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TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

NOTICE OF GRANT OF PLANNING PERMISSION

NORR Consultants Limited
8th Floor Percy House
Percy Street
Newcastle Upon Tyne
NE1 4PW
FAO: Mr John Baird

APPLICATION No: 4/24/2401/0F1

DEMOLITION OF FORMER JOHN PAUL JONES PUBLIC HOUSE
FORMER JOHN PAUL JONES PUBLIC HOUSE, DUKE STREET, WHITEHAVEN

BEC

The above application dated 04/12/2024 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 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. 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

Location Plan - Planning Portal Reference: PP-13436055v1

Demolition of John Paul Jones Public House – Drawing No. DGHW-NOR-XX-ZZ-DR-A-90004 Rev. P01

Proposed Propping Details To Basement & Bath House Wall – Drawing No. DGHW-BGP-02-ZZ-D-S-01600

Statement - John Paul Jones, Whitehaven CA28 7EN – Ref. De4018

Update Ecological Appraisal and Bat Roost Assessment Report – Project Number 784-B064930 V3

Biodiversity Net Gain Assessment – Project Number 784-B064930 Rev. 1

Heritage Statement – Demolition of John Paul Jones – September 2024

Traffic Management Plan - John Paul Jones Tavern, Strand Street, Whitehaven

Construction Environmental Management Plan CEMP - John Paul Jones Tavern, Strand Street, Whitehaven

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.

3. Notwithstanding the submitted detail, no work relating to the demolition, shall take place on the site, except between the hours:

08.00 - 18.00 Monday to Friday; and
08.00 - 13.00 on Saturdays;

In particular, 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 requirements of the National Planning Policy Framework.

4. The development shall not proceed except in accordance with the provisions of Update Ecological Appraisal and Bat Roost Assessment Report – Project Number 784-B064930 V3.

Reason

For the avoidance of doubt and to prevent harm to protected species in accordance with the provisions of Policy N1 of the Copeland Local Plan 2021-2039.

5. The development shall not proceed except in accordance with the provisions of Construction Environmental Management Plan CEMP - John Paul Jones Tavern, Strand Street, Whitehaven.

Reason

For the avoidance of doubt and to prevent harm to protected species in accordance with the provisions of Policy N1 of the Copeland Local Plan 2021-2039.

6. The development shall not proceed except in accordance with the provisions of Traffic Management Plan - John Paul Jones Tavern, Strand Street, Whitehaven

Reason

For the avoidance of doubt and to prevent adverse impact upon the operation of the public highway network in accordance with the provisions of Strategic Policy CO2 of the Copeland Local Plan 2021-2039.

Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and negotiating with the applicants acceptable amendments to address them. As a result the Local Planning Authority has been able to grant planning permission for an acceptable proposal in accordance with Copeland Local Plan policies and the presumption in favour of sustainable development as set out in the National Planning Policy Framework.

Biodiversity Net Gain – Exemption

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition”) that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the local planning authority, and
- (b) the local planning authority has approved the plan.

The planning authority, for the purposes of the Biodiversity Gain Plan is Cumberland Council.

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements is/are considered to apply:

- Development that does not impact a priority habitat and impacts less than 25 square metres (e.g. 5m by 5m) of onsite habitat with a biodiversity value greater than zero and on less than 5 metres of onsite linear habitat (such as a hedgerow), or 5 metres of linear habitats (such as hedgerows).

Please read the accompanying notice



Nick Hayhurst
Head of Planning and Place
Inclusive Growth and Placemaking

27th March 2025

**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.