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TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

**NOTICE OF GRANT OF PLANNING PERMISSION**

Mr Christopher Kendall  
2 York Cottages  
Elm Grove Road  
Cobham  
Surrey  
KT11 3HG

**APPLICATION No: 4/22/2485/0F1**

**CONSTRUCTION OF A MEANS OF VEHICULAR ACCESS AND ENGINEERING  
OPERATIONS TO SURFACE THE SITE FOR USE AS A PAY AND DISPLAY CAR  
PARK  
2 SENHOUSE STREET, WHITEHAVEN**

**I Park Smart Ltd**

The above application dated 15/12/2022 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:

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

**Reason**

To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The use hereby permitted shall be for a limited period of 5 years from the date it is first brought into use. At the end of this period the use shall cease, all materials and equipment brought onto the land in connection with the use

shall be removed and the land restored in accordance with a scheme previously submitted to and approved in writing by the Local Planning Authority.

#### Reason

The development was submitted as an interim use and the site is likely to be redeveloped in the future in accordance with Policy ST1 of the Copeland Local Plan.

3. 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 15<sup>th</sup> December 2022;  
Site Location Plan, scale 1:1250, drawing number 3613/1B, received 21<sup>st</sup> March 2023;  
Supporting Documentation and Checklist, written by Christopher Kendall, received 21<sup>st</sup> March 2023;  
Vehicle Tracking, scale 1:250, drawing number 29684/100A, received 16<sup>th</sup> March 2023;  
Visibility Splays, scale 1:100, drawing number 3613/2D, received 21<sup>st</sup> March 2023.

#### 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 Conditions

4. Details of all measures to be taken by the applicant/developer to prevent surface water discharging onto or off the highway must be submitted to the Local Planning Authority for approval prior to development being commenced. Any approved works must be implemented prior to the development being completed and must be maintained operational thereafter.

#### Reason

In the interests of highway safety and environmental management and in accordance with Policies ENV1 and DM24 of the Copeland Local Plan.

5. Full details of the surface water drainage system must be submitted to the Local Planning Authority for approval prior to development being commenced.

Any approved works must be implemented prior to the development being completed and must be maintained operational thereafter.

Reason

In the interests of highway safety and environmental management and in accordance with Policies ENV1 and DM24 of the Copeland Local Plan.

Prior to Use Conditions

5. The access drive must be surfaced in bituminous or cement bound materials, or otherwise bound and must be constructed and completed before the development is brought into use.

Reason

In the interests of highway safety and Policy DM22 of the Copeland Local Plan.

7. Prior to the first use of the development hereby approved, full details of the boundary treatments must be submitted to and approved in writing by the Local Planning Authority. Any approved scheme must be fully completed prior to the first use of the car park and so maintained as such at all times thereafter.

Reason

To ensure the boundary treatments are suitable for the use and maintain the character of the Conservation Area and in accordance with Policies ENV4, DM26 and DM27 of the Copeland Local Plan.

Other Conditions

8. Prior to the first operation of the site as a car park, the accessible parking bay must be marked out and available for use in accordance with the details set out in the Cumbria Design Guide. The accessible bay must be maintained at all times whilst the land is used as a car park.

Reason

To ensure that adequate provision is made for all users in accordance with the adopted car parking guidelines and in accordance with Policy DM22 of the Copeland Local Plan.

9. There must be no vehicular access to or egress from the site other than via

the approved access, unless otherwise agreed by the Local Planning Authority.

#### Reason

To avoid vehicles entering or leaving the site by an unsatisfactory access or route, in the interests of road safety and in accordance with Policy DM22 of the Copeland Local Plan.

#### Informative

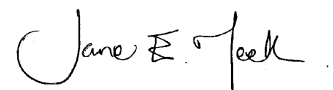
The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

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



Jane Meek

Assistant Director

Thriving Place and Investment

18<sup>th</sup> May 2023

**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.