

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/26/2288/DOC
2.	Proposed Development:	DISCHARGE OF CONDITION 2 OF PLANNING APPROVAL 4/26/2061/0B1
3.	Location:	PHASE 3, EDGEHILL PARK, WHITEHAVEN
4.	Parish:	Whitehaven
5.	Constraints:	ASC Adverts - ASC;Adverts, Safeguard Zone - Safeguard Zone, Coal - Standing Advice - Data Subject To Change, Coal - Development Referral Area - Data Subject to Change, PROWs - Public Right of Way, High PressurePipeline - High Pressure Pipeline
6.	Publicity Representations & Policy	N/A.
7.	Report: Site and Location: The Application Site comprises the residential development known as Edgehill Park, Whitehaven. The Application Site comprises an area of semi-improved grassland and an area of hardstanding associated with the previous commercial use on the land. The Application Site is bounded by the existing residential estates of Magellan Park and Windermere Road to the north and Phase 4 of the Edgehill Park development to the east. The Application Site slopes gently from north to south and east to west. The Application Site is enclosed by a combination of timber fencing and vegetation.	

Proposal:

This Application seeks approval of details reserved by Planning Condition 2 of planning permission ref. 4/26/2288/DOC:

Highways

2. Prior to the commencement of development within Phase 5 other than site preparation works, detailed specifications of the carriageways, footways, footpaths, cycleways hereby approved including longitudinal/cross sections, shall be submitted and approved in writing by the Local Planning Authority. The carriageways, footways, footpaths, cycleways hereby approved shall be designed, constructed, drained and lit to a standard suitable for adoption. Any works so approved shall be constructed before the development is complete.

Reason

In the interests of highway safety in accordance with the provisions of Policy C02 and Policy C05 of the Copeland Local Plan 2021-2039.

The information submitted in support of the application comprises the following:

Application Form

Proposed Highway Longsections Sheet 1 of 3 – Drawing No. 7503-P6/04-1 Rev. C
Proposed Highway Longsections Sheet 2 of 3 – Drawing No. 7503-P6/04-2 Rev. D
Proposed Highway Longsections Sheet 3 of 3 – Drawing No. 7503-P6/04-3 Rev. D

Highway Construction Details Sheet 1 of 2 – Drawing No. 7503-P6/05-1 Rev. E
Highway Construction Details Sheet 2 of 2 – Drawing No. 7503-P6/05-2 Rev. C

Consultee:	Nature of Response:
Cumberland LHA and LLFA	The Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) can confirm as follows: Condition 2 - Highway Construction Details Having reviewed the submitted highway construction details, pavement specifications, footway and kerbing arrangements, the LHA is satisfied that the proposals are consistent with the relevant Cumberland Council highway construction standard details. The submitted details provide sufficient information to address the requirements of this condition and accordingly, the Local Highway

Authority raises no objection to the discharge of Condition 2 insofar as it relates to highway matters. Recommendation The Local Planning Authority may discharge Condition 2 in respect of highway matters. Informative This response relates solely to the discharge of Condition 2 and does not remove the requirement to obtain any necessary highway permits, technical approvals, S278 agreements, S38 agreements, or other statutory consents that may be required for works within or affecting the public highway.	Neighbour Responses: N/A.
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. <u>Copeland Local Plan 2021 - 2039 (LP):</u> Cumberland Council continued the preparation of the 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.	

	Policy DS4: Design and Development Standards Strategic Policy DS6: Reducing Flood Risk Policy DS7: Sustainable Drainage 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 CO5: Transport Hierarchy Other Material Planning Considerations National Planning Policy Framework (NPPF). Planning Practice Guidance (PPG). Assessment: The LLFA and LHA have confirmed that the Local Planning Authority may discharge Planning Condition 2 in respect of highway matters. The informative outlined by the LLFA and LHA has been adapted for inclusion on the Decision Letter for completeness: <i>The approval of the requirements of Planning Condition 2 does not remove the requirement to obtain any necessary highway permits, technical approvals, S278 agreements, S38 agreements, or other statutory consents that may be required for works within or affecting the public highway.</i> Conclusion Planning Condition 2 – Approve requirements of planning condition.	
8.	Recommendation: Approve	
Case Officer: C. Harrison		Date : 25.09.2026
Authorising Officer: N.J. Hayhurst		Date : 28.09.2026
Dedicated responses to:- N/A		