



Cumberland Council
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TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

NOTICE OF GRANT OF PLANNING PERMISSION

Day Cummins Limited
Unit 4 Lakeland Business Park
Lamplugh Road
Cockermouth
CA13 0QT
FAO: Mr Peter Bromiley

APPLICATION No: 4/25/2130/0F1

**TEMPORARY EMERGENCY PROVISION FOR MAXIMUM 12 MONTH PERIOD
OF 2 STOREY CLASSROOM BLOCK GIVING 10 NO CLASSROOMS AND
TOILET ACCOMMODATION TO REPLACE STORM DAMAGED FIRST FLOOR
OF EXISTING SCHOOL. TO BE SITED ON THE SCHOOL PLAYING FIELD SITE
TO THE NORTH SIDE OF THE SCHOOL (RETROSPECTIVE)**

JERICO COUNTY PRIMARY SCHOOL, WINDSOR COURT, WHITEHAVEN

Cumberland Council

The above application dated 31/03/2025 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 classroom building hereby permitted shall be removed by 31st March 2026 and the land restored to its former condition on or before 30th June 2026 in accordance with a scheme of work submitted to and approved by the Local Planning Authority.

Reason

The use hereby approved is not considered appropriate as a permanent form of development in order to safeguard the amenities of the locality.

2. This permission relates to the following plans and documents as received on the respective dates and development must be carried out in accordance with them: -
- Application Form, dated 17th February 2025;
 - Site Location Plan and Block Plan, scales 1:1250 and 1:200, drawing reference PTKJERICHOA, dated 14th February 2025;
 - Services Plan, received on 17th February 2025
 - Proposed Floor and Elevation Plans, drawing reference HD/14176/01, dated 03rd February 2025;
 - Flood Map, dated 13th February 2025

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. Within 6 months of the date of this approval a scheme for the removal of the temporary classroom building and associated hardstanding, and the reinstatement of the playing field shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The scheme must be in accordance with Sport England guidance "Natural Turf for Sport" (2011) within three months of the removal of the temporary classroom building the playing field must be reinstated in accordance with the approved scheme.

Reason

To ensure the site is restored to a condition fit for purpose,

Informative Notes

Site Restoration

It is recommended that a restoration scheme for playing field land is undertaken by a specialist turf consultant. The applicant should be aiming to ensure that any new or replacement playing field is fit for its intended purpose and should have regard to Sport England's technical Design Guidance Note entitled "Natural Turf for Sport" (2011)

Biodiversity Net Gain – Not Applicable

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

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

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be Cumberland Council.

There are statutory exemptions which mean that the biodiversity gain condition does not always apply.

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 of the statutory exemptions is considered to apply.

Applicable exemption: Retrospective Development

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

05th August 2025



Nick Hayhurst
Head of Planning and Place
Thriving Places

**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.