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TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

NOTICE OF GRANT OF PLANNING PERMISSION

Calva Design
2A Church Road
Harrington
Workington
CA14 5QP
FAO Mr Richard Lindsay

APPLICATION No: 4/21/2187/0F1

**CHANGE OF USE FROM AN AGRICULTURAL SHED TO A MIXED USE
COMPRISING A FOOD DISTRIBUTION CENTRE/MILK DISTRIBUTION FACILITY
AND AGRICULTURAL STORAGE (RETROSPECTIVE) AND CONSTRUCTION OF
NEW ACCESS**

LAND TO SOUTH OF WHINNAH COTTAGES, LAMPLUGH

Mr Peter Watson

The above application dated 29/04/2021 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. 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: -

Application Form, received on 21st April 2021

Site location Plan, drawing number 279/01002 Rev 01, received on 21st April 2021

Proposed Site Plan, drawing number 279/01001 Rev 01, received on 27th February 2026

Proposed Plans and Elevations, drawing number 279/04001/Rev 01
Proposed Supporting Statement, received on 08th November 2021
Proposed Access from A5086, drawing number 279/0003 Rev O1, received
on 27th February 2026
Swept Path Analysis for Proposed Access from A5086, drawing number 0004
Rev O1, received on 03rd May 2023
Swept Path Analysis for Top Yard, drawing number 279/01004 Rev 01,
received on 27th February 2026
Road Safety Assessment of Junction Access Options. Reference
NS23/836/RSAss, dated May 2023
Justification Statement for Business Use, received on 21st June 2024

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. The new access from the A5086 to serve the development shall be
constructed and brought into use within 12 months from the date of this
permission. The access shall be carried out in accordance with the details set
out on the approved plan, drawing number 0003 Rev PO1, received on 03rd
May 2022.
The new access shall be retained in accordance with the approved details at
all times thereafter.

Reason

In the interests of highway safety.

3. The development of the new access shall not commence until visibility splays
providing clear visibility of 215 metres measured 215 metres down the centre
of the access road and the nearside channel line of the carriageway edge
have been provided at the junction of the access road with the county
highway.

Notwithstanding the provisions of the Town and Country Planning (General
Permitted Development) (England) Order 2015 (or any Order revoking and re-
enacting that Order) relating to permitted development, no structure, vehicle
or object of any kind shall be erected, parked or placed and no trees, bushes
or other plants shall be planted or be permitted to grow within the visibility
splay which obstruct the visibility splays. The visibility splays shall be
constructed before general development of the site commences so that
construction traffic is safeguarded.

Reason:

In the interests of highway safety. To support Local Transport Plan Policies:
LD7, LD8

4. The carriageway and footways shall be designed, constructed, drained and lit to a standard suitable for adoption and in this respect further details, including longitudinal/cross sections, shall be submitted to the Local Planning Authority for approval before work commences on the new access. No work shall be commenced on the new access until a full specification has been approved. These details shall be in accordance with the standards laid down in the current Cumbria Design Guide. Any works so approved shall be constructed before the development is complete.

Reason

To ensure a minimum standard of construction in the interests of highway safety.

To support Local Transport Plan Policies: LD5, LD7, LD8

5. The new access road shall be surfaced in bituminous or cement bound materials, or otherwise bound, in accordance with a specification which has been submitted to and approved in writing by the Local Planning Authority. and shall be constructed and completed in accordance with the approved details.

Reason:

In the interests of highway safety. To support Local Transport Plan Policies:
LD5, LD7, LD8

6. The gradient of the new access drive shall be no steeper than 10% for a distance not less than 5m as measured from the carriageway edge of the adjacent highway.

Reason:

In the interests of highway safety. To support Local Transport Plan Policies:
LD7, LD8

7. Within 2 months from the first use of the new access hereby approved the existing access to the highway shall be permanently closed and the highway crossing and boundary shall be reinstated in accordance with details which have been submitted to and approved by the Local Planning Authority.

Development shall be maintained in accordance with the approved details thereafter.

Reason:

To minimise highway danger and the avoidance of doubt. To support Local Transport Plan Policies: LD5, LD7, LD8

8. Development on the new access shall not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the local planning authority. The CTMP shall include details of:
- pre-construction road condition established by a detailed survey for accommodation works within the highways boundary conducted with a Highway Authority representative; with all post repairs carried out to the satisfaction of the Local Highway Authority at the applicants expense;
 - details of proposed crossings of the highway verge;
 - retained areas for vehicle parking, manoeuvring, loading and unloading for their specific purpose during the development;
 - cleaning of site entrances and the adjacent public highway;
 - details of proposed wheel washing facilities;
 - the sheeting of all HGVs taking spoil to/from the site to prevent spillage or deposit of any materials on the highway;
 - construction vehicle routing;
 - the management of junctions to and crossings of the public highway and other public rights of way/footway;
 - Details of any proposed temporary access points (vehicular / pedestrian)
 - surface water management details during the construction phase

Reason:

To ensure the undertaking of the development does not adversely impact upon the fabric or operation of the local highway network and in the interests of highway and pedestrian safety.

9. Full details of the surface water drainage system shall be submitted to the Local Planning Authority for approval prior to works on the new access being commenced. Any approved works shall be implemented prior to the development being completed and shall be maintained operational thereafter.

Reason:

In the interests of highway safety and environmental management. To support Local Transport Plan Policies: LD7, LD8

10. The use of the building hereby approved must only operate between the

hours of 07:00 and 23:00

Reason

To minimise potential disturbance to nearby residences and to safeguard the amenities of the locality in accordance with Policy DS4 of the Copeland Local Plan 2021 – 2039.

11. Within 3 months of the date of this permission a waste management plan, setting out how waste will be stored and collected, must be submitted to and approved in writing by the Local Planning Authority. The measures shall thereafter be implemented in accordance with the approved waste management plan for the lifetime of the development.

Reason:

To ensure appropriate waste management facilities are provided to accommodate all waste generated by the development.

12. Within 3 months from the date of this permission a noise management plan, setting out how noise from the development and vehicle movement will be avoided, controlled and / or mitigated, has been prepared, submitted to and approved in writing by the Local Planning Authority. The measures shall thereafter be implemented in accordance with the approved noise management plan for the lifetime of the development.

Reason:

To safeguard the amenity of nearby residential premises and the area generally.

13. Prior to its installation all details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority, Artificial light to the development must conform to requirements to meet the Obtrusive Light Limitations for Exterior Lighting Installations for Environmental Zone E2 contained within Table 2 of the Institute of Light Engineers Guidance Notes for the Reduction of Obtrusive Lighting GN01:2021. All external lighting shall be in accordance with the approved details and shall be maintained as such at all times thereafter.

Reason:

To safeguard the amenities of nearby residential occupiers.

14. The use of the building shall be restricted to a use as a food distribution centre/milk distribution facility and agricultural storage only as documented in the planning application and for no other use whatsoever without the express written consent of the Local Planning Authority.

Reason

To ensure that the use of the building is controlled to reflect its rural setting and also to protect residential and visual amenity within the locality.

Informative Notes

1. Any works within or near the Highway must be authorised by Cumberland Council and no works shall be permitted or carried out on any part of the Highway including Verges, until you are in receipt of an appropriate permit (i.e. Section 184 Agreement) allowing such works.

Enquires should be made to Cumberland Councils Street Work's team - streetworks.central@cumbria.gov.uk

Fees: <https://www.cumbria.gov.uk/roads-transport/fees.asp>

Please be advised that the Highway outside and or adjacent to the proposal must be kept clear and accessible at all times.

2. Public Bridleway 412005 follows an alignment to the north of the proposed development area and must not be altered or obstructed before or after the development has been completed, if the Bridleway is to be temporarily obstructed, then a formal temporary closure will be required, there is a 12 week lead in time for this process, please contact Sandra.smith@cumbria.gov.uk for further information.

3. For the avoidance of doubt this permission does not authorise the siting of any storage containers on the site as defined by the red line on the approved site location plan.

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 'I. Fairlamb', written in a cursive style.

02 June 2026

Iain Fairlamb
Service Manager for Development and Implementation
Thriving Places

**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/appeal-planning-decision> . 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.