



**Cumberland Council
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cumberland.gov.uk**

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

NOTICE OF GRANT OF PLANNING PERMISSION

Convery Prenty Shields Architects
144 W George St
Glasgow
G2 2HG
FAO: Ms Laura Popa

APPLICATION No: 4/25/2145/0F1

**DEMOLITION OF VACANT FORMER TANNERY BUILDING & FORMATION OF
STORAGE COMPOUNDS
FORMER TANNERY BUILDING, HAVERIGG INDUSTRIAL ESTATE, HAVERIGG**

Graiseley Properties Ltd

The above application dated 17/04/2025 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:

Standard Conditions

1. The development shall be begun not later than three years from the date of this permission.

Reason

To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

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, received on 03rd December 2024
- Site Location Plan, drawing number 2393-00-001, received on 03rd December 2024
- Proposed Site Plan, drawing number 2393-00-100 Rev C, received on 09th April 2025
- Site Plan with Downtakings, drawing number 2393-00-010, received on 03rd December 2024
- Fence and Door Details, drawing number 2393-00-110 Rev A, received on 10th July 2025
- Storage Container Details, drawing number 2393-00-020, received on 10th July 2025
- Heritage Statement, prepared by Convery Prenty Shields Architetcs, dated 11 July 2025
- Ecological Survey and Assessment, reference 2025-007, dated April 2025, prepared by ERAP. Ltd
- Preliminary Assessment of Biodiversity Net Gain, reference 2025-007b, dated April 2025, prepared by ERAP. Ltd
- Flood Risk Assessment, reference GEOL24-6646, dated 25th March 2025, prepared by GEOL Consultants Ltd
- Façade Retention Considerations, prepared by Convery Prenty Shields Architetcs, dated 18th August 2025

Reason

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

Pre Commencement Conditions

3. No development (including demolition) shall commence until a site investigation and risk assessment has been carried out and submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure that risks from land contamination are minimised, in accordance with Strategic Policy N1 and Policy N5.

4. No development hereby permitted shall commence until:
- a) a Biodiversity Gain Plan has been submitted to the planning authority demonstrating a 10% net gain,
 - b) the planning authority has approved the plan in writing,
 - c) the offsite habitat provision is accompanied by a Habitat Management and Monitoring Plan in place for 30 years and secured with a Section 106,
 - d) Monitoring results are to be programmed to be submitted to the council. These should include evidence demonstrating how BNG is progressing towards achieving its objectives, evidence of arrangements and any rectifying measures needed. The development shall be carried out in accordance with the approved plans.

Reason:

To ensure a biodiversity net gain on site

5. Development shall not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the local planning authority. The CTMP shall include details of
- Pre-construction road condition established by a detailed survey for accommodation works within the highways boundary conducted with a Highway Authority representative; with all post repairs carried out to the satisfaction of the Local Highway Authority at the applicants expense;
 - Details of proposed crossings of the highway verge;
 - Retained areas for vehicle parking, manoeuvring, loading and unloading for their specific purpose during the development;
 - Cleaning of site entrances and the adjacent public highway;
 - Details of proposed wheel washing facilities; • The sheeting of all HGVs taking spoil to/from the site to prevent spillage or deposit of any materials on the highway; • Construction vehicle routing; • The management of junctions to and crossings of the public highway and other public rights of way/footway; • Details of any proposed temporary access points (vehicular / pedestrian) • Surface water management proposals during the construction phase

Reason

To ensure the undertaking of the development does not adversely impact upon the fabric or operation of the local highway network and in the interests of highway and pedestrian safety.

6. Prior to the carrying out of any demolition or construction work the existing listed buildings affected by the proposed development must be recorded in accordance with a Level 2 Survey as described by Historic England's document Understanding Historic Buildings A Guide to Good Recording Practice, 2016. Within 2 months of the commencement of construction works a digital copy of the resultant Level 2 Survey report must be furnished to the Local Planning Authority.

Reason

To ensure that a permanent record is made of the heritage assets of architectural and historic interest prior to their alteration as part of the proposed development and in accordance with Policies BE1 and BE2 of the Copeland Local Plan.

Other Conditions

7. No development (including demolition) shall commence until a site investigation and risk assessment has been carried out and submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure that risks from land contamination are minimised, in accordance with Strategic Policy N1 and Policy N5.

8. Where contamination is identified, a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority. Any remediation must be implemented prior to the use of the site.

Reason:

To ensure the site is suitable for its intended use.

9. The site shall be used for storage purposes only and for no other use without prior written approval of the Local Planning Authority.

Reason:

To ensure the use remains appropriate within the industrial estate in accordance with Policy EC1.

10. The whole of the access areas bounded by the carriageway edge, entrance gates and the splays shall be constructed and drained to the specification of the Local Planning Authority in consultation with the Highway Authority.

Reason:

In the interests of road safety.

11. Access gates, if provided, shall be hung to open inwards only away from the highway.

Reason:

In the interests of highway safety.

12. Prior to installation, full details including siting, make and model of any external lighting to be installed shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and retained as such at all times thereafter.

Reason:

In order to ensure that the impacts of the external lighting are acceptable given the open countryside nature of the site in accordance with Policies CC1 and DS4 of the Copeland Local Plan 2021-2039

14. The development shall be carried out in accordance with the mitigation measures set out in the Ecological Survey and Assessment Report reference 2025-007, dated April 2025, prepared by ERAP.

The mitigation measures shall be fully implemented and shall be retained thereafter for the lifetime of the development.

Reason:

To protect the ecological interests of the site and surrounding area in accordance with Policy N1 of the Copeland Local Plan 2021-2039.

15. The development shall be carried out in accordance with the mitigation measures set out in the Flood Risk Assessment reference GEOL24-6646, dated 25th March 2025 prepared by GEOL Consultants Ltd.

The mitigation measures shall be fully implemented prior to the first use of the development and shall be retained thereafter for the lifetime of the development.

Reason:

To ensure that the development is safe from flooding and does not increase flood risk elsewhere, in accordance with the National Planning Policy Framework and Strategic Policy DS6 of the Copeland Local Plan 2021–2039.

Informative Notes

Highways

Any works within or near the Highway must be authorised by the Council and no works shall be permitted or carried out on any part of the Highway including Verges, until you are in receipt of an appropriate permit from the LHA Streetworks team.

<https://www.cumberland.gov.uk/parking-roads-and-transport/streets-roads-and-pavements/street-licences-and-permits/street-permit-and-licence-fees-and-charges>

Please be advised that the Highway outside and or adjacent to the proposal must be kept clear and accessible at all times

Land contamination: risk management and good practice

The Environment Agency recommend that developers should:

1. Follow the risk management framework provided in 'Land contamination: risk management' when dealing with land affected by contamination
2. Refer to our Guiding principles for land contamination for the type of information that we require in order to assess risks to controlled waters from the site – the local authority can advise on risk to other receptors, such as human health
3. Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed

4. Refer to the contaminated land pages on gov.uk for more information

Advice to applicant – Waste on-site

The CL:AIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material

arising from site during remediation and/ or land development works is waste or has ceased to be waste. Under the Code of Practice:

- excavated materials that are recovered via a treatment operation can be re-used on-site providing they are treated to a standard such that they fit for purpose and unlikely to cause pollution
 - treated materials can be transferred between sites as part of a hub and cluster project
 - some naturally occurring clean material can be transferred directly between sites
- Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

We recommends that developers should refer to:

- the position statement on the Definition of Waste: Development Industry Code of Practice
- The waste management page on gov.uk

Advice to applicant – Waste to be taken off-site

Contaminated soil that is (or must be) disposed of is waste. Therefore, its handling, transport, treatment and disposal are subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2016
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised

both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

If you receive (or reject) any hazardous waste, you must send a report to the Environment Agency. These are known as 'returns'. If you dispose of hazardous waste at the premises where it's produced you may also need to send returns. You should follow the guidance provided here: <https://www.gov.uk/guidance/hazardous-waste-returns-supplementary-guidance>

Biodiversity Net Gain – Applicable

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 require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.


Before commencing development, a Biodiversity Gain Plan needs to be submitted and approved by the local planning authority.

Commencing development which is subject to the biodiversity gain condition without an approved Biodiversity Gain Plan could result in enforcement action for breach of planning control.

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



Nick Hayhurst
Head of Planning and Place
Thriving Places

21st April 2026

**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.