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TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

NOTICE OF GRANT OF PLANNING PERMISSION

**This permission is subject to a Section 106 Agreement**

Story Homes  
Story House  
Lords Way  
Kingsmoor Business Park  
Carlisle  
CA6 4SL  
FAO: Mr Adam McNally

**APPLICATION No: 4/22/2332/0F1**

**FULL PLANNING APPLICATION FOR 107 DWELLING HOUSES AND  
ASSOCIATED INFRASTRUCTURE INCLUDING LANDSCAPING, OPEN SPACE,  
ACCESS, HIGHWAY AND DRAINAGE  
LAND TO THE WEST OF VALLEY VIEW ROAD, WHITEHAVEN**

**Story Homes**

The above application dated 05/08/2022 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:

Standard Planning Conditions

1. The development hereby permitted shall begin not later than three years from the date of this decision.

Reason

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act

2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location Plan – Drawing No. 66D-STO 002

Geoenvironmental Appraisal of Land at Phase 4, Edgehill Park, Whitehaven – Report Ref. 4046-G-R024

Preliminary Ecological Appraisal – Edgehill Park – Phase 4 – Ref. UG415 PEA 01.

eDNA Survey Results – Ref. UG1415

Biodiversity Net Gain Design Stage Assessment Report Ref.

Biodiversity Enhancement Management Plan Edgehill Park – Phase 4 – Report Ref. BEMP.

Arboricultural Impact Assessment – Report Ref. UG1415 Rev. 02

Coopers Micro Drainage Calculations - Foul Sewerage Design - 02/03/2023

Coopers Micro Drainage Calculations - Storm Sewer Design - 02/03/2023

Flood Risk Assessment Report – Report Ref. 7843FRA

Drainage Strategy - Drawing No. 7843/SK04 Rev L

Flood Route Exceedance Plan - Drawing No. 7843/SK13

Proposed Earthworks – Drawing No. 7843/SK05 Rev H

Strategy Levels, Drawing No. 7843/SK09 Rev E

Site Sections – Drawing No. 7843/SK08 Rev G

Proposed Highway Longsections Sheet 1 of 2 – Drawing No. 7843/SK03-1 Rev E

Proposed Highway Longsections Sheet 2 of 2 – Drawing No. 7843 / SK03-2 Rev D

Construction Method Statement - 4/22/2332/OF1 – March 2023

Construction Management Plan – Drawing No. 20095.90.9.CMP

Surface Water Management Plan Phase 1 – Drawing No. 20095.90.9.SWMPP1 Rev B

Surface Water Management Plan Phase 2 – Drawing No. 20095.90.9.SWMPP2 Rev B

Surface Water Management Plan Sub Phase 3 - Plot Build - Drawing No. 20095.90.9.SWMPP3

Silt Management Reporting Plan March 2023

Hy-Tex Ultra Dewatering Bag Details

Landscape General Arrangement Plan - Drawing No. UG\_1415\_LAN\_GA\_DRW\_01\_P12

Soft Landscape Plan Sheet 1 of 7 - Drawing No. UG\_1415\_LAN\_SL\_DRW\_01 P09

Soft Landscape Plan Sheet 2 of 7 - Drawing No. UG\_1415\_LAN\_SL\_DRW\_02 P07

Soft Landscape Plan Sheet 3 of 7 - Drawing No. UG\_1415\_LAN\_SL\_DRW\_03 P07

Soft Landscape Plan Sheet 4 of 7 - Drawing No. UG\_1415\_LAN\_SL\_DRW\_04 P07

Soft Landscape Plan Sheet 5 of 7 - Drawing No. UG\_1415\_LAN\_SL\_DRW\_05 P07

Soft Landscape Plan Sheet 6 of 7 - Drawing No. UG\_1415\_LAN\_SL\_DRW\_06 P08

Soft Landscape Plan Sheet 7 of 7 - Drawing No. UG\_1415\_LAN\_SL\_DRW\_07 P07

Edgehill Park Phase 4 – Landscape Supporting Notes – Drawing No. UG\_1415\_LAN\_LSN\_DRW\_01 Rev. P01

Detailed Site Layout – Drawing No. VER 100 Rev. R

Detailed Site Layout (Colour) - Drawing No. VER 101 Rev. D

Proposed Boundary and Elevation Treatments - Drawing No. VER 102 Rev. F

Parking Provision - Drawing No. VER 105 Rev. G

Proposed Hard Surfaces – Drawing No. VER 105 Rev. G

Proposed Management Plan – Drawing No. VER 106 Rev. H

Proposed Design Street Scenes - Drawing No. VER 107 Rev. D

Detailed Site Layout (Affordable Units) Drawing No. VER 200 Rev. A

SD 100 - External Plot Finishes Issue (02) - 1850mm High Open Boarded Fence Drawing No. SD100-A-001 Rev. A, 1850mm High Open Boarded Timber Side Gate Details Drawing No. SD100-A0-002.1 Rev. A, 1850mm High Feather Edge Board Timber Side Gate Details Drawing No. SD100-A-002.2, 1850mm High Hit & Miss Fence Drawing No. SD100-A-003 Rev. A, 600mm & 450mm High Trip Rail Drawing No. SD100-A-012, 1800mm High Brick Boundary Wall Drawing No. SD100-B-001 Rev. A, 900mm High Estate Railing Drawing No. SD100-C-001.

Garage Booklet - Drawing No. SG-PLP1/1 Rev. A

Branford A20 M4(2) - Planning Layout Drawing No. BFD-PLP1 / Drawing No. Planning Elevations 1/1 BFD-PLE1/1

Cooper A20 M4(2) - Planning Layout 1 (Semi) Drawing No. CPR-PLP1, Planning Elevations 1/1 (Semi) Drawing No. CPR-PLE1/1, Planning Layout 3 (Corner) Drawing No. CPR-PLP3, Planning Elevation 3/1 (Corner) Drawing No. CPR-PLE3/1

Dawson A20 - Planning Layout 1 Drawing No. DWN-PLP1, Planning Elevations 1/1 Drawing No. DWN-PLE1/1, Planning Elevations 1/2 Drawing No. DWN-PLE1/2

Fulford A20 M4(2) - Planning Layout 1 Drawing No. FFD-PLP1, Planning Elevations 1/1 Drawing No. FFD-PLE1/1

Grayson - Planning Layout Drawing No. GRN-PLP1, Planning Elevation 1/1 Drawing No. GRN-PLE1/1, Planning Elevation 1/2 Drawing No. GRN-PLE1/2

Harper (A20) - Planning Layout 1 Drawing No. HPR-PLP1, Planning Elevations 1/1 Drawing No. HPR-PLE1/1, Planning Elevations 1/2 Drawing No. HPR-PLE1/2

Hewson (A20) - Planning Layout 1 Drawing No. HWN-PLP1, Planning Elevations 1/1 Drawing No. HWN-PLE1/1, Planning Elevations 1/2 Drawing No. HWN-PLE1/2

Masterton (A20) - Planning Layout 1 Drawing No. MTN-PLP1, Planning Elevations 1/1 Drawing No. MTN-PLE1/1, Drawing No. Planning Elevations 1/2 MTN-PLE1/2

Sanderson (A20) - Planning Layout 1 Drawing No. SAN-PLP1, Planning Elevations 1/1 Drawing No. SAN-PLE1/1, Planning Elevations 1/2 Drawing No. SAN-PLE1/2

Spencer (A20) - Planning Layout 1 Drawing No. SPR-PLP1, Planning Elevations Drawing No. 1/1 SPR-PLE1/1, Planning Elevations 1/2 Drawing No. SPR-PLE1/2

Wexford A20 M4(2) - Planning Layout 1 Drawing No. WXD-PLP1, Planning Elevation 1/1 Drawing No. WXD-PLE1/1, Planning Layout 2 Drawing No. WXD-PLP2, Planning Elevation 2/1 Drawing No. WXD-PLE2/1

Wexford CS20 M4(2) - Planning Layout 1 Drawing No. WXD-PLP1, Planning Elevation 1/1 Drawing No. WXD-PLE1/1

## Edgehill Phase 4 Material Samples

### Reason

For the avoidance of doubt and in the interests of proper planning.

## Pre-Commencement Planning Conditions

### *Highways*

3. No development shall commence until detailed specifications of the carriageways, footways, footpaths and cycleways have been submitted to and approved in writing by the local planning authority.

The carriageways, footways, footpaths, cycleways shall be designed, constructed, drained and lit to a standard suitable for adoption and shall be in accordance with the standards laid down in the Cumbria Development Design Guide or any superseding document.

### Reason

To ensure a minimum standard of construction in the interests of highway safety in accordance with the provisions of Policy T1 and Policy DM22 of the Copeland Local Plan 2013 – 2028.

### *Ground Conditions*

4. No development shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby approved, has been submitted to and approved in writing by the local planning authority.

This strategy will include the following components:

1. A preliminary risk assessment which has identified:
  - all previous uses;
  - potential contaminants associated with those uses;
  - a conceptual model of the site indicating sources, pathways and receptors;  
and,
  - potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
3. The results of the site investigation and the detailed risk assessment referred

to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The remediation strategy shall be implemented as approved.

#### Reason

To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in accordance with the provisions of Policy ST1 of the Copeland Local Plan 2013 – 2028.

5. No development shall commence until any remediation works and/or mitigation measures to address the mine entry and shall coal mining works, as may be necessary, have been implemented on site in full in order to ensure that the site is safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

#### Reason

This is in order to ensure the safety and stability of the development, in accordance in accordance with the provisions of Policy ST1 of the Copeland Local Plan 2013 – 2028.

#### *Arboriculture*

6. No development shall commence until full details of the tree protection measures for all trees and hedges to be retained have been submitted to and approved in writing by the local planning authority. These measures shall be set out in a detailed Arboricultural Method Statement to include the specification of the location and type of protective fencing, the timings for the erection and removal of the protective fencing, the details of any hard surfacing and underground services proposed within the root protection areas, all to be in accordance with the British Standard for Trees in Relation to Construction 5837: 2012, and the monitoring of tree protection measures during construction.

The Arboricultural Method Statement shall be implemented as approved.

## Reason

To ensure the protection and retention of important landscape features in accordance with the provisions of Policy DM28 of the Copeland Local Plan 2013 – 2028.

### *Construction Management*

7. Prior to the commencement of the movement of earth, the highway drains shall be protected and silt traps and other silt management techniques shall be installed in accordance with the approved details.

The approved details shall be maintained for the entirety of the construction period.

## Reason

To safeguard against flooding to surrounding sites and to safeguard against pollution of surrounding watercourses and drainage systems in accordance with the provisions of Policy ENV1 of the Copeland Local Plan 2013-2021.

### Pre-Occupation Conditions

#### *Highways*

8. Prior to the occupation of the first dwelling hereby approved, detailed specifications of a scheme to improve the existing access road or create a separate dedicated shared use 3m wide bituminous surfaced path from High House to Gameriggs Road shall be submitted to and approved in writing by the local planning authority.

The approved scheme shall be implemented as approved prior to the occupation of the 50<sup>th</sup> dwelling hereby approved.

## Reason

To ensure a minimum standard of construction in the interests of highway safety and the promotion of active travel in accordance with the provisions of Policy T1 and Policy DM22 of the Copeland Local Plan 2013 – 2028.

9. Prior to the occupation of the first dwelling hereby approved, detailed specifications of a scheme of traffic calming measures to be delivered on High Road, Whitehaven shall be submitted to and approved in writing by the local planning authority.

The approved scheme shall be implemented as approved prior to the occupation of

the 50<sup>th</sup> dwelling hereby approved.

#### Reason

To ensure a minimum standard of construction in the interests of highway safety and the promotion of active travel in accordance with the provisions of Policy T1 and Policy DM22 of the Copeland Local Plan 2013 – 2028.

10. Notwithstanding the submitted details, within 6 months of the occupation of the first dwelling hereby approved, a Travel Plan identifying the measures that will be undertaken to encourage the achievement of a modal shift away from the use of private cars to visit the development to sustainable transport modes shall be submitted to and approved in writing by the local planning authority.

The measures identified in the approved Travel Plan shall be implemented within 12 months of the occupation of the first dwelling hereby approved.

#### Reason

To aid in the delivery of sustainable transport objectives in accordance with Policy T1 of the Copeland Local Plan 2013 – 2028.

11. No dwelling hereby approved shall be occupied until the vehicular access, turning areas and parking spaces required to serve that dwelling have been constructed in accordance with the approved plans to a minimum of basecourse level.

The vehicular access, turning areas and parking spaces shall be retained and remain capable of use at all times thereafter and shall not be removed or altered.

#### Reason

To ensure a minimum standard of construction in the interests of highway safety and the promotion of active travel in accordance with the provisions of Policy T1 and Policy DM22 of the Copeland Local Plan 2013 – 2028.

#### *Ground Conditions*

12. Prior to the occupation of the first dwelling hereby approved a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to and approved in writing by the local planning authority. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by the recorded mine entry.



## Reason

This is in order to ensure the safety and stability of the development, in accordance in accordance with the provisions of Policy ST1 of the Copeland Local Plan 2013 – 2028.

## *Drainage*

13. Prior to the occupation of the first dwelling hereby approved, the approved scheme of surface water drainage infrastructure shall be completed, brought into operational use and retained operational thereafter for the lifetime of the development.

## 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 Policy ST1 and ENV1 of the Copeland Local Plan 2013 – 2028.

14. Prior to the occupation of the first dwelling 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:

- a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and,
- b. 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 details.

## 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.

15. Prior to the occupation of the first dwelling hereby approved a scheme detailing the layout and design including play equipment specifications of the approved

children's play space shall be submitted to and approved by the local planning authority.

The approved scheme shall be implemented as approved prior to the occupation of the 50<sup>th</sup> dwelling hereby approved.

The area shall be maintained for use as a children's play space for the lifetime of the development.

Reason

To ensure the provision of sufficient provision of children's play space within the development for use by residents in accordance with the provisions of Policy SS5 and Policy DM12 of the Copeland Local Plan 2013-2028

#### Other Planning Conditions

##### *Highways*

16. Footways shall be provided that link continuously and conveniently to the nearest existing footway.

Reason

To ensure a minimum standard of construction in the interests of highway safety and the promotion of active travel in accordance with the provisions of Policy T1 and Policy DM22 of the Copeland Local Plan 2013 – 2028.

17. An annual report reviewing the effectiveness of the approved Travel Plan and including any necessary amendments or measures shall be prepared by the developer/occupier and submitted to the local planning authority for approval.

This annual Travel Plan monitoring report shall be submitted for review to the local highway authority for a period of 5 years on the anniversary of the occupation of the 50<sup>th</sup> dwelling hereby approved.

Reason

To aid in the delivery of sustainable transport objectives in accordance with the provisions of Policy T1 and Policy DM22 of the Copeland Local Plan 2013 – 2028.

##### *Landscaping/Biodiversity*

18. All hard and soft landscape works are to be carried out in accordance with the approved details in the first planting season following completion of the development.

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.

Reason

To safeguard and enhance the character of the area and secure high-quality landscaping in accordance with the requirements of Policy DM26 of the Copeland Local Plan 2013 – 2028.

19. The development here by approved shall not proceed except in accordance with the recommendations outlined in Preliminary Ecological Appraisal – Edgehill Park – Phase 4 – Ref. UG415 PEA 01.

Reason

For the avoidance of doubt and to prevent harm to biodiversity in accordance with the provisions of Policy ENV3 of the Copeland Local Plan 2013-2028.

20. The approved landscaping scheme shall be managed in accordance with the provisions of Biodiversity Enhancement Management Plan Edgehill Park – Phase 4 – Ref. BEMP.

Reason

For the avoidance of doubt and to prevent harm to biodiversity in accordance with the provisions of Policy ENV3 of the Copeland Local Plan 2013-2028.

### *Ground Conditions*

21. 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 in accordance with the provisions of Policy ST1 of the Copeland Local Plan 2013-2028.

## Construction Management

22. The approved Construction Method Statement - 4/22/2332/OF1 – March 2023 shall be adhered to throughout the construction period.

## Reason

For the avoidance of doubt and to prevent harm to biodiversity in accordance with the provisions of Policy ENV3 of the Copeland Local Plan 2013-2028.

23. No work for the construction of these developments, including demolition, shall take place on the site, except between the hours:

07:30 - 18.00 Monday to Friday; and

08.00 - 13.00 on Saturdays.

No work should be carried out on Sundays or officially recognised public holidays.

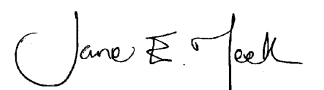
## Reason

To safeguard the amenity of neighbouring occupiers in accordance with the provisions of Policy ST1 of the Copeland Local Plan 2013-2028.

## 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



Jane Meek  
Assistant Director  
Thriving Place and Investment

16<sup>th</sup> January 2024

**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](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.