

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/25/2181/0B1
2.	Proposed Development:	VARIATION OF CONDITION 2 (PLANS) FOR REVISED HOUSE TYPES & LAYOUT OF PLANNING APPROVAL 4/20/2474/0R1 - RESERVED MATTERS APPLICATION (ACCESS, APPEARANCE, LANDSCAPING, LAYOUT & SCALE) FOR ERECTION OF 335 DWELLINGS INCLUDING ASSOCIATED INFRASTRUCTURE
3.	Location:	PHASE 3, EDGEHILL PARK, WHITEHAVEN
4.	Parish:	Whitehaven
5.	Constraints:	ASC;Adverts - ASC;Adverts, Safeguard Zone - Safeguard Zone, Coal - Standing Advice - Data Subject To Change, Coal - Development Referral Area - Data Subject to Change, PROWs - Public Right of Way, HighPressurePipeline - High Pressure Pipeline
6.	Publicity Representations & Policy	See report.
7.	Report: Site and Location: <p>The Application Site comprises part of Phase 3 and Phase 5 of the residential development known as Edgehill Park, Whitehaven.</p> <p>The Application Site comprises an area of semi-improved grassland and an area of hardstanding associated with the previous commercial use on the land.</p> <p>The Application Site is bounded by the existing residential estates of Magellan Park and</p>	

Windermere Road to the north; Phase 4 of the Edgehill Park development to the east; High Road to the west; and, Phase 3 of Edgehill Park to the south.

The Application Site slopes gently from north to south and east to west.

The Application Site is enclosed by a combination of timber fencing and vegetation.

Directly Relevant Planning Application History:

Application Ref. 4/13/2235/0O1 - Outline planning permission for the erection of 431 (Approx) dwellings, land reserved for primary school & associated ancillary open space & infrastructure and approval in full for matters in association with 139 dwellings to the south of the site with access, pedestrian bridge, suds features & associated open spaces and infrastructure.

Application Ref. 4/16/2365/0O1 - Variation of condition 6 (approved plans) of planning approval 4/13/2235/0o1 - plot & house type amendment to plots 69-72 & 81-92 etc.

Application Ref. 4/17/2103/0R1 - Reserved matters application for the erection of 96 dwellings and associated infrastructure (phases 3 and 4).

Application Ref. 4/18/2304/0F1 - S73 material amendment application for condition 2 of planning approval 4/17/2103/0R1 (erection of 96 dwellings - phases 3 & 4).

Application Ref. 4/19/2124/0F1 - Erection of 83 no. dwellings (revision of previously approved permission 4/17/2103/0R1 to increase the number of dwellings from 96 to 105).

Application Ref. 4/20/2474/0R1 - Reserved matters application (access, appearance, landscaping, layout and scale) for erection of 335 dwellings including associated infrastructure.

Application Ref. 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 4/13/2235/0O1 and 4/20/2474/0R1.

Proposal:

This application seeks variation of Planning Condition 2 of reserved matters planning permission reference 4/20/2474/0R1.

This application has the effect of approving Full Planning Permission for the entirety of the development approved under the respective planning permission on the wider Edgehill Park development.

The revisions relate to 313no. one, two, three, four and five bedroom dwellings located within the now named Phase 5 of the wider Edgehill Park development.

The proposed dwellings are a combination of two - three storey high detached, semi-detached and terraced dwellings.

A number of public open spaces including a children's play space are proposed.

A comprehensive scheme of landscaping is proposed incorporating a combination of structural and decorative planting to the open spaces, boundaries and streets.

It is proposed to finish the dwellings with a combination of facing bricks, sandstone and render with concrete tiles to the roof structures.

Two or three off highway parking spaces are proposed per dwelling. Formal and informal visitor parking spaces adjacent to and within the carriageways are proposed.

The proposed development has been amended during the course of the application to respond to the comments of consultees and the Officers.

Consultee:	Nature of Response:
Town Council	No comments.
Cumberland Council – Highways and LLFA	<p>The proposed changes to the house types (to smaller units) involves minor changes to the road layouts. However, these are not material changes and will have very limited impact on highway conditions.</p> <p>I do note subtle but important improvements to some of the path links, including one to Windermere Drive. These are welcomed.</p> <p>The LHA and LLFA has no objection to the proposals.</p>
Cumberland Council – Countryside Access	No consultation response received.
Cumberland Council – Development Plans	No consultation response received.
HSE	No consultation response received.

	Cumbria Fire and Rescue Service	No consultation response received.
	United Utilities	Proposals are acceptable in principle.
	Cumberland Council Historic Env. Officer	No objections.
	Cumberland Council - Ecologist	No consultation response received.
	Natural England	No consultation response received.
	Active Travel England	Following a high-level review of the above planning consultation, Active Travel England has determined that standing advice should be issued and would encourage the local planning authority to consider this as part of its assessment of the application. Our standing advice can be found here: https://www.gov.uk/government/publications/active-travel-englandsustainable-development-advice-notes ATE would like to be notified of the outcome of the application through the receipt of a copy of the decision notice, in addition to being notified of committee dates for this application.
	Northern Gas Networks	<p>Response 1</p> <p>Object.</p> <p>Response 2</p> <p>Withdraw objection.</p>
	Cumberland Council – Housing Team	<p>This application seeks approval to amend the property types to be provided on this development. All housing is to be sold on the open market and a commuted sum will be paid in lieu of affordable housing provision.</p> <p>Story Homes describe the new product as “...a more contemporary, higher density product...”</p> <p>The application will result in the provision of a wider range of 2,3 and 4 bed houses and the introduction of 1 bed houses.</p> <p>Housing Need</p>

The Cumbria Choice housing register shows that as at 10 June 2025 1,646 households with an active Cumbria Choice application have nominated Whitehaven town centre, Bransty, Hensingham, Mirehouse or Woodhouse as their area of preference for a housing association property.

Cumbria Choice Housing Register¹						
Preferred Type of Property	Total %	% of Households by preferred no. of bedrooms				
		1 Bed	2 Beds	3 Beds	4 Beds	5+ Beds
Bedsit ²	0.36	0.12	-	0.12	-	-
Bungalow ³	15.86	4.31	9.48	1.34	0.43	-
First floor flat or above ⁴	12.03	9.36	2.37	0.12	-	-
Ground floor flat	5.65	3.83	1.82	-	-	-
House ⁵	61.36	2.98	30.80	21.81	4.98	0.73
Maisonette	0.36	0.18	0.18	-	-	-
Other	0.43	0.06	0.36	-	-	-
Wheelchair adapted property	0.49	0.36	0.12			
Property type not provided	3.46					

The General Housing Needs Study (GHNS) evidences a need for the following affordable provision in the parish of Whitehaven:

Bedrooms	Dwelling Type (%)			
	Houses	Flats	Bungalow	Total
1	17.9	24.4	8.5	50.8
2	12.0	1.1	8.5	21.6
3	9.9	0.5	8.5	18.9
4+	0.2	0.0	8.5	8.7
Total	40.0	26.0	34.0	100.0

Property Standards

Any provision must meet the requirements of Policy DS4 – Design and Development Standards in the Copeland Local Plan, and meet current national guidance. All properties must contribute to meeting Net Zero targets, including the use of sustainable energy efficiency measures such as air source heat pumps.

Consideration should be given to the provision of DDA compliant properties, with adaptations made for future residents with access or mobility requirements.

Conclusion

Subject to all property types meeting planning's size requirements, there is an evidenced need for smaller properties in Whitehaven and therefore the housing team support this amendment.

		<p>Whilst the evidenced need shown above is specifically for affordable housing, there is an expectation that some of these households will be in a position to purchase a suitably priced open market property.</p> <p>Furthermore, the GHNS evidences a need for all property sizes regardless of tenure in the West Cumbria housing sub-area.</p>
	Environmental Health	<p>There are no objections to this proposal from Environmental Health. The management of the Anhydrite bund and the Remediation Strategy have been previously approved by Environmental Health.</p>
	Cumbria Police	<p>The published Planning Statement (Item 3.3) acknowledges the Copeland Local Plan 2021-2039 as the appropriate starting point to determine the proposal. My response refers to this application's compliance with Policy DS4 (Design and Development Standards) and Item 6.4.6 of the Local Plan.</p> <p>This is a strong layout with dwellings predominantly arranged to overlook access routes and communal spaces - and interlocking rear gardens to deter intrusion. However, the prominence of housetypes with blank or 'inactive' gable walls has the effect of restricting surveillance opportunities in several locations. The closest dwellings cannot provide casual supervision to these spaces, thus compromising the development's overall security. Consequently, these spaces and locations are more likely to attract criminal or anti-social activity, to the eventual detriment of those residents.</p> <p>These locations are depicted:</p> <ul style="list-style-type: none"> • Unit 24 Housetype Sanderson, presents a windowless (right) elevation towards the formalised footpath and associated communal space (Units 41 – 43 directly overlook it) • Between Unit 45 (Housetype Pearson, left elevation) 'inactive' gable and Unit 112 (Housetype Masterton, right elevation) 'inactive' gable exhibiting obscured glazing in bathroom windows • Unit 178 (Housetype Masterton, left elevation, presents a windowless gable towards the formalised path and associated space • Between Unit 174 (Housetype Cooper, right elevation) and Unit 175 (Housetype Wilson, left elevation) blank gables • Units 85, 97, 132, 137 - the prevalence of the Housetype Blencathra unwittingly creates unobserved and sheltered undercroft areas that may attract nuisance gathering. There are no windows at ground floor to permit the resident to supervise the voids. Any views into the voids are reliant on adjacent dwellings. (There is no indication if these spaces are

		<p>illuminated during darkness). However, surveillance opportunities from Blencathra Units towards the parking spaces beyond are good</p> <p>The majority of car parking provision is situated towards the front of dwellings, where it is directly overlooked.</p> <p>Unfortunately, casual supervision of parking positioned to the side of dwellings (e.g. Unit 35 (Housetype Dawson), Unit 64 (Housetype Hallin, Unit 105 (Housetype Carrock?) and Unit 106 (Housetype Hallin) is inhibited by the lack of windows in adjacent gables.</p> <p>The comments in the Design Response Document (Green Infrastructure) are noted. It is important that the landscaping scheme does not obstruct views, create hiding places, or impede the effects of street lighting as it matures. The Lighting Engineer and Landscape Architect must collaborate to ensure conflicts between these elements do not arise in the future. A strict maintenance programme must be implemented, so that shrubs and tree canopies do not become overgrown.</p> <p>There is no information in the Design Response Document that indicates how street lighting or dwelling exterior lighting schemes shall be arranged, i.e. compliance with Policy DS4 (m). There is no information that refers to the physical security of dwellings (i.e. specification of exterior door and window products) to indicate compliance with Policy DS4 (k) and item 6.4.6 (Secured by Design 'Homes 2025').</p> <p>I recommend the incorporation of door and window products certified to PAS 24:2022 and including a pane of laminated glazing (BS EN356:2000) as appropriate. Where garages are provided, I recommend the deployment of vehicle entry doors certified to LPS 1175 AR1 or STS 202 BR1, to resist forced entry.</p>
	The Coal Authority	No objections.
	National Highways	Following our review, we note that the proposed development is located a significant distance from the Strategic Road Network. As such, we do not anticipate any impacts on the SRN and therefore offer no further comments.
	Environment Agency	<p>No objections.</p> <p>The Remediation Strategy, prepared by iD GeoEnvironmental Limited (referenced: 4046-G-R022; dated: July 2021) has been reviewed in previous consultations, and comments and works have been satisfactory</p>

		<p>to ensure no unacceptable detriment to groundwater or surface water quality.</p> <p>The proposed changes for the creation of landscaped mounds using the anhydrite stockpile should not cause detriment to water quality from dissolution of the mineral deposits, run-off or soakaway.</p>
	Cumberland Council – Arb. Consultant	<p>DISCUSSION</p> <p>Following our site visit, we have the following comment/observation to make on the proposed development.</p> <p>The applicant has submitted an Addendum 2 to Tree Survey (Job No.587 Rev.B dated 08/03/2021). In section 2.4 (Impact Assessment of Development Proposals), the report states: The impact of the proposed development upon the existing trees has been assessed and 3 trees, reference T1, T2 and T3 would be adversely affected by the proposed development, including provision of a cleared area within the site for the County Council to develop a primary school.</p> <p>The applicant has also submitted a proposed landscape plan produced by Westwood Landscape (Dwg. No.WWL10A dated 19/05/25) giving specifications and locations of new planting on the site.</p> <p>On balance, we consider the removal of these trees will not significantly impact the visual amenity of the area. Whilst the landscaping scheme will enhance the area and provide a diverse landscape for future generations.</p> <p>RECOMMENDATIONS</p> <p>We recommend attaching the following conditions to any planning permission:</p> <ul style="list-style-type: none"> • The development must be carried out in accordance with, and implement all of the details and mitigation measures specified within Addendum 2 to Tree Survey (Job No.587 Rev.B dated 08/03/2021). The development must be carried out in accordance with the approved document at all times thereafter. • The approved landscaping scheme (Dwg. No.WWL10A dated 19/05/25) must be implemented by the end of the first planting season following substantial completion of the development. Any trees or plants that die, are removed, or become seriously damaged or diseased, within a period of 10 years from the completion of the development, must be replaced in

the next planting season with others of similar size and species, unless the local planning authority gives written approval for a variation.

Neighbour Responses:

The application has been advertised by way of a planning application site notice, press notice and letter sent to neighbouring properties.

One representation in objection and one representation in support have been received. The material planning issues raised comprise the following:

Adverse impact upon the residents of the Woodhouse Estate through noise and vibration from haul road.

Sub-contractors are not adhering to start/ finishing times and safe speed limits.

There should be a green, open space or a general garden area separating the proposed development and front views from 2 to 10 Watson Lane. We need access to fresh air, natural sunlight, and greenery, rather than being faced directly with a wall of concrete.

Planning Policy:

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Development Plan:

On 1st April 2023, Copeland Borough Council ceased to exist and was replaced by Cumberland Council as part of the Local Government Reorganisation of Cumbria.

Cumberland Council inherited the local development plan documents of each of the sovereign Councils including Copeland Borough Council, which combine to form a Consolidated Planning Policy Framework for Cumberland.

The inherited local development plan documents continue to apply to the geographic area of their sovereign Councils only.

The Consolidated Planning Policy Framework for Cumberland comprises the Development Plan for Cumberland Council until replaced by a new Cumberland Local Plan.

Copeland Local Plan 2021 - 2039 (LP):

Cumberland Council continued the preparation of the LP as commenced by Copeland

Borough Council.

The LP was adopted by Cumberland Council on the 5th of November 2024 replacing the Copeland Local Plan 2013-2028 and the saved policies of the Copeland Local Plan 2001-2016.

Strategic Policy DS1: Settlement Hierarchy
Strategic Policy DS2: Settlement Boundaries
Strategic Policy DS3: Planning Obligations
Policy DS4: Design and Development Standards
Policy DS5: Hard and Soft Landscaping
Strategic Policy DS6: Reducing Flood Risk
Policy DS7: Sustainable Drainage
Policy DS8: Soils, Contamination and Land Stability
Policy DS9: Protecting Air Quality
Strategic Policy H1: Improving the Housing Offer
Strategic Policy H2: Housing Requirement
Strategic Policy H3: Housing Delivery
Strategic Policy H4: Distribution of Housing
Policy H6: New Housing Development
Policy H7: Housing Density and Mix
Strategic Policy H8: Affordable Housing
Strategic Policy SC1: Health and Wellbeing
Policy SC3: Playing Fields and Pitches
Policy SC2: Sports and Leisure Facilities (excluding playing pitches)
Strategic Policy N1: Conserving and Enhancing Biodiversity and Geodiversity
Strategic Policy N3: Biodiversity Net Gain
Policy N5: Protection of Water Resources
Strategic Policy N6: Landscape Protection
Strategic Policy N7: St Bees and Whitehaven Heritage Coast
Strategic Policy N9: Green Infrastructure
Strategic Policy N11: Provision of Open Space in New Development
Policy N14: Woodlands, Trees and Hedgerows
Strategic Policy BE1: Heritage Assets
Policy BE3: Archaeology
Strategic Policy CO2: Priority for improving transport networks within Copeland
Strategic Policy CO4: Sustainable Travel
Policy CO5: Transport Hierarchy
Strategic Policy CO6: Countryside Access
Policy CO7: Parking Standards

Other Material Planning Considerations:

National Planning Policy Framework (NPPF).
Planning Practice Guidance (PPG).



Cumberland Council

National Design Guide (NDG).
The Conservation of Habitats and Species Regulations 2017 (CHSR).
Cumbria Development Design Guide (CDDG).
South Whitehaven Plan Supplementary Planning Document March 2013 (SWSPD)

Assessment:

Principle

The main of the residential development approved under application refs. 4/13/2235/001, 4/16/2365/001, 4/17/2103/0R1, 4/18/2304/0F1, 4/19/2124/0F1 and 4/20/2474/0R1 is complete.

This application seeks variation of Planning Condition 2 of reserved matters planning permission reference 4/20/2474/0R1 for which an extant and implementable planning permission exists.

The proposed development would not result in an increase in the total number of dwellings approved under application ref. 4/13/2235/001.

The established planning permission comprises a fallback position for the applicant and therefore establishes the principle of the development and is a material planning consideration.

Housing Mix

No revisions are proposed to the affordable housing provision approved under application ref. 4/13/2235/001.

The proposed development seeks to amend the overall housing mix on this phase of the development.

The proposed development includes the provision of a wider range of 2,3 and 4 bed houses and the introduction of 1 bed houses.

The Cumbria Choice Housing Register and General Housing Needs Study (GNHS) shows an evidenced need for smaller properties within Whitehaven.

Furthermore, the GHNS evidences a need for all property sizes regardless of tenure in West Cumbria.

Cumberland Council – Housing has confirmed support for the proposed housing mix.

Design

South Whitehaven Plan Supplementary Planning Document March 2013 (SWSPD) outlines 27 design guidance criteria for the development of the Application Site.

The layout has been designed to accord with the requirements of Planning Condition 5 of planning permission ref. 4/13/2235/001, with specific regard to the principles of the Illustrative Planning Application Masterplan, which itself was developed in accordance with the design guidance criteria outlined in the SWSPD.

The proposed layout has been designed to respond to and comprise a continuation of the existing connected development to the north, the approved development to the south and the existing contours of the Application Site as required by DG1 and DG3 of the SWSPD.

The proposed layout incorporates defined character areas each with its own identity characterised through the use of varying scale, density, enclosure and materials. A limited pallet of materials are proposed. Sandstone facing and render are proposed to accentuate key features and landmark elevations. A contemporary area of housing is proposed adjacent to Rhodia Park which acts as a visual transition with the existing development to the north. The proposed approach provides diversity and interest across the development as required by DG5 and DG23 of the SWSPD.

Higher densities of development are concentrated in the pockets towards the centre of the development with lower densities to the boundaries as required by DG5 and DG10 of the SWSPD.

The proposed development comprises principally two storey dwellings with two and a half and three storey dwellings used to frame spaces such as Rhodia Park, key views and end stops on key routes and provide a sense of enclosure within the central areas of the development as required by DG11 of the SWSPD.

The proposed development has been designed as a legible environment with a well-defined hierarchy of streets and spaces that route both north to south and east to west, following the desire lines of users and incorporating focal features that assist with way finding. The proposed pedestrian and cycle linkages connect to the existing linkages to the peripheries of the Application Site and the open spaces within the Application Site. The routes through the upper hierarchy streets incorporate footways, with the routes through the lower hierarchy streets including footways and incorporate differing materials to the carriageways which create a sense of pedestrian priority and act to reduce traffic speeds. This arrangement accords with the provisions of DG5, DG12, DG13, DG14, DG16, DG17 and DG24 of the SWSPD.

The proposed development includes a number of both carefully planned strategic and informal public open spaces located throughout the development. The open spaces serve as both formal and informal community/play spaces, gateway features, linkages through the development and mechanisms to frame and distance development from surrounding features/constraints including High Road. The proposed development exceeds the approved

scheme.

Cumbria Police have identified minor concerns in relation use of blank gable elevations adjacent to active spaces and the undercroft accesses serving the one bed units. These arrangements are on balance considered acceptable given the availability of surveillance from other properties/areas and the requirement to maintain residential amenity.

Landscaping

A comprehensive scheme of landscaping is proposed throughout the proposed development. The landscaping includes planting to both the site peripheries/boundaries, open spaces and along the highway frontages.

Rhodia Park – Education Contribution Section 106 Agreement

A large open space is retained to the north of the Application Site.

This land was secured for the provision of a school as part of the Section 106 Agreement agreed as part of Planning Application ref. 4/13/2235/001.

The retention of the land as undeveloped open space acts to safeguard the land for the delivery of any school and so will not prejudice the provisions of the Section 106 Agreement agreed as part of Planning Application ref. 4/13/2235/001.

Residential Amenity

The interface separation distances between existing and proposed dwellings generally accords with expectation i.e. c.21m.

There are a number of areas within the layout where 21m distances between facing windows serving primary accommodation are not quite achieved. This is however common throughout the wider development. The shortfalls are generally limited in distance or where dwellings are not directing facing and so are deemed on balance acceptable.

The interface separation distances achieved between the facing windows serving primary accommodation within the areas accommodating the Intro Range of homes fall as low as 11-12m.

The LP does not include defined separation distances as existing in the Copeland Local Plan 2013-2028; however, it does still require the maintenance of high levels of amenity.

There is some criticism of the requirement to maintain 21m separation in urban design circles, particularly in relation to front to front facing windows and the adverse or limiting impacts that this can have in the delivery of density and design interest, particularly in low rise development.

Nationally general design guidance exists supporting 12m front to front separation distances; however, in most instances where such reductions are supported, the developments include innovative design solutions that seek to deliver higher densities while maintaining privacy and amenity i.e. angled windows and balconies, positioning windows and balconies at angles, strategic use of landscaping and encloses to create private outdoor spaces where front to front distances are reduced and amendment of internal layouts i.e. designing homes with living spaces that do not directly face onto other living spaces i.e. position of accommodation within the dwellings etc..

The proposed layout includes design measures that seek to mitigate overlooking, including positioning of windows, position of living accommodation internally, the incorporation of windows and curtilage spaces that are not overlooked and the use of landscaping within the street scene.

It is considered that whilst a departure from conventional layout parameters etc. the higher density element of the scheme can on balance be supported given the design mitigation measures incorporated.

Ecology and Arboriculture

A Tree Survey is submitted in support of the planning application.

The Tree Survey identifies three trees on the Application Site which would be removed as part of the proposed development. The trees are identified as being of moderate value given their scale and characteristics. It is concluded that subject to appropriate measures to replace the trees with additional new tree, shrub and hedgerow planting, the proposed development would not affect the long-term conservation of tree cover or adversely harm the appearance of the landscape setting or visual amenity of the site, adjacent residents or the surrounding area.

An Ecological Assessment is submitted in support of the planning application.

The Ecological Assessment concludes that the proposed development will not directly impact upon statutory designated sites. Mitigation is proposed to prevent potential indirect impacts through increased surface water run-off and the pollution and siltation of watercourses draining the site.

The Assessment identifies features on the Application Site suitable for foraging bats. No bat activity was recorded in the north of the Application Site and very few flights were detected across the main open parts of the Application Site. There is evidence that the south of the Application Site which is already under development may be important for the maintenance of a small population of Common Pipistrelle bats and is used occasionally by a small numbers of Myotis bats. These bats may utilise the scrub along the boundary of the northern section of the site for commuting and low levels of foraging.

Farmland bird species such as skylark were found to nest in the grassland and arable fields. The proposed development will result in a minor adverse effect through the displacement of birds on and adjacent the site. The north of the Application Site which was previously dominated by arable land is now grassland which reduces its suitability for these species.

It is confirmed that the proposed development is compliant with protected species legislation. With the exception of species dependent on arable farmland, the development would maintain the favourable conservation status of the protected and priority species identified on site.

It is confirmed that ecological mitigation and enhancement are proposed and implemented as part of the proposed landscaping scheme. This is designed to link into the most valuable habitat in the south-eastern part of the wider site and is targeted to deliver real benefits in habitat quality for key fauna. It is confirmed that the landscaping scheme recognises how the development relates to the wider landscape in terms of species movement, maximising the likelihood of habitat utilisation and maintenance and strengthening of existing wildlife corridors delivering a probability of net gain.

In overall terms, it is concluded that the residual impacts resulting from the proposed development are either of negligible significance or involve minor adverse impacts during construction which would be mitigated by habitat creation. There is not considered to be any change in the predicted impact for the northern phase of the development as originally identified in Outline Planning Application ref. 4/13/2235/001.

Highways Impacts

Vehicular access to the proposed development is via three locations.

The northern most element of the development is served via the existing access serving Magellan Park to the north, with the remainder of the development served via a new access from North Road connecting to the existing access serving Phase 2 of the development which is currently under construction to the south.

The central spinal road runs through the main area of the development from which secondary roads and shared surface accesses are proposed. Raised surfacing is proposed to elements of the central spinal road including the central open space which creates a sense of pedestrian priority and acts to reduce traffic speeds.

As previously outlined, the routes through the upper hierarchy streets incorporate footways, with the routes through the lower hierarchy streets including footways and incorporate differing materials to the carriageways which.

Cumbria County Council – Highways has been consulted and has raised no objection to the development subject to planning conditions.

The proposed development layout and parking provision accords with the provisions of the Cumbria Development Design Guide.

Planning conditions are proposed requiring the completion of the required access, turning and parking provision in advance of occupation of each dwelling and retention thereafter and the provision of two bus stops as required by the Illustrative Planning Application Masterplan.

Ground Conditions and Land Contamination

Ground conditions and land contamination were considered and controlled through Outline Planning Application ref. 4/13/2235/001.

Since this approval, a Supplementary Geoenvironmental Appraisal, letter and information relating to the treatment of known mining shafts has been submitted to demonstrate that the development would not be at unacceptable risk from mining legacy issues and land contamination arising from the previous use of the Application Site. A planning condition secures delivery.

The requirements of Planning Condition 27 of Planning Application ref. 4/13/2235/001 which related to the treatment of unexpected contamination have been approved.

The existence of unexpected ground contamination has previously been assessed; therefore, a controlling condition is not required.

Northern Gas Networks Infrastructure

Northern Gas Networks initially raised objection to the proposed development on the basis that the protection given to their existing pipelines within and adjacent to the Application Site may be diminished by the proposed development; however, it was subsequently confirmed that the High Pressure pipeline is due to be downrated to medium pressure and that the Applicant was been liaising with Northern Gas Networks regarding the development and the pipeline, resulting in the withdrawal of the objection.

Other Matters

Archaeological Evaluation of the site has previously been completed.

Planning Application ref. 4/13/2235/001 was accompanied by an Environmental Statement. This application has been the subject of an Environmental Impact Assessment Screening Opinion based upon the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, all the information and evidence submitted in support of the respective planning applications and evidence of the impacts during construction/operation and it has been concluded that the development is not Environmental Impact Assessment requiring an Environmental Statement.

Planning Conditions and Planning Obligation

This application has the effect of approving Full Planning Permission for the entirety of the development approved under the respective planning permission on the wider Edgehill Park development; therefore, it is necessary to reconcile all relevant planning conditions.

Planning conditions are specifically proposed in relation to construction hours for completeness, to secure a Construction Method Statement to ensure suitable controls exist in relation to the specific layout etc. now proposed, to secure delivery and management of landscaping given the lack of management information within the submission details and to secure details of the bus stops and play equipment due to the lack of information within the submission details.

A Travel Plan has been approved for the development and a Travel Plan has been submitted in relation to the part of the development now proposed. Given the lack of certainty and lack of a single coherent document relating to the development as a whole, a planning condition is proposed to secure a Travel Plan for the development as a whole and implementation.

Planning Application ref. 4/13/2235/001 was the subject of a Section 106 Agreement securing a range of contributions in relation to affordable housing, education, bus serving, highway etc.. As the revisions proposed relate to the layout/design of the development with no reduction in the number of dwellings, no revisions to the terms of the Agreement are required/justified.

A Deed of Variation of the Section 106 Agreement entered as part Planning Application ref. 4/13/2235/001 has been secured to bind the new planning permission created this application with the same requirements of that Agreement.

Conclusion

The principle of the development has previously been established.

The proposed mix of housing accords with the need and is acceptable.

The layout and design of the scheme accords with the illustrative layout submitted in support of Outline Planning Application ref. 4/13/2235/001 and the 27 design guidance criteria in the SWSPD.

No issues are arising in respect of highway safety, gas infrastructure, ecology, arboriculture and residential amenity subject to the planning conditions proposed.

On balance, it is considered that the proposed development is acceptable and accords with the relevant provisions of the Development Plan.

8.	<p>Recommendation:</p> <p>Approve amendment of condition</p>
9.	<p>Conditions:</p> <p>1. The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p><u>Phases 1 – 3 (Part)</u></p> <p>Plans and details approved under:</p> <ul style="list-style-type: none"> - application reference 4/13/2235/001 as amended by application ref. 4/15/2134/0F1 and application ref. 4/16/2365/001; - application ref. 4/19/2124/0F1. <p><u>Phases 3 (Part) and Phase 5</u></p> <ul style="list-style-type: none"> - Application Form - Location Plan - Drawing No. 20078.90.9.LP Rev P2 - General Arrangements - Drawing Number 20078.90.9.GA Rev P3 - External Finishes and Boundary Treatments - Drawing Number 20078.90.9.EFBT Rev P1 - Management Layout - Drawing Number 20078.90.9.ML Rev P3 - Parking Provision Plan - Drawing Number 20078.90.9.PPP Rev P3 - EV Charging Point Plan Drawing Number 20078.90.9.EVCP Rev P3 - Detailed Site Layout - Drawing Number 54D-STO Rev J - Boundary Treatments - Drawing No. 20078.90.9.BT Rev. P3. - Elevations Treatments - Drawing No. 20078.90.9.ET Rev. P3 - Hard Surfaces - Drawing No. 20078.90.9.HS P3 - Site Sections and Street Scenes Sheet 1 of 2 - Drawing Number 20078.90.9.SSSS1 Rev P1 - Site Sections and Street Scenes Sheet 2 of 2 - Drawing Number 20078.90.9.SSSS2 Rev P1 - Story Homes Ltd 22.05.25 Edgehill Phases 3, 5 and 6 Plant Schedule - Proposed Drainage Layout Sheet 1 of 2 - Drawing Number 7503-P3 / PL01-1 Rev. B - Proposed Drainage Layout Sheet 2 of 2 - Drawing Number 7503-P3 / PL01-2 Rev. B - Earthworks Cut and Fill Sheet 1 of 2 - Drawing Number 7503-P3 / PL03 – 1 Rev. A - Earthworks Cut and Fill Sheet 2 of 2 - Drawing Number 7503-P6 / PL03-2 Rev. A - Edgehill Phases 3, 5 and 6 – Landscape Plan – Drawing No. WWL10C - Landscape Plan – Drawing No. WWL-01G sheet 1 of Rev. G - Landscape Plan – Drawing No. WWL-01G sheet 2 of 2



- Existing Anhydrite Bund – Levels Plan - Drawing Number 7503-ABM-01
- Proposed Anhydrite Bund – Levels Plan - Drawing Number 7503-ABM-02
- Soft Landscape Plan (POS Bund) - Drawing Number UG_1415_LAN_SL_DRW_11 rev P04
- General Arrangement Plan (POS Bund) - Drawing Number UG_1415_LAN_GA_DRW_10 rev P05
- Soft Landscape Details - Drawing Number UG_1415_LAN_DET_DRW_12 rev P01
- SD100 - External Plot Finishes A20 - Issue (03) 1850mm High Open Boarded Fence - Drawing Number SD100-A001, 1850mm High Open Boarded Timber Side Gate Details - Drawing Number SD100-A-002.1, 1850mm High Feather Edge Board Timber Side Gate Details - Drawing Number SD100-A-002.2, 1850mm High Hit and Miss Fence - Drawing Number SD100-A-003, 1800mm Brick Pillars With Dwarf Wall and Open Boarded Fence - Drawing Number SD100-A-006 rev A, 600mm and 450mm High Trip Rail - Drawing Number SD100-A-012, 1800mm High Brick Boundary Wall - Drawing Number SD100- B-001, 1200mm Plain Top Railing - Drawing Number SD100-C-002, 850mm High Open Boarded Fence with Horizontal Trellis - Drawing Number SH100-A-015, Typical Bin Store: 4.30m x 2.80m - Drawing Number SH100-H-002.
- Build Phase Plan Sept 2023
- Materials Samples Information

- Cooper House Type (A25) Contents: Planning - Drawing Number CPR-P-CON, Planning Layout 1 (Semi) - Drawing Number CPR-PLP1, Planning Elevation 1/1 (Semi) Drawing Number CPR-PLP1, Planning Elevation 1/2 (Semi) - Drawing Number CPR-PLP1/2, Planning Layout 2 (Front) - Drawing Number CPR-PLP2, Planning Elevation 2/1 (Front) - Drawing Number CPR-PLP2/1, Planning Elevation 2/2 - Drawing Number CPR-PLP2/2, Planning Layout 3 (Corner) - Drawing Number CPR-PLP3, Planning Elevation 3/1 (Corner) - Drawing Number CPR-PLP3/1, Planning Elevation 3/4 (Corner) - Drawing Number CPR-PLP3/4.
- Dawson House Type (A20) Contents: Planning Layout 1 - Drawing Number DWN-PLP1 Rev. A, Planning Elevation C - Drawing Number DWN-PLP1-C.
- Dawson House Type (A25) Contents: Planning - Drawing Number DWN-P-CON, Planning Layout 1 - Drawing Number DWN-PLP1, Planning Elevation 1/1 - Drawing Number DWN-PLP1/1, Planning Elevation 1/2 - Drawing Number DWN-PLP1/2, Planning Elevation 1/3 - Drawing Number DWN-PLP1/3.
- Hewson House Type (A25) Contents: Planning - Drawing Number HWN-P-CON, Planning Layout 1 - Drawing Number HWN-PLP1, Planning Elevation 1/1 - Drawing Number HWN-PLP1/1, Planning Elevation 1/2 - Drawing Number HWN-PLP1/2, Planning Elevation 1/3 - Drawing Number HWN-PLP1/3.
- Masterton House Type (A25) Contents: Planning - Drawing Number MTN-P-CON, Planning Layout 1 - Drawing Number MTN-PLP1, Planning Elevation 1/1 - Drawing Number MTN-PLP1/1, Planning Elevation 1/2 - Drawing Number MTN-PLP1/2.
- Mayford House Type (A25) M4 (2) Contents: Planning - Drawing Number MYD-P-CON, Planning Layout 1 – Drawing Number MYD-PLP1, Planning Layout 2 - Drawing Number MYD-PLP2, Planning Elevation 1/1 - Drawing Number MYD-PLP1/1, Planning

Elevation 1/2 - Drawing Number MYD-PLE1/2, Planning Elevation 2/1 - Drawing Number MYD-PLE2/1, Planning Elevation 2/2 - Drawing Number MYD-PLE2/2.

- Pearson (A25) Contents: Planning - Drawing Number PRN-P-CON, Planning Layout 1 - Drawing Number PRN-PLP1, Planning Elevation 1/1 - Drawing Number PRN-PLE1/1, Planning Elevation 1/2 - Drawing Number PRN-PLE1/2.
- Sanderson House Type (A25) Contents: Planning Drawing Number - SAN-P-CON, Planning Layout 1 - Drawing Number SAN-PLP1, Planning Elevation 1/1 - Drawing Number SAN-PLE1/1, Planning Elevation 1/2 - Drawing Number SAN-PLE1/2, Planning Elevation 1/3 - Drawing Number SAN-PLE1/3.
- Wilson House Type (A25) Contents: Planning - Drawing Number WLN-P-CON, Planning Layout 1 (Front) - Drawing Number WLN-PLP1, Planning Elevation 1/1 (Front) - Drawing Number WLNPLE1/1, Planning Elevation 1/2 (Front) - Drawing Number WLN-PLE1/2, Planning Elevation 1/3 - Drawing Number WLN-PLE1/3, Planning Layout 2 (Corner) - Drawing Number WLN-PLP2, Planning Elevation 2/1 (Corner) - Drawing Number WLN-PLE2/1, Planning Elevation 2/3 (Corner) - Drawing Number WLN-PLE2/3, Planning Elevation 2/4 (Corner) - Drawing Number WLN-PLE2/4.
- Scottish Garage Contents: Planning - Drawing Number SG-P-CON Rev A, Single Garage 1 - Planning Drawings 1/1 - Drawing Number SG-PLP1 Rev A, Single Garage 1 - Planning Drawings 1/2 - Drawing Number SG-PLP1/2 Rev A, Double Garage 1 - Planning Drawing 2/1 - Drawing Number SG-PLP2/1, Double Garage 1 - Planning Drawing 2/2 - Drawing Number SG-PLP2/2, Twin Garage 1 - Planning Drawing 3/1 - Drawing Number SG-PLP3/1, Twin Garage 1 Planning Drawing 3/2 - Drawing Number SG-PLP3/2.
- The Blencathra, Planning Drawings, Contents: Planning Drawing Number - BLC-P-CON, Planning Layout 1 BLC-PLP1, Planning Elevation 1/1 - Drawing Number BLC-PLE1/1, Planning Elevation 1/2 - Drawing Number BLC-PLE1/2, Planning Elevation 1/4 - Drawing Number BLCPLE1/4, Planning Layout 2 (Detached) - Drawing Number BLC-PLP2, Planning Elevation 2/1 - Drawing Number BLC-PLE2/1, Planning Elevation 2/2 - Drawing Number BLC-PLE2/2, Planning Elevation 2/4 - Drawing Number BLC-PLE2/4, Planning Layout 3 (End Terrace) - Drawing Number BLC-PLP3, Planning Elevation 3/1 - Drawing Number BLC-PLE3/1, Planning Elevation 3/2 - Drawing Number BLC-PLE3/2, Planning Elevation 3/4 - Drawing Number BLC-PLE3/4.
- Oxley (A20) Planning Layout 1 - Drawing Number OXY-PLP1, Planning Elevation C - Drawing Number OXY-PLE-C.
- The Bowscale M4(2), Contents: Planning Bow-P-CON, Planning Layout 1 - Drawing Number BOW-PLP1, Planning Elevation 1/1 - Drawing Number BOW-PLE1/1, Planning Elevation 1/4 - Drawing Number BOW-PLE1/4, Planning Elevation 2/1 - Drawing Number BOW-PLE2/1, Planning Elevation 2/4 - Drawing Number BOW-PLE2/4.
- The Carrock M4 (2) Planning Drawings, Contents: Planning - Drawing Number CAR-P-CON, Planning Layout 1 - Drawing Number CAR-PLP1, Planning Elevation 1/1 - Drawing Number CARPLE1/1, Planning Elevation 1/2 - Drawing Number CAR-PLE1/2, Planning Elevation 1/4 - Drawing Number CAR-PLE1/4.



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- The Hallin Contents: Planning - Drawing Number HAL-P-CON, Planning Layout 1 - Drawing Number HAL-PLP1, Planning Elevation 1/1 - Drawing Number HAL-PLE1/1, Planning Layout 1/2 - Drawing Number HAL-PLP1/2, Planning Elevation 1/4 - Drawing Number HAL-PLE1/4.
- The Helm M4(2) Planning Drawings Contents: Planning - Drawing Number HEL-P-CON, Planning Layout 1 - Drawing Number HEL-PLP1, Planning Elevation 1/1 - Drawing Number HEL-PLE1/1, Planning Elevation 1/1 - Drawing Number HEL-PLE1/1, Planning Elevation 1/4 - Drawing Number HEL-PLE1/4.
- The Skiddaw M4 (2) Contents: Planning - Drawing Number SKI-P-CON, Planning Layout 1 - Drawing Number SKI-PLP1, Planning Elevation 1/1 - Drawing Number SKI-PLE1/1.
- Alexander (A) Contents: Planning Drawing Number AXR-P-CON Rev B, Planning Layout 1 - Drawing Number AXR-PLP1 Rev A, Planning Elevation 1/1 - Drawing Number AXR-PLE 1/1 Rev B, Planning Elevation – Drawing No. AXR-PLE1/2 Rev B.
- Carter (A) Contents : Planning Drawing Number - CTR-P-CON, Planning Layout 1 - Drawing Number CTR-PLP1, Planning Elevation 1/1 - Drawing Number CTR-PLE1/1, Planning Elevation 1/2 - Drawing Number CTR-PLE1/2.
- Dawson contemporary (A20) Planning Layout 1 - Drawing Number DWN-PLP1 Rev A, Planning Elevation C - Drawing Number DWN-PLE1-C.
- Grayson (A20) Planning layout 1 - Drawing Number GRN-PLP1, Planning Elevation C - Drawing Number GRN-PLE-C.
- Harper (A20) Planning Layout 1 - Drawing Number HPR-PLP1, Planning Elevation C - Drawing Number HPR-PLEC.
- Jameson (A) Contents: Planning - Drawing Number JMN-P-CON, Planning Layout 1 - Drawing Number JMN-PLP1, Planning Elevation 1/1 - Drawing Number JMN-PLE1/1, Planning Elevation 1/2 - Drawing Number JMN-PLE1/2.
- Larson (A) Contents: Planning - Drawing Number LRN-P-CON, Planning Layout 1 - Drawing Number LRN-PLP1, Planning Elevation 1/1 - Drawing Number LRN-PLE1/1, Planning Elevation 1/2 - Drawing Number LRN-PLE1/2.
- Pearson (A20) Contemporary Planning Layout 1 - Drawing Number PRN-PLP1 Rev A, Planning Elevation C - Drawing Number PRN-PLE-C.
- The Hallin M4 (2) Contents: Planning Drawing Number HAL-P-CON, Planning Layout 1 - Drawing Number HAL-PLP1, Planning Elevation 1/1 - Drawing Number HAL-PLE1/1, Planning Layout 1/2 - Drawing Number HAL-PLP1/2, Planning Elevation 1/4 – Drawing Number HAL-PLE1/4.
- Harper (A20) Planning Layout - Drawing Number 1 HPR-PLP1, Planning Elevation C - Drawing Number HPR-PE-C.
- Tree Constraints Plan AJT - Drawing Number Figure 4B Reports
- CFA Archaeological Evaluation Y505/21 dated February 2021
- Phase 3A Edgehill Park - Remediation of Crownhole & Supplementary Treatment of Coal Mine Workings - Ref: 4046-G-L030 Rev A
- Remediation Strategy For Land At Phase 3b, Edgehill Park, Whitehaven - 4046-G-R022
-

- Proposed Residential Development Edgehill Park Phase 3 And 6, Whitehaven Addendum To Tree Survey Report Story Homes Ltd Revision A 11.07.25
- Tree Mitigation Plan – Drawing No. WWL03 Rev. A
- Ecological Assessment (Envirotech) Sept 2020

Reason

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

Pre-Commencement Planning Conditions – Phase 5

Highways

2. Prior to the commencement of development within Phase 5 other than site preparation works, detailed specifications of the carriageways, footways, footpaths, cycleways hereby approved including longitudinal/cross sections, shall be submitted and approved in writing by the Local Planning Authority.

The carriageways, footways, footpaths, cycleways hereby approved shall be designed, constructed, drained and lit to a standard suitable for adoption.

Any works so approved shall be constructed before the development is complete.

Reason

In the interests of highway safety in accordance with the provisions of Policy C02 and Policy C05 of the Copeland Local Plan 2021-2039.

Construction Management

3. Prior to the commencement of development within Phase 5 a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority.

- 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. construction surface water management.

The approved Construction Method Statement shall be adhered to throughout the construction period.

Reason

In the interests of highway safety, residential amenity and the prevention of contamination/pollution in accordance with the provisions of Policy N1 of the Copeland Local Plan 2021-2039.

Pre-Occupation Planning Conditions – Phase 5

Highways

4. No dwelling within Phase 5 as hereby approved shall be occupied until the estate road including footways and cycle ways to serve that dwelling have been constructed in all aspects to base course level and street lighting where it is to form part of the estate road has been provided and brought into full operational use.

Reason

In the interests of highway safety in accordance with the provisions of Policy C02 and Policy C05 of the Copeland Local Plan 2021-2039.

5. No dwelling within Phase 5 as hereby approved shall be occupied until the approved parking layout and any associated turning spaces associated with the use of that dwelling have been constructed, marked out and made available for use. The approved parking layout and any associated turning spaces associated shall be retained for the lifetime of the development.

Reason

In the interests of highway safety in accordance with the provisions of Policy C02 and Policy C05 of the Copeland Local Plan 2021-2039.

Play Space

6. No dwelling within Phase 5 as hereby approved shall be occupied unless and until a scheme detailing the layout, design and implementation schedule of the approved children's

play space has first been submitted to and approved in writing by the Local Planning Authority.

The area shall not thereafter be used for any purpose other than as a children's play space for the lifetime of the development.

Reason

To ensure sufficient open space is provided within the site for use by future occupants in accordance with the provisions of Strategic Policy N1 of the Copeland Local Plan 2021-2039.

Bus Stops

7. No dwelling within Phase 5 as hereby approved shall be occupied unless and until a scheme detailing the location and layout of two bus stops has first been submitted to and approved in writing by the Local Planning Authority. The approved scheme is to implemented prior to the commencement of any bus service serving the development. The bus stops shall not thereafter be used for any purpose for the lifetime of the development.

Reason

To ensure the delivery of sustainable transport opportunities in accordance with the provisions of Policy C02 and Policy C05 of the Copeland Local Plan 2021-2039.

Other and Controlling Planning Conditions – Phase 5

Landscaping

8. Prior to the commencement of the landscaping works within Phase 5 a Landscape Management Plan including long term design objectives, management responsibilities and maintenance schedules for a period of not less than 5 years from the commencement of the landscaping works shall be submitted to and approved in writing by the local planning authority. The Landscape Management Plan shall be implemented as approved.

Reason

To safeguard and enhance the character of the area and secure high-quality landscaping in accordance with the provisions of Policy DS5 of the Copeland Local Plan 2021-2039.

9. 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 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 provisions of Policy DS5 of the Copeland Local Plan 2021-2039.

Highways

10. There shall be no vehicular access to or egress from the Application Site other than via the approved accesses.

Reason

In the interests of highway safety in accordance with the provisions of Policy C02 and Policy C05 of the Copeland Local Plan 2021-2039.

Ground Conditions

11. Piling or any other foundation design using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason

To protect the quality of groundwater in accordance with the provisions of Policy DS8 of the Copeland Local Plan 2021-2039.

Construction Management

12. No work for the construction of the development, 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

In the interest of residential amenity in accordance with the provisions of the National Planning Policy Framework.

Ecology

13. The development shall be completed in accordance with the provision of Ecological Assessment (Envirotech) Sept 2020.

Reason

In the interests of ecology in accordance with the provisions of Policy N1 of the Copeland Local Plan 2021-2039.

Other Planning Conditions – All Phases

14. No dwelling within Phase 5 as hereby approved shall be occupied until a Travel Plan relating to Phases 1, 2, 3 and 5 of this development has been submitted to and approved in writing by the Local Planning Authority.

The Travel Plan shall include:

- i. the form and timing of travel surveys including provision and installation of continuous automatic counting devices;
- ii. interim targets pending the results of travel surveys;
- iii. actual targets based on the results of travel surveys and measures adopted;
- iv. measures proposed to achieve the targets including publicity;
- v. the means of monitoring the travel plan;
- vi. enforcement and sanctions linked to targets;
- vii. timing of submission of the final travel plan together with a timetable for the implementation of each such element and mechanism for ongoing appraisal, target revision and implementation;
- viii. details of the travel plan co-ordinator including duties and hours of employment;
- ix. incentives to promote the use of sustainable transport; and
- x. a signage scheme for sustainable transport modes to promote their use.

No dwelling within Phase 5 as hereby approved shall be occupied prior to implementation of those parts of the approved Travel Plan capable of being implemented prior to occupation. Those parts of the approved Travel Plan that are identified therein as only being capable of

implementation after occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as the development is occupied.

Reason

To ensure the delivery of sustainable transport opportunities in accordance with the provisions of Policy C04 of the Copeland Local Plan 2021-2039.

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.

Informatives

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.

Remediation Authority Informative Note

The proposed development lies within an area that has been defined by the Mining Remediation Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Mining Remediation Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure a suitable engineering design which takes account of all relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Mining Remediation Authority Policy in relation to new development and mine entries available at: Building on or within the influencing distance of mine entries - GOV.UK

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Mining Remediation Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Application forms for Mining Remediation Authority permission and further guidance can be obtained from The Mining Remediation Authority's website at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property What is a permit and how to get one? - GOV.UK (www.gov.uk)

In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities. If any future development has the potential to encounter coal seams which require excavating, for example excavation of building foundations, service trenches, development platforms, earthworks, non-coal mineral operations, an Incidental Coal Agreement will be required. Further information regarding Incidental Coal Agreements can be found here - <https://www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements>

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Mining Remediation Authority on 0800 288 4242. Further information is available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK

Case Officer: C. Harrison

Date : 15.12.2025

Authorising Officer: N.J. Hayhurst

Date : 19.12.2025

Dedicated responses to:- N/A