

Town and Country Planning Act 1990 (As amended).

4/21/2002/0B1

NOTICE OF GRANT OF PLANNING PERMISSION

NORR Consultants Ltd
8th Floor Percy House
Percy Street
NEWCASTLE UPON TYNE NE1 4PW
FAO Mr Martin Clifford

**VARIATION OF CONDITION 6 (CULVERT DETAILS) OF PLANNING APPROVAL 4/18/2292/0F1
FORMER BUS STATION, BRANSTY ROW, WHITEHAVEN**

Energy Coast West Cumbria Ltd (BEC)

The above application dated 05/01/2021 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:

1. 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: -

Site Location Plan, scale 1:1250, drawing number A10-00-00C, received 6th July 2018;
Site – Proposed Plan, scale 1:500, drawing number A10-00-01C, received 6th July 2018;
Site – Existing Topographical Survey, scale 1:200, drawing number A10-00-02, received 6th July 2018;
Site, scale 1:200, drawing number 2205-LUM-ZZ-05-DR-X-0001 PO1, received 6th July 2018;
Level 1, scale 1:50, drawing number 2205-LUM-ZZ-03-DR-X-0001 PO1, received 6th July 2018;
Level 2, scale 1:50, drawing number 2205-LUM-ZZ-04-DR-X-0001 PO1, received 6th July 2018;
Elevations, scale 1:100, drawing number 2205-LUM-ZZ-06-DR-X-0001 PO1, received 6th July 2018;
Sections, scale 1:100, drawing number 2205-LUM-ZZ-07-DR-X-0001, received 6th July 2018;
Warehouse GF, scale 1:50, drawing number 2205-LUM-ZZ-02-DR-X-0001 PO1, received 6th July 2018;
Level GF, scale 1:50, drawing number 2205-LUM-ZZ-01-DR-X-0001 PO1, received 6th

July 2018;

GA Sections, scale 1:100, drawing number A32-XX-01, received 6th July 2018;

GA Plan – Level 0, scale 1:100, drawing number A20-00-00, received 21st August 2018;

GA Plan – Level 1, scale 1:100, drawing number A20-01-01L, received 5th November 2020;

GA Plan – Roof, scale 1:100, drawing number A20-02-00, received 6th July 2018;

Visualisation – North Entrance, drawing number A05-XX-03, received 6th July 2018;

Visualisation – Street Elevation, drawing number A05-XX-04, received 6th July 2018;

Visualisation – South Entrance, drawing number A05-XX-01, received 6th July 2018;

Visualisation – Bransty Row, drawing number A05-XX-00, received 6th July 2018;

Traffic Regulation Orders Proposed TRO's, scale 1:250, drawing number BRN-CAP-LS1-DR-C-2001, received 20th September 2018;

Design and Access Statement, written by NORR, received 6th July 2018;

Site investigation and updated environmental risk assessment, prepared by Elliott Environmental Surveyors Ltd, project number EES18-029 V2, dated 4th May 2018, received 6th July 2018;

Coal Mining Risk Assessment Report, prepared by Elliott Environmental Surveyors Ltd, project number EES18-029, dated 4th May 2018, received 6th July 2018;

Transport Statement, prepared by WYG, project number A093629, dated May 2018, received 6th July 2018;

Gas Risk Assessment, prepared by Elliott Environmental Surveyors Ltd, project number EES18-029, dated 4th May 2018, received 6th July 2018;

Bat Survey Report, prepared by Elliott Environmental Surveyors Ltd, project number EES18-029, dated 3rd May 2017, received 6th July 2018;

Flood Risk Assessment and SuDS Drainage Strategy, prepared by Morgan Tucker Consulting Engineers, dated February 2016, received 6th July 2018;

Culvert Survey, prepared by Morgan Tucker Consulting Engineers, document reference JN2255, received 6th July 2018;

Noise Assessment, prepared by WYG, dated May 2018, received 6th July 2018;

Preliminary Ecological Appraisal, project number 18-0190.02, issued May 2018, received 6th July 2018;

Supporting Statement, reference BUS01, received 6th July 2018;

Drainage Philosophy, written by Billingham George and Partners, received 6th June 2019;

Culvert Repairs, written by SK Drainage Solutions Ltd, received 6th June 2019;

Proposed Drainage Plan, scale 1:200, drawing number 17T2239-101 C7, received 6th June 2019;

Proposed Submersible Pump (F8), scale 1:25, drawing number 17T2239-106 P1, received 6th June 2019;

Site Specific Manholes S1 and S2, scale 1:25, drawing number 17T2239-105 C1, received 6th June 2019;

Proposed Drainage Details, scales 1:10 and 1:20, drawing number 17T2239-104 C2, received 6th June 2019;

SuDs Management and Maintenance Plan, written by Billingham George and

Partners, received 6th June 2019;
Archaeological Evaluation, report number 3818, written by CFA Archaeology, received 6th June 2019;
External Material Swatches, drawing number A05-XX-10 A, received 6th June 2019;
GA Elevations - Bus Station Office, scale 1:100, drawing number A30-ZZ-10 03, received 5th November 2020;
Aluminium Door to Main Entrance, scale 1:2.5 and 1:20, drawing number 19.05A, received 5th November 2020;
External Lighting, scale 1:100, drawing number 0002036890-EX-R7-261020, received 5th November 2020;
Security Layout Ground Floor, scale 1:100, drawing number 1719-68-LAY-03 0, received 5th November 2020;
Security Layout Lower Ground Floor, scale 1:100, drawing number 1719-68-LAY-02 0, received 5th November 2020;
Security Layout Upper Ground Floor, scale 1:100, drawing number 1719-68-LAY-01 0, received 5th November 2020.

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.

2. Foul and surface water shall be drained on separate systems.

Reason

To secure proper drainage and to manage the risk of flooding and pollution.

3. The development hereby approved must be carried out in accordance with the surface water drainage proposals approved as part of condition 4 of permission 4/18/2292/0F1 as detailed within correspondence dated 9th September 2019. The development must subsequently be completed, maintained and managed in accordance with the approved plan.

Reason

To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG.

4. The development hereby approved must be carried out in accordance with the drainage management and maintenance plan approved as part of condition 5 of

permission 4/18/2292/0F1 as detailed within correspondence dated 16th December 2020. The development must 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.

5. Prior to the first use of the development hereby approved, the culvert must be upgraded in accordance with the details set out in the submitted documents - Site Specific Manholes S1 and S2, drawing number 17T2239-105 C1, Proposed Drainage Details, drawing number 17T2239-104 C2, Proposed Drainage Plan, drawing number 17T2239-101 C7, Culvert Inspection written by Unblock Cumbria Ltd, dated 24th September 2019 and Culvert Repairs written by SK Drainage Solutions Ltd, dated 31st October 2020, all submitted on 12th January 2021. The culvert must be maintained as such at all times thereafter.

Reason

In order to ensure satisfactory drainage from the site and in accordance with Policies ENV1 and DM24 of the Copeland Local Plan.

6. The development hereby approved must be carried out in accordance with the drainage proposals approved as part of condition 7 of permission 4/18/2292/0F1 as detailed within correspondence dated 9th September 2019. The development must subsequently be completed, maintained and managed in accordance with the approved plan.

Reason

To ensure a satisfactory scheme of surface water disposal from the site.

7. The development hereby approved must be carried out in accordance with the surface water drainage proposals approved as part of condition 8 of permission 4/18/2292/0F1 as detailed within correspondence dated 2nd February 2021. The development must subsequently be completed, maintained and managed in accordance with the approved plan.

Reason

To manage flood risk within the development that results from surface water to minimise the risk to people and property.

8. The development hereby approved must be carried out in accordance with the surface water drainage proposals approved as part of condition 9 of permission 4/18/2292/0F1 as detailed within correspondence dated 2nd February 2021. The development must subsequently be completed, maintained and managed in accordance with the approved plan.

Reason

To safeguard against negative impact outside the development boundary to people and property.

9. The development hereby approved must be carried out in accordance with the archaeological evaluation approved as part of condition 10 of permission 4/18/2292/0F1 as detailed within correspondence dated 9th September 2019. The development must subsequently be completed, maintained and managed in accordance with the approved document.

Reason

To afford reasonable opportunity for an examination to be made to determine the existence of any remains of archaeological interest within the site and for the examination and recording of such remains.

10. The development hereby approved must be carried out in accordance with the archaeological evaluation approved as part of condition 11 of permission 4/18/2292/0F1 as detailed within correspondence dated 9th September 2019. The development must subsequently be completed, maintained and managed in accordance with the approved document.

Reason

To ensure that a permanent and accessible record by the public is made of the archaeological remains that have been disturbed by the development.

11. If, during development, contamination not previously identified is found to be present at the site then no development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in

writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason

To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in line with paragraph 109 of the National Planning Policy Framework.

To prevent deterioration of a water quality element to a lower status class in the underlying secondary B aquifer.

12. The development hereby approved must be carried out in accordance with the schedule of materials approved as part of condition 13 of permission 4/18/2292/0F1 as detailed within correspondence dated 16th December 2020. The development must subsequently be completed, maintained and managed in accordance with the approved document.

Reason

To ensure a satisfactory appearance of the development in the interests of visual amenity.

13. The development hereby approved must be carried out in accordance with the front and rear door details approved as part of condition 14 of permission 4/18/2292/0F1 as detailed within correspondence dated 16th December 2020. The development must subsequently be completed, maintained and managed in accordance with the approved document.

Reason

To ensure reasonable access is provided to the development for all.

14. The parking bays within the courtyard shall be constructed and available for use prior to the first use of the development hereby permitted. The parking bays shall be marked out and suitable for disabled users

Reason

To ensure satisfactory provision for people with disabilities.

15. The development hereby approved must be carried out in accordance with the courtyard surfacing details approved as part of condition 16 of permission 4/18/2292/0F1 as detailed within correspondence dated 16th December 2020. The development must subsequently be completed, maintained and managed in accordance with the approved document.

Reason

In order to ensure that the development can be accessed by all.

16. The development hereby approved must be carried out in accordance with the courtyard ramp details approved as part of condition 17 of permission 4/18/2292/0F1 as detailed within correspondence dated 16th December 2020. The development must subsequently be completed, maintained and managed in accordance with the approved document.

Reason

To enhance that the development can be accessed by all.

17. The development hereby approved must be carried out in accordance with the external lighting information approved as part of condition 18 of permission 4/18/2292/0F1 as detailed within correspondence dated 16th December 2020. The development must subsequently be completed, maintained and managed in accordance with the approved document.

Reason

To ensure the amenity of the surrounding properties.

18. The development hereby approved must be carried out in accordance with the CCTV information approved as part of condition 19 of permission 4/18/2292/0F1 as detailed within correspondence dated 16th December 2020. The development must subsequently be completed, maintained and managed in accordance with the approved document.

Reason

To ensure the amenity of the surrounding properties.

19. Car parking to serve the development shall be made available prior to the first use of the building in accordance with the details set out in the letter from WYG, reference A093629, dated 20th September 2018. Any change to this parking provision shall be submitted to and approved in writing by the Local Planning Authority prior to its implementation.

Reason

To ensure a suitable parking provision for the lifetime of the development.

Informative

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 Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

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

05th March 2021



PP Pat Graham
Chief Executive

APPROVALS
(OUTLINE, FULL RESERVED MATTERS & HOUSEHOLDER)

DEVELOPMENT MANAGEMENT PROCEDURE (ENGLAND) ORDER 2010

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/planning-inspectorate>. 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.