materials should be raised (i.e. stored on pallets) in order to ensure that wildlife such as hedgehogs do not shelter in the piles.

The above measures will also ensure safeguarding of otters, badgers and brown hares. Should any of these three species be found on site, works are to stop until advice sought from a suitably experienced ecologist.

Bats

Work at night should be restricted, new planting within the site should enhance structural diversity and light spill onto the boundary should be minimised.

A bats-specific lighting scheme will be designed during construction to minimise light impact. This should be in line with the guidance note for Bats and Artificial Lighting (Bat Conservation Trust, 2023).

Reptiles and Amphibians

The following precautionary points should also be followed.

All work must take place during daylight hours as amphibians are more likely to be commuting overnight and this will ensure the risk to any amphibians commuting through the site will be minimised.

During the development, measures should be put in place to discourage amphibians from using the development area, the creation of any piles of earth, materials and rubble which could form potential artificial hibernacula and refuge should be avoided at all times. It is recommended that any spoil or rubble will be removed immediately to skips, or on hard standing or short grass. This will ensure that no potential amphibian hibernation or resting sites are created.

The storage of all loose materials must be palletised or similar so they are off the ground whenever possible.

Should any trenches and excavations be required, an escape route for animals that enter the trench must be provided, especially if left open overnight. Ramps should be

no greater than of 45 degrees in angle. Ideally, any holes should be securely covered. This will ensure amphibians are not trapped during work.

All excavations left open overnight or longer should be checked for animals prior to the continuation of works or infilling. Back filling should be completed immediately after any excavations, ideally back filling as an on-going process to the work in hand.

Countryside Access – Public Right of Way

- The granting of planning permission would not give them the right to block or obstruct the Public Right of Way shown on the attached plan.
- The Public Right of Way as shown on the Definitive Map and Statement must be kept open and unaltered for public use until an order made to divert, extinguish or to temporarily close it has been confirmed.

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.

Please read the accompanying notice



Iain Fairlamb
Service Manager for Development and Implementation
Thriving Places

14th August 2026

**APPROVALS
(OUTLINE, FULL RESERVED MATTERS & HOUSEHOLDER)**

**TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT
PROCEDURE) (ENGLAND) ORDER 2015**

PART 2

TOWN AND COUNTRY PLANNING ACT 1990

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- Appeals can be made online at: <https://www.gov.uk/appeal-planning-decision> . If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)

Purchase Notices

- If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part V1 of the Town and Country Planning Act 1990.