

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/26/2293/DOC	
2.	Proposed Development:	DISCHARGE OF CONDITIONS 15, 18, 20 AND 21 OF PLANNING APPROVAL 4/24/2044/0F1	
3.	Location:	LAND AT EAST ROAD, EAST ROAD, EGREMONT	
4.	Parish:	Egremont	
5.	Constraints:	ASC Adverts - ASC;Adverts, Coal - Off Coalfield - Data Subject To Change, Outer Consultation Zone - Sellafield 10KM, PROWs - Public Right of Way	
6.	Publicity Representations &Policy	Neighbour Notification Letter	No
		Site Notice	No
		Press Notice	No
		Consultation Responses	See Report
		Relevant Policies	See Report
7.	Report:		
	Site and Location		
		The Application Site is located on the site of the former East Road Garage located on land at East Road and Wyndham Place, Egremont.	
		The Application Site extends to 0.65ha.	
		The Application Site comprises a currently closed petrol filling station; vehicle repair garage;	

and car dealership, with associated car parking and hardstanding areas. The businesses closed in c. 2020.

The buildings, structures and infrastructure associated with the previous uses remain on the Application Site.

The Application Site is bordered to the west by the A595 beyond which is Egremont Town Centre and to the north, east and south by residential development comprising a mix of traditional terraces along the main roads and newer dwellings in purpose built estates.

The Application Site is enclosed by a combination of timber fencing, palisade fencing and barriers. The boundaries to the former petrol filling station have no physical delineation.

Existing points of vehicular and pedestrian access exist at East Road and Wyndham Place.

A pedestrian subway crossing the A595 is located adjacent to the western boundary of the Application Site. This links the Application Site to the south of Main Street.

National Cycle Route 72 is located adjacent to the east boundary of the Application Site.

The Application Site is not located within but comprises part of the setting of the Egremont Conservation Area.

There are no listed buildings on or directly adjacent to the Application Site.

The Application Site is located in Flood Zone 1, which is the lowest category of flood risk.

Directly Relevant Planning Application History

4/92/0468/0 – Improvements to Forecourt and Petrol Pumps, Retaining Wall and Resurface Parking Area - Approved.

4/92/0892/0 – Redevelopment of Existing Petrol Filling Station – Approved.

4/93/0093/0 – Canopy Fascia Signs; Shop Fascia Sign and Free, Standing Sign – Approved.

4/95/0082/0 – Improvements to PFS and Garage Inc. Partial Demolition – Approved.

4/05/2737/0 – One Internally Illuminated Double Sided Free Standing Display Unit – Refused.

4/06/2019/0 – Illuminated Wall Mounted and Free Standing Sign – Approved.

4/24/2044/0F1 – Demolition of existing buildings and erection of a discounted food store, alterations to vehicular and pedestrian access, provision of car and cycle parking, servicing area, hard and soft landscaping and associated works – Approved by Members of the Planning Panel.

4/25/2352/DOC – Discharge of Conditions 6, 9, 10 and 13 of Planning Application



Cumberland Council

4/24/2044/0F1 – Approved.

4/25/2366/DOC - Discharge of Conditions 4 and 11 of Planning Application 4/24/2044/0F1 – Approved.

4/25/2424/DOC - Discharge of Conditions 3, 5, 7 and 8 of Planning Application 4/24/2044/0F1 – Approved.

4/26/2244/0A1 – Advertisement consent application for one illuminated fascia sign, one illuminated totem sign, one non-illuminated directional sign and one non-illuminated vinyl sign – Approved advertisement consent.

Proposal

In March 2025, planning permission (ref: 4/24/2044/0F1) was granted by Members of the Planning Committee for the demolition of existing buildings and erection of a discounted food store, alterations to vehicular and pedestrian access, provision of car and cycle parking, servicing area, hard and soft landscaping and associated works.

This current application seeks to discharge planning conditions 15, 18, 20 and 21 attached to planning approval 4/24/2044/0F1. These conditions state the following:

15. Prior to the occupation of the development hereby approved a Foodstore Delivery Management Plan (FDMP) shall be submitted to and approved in writing by the Local Planning Authority.

This shall include:

- Measures to mitigate noise impact to nearby residential dwellings;
- Measures to mitigate the risk to public safety within the public parking areas;
- and,
- Procedures for the management and resolution of complaints by members of the public.

The approved CEMS shall be adhered to for the lifetime of the development.

Reason

In the interests of highway safety and residential amenity in accordance with the provisions of Policy CO4 of the Copeland Local Plan 2021-2039.

18. Prior to occupation of the development hereby approved a Sustainable Drainage Management and Maintenance Plan for the lifetime of the development shall be

submitted to and approved in writing by the Local Planning Authority.

The Sustainable Drainage Management and Maintenance Plan shall include as a minimum:

- i) Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and,
- ii) Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason

To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development in accordance with the provisions of Strategic Policy DS6 and Policy DS7 of Copeland Local Plan 2021-2039.

20. No external lighting shall be installed unless or until a scheme of external lighting has first been submitted to and approved in writing by the Local Planning Authority.

The scheme shall include details of the intensity of illumination and predicted lighting spill contours.

All external lighting shall be installed in accordance with the approved details and shall thereafter be retained as such for the lifetime of the development.

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.

21. No external closed circuit television equipment shall be installed unless or until a scheme of closed circuit television equipment has first been submitted to and approved in writing by the Local Planning Authority.

All closed circuit television equipment shall be installed in accordance with the

approved details and shall thereafter be retained as such for the lifetime of the development.

Reason

To protect residential amenity and ensure high quality design in accordance with Policy DS4 of the Copeland Local Plan 2021-2039.

The information submitted to support this application comprises of the following:

- Application Form, received by the Local Planning Authority on the 23rd September 2026.
- External CCTV Layout, Scale 1:500, Number: 1100, Rev: P01, received by the Local Planning Authority on the 23rd September 2026.
- Drainage Management and Maintenance Document, Prepared by Hydrock March 2024, Doc Ref: 29348-HYD-XX-XX-RP-C-0501, received by the Local Planning Authority on the 23rd September 2026.
- Electrical Engineering Services External Lux Plot, Scale 1:250, Drawing No: Ss_37_16_90-0002, Revision: P02, received by the Local Planning Authority on the 23rd September 2026.
- Food Delivery Management Plan, Prepared by Andrew Moseley Associates August 2026, received by the Local Planning Authority on the 23rd September 2026.

Consultation Responses

Cumberland Council – Highway Authority & Lead Local Flood Authority

The Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) have reviewed the submitted details and can confirm as follows:

Condition 15 - Foodstore Delivery Management Plan (FDMP):

I am of the view that the submitted FDMP satisfactorily addresses the highway safety elements of Condition 15. The document contains appropriate measures to manage delivery vehicle operations, safeguard customers within the car park, minimise noise impacts associated with servicing activities, and provides a framework for monitoring and responding to complaints.

The Local Highway Authority raises no objection and recommends that Condition 15 is discharged, subject to the development operating in accordance with the submitted

Foodstore Delivery Management Plan dated August 2026.

Condition 18 - Sustainable Drainage Management and Maintenance Plan:

The document identifies the drainage components requiring maintenance, confirms that responsibility for management and maintenance will rest with Aldi Stores Ltd, and provides inspection, maintenance, monitoring and remedial action schedules for the proprietary treatment system, filter strips, filter drains, attenuation tank and pumping station.

The LLFA is satisfied that the submitted document provides suitable arrangements for the long-term management, inspection and maintenance of the approved surface water drainage system and therefore meets the requirements of Condition.

Condition 20 - External Lighting Scheme Details:

No comment - this is not highway lighting

Condition 21 - External CCTV Scheme Details:

No comment

United Utilities

As a provider of wastewater services, we believe we have a duty to advise the Local Planning Authority of any potential risks to ensure the longevity of the surface water drainage system and the service it provides to people. We therefore only recommend that the Local Planning Authority include a condition in their Decision Notice regarding a management and maintenance regime for any sustainable drainage system.

United Utilities cannot provide comment on the design, management and maintenance of an asset that is not in our ownership and therefore we cannot be involved in discharging this condition. Could I therefore suggest that you speak to the Lead Local Flood Authority to assess the proposals and if satisfied they discharge the planning condition.

Cumberland Council – Environmental Health

12th October 2026

As far as its remit is concerned, Environmental Health have considered the following conditions:

15 – Foodstore Delivery Management Plan:

The aspects of this plan that entail noise, delivery and unloading processes, public safety and the complaints procedure are satisfactory and this document can be approved and condition 15 be discharged.

20 – External Lighting:

The information provided shows that there is no excess light spill from the artificial lighting scheme and that nuisance should not be caused to residential neighbours from the external lighting scheme. As such, condition 20 may be discharged.

13th October 2026

Further to our previous response of 12.10.26 on this application, we can also add that we have looked at the CCTV provision for the store.

Outline details are listed in the application.

Note also that the store has applied for a Premises Licence as required by the Licensing Act 2003.

The licensing objectives includes the prevention of crime and disorder, public safety and preventing public nuisance.

The input of Cumbria Police and the Councils Environmental Health and Licensing teams is required, as consultees to the Premises Licence application, and no objections have been made by these agencies.

As such, condition 21 on the scheme of CCTV equipment provision can be discharged.

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.

Copeland Local Plan 2021 - 2039 (LP):

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.

Strategic Policy DS1: Settlement Hierarchy

Strategic Policy DS2: Settlement Boundaries

Strategic Policy DS3: Planning Obligations

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 E6: Opportunity Sites

Strategic Policy R1: Vitality and Viability of Town Centres and villages within the Hierarchy

Strategic Policy R2: Hierarchy of Town Centres

Strategic Policy R4: The Key Service Centres

Policy R7: Sequential Test

Policy R8: Retail and Leisure Impact Assessments

Policy SC1 - Health and Wellbeing

Strategic Policy N1 - Conserving and Enhancing Biodiversity and Geodiversity

Strategic Policy N3 - Biodiversity Net Gain

Strategic Policy N5 - Protection of Water Resources

Strategic Policy N9 - Green Infrastructure

Policy N14 - Woodlands, Trees and Hedgerows

Strategic Policy BE1: Heritage Assets

Policy BE2: Designated Heritage Assets

Strategic Policy CO2: Priority for improving Transport networks within Copeland

Strategic Policy CO4: Sustainable Travel

Policy CO5: Transport Hierarchy

Policy CO7: Parking Standards and Electric Vehicle Charging Infrastructure

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).

Planning (Listed Building and Conservation Areas) Act 1990 (PLBCA).

Assessment

This application seeks to discharge the requirements of planning conditions 15, 18, 20, and 21 attached to planning approval 4/24/2044/0F1.

Condition 15:

This condition seeks to discharge the requirement for the development to provide a Foodstore Delivery Management Plan (FDMP). Based on the information submitted with this application, the Highway Authority and the Council's Environmental Health team have confirmed that this condition can be discharged.

It is therefore confirmed that condition 15 can be discharged.

Condition 18:

This condition seeks to discharge the requirement for the development to provide a sustainable drainage management and maintenance plan for the lifetime of the development. Based on the information submitted with this application, the Lead Local Flood Authority have confirmed that this condition can be discharged.

	It is therefore confirmed that condition 18 can be discharged. <u>Condition 20:</u> This condition seeks to discharge the requirement for the development to provide an External Lighting Scheme. Based on the information submitted with this application, the Council's Environmental Health team have confirmed that this condition can be discharged. It is therefore confirmed that condition 20 can be discharged. <u>Condition 21:</u> This condition seeks to discharge the requirement for the development to provide details of any external closed circuit television equipment. Based on the information submitted with this application, the Council's Environmental Health team have confirmed that this condition can be discharged. It is therefore confirmed that condition 21 can be discharged. <u>Conclusion</u> It is therefore confirmed that conditions 15, 18, 20, and 21 attached to planning approval 4/24/2044/0F1 can be discharged.	
8.	Recommendation: Approve discharge of conditions 15, 18, 20 and 21.	
Case Officer: C. Burns		Date : 23.10.2026
Authorising Officer: N.J. Hayhurst		Date : 26.10.2026
Dedicated responses to:- N/A		