CUMBERLAND COUNCIL
DELEGATED PLANNING DECISION

1.	**Reference No:**	4/26/2331/DOC	
2.	**Proposed Development:**	DISCHARGE OF CONDITION 12 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 former 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 have now been demolished. 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 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.

4/26/2293/DOC - Discharge of Conditions 15, 18, 20 and 21 of Planning Application 4/24/2044/0F1 – Approved.

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 condition 12 attached to planning approval 4/24/2044/0F1. This condition state the following:

12. Prior to the occupation of the development hereby approved a Biodiversity Net Gain Strategy (BNGS) and a Project Implementation Plan (PIP) shall be submitted to and approved in writing by the Local Planning Authority.

    The BNGS shall detail proposals to redress loss of biodiversity and the mitigation strategy proposed shall include all on and off-site habitats required to deliver a net gain of at least ten percent. The BNGS shall use the Statutory Biodiversity Metric Calculation Tool associated with the Environment Act 2021.

    The PIP shall detail the delivery of ecological BNG mitigation and compensation, in accordance with the approved BNG strategy. The PIP shall include timescales for implementation, and an ongoing management and maintenance plan.

    The BNGS and PIP shall be implemented, managed and maintained in accordance with the approved details.

    Reason

    To ensure delivery of the required biodiversity net gain in accordance with the provisions of Policy N3P 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 26th October 2026.
- Landscape Plan, Scale 1:200, Number: 1001, Rev: P01, received by the Local Planning Authority on the 26th October 2026.
- Biodiversity Metrics, Prepared by Total Ecology December 2025, received by the Local Planning Authority on the 26th October 2026.
- 5 Year Landscape Maintenance & Management Plan, received by the Local Planning Authority on the 26th October 2026.
- Biodiversity Net Gain Strategy, Prepared by Total Ecology April 2026, Version: 1, received by the Local Planning Authority on the 26th October 2026.

Consultation Responses

Cumberland Council – Ecology Team

The County Ecologist approves the Biodiversity Net Gain Strategy (Total Ecology, 2026) and the Implementation Strategy, which is embedded within Section 2 of the BNGS. Therefore, Condition 12 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-

Cumberland Council

	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 condition 12 attached to planning approval 4/24/2044/0F1. <u>Condition 12:</u> This condition seeks to discharge the requirement for the development to provide a Biodiversity Net Gain Strategy (BNGS) and a Project Implementation Plan (PIP). Based on the information submitted with this application, the Council's Ecology Team have confirmed that this condition can be discharged. It is therefore confirmed that condition 12 can be discharged. <u>Conclusion</u> It is therefore confirmed that condition 12 attached to planning approval 4/24/2044/0F1 can be discharged.
8.	**Recommendation:** Approve discharge of condition 12 attached to planning approval 4/24/2044/0F1.

Case Officer: C. Burns	**Date :** 30.10.2026
Authorising Officer: N.J. Hayhurst	**Date :** 02/11/2026
Dedicated responses to:- N/A	