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TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

**NOTICE OF GRANT OF PLANNING PERMISSION**

Northmill Associates  
55 King Street  
Manchester  
M2 4LQ  
FAO: James Wilkinson

**APPLICATION No: 4/23/2069/0F1**

**REDEVELOPMENT OF EXISTING CAR PARK TO INCORPORATE, CYCLE  
HOOPS, LIGHTING AND CCTV PROVISION, BIN STORE, STORAGE  
CONTAINER UNITS AND LPG COMPOUND  
WELLINGTON CAR PARK, WEST STRAND, WHITEHAVEN**

**Whitehaven Harbour Commissioners**

The above application dated 14/03/2023 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:

**Conditions:**

Standard 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:

Planning Application Form

Site Location Plan - Drawing No. L(00)001 – Rev. A

Existing Site Plan - Car Park - Drawing No. L(00)002

Proposed External Works – Car Park – Drawing No. L(00)162 Rev. 05

Proposed Drainage General Arrangement – Drawing No. WL\_1654\_051 Rev. C5

Micro Drainage Calculations - File 25.02.21 The Edge

1654 – The Coastal Activity Centre – Surface Drainage Systems Design Features and Maintenance Schedule

Biobrane™ Drain Guard – Specification Details

Typical Drainage Details Sheet 1 of 2 – Drawing No. WL\_1654\_052 Rev. C3

Typical Drainage Details Sheet 2 of 2 – Drawing No. WL\_1654\_053 Rev. C1

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.

#### Prior to Occupation Conditions

3. Prior to the first occupation of the development hereby approved the parking layout and turning space shall be constructed, marked out and made available for use and shall be retained as such thereafter.

Reason

To ensure a minimum standard of parking provision and in the interests of highway safety in accordance with the provisions of Policy T1 of the Copeland Local Plan 2013-2021.

4. Prior to the first occupation of the development hereby approved the surface water drainage infrastructure hereby approved shall be completed in accordance with the approved details and brought into operational use.

The surface water drainage infrastructure shall be maintained and managed in accordance with the approved details for the lifetime of the development.

Reason

For the avoidance of doubt and to secure an appropriate form of drainage in accordance with the provisions of Policy ENV1 and Policy DM24 of the Copeland Local Plan 2013-2028.

### Other Conditions

5. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out in the first planting season following the development being brought into use.

Any vegetation which is removed, dies, become severely damaged or diseased within five years of their planting shall be replaced in the next planting season with vegetation of similar size and species to those originally approved.

#### Reason

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

6. No construction work associated with the development hereby approved shall be carried out outside of the hours of 07.30 hours -18.00 hours Monday-Saturday, nor at any time on Sundays and bank holidays, unless otherwise agreed in writing by the local planning authority.

#### Reason

In the interests of neighbouring residential amenity in accordance with the provisions of Policy ST1 of the Copeland Local Plan 2013-2028.

7. 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.

8. The parking spaces, refuse store and storage containers hereby approved shall be used solely for the benefit of the occupants and visitors of the coastal activity centre located within the area identified in blue on Site Location Plan - Drawing No. L(00)001 Rev. A and for no other purpose.

#### Reason

To ensure a minimum standard of parking provision and to prevent the introduction of unacceptable uses in accordance with the provisions of Policy ST1 and Policy T1 of the Copeland Local Plan 2013-2021.

#### Informative

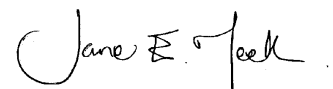
The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

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

03<sup>rd</sup> July 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.