

Town and Country Planning Act 1990 (As amended).

4/21/2163/0B1

## NOTICE OF GRANT OF PLANNING PERMISSION

Northmill Associates Ltd.  
55 King Street  
Manchester  
M2 4LQ  
FAO Miss Hannah Dockerty

**VARIATION IN DESIGN - VARIATION OF CONDITION 2 OF PLANNING APPROVAL  
4/20/2180/0B1 - ERECTION OF A THREE STOREY BUILDING FOR USE AS A COASTAL  
ACTIVITY CENTRE COMPRISING CHANGING AND SHOWER FACILITIES, CLASS ROOM, A  
FLEXIBLE MULTI USE SPACE FOR HIRE, OFFICE SPACE AND HOSTEL ACCOMMODATION; THE  
ERECTION OF A DETACHED BUILDING FOR USE AS STORAGE; THE ERECTION OF A  
DETACHED BUILDING FOR USE AS A WORKSHOP/RETAIL UNIT; THE CONSTRUCTION OF A  
NEW SLIPWAY**

### **WELLINGTON CAR PARK, WEST STRAND, WHITEHAVEN**

#### **Whitehaven Harbour Commissioners**

The above application dated 14/04/2021 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. -
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: -

Site Location Plan – Drawing No. L(00)001 Rev. P1 received 30th January 2019

Existing Site Plan – Drawing No. L(00)002 Rev. P1 received 30th January 2019

Proposed Site Plan (with Refuse Vehicle Tracking - Drawing No. 2452\_L(00)102 Rev. 4 received

Proposed Equipment Storage Compound – Drawing No. L(01)103 Rev. P2 received 7th May 2019

Proposed Ground Floor Plan - Drawing No. 2452\_L(01)105 Rev. 2 received 28<sup>th</sup> June 2021

Proposed First Floor Plan - Drawing No. 2452\_L(01)106 Rev. 2 received 28<sup>th</sup> June

2021

Proposed Second Floor Plan - Drawing No. 2452\_L(01)107 Rev. 2 received 28<sup>th</sup> June 2021

Proposed Roof Plan - Drawing No. L(01)108 Rev. 2 received 28<sup>th</sup> June 2021

North East Elevation - Drawing No. 2452\_L(02)101 Rev. 2 received 28<sup>th</sup> June 2021

South East + North West Elevations - Drawing No. 2452\_L(02)102 Rev. 3 received 2<sup>nd</sup> August 2021

South West Elevation - Drawing No. 2452\_L(02)103 Rev. 2 received 28<sup>th</sup> June 2021

Envelope Details 1 - Drawing No. 2452\_D(21)106 Rev. 1- received 28<sup>th</sup> June 2021

Envelope Details 2 - Drawing No. 2452\_D(21)107 Rev. 2 received 2<sup>nd</sup> August 2021

Enlarged Elevation Bay - Drawing No. 2452\_L(02)104 received 28<sup>th</sup> June 2021

Sections A - B - Drawing No. 2452\_L(03)100 Rev. 1 received 28<sup>th</sup> June 2021

Section C - E - Drawing No. 2452\_L(03)101 Rev. 2 received 2<sup>nd</sup> August 2021

External Door Schedule\_02 - Drawing No. S(31)100 and Specifications received 2<sup>nd</sup> August 2021

Proposed Storage Shed – GA Plan – Drawing No. L(01)109 P1 received 30th January 2019

Proposed Storage Shed Elevations – Drawing No. L(02)104 Rev. P1 received 30th January 2019

Proposed Storage Shed – Roof Plan – Drawing No. L(01)110 Rev. P1 received 30th January 2019

Proposed Retail Unit – Plans & Elevations – Drawing No. L(01)111 Rev. P1 received 30th January 2019

Proposed Arch Storage – Drawing No. L(02)103 Rev. P1 received 30th January 2019

Preliminary Investigation – Report No. M656/01 received 30th January 2019

Design and Access Statement received 30th January 2019

Flood Risk Assessment – Ref. PG/MB/FRA/9542 V4 received 25th June 2019

Planning, Heritage and Public Participation Statement received 30th January 2019

Ecological Assessment received 30th January 2019

MEP Engineering Utilities Revision 1 received 30th January 2019

MEP Engineering Energy Statement Revision 1 received 30th January 2019

Whitehaven Slipway GA – Drawing No. 100 received 25th March 2020

Slipway Indicative Flood Gates – Drawing No. MP304-01-P-200 received 25th March 2020

The Edge External Lighting Information – Revision 1 - 03.02.2021 received 28<sup>th</sup> June 2021

The Edge - Design Justification received 28<sup>th</sup> June 2021

Geoenvironmental Appraisal For Land At Cumbria Coastal Activities Centre, Whitehaven – Ref. M656/03 received 30th June 2020

Gas Risk Assessment - Cumbria Coastal Activities Centre, Whitehaven – Ref. M656/00 received 19th August 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.

Pre-Commencement of Phase and Pre-Superstructure Planning Conditions

3. The erection of the superstructure of the main building hereby approved shall not commence until samples and details of the materials to be used in the construction of the stone plinth to the building including details of the stone coursing and detailed specifications of the windows have submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details of materials unless otherwise agreed in writing with the Local Planning Authority.

Reason

To ensure the development is of a high quality design.

4. The erection of the superstructure of the Proposed Workshop/ Retail / Cycle Store shall not commence until samples and details of the all materials on the exterior of the building have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details of materials unless otherwise agreed in writing with the Local Planning Authority.

Reason

To ensure the development is of a high quality design.

5. –

6. –

7. Prior to the commencement of the construction of each phase of the development hereby approved, including any works of demolition, a Construction Environmental Management Plan relating to that phase of the development shall be submitted to, and approved in writing by the Local Planning Authority. The Statement shall provide for:-
  - a) the parking of vehicles of site operatives and visitors;
  - b) loading and unloading of plant and materials;
  - c) storage of plant and materials used in constructing the development;
  - d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;

- e) measures to control the emission of dust and dirt during construction;
- f) a scheme for recycling / disposing of waste resulting from demolition and construction works;
- g) measures to control noise and vibration; and,
- h) measures or diversions to permit access during the construction.

The approved Construction Method Statement shall be adhered to throughout the construction period.

#### Reason

These details are required to be approved before the commencement of development to safeguard the amenity of neighbouring occupiers, prevent highway impacts and ecological impacts.

8. -

9. Prior to the commencement of the development not comprising works relating to the relocation of the statue and works relating to the construction of the slipway, a scheme of surface water management and the disposal of sewage works shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved surface water management and the disposal of sewage works have been provided on the site to serve the development. The approved works shall be retained as such thereafter.

#### Reason

To ensure adequate provision is made for the management of surface water and sewage disposal.

10. –

#### Pre-occupancy or Other Stage Conditions

11. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 14 days to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination, development must be halted on that part of the site.

An assessment must be undertaken and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority. The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority.

Reason

To prevent harm to human health and the environment.

12. The accommodation on the first and second floor of the main building hereby approved shall not be occupied other than as short term holiday accommodation. It shall not be used at any time as sole and principal residences by any occupants or be occupied independently by any family, group or individual for more than three months (cumulative) in any one calendar year.

Reason

For the avoidance of doubt and to ensure that the development continues to contribute positively towards the tourism economy and to ensure adverse issues in respect of residential amenity and highway safety do not arise.

13. Prior to the first occupation of the development hereby approved, the approved parking layout and turning space shall be constructed, marked out and made available for use and shall be retained as such thereafter. The parking spaces shall be used solely for the benefit of the occupants and visitors of the development hereby approved and for no other purpose.

Reason

In the interests of highway safety.

14. The development hereby approved shall not proceed except in accordance with the details described in Flood Risk Assessment prepared by Thomason Partnership Limited reference PG/MB/FRA/9542 V4 received 25th June 2019.

Reason

To ensure appropriate mitigation of the flood risk at the site.

15. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out before any part of the development is occupied or in accordance with a programme to be agreed in writing with the Local Planning Authority prior to any development commencing. Any trees / shrubs which are removed, die, become severely damaged or diseased within five years of their planting shall be replaced in the next planting season with trees / shrubs of similar size and species to those originally required to be planted unless the Local Planning Authority gives written consent to any variation.

**Reason**

To safeguard and enhance the character of the area and secure high quality landscaping.

16. An archaeological watching brief should be undertaken during the construction of the permitted development, by a qualified archaeologist and in accordance with the submitted written scheme of archaeological investigation entitled 'Specifications for a Programme of Watching Brief Investigation, The Edge, Whitehaven', dated 8<sup>th</sup> June 2021. Within two months of the completion of the development, a digital copy of the archaeological report shall be furnished to the Local Planning Authority.

**Reasons:**

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 investigation and recording of such remains.

**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](http://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

A handwritten signature in black ink, appearing to read 'N. S. Hayman', with a stylized flourish at the end.

PP Pat Graham  
Chief Executive

23<sup>rd</sup> August 2021

**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/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](mailto: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.