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TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

NOTICE OF GRANT OF PLANNING PERMISSION

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

APPLICATION No: 4/23/2273/0F1

**FULL PLANNING APPLICATION FOR THE FORMATION OF A PUBLIC OPEN
SPACE LANDSCAPED MOUND IN ASSOCIATION WITH EDGEHILL PARK
RESIDENTIAL DEVELOPMENT APPROVED UNDER PLANNING REFERENCES
4/13/2235/001 AND 4/20/2474/0R1
LAND ADJACENT TO HIGH ROAD, WHITEHAVEN**

Story Homes Ltd

The above application dated 02/10/2023 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:

1. The development hereby permitted shall begin not later than five 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. 54D-STO

Planning Statement & Flood Risk Assessment – September 23

Existing Anhydrite Bund - Levels Plan - Drawing No. 7503-ABM-01

Proposed Anhydrite Bund - Levels Plan - Drawing No. 7503-ABM-02

Detailed Site Layout – Drawing No. 54D-STO Rev J

Soft Landscape Plan - Drawing No. UG_1415_LAN_SL_DRW_11 P03

General Arrangement Plan - Drawing No. UG_1415_LAN_GA_DRW_10 P04

Soft Landscaping Details - Drawing No. UG_1415_LAN_DET_DRW_12 Rev P03

iD GeoEnvironmental Limited Anhydrite Remediation Letter - 31st July 2023

iD GeoEnvironmental Limited Remediation Strategy - Ref. 4046-G-R022 July 2022

Section Through Bund – Drawing No. 54D.90.9.STB P1

Reason

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

Pre-Earthworks Planning Conditions

Construction Management

3. Prior to the commencement of earthworks a Construction Method Statement shall be submitted to and approved in writing by the local planning authority. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors;
- ii. loading and unloading of plant and materials;
- iii. storage of plant and materials used in constructing the development;
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v. wheel washing facilities;
- vi. measures to control the emission of dust and dirt during construction;
- vii. a scheme for recycling / disposing of waste resulting from demolition and construction works;
- viii. measures to control noise and vibration; and,
- ix. A scheme of construction surface water management.

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

Play Equipment

4. Prior to the commencement of earthworks-a scheme detailing the layout and design including equipment specifications of the approved children's play space/provision shall be submitted to and approved by the local planning authority.

The approved scheme shall be implemented as approved prior to the development being brought into use.

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 children's play space/equipment 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

Landscaping

5. 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.

Ground Conditions

6. The development here by approved shall not proceed except in accordance with the provisions of iD GeoEnvironmental Limited Anhydrite Remediation Letter - 31st

July 2023 and iD GeoEnvironmental Limited Remediation Strategy - Ref. 4046-G-R022 July 2022.

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.

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.

Hours of Construction

8. 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.

Informative Notes

High Pressure Gas Pipeline

Regional High Pressure Gas Pipe is located within the boundaries of the Application Site.

The Regional High Pressure Gas Pipe is the subject of statutory protections under the *Pipelines Safety Regulations* 1996.

Any development in an exclusion area measured 14m each side of Regional High Pressure Gas Pipe poses risk of damage to the asset and the safety of the any construction workers and equipment.

Prior to the commencement of any development in an exclusion area measured 14m each side of the Regional High Pressure Gas Pipe, a scheme of safety and integrity precautions to be agreed with Northern Gas Networks

(www.northerngasnetworks.co.uk) and then implemented during the ensuing development works.

Use of Waste On-site

The applicant may need to apply to the Environment Agency for an environmental permit if their use, recycle, treatment, storage or disposal of waste. Waste: environmental permits - GOV.UK (www.gov.uk)

Coal Mining

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

Public Rights of Way

The granting of planning permission would not give the applicant the right to block or obstruct any Public Right of Way. The Public Right of Way as shown on the definitive map and statement must be kept open and unaltered for public use until an order is made to divert, extinguish or to temporarily close it has been confirmed.

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. Hayhurst'.

Nick Hayhurst
Head of Planning and Place
Place, Sustainable Growth and Transport

24th 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) 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.