

## CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/25/2245/0F1	
2.	<b>Proposed Development:</b>	PROPOSED CHANGE OF USE FROM FORMER LICENCED PREMISES TO OFFICES	
3.	<b>Location:</b>	PARK HEAD INN, EGREMONT	
4.	<b>Parish:</b>	Haile	
5.	<b>Constraints:</b>	ASC Adverts - ASC;Adverts, Coal - Off Coalfield - Data Subject To Change, DEPZ Zone - DEPZ Zone, Outer Consultation Zone - Sellafield 10KM	
6.	<b>Publicity Representations &amp; Policy</b>	Neighbour Notification Letter	No
		Site Notice	Yes
		Press Notice	No
		Consultation Responses	See Report
		Relevant Policies	See Report
7.	<b>Report:</b>		
	<b>Site and Location</b>		
	<p>This application relates to the Park Head Inn, a former licenced premises, located to the south west of Carleton. The property is located off the A595, and is accessed from an unclassified road which terminates at the site. The site fronts directly onto the highway and sits within a large plot.</p> <p>The premises benefits from a car park to the rear of the site with the access located adjacent</p>		

to the northern gable of the property.

The site has been vacant since April 2022 and is in a dilapidated state.

### **Relevant Planning History**

No relevant planning history.

### **Proposal**

This application seeks planning permission to change the use of the former licenced premises to offices.

The licenced premises ceased operation in April 2022. Previously the ground floor of the property was operated as a pub/restaurant, with kitchen facilities, a beer store and toilets provided within the existing side and rear extensions. The first floor of the property was operated as a self-contained flat containing three bedrooms, a lounge, kitchen, a shower room and a bathroom.

The application seeks to change the use of the site to an office facility for a local company to enable the administration function of the business to expand to take account of the growth of their business operations, and to locate the business closer to their clients and stakeholders at Sellafield.

The proposed change of use will accommodate three office spaces, a large meeting room, a training room, store, toilets and stores within the ground floor. The first floor will incorporate, three offices, a reception, a meeting room, kitchen and toilet facilities. A lift will also be installed to allow access to the first floor of the building.

The proposed change of use will be accommodated within the existing footprint of the building with no extensions proposed. The proposed does however seek to replace the existing UPVC windows and reroof the building with a low profile flat grey interlocking roof tiles.

The access to the site, the rear car park, and drainage arrangements will remain unaltered.

### **Consultation Responses**

#### Haile & Wilton Parish Council

No comments received.

#### Cumberland Council – Highway Authority & Lead Local Flood Authority

*30<sup>th</sup> July 2025*

The Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) can confirm that



## Cumberland Council

we have no objection to the proposed development as it is considered that it will not have a material effect on existing highway conditions nor will it increase the flood risk on the site or elsewhere.

*12<sup>th</sup> January 2026*

The Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) can confirm that the response made previously should still apply.

Cumberland Council – Environmental Health

*31<sup>st</sup> July 2025*

Environmental Health have no objections to this proposed development.

The premises is of detached configuration and is in a relatively remote setting from other premises.

There would therefore be little effect on residential amenity from the works.

It is understood that the site is connected to utilities and services.

Planners may wish to impose a standard condition in relation to construction working hours if approval were to be granted

*13<sup>th</sup> January 2026*

There are no objections to the proposed amendments and no further comments from Environmental Health subject to those already provided in our reply dated 31.07.25.

Cumberland Council – Conservation and Design Officer

Conclusion: No objection (see summary)

Assessment:

Background

- The building was perhaps originally constructed as a row of miners' or workers' cottages. The design and access statement reports that it was likely converted to a pub in the mid-20<sup>th</sup> century, however, this is not correct it is shown as "Parkhead Inn" on the OS map of 1898.
- Being located next to a main thoroughfare (prior to the construction of the modern section of A595), it's in a plausible location for a coaching inn, however, the map of 1898 does not show any yards or stables that would support such a possibility.
- It is shown as "Parkshead" (no mention of "inn") on the OS map of 1861.
- "Park Head" (again, no mention of "inn") is shown as a distinct location adjacent to the road on Donald's 1774 map of the County of Cumberland, but this is only at one inch to the mile, so it's not possible to see what specifically was here then.

- I therefore conclude that it was likely built as a row of cottages before 1774 and converted to an inn – though not specifically a coaching inn – between 1861 and 1898.
- Judging from the first and second generation OS maps, it was also extended to the north (the left-hand bay when looking at the frontage), and to the rear, between 1861 and 1898. This perhaps coincided with its conversion into an inn.
- There is an OS benchmark positioned on the front of the building. This was initially at the northern end, prior to the building being extended further northwards.
- The building also has historic significance through association with Harry Christian VC, a Victoria Cross recipient who saved the lives of three men at the Battle of Loos in 1915, and was landlord of the Park Head for some forty years (presumably from c.1920 to c. 1960). Reportedly, he kept his VC behind the bar, and is mentioned in a plaque on a wall at Low Mill on the other side of Thornhill. A memorial paving stone was laid for him at the war memorial in Pennington near Ulverston, where he was born, in 2015. The episode for which Christian won the VC was adapted in graphic form in a May 1981 issue of Victor Comic.
- The building can be considered a non-designated heritage asset, though has clearly experienced extensive alteration in the course of being converted to and operated as a modern pub.

#### Impact

- Externally, there do not appear to be any changes proposed other than the replacement of windows and doors, which are not currently significant and will be replaced with similar units. I do not therefore view this aspect as having any significance.
- Internally, changes are mostly limited to insertion of partition walling, blocking or one or two doorways, and the insertion of a lift between ground and first floor.
- The insertion of the lift is likely to be the most impactful single change, though I am mindful of the fact this is not a listed building. Questions include the following:
  - Is the building's ground floor solid or suspended? What modification to the floor would be needed to facilitate a lift?
  - Are there historic joists and boards at first floor level that would need to be removed?
  - In the bar at GF level, and the bedroom above, the lift shaft will partially cover the fireplaces, which would have originally been in the building's gable end. Externally, there is no chimney here, so I presume these fireplaces have long-since been lost as historic features, and the chimney taken down to attic level. However, clarification on this could be provided.



## Cumberland Council

- Is the lift a “nice to have”, or is it mandatory for this use? Could other uses be considered to do not necessitate a lift?

### Summary

- This building is not listed but is a non-designated heritage asset with a more interesting significance than might initially be assumed from its appearance.
- Based on assessment against conservation policy, I do not find the proposal unjustifiable and am able to support it as it stands.
- However, given that the conversion to office use may require the insertion of a lift, it is in this regard a higher impact use than others (e.g. a private dwelling). It will need to be decided whether this use represents an optimum viable use, consistent with the asset’s conservation.
- The applicants may wish to provide additional information on impact as outlined above, but I’d view this as being at their discretion.
- The applicants may also wish to consider adding a plaque to the outside of the building, commemorating that it used to be an inn and that for forty years its publican was Harry Christian, VC recipient.

### Cumberland Council – Ecology Team

*6<sup>th</sup> August 2025*

The County Ecologist notes and accepts the explanation given in Section 6 of the Draft BNG report produced by Hesketh Ecology in May 2025.

However, if this development is to be exempt from BNG under the *de minimis* rule, then the redline boundary will need to be redrawn and resubmitted to evidence that this development could be exempt.

On another subject, as a heads-up, please note that prior to an application being submitted for the development works, it is highly likely that bat surveys will be required on the building. A Preliminary Bat Roost Appraisal (PBRA) will need to be done which can be done at any time of year. If results from the PBRA state that further activity surveys are needed, these will need to be undertaken between May and September. If only one survey is required it must be done mid-summer season (May-August inclusive). The council will not accept a single survey being done in September as this is considered suboptimal.

*18<sup>th</sup> December 2025*

The County Ecologist notes and accepts the explanation given in Section 6 of the Draft BNG report produced by Hesketh Ecology in May 2025.

## *Bats*

If works have not commenced within 18 months of the bat roost assessment being undertaken (August 2025).

If bats are seen or suspected, then work must stop and further advice be sought from an ecologist with a Level 2 bat licence from Natural England.

### Cumberland Council – Strategic Planning Policy

No comments received.

### Public Representation

This application has been advertised by way of a site notice. No responses have been received to this statutory notification period.

### **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 the 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.

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

### Copeland Local Plan 2021 - 2039 (LP):

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

Strategic Policy DS1: Settlement Hierarchy



## Cumberland Council

Strategic Policy DS2: Settlement Boundaries

Policy DS4: Design and Development Standards

Policy DS5: Hard and Soft Landscaping

Strategic Policy DS6: Reducing Flood Risk

Policy DS7: Sustainable Drainage

Strategic Policy E1: Economic Growth

Strategic Policy E2: Location of Employment

Strategic Policy E5: Employment Sites and Allocations

Policy R5: Retail and Service Provision in Rural Areas

Policy SC5: Community and Cultural Facilities

Strategic Policy N1: Conserving and Enhancing Biodiversity and Geodiversity

Policy N3: Biodiversity Net Gain

Strategic Policy N6: Landscape Protection

Strategic Policy BE1: Heritage Assets

Policy BE2: Designated Heritage Assets

Policy BE4: Non-Designated Heritage Assets

Strategic Policy CO4: Sustainable Travel

Policy CO5: Transport Hierarchy

Policy CO7: Parking Standards

### **Other Material Planning Considerations**

National Planning Policy Framework (2024)

National Planning Practice Guidance (NPPG)

Cumbria Development Design Guide

Cumbria Landscape Character Guidance and Toolkit (CLCGT)

The Conservation of Habitats and Species Regulations 2017 (CHSR)

### **Assessment**

The key issues raised by this application relate to the principle of the development; impact of the development; impact on highway safety; flood risk and drainage; and impact on biodiversity and ecology.

### Principle of Development

The application site relates to Park Head Inn, a former licenced premises, located to the south west of Carleton. Under Strategic Policy DS1 of the Copeland Local Plan the application site is located outside of any designated settlement boundary for the Borough and is therefore located within the open countryside.

Strategic Policy DS2 of the Copeland Local Plan states that development within the designated settlement boundaries will be supported in principle where it accords with the Development Plan unless material considerations indicate otherwise. The policy however also states that to ensure the delivery of allocated sites is not prejudiced, development outside the settlement boundaries will only be accepted in the following cases: the proposal is for one of the following types of development and a proven need for an open countryside location has been demonstrated to the satisfaction of the Council; nuclear related developments, renewable energy proposals, including wind farms, essential infrastructure to support energy developments and other infrastructure, appropriate rural developments such as agricultural, forestry, farm diversification or tourism proposals which are dependent on such a location.

Strategic Policy E1 states that the economy of Copeland will be strengthened and broadened to provide a diverse range of employment and economic opportunities that will attract new key industries and provide the flexibility to accommodate existing businesses and new initiatives by: Maintaining, enhancing, regenerating and where appropriate extending the employment base in our towns and settlements in accordance with the Development Strategy, and supporting the economies of our rural communities; Prioritising high-quality office provision within Whitehaven and the Key Service Centres to meet inward investment needs; and Promoting investment in the public realm of employment sites and working with owners to achieve improvement and regeneration of appropriate sites.

Strategic Policy E2 of the Local Plan states that proposals for employment development (i.e. B2, B8 and E(g) Uses) will be supported where they: provide the type and scale of development that is appropriate for its settlement; and are located on allocated employment sites or existing employment land either through the reuse or redevelopment of existing premises and where appropriate intensification of use. Where the following impacts occur, development will only be supported where the mitigation measures proposed are deemed by the Council to make the development acceptable: transport impact, vulnerability to flooding; impact on residential amenity; impact on landscape character/settlement character, impact on biodiversity, and impact on the historic environment and heritage assets.

Paragraph 85 of the NPPF states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

Paragraph 88 of the NPPF states that planning decision should enable: the sustainable



## Cumberland Council

growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, new buildings; the development and diversification of agricultural and other land-based rural businesses; sustainable rural tourism and leisure developments which respect the character of the countryside; and the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.

Paragraph 89 of the NPPF states planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.

Whilst the application site is located outside of any settlement boundary, the proposal seeks to reuse an existing dilapidated vacant commercial premises. The proposal will allow a local business to expand to account for the growth of their business and will allow the business to be located closer to their client and stakeholders at the nearby Sellafield site.

The proposed change of use is therefore considered to be compliant with Policies DS1, DS2, E1 and E2 of the Copeland Local Plan, and the provisions of the NPPF.

### Impact on Community Facilities

Policy SC5 of the Copeland Local Plan states that proposals for new community facilities will be supported in principle and developments must be located within a settlement boundary identified within the hierarchy unless the proposal is for a specific activity that required a location that cannot be accommodated within a settlement, be accessible by sustainable transport modes where possible, be of a scale appropriate to its surroundings, ensure adequate parking is provided, ensure the development does not cause unacceptable harm on residential amenity, and ensure that biodiversity conservation interests would not be harmed as a result. This policy also states that the loss of existing community facilities through change of use or new development requiring planning permission will only be permitted where it can be clearly demonstrated, to the satisfaction of the Council, that its continued use as a community or cultural facility is no longer feasible, having had regard to appropriate marketing, there is sufficient provision of such facilities in the area, and/or sufficient alternative provision has been, or will be made elsewhere which is equally accessible and of the same quality or better than the facility being lost.

Policy R5 of the Copeland Local Plan states that the loss of existing village shops, post offices and public houses in rural areas through new development requiring planning

permission will only be permitted where it can be clearly demonstrated, to the satisfaction of the Council, that: Its continued use as a village shop, post office or public house is no longer feasible, having had regard to appropriate marketing (over twelve months and at a price which reflects its use, condition and local market values), the demand for the use of the site or premises, its usability and the identification of a potential future occupier. Applicants must demonstrate that full consideration has been given to any opportunities available to retain the existing use as part of a shared/combined service in order to improve viability; or Sufficient alternative provision is, or will be as part of the proposal, made elsewhere which is equally accessible and of the same quality or better than the facility being lost.

The licenced premises ceased operation in April 2022, the site has been vacant since. The application is supported by sale particulars and a marketing statement. The marketing statement states that prior to the sites closure 4 tenants had failed to operate the site viably. After the last tenant failed the site ceased operation due to the high costs to bring the pub back to a safe, legal and complaint state. Whilst the site was readvertised there was no interest from a potential tenant, therefore the property was advertised for sale. The statement advises that the site has been on the market since July 2023 with only 8 viewings with zero interest in operating the site as a pub or restaurant use.

Whilst the application will result in the loss of a community facility, the site has been advertised for a significant period indicating that the use is no longer feasible for the site. The proposal is therefore considered to comply with Policy R5 of the Copeland Local Plan.

#### Impact of the Development

Policy DS4 of the Copeland Local Plan requires all new development to meet high-quality standards of design. This includes creating and enhancing locally distinctive places, the use of good quality materials that reflect the local character, including high quality and useful open spaces, providing high levels of residential amenity, adopting active travel principles, creating opportunities for social interaction, and effective use of land whilst maintaining amenity and maximising solar gain.

Policy N6 of the Copeland Local Plan states that the Borough's landscapes will be protected and enhance by: supporting proposals which enhance the value of Copeland's landscapes; protecting all landscapes from inappropriate change by ensuring that development conserves and enhances the distinctive characteristics of that particular area in a manner commensurate with their statutory status and value; ensuring development proposals demonstrate that their location, scale, design and materials will conserve and where possible enhance the natural beauty, wildlife and cultural heritage of the Lake District National Park and Heritage; and Requiring a Landscape Appraisal, and where appropriate a Landscape and Visual Impact Assessment, to be submitted where development has the potential to impact upon landscape character or a protected landscape. Where harm is identified the development will only be permitted where the benefits of the development outweigh any potential harm and mitigation and compensation measures must be provided.



## Cumberland Council

The site is located within open countryside to the south west of the village of Carleton. The proposed change of use will utilise the footprint of the existing building, therefore there will be limited impacts on the overall landscape. The development however includes some external alterations to the proposed dilapidated structure including replacement windows and reroofing. The proposed works will redevelop the site and enhance the visual impact of the property and the surrounding area.

The site is located a significant distance away from any nearby residential properties, therefore the proposed change of use is not considered to have a detrimental effect on residential amenity, particularly due to the previous operations as a pub/restaurant. Environmental Health have offered no objections to the proposal but have stated construction hours could be limited to mitigate any noise impacts from the development. This will be controlled by an appropriately worded planning condition along with the restriction of the operation hours.

The proposal is therefore considered to comply with Policies DS4, and N6 of the Copeland Local Plan.

### Impact on Heritage Assets

Strategic Policy BE1 and BE2 of the Copeland Local Plan seek to protect or enhance heritage assets and their setting. Proposals that better reveal the significance of heritage assets will be supported in principle.

Policy BE4 of the Copeland Local Plan states that proposals affecting non-designated heritage assets or their setting should demonstrate that consideration has been given to the significance of any heritage assets affected, including any contribution made by their setting. Where the scale of any harm or loss and the significance of the heritage asset outweighs the benefits of the proposal the development will be resisted.

The Council's Conservation Officer has confirmed that whilst the building isn't Listed, it is a non-designated heritage asset with more interesting significance than might initially be assumed from its appearance. The Officer has offered no objections to the application.

The proposal will redevelop this dilapidated site and therefore the development is considered to enhance and preserve the heritage asset within the Conservation Area, and is therefore considered to comply with Policies BE1, BE2 and BE4 of the Copeland Local Plan, and provisions of the NPPF.

### Impact on Highway Safety

Strategic Policy CO4 requires that proposals must include safe and direct connections to routes that promote active travel, such as cycling and walking routes where appropriate. Support in principle is outlined for developments which encourage the use of sustainable modes of transport, in particular: proposals that have safe and direct connections to cycling and walking routes where appropriate and those that provide access to regular public transport services; proposals that make provision for electric vehicles; and proposals for the

integration of electric vehicle charging infrastructure into new developments. It is required that developments that are likely to generate a large amount of movement secure an appropriate Travel Plan and be supported by a Transport Assessment.

Policy CO7 of the Copeland Local Plan states that proposals for new development will be required to provide adequate parking provision, including cycle parking and accessible parking bays, in accordance with the Cumbria Development Design Guide (or any document that replaces it) where appropriate.

Access to the site will remain as previously approved, with the car park to the rear also retained.

No objections have been received to the application from the Highway Authority as it is confirmed that the development will not have a material effect on existing highway conditions.

The proposal is therefore considered to be compliant with the Policy CO4 and CO7 of the Copeland Local Plan, and provisions of the NPPF.

#### Drainage and Flood Risk

Policy DS6 seeks that development will not be permitted where: there is an unacceptable risk of flooding and or, the development would increase the risk of flooding elsewhere.

Policy DS7 requires that surface water is managed in accordance with the national drainage hierarchy and includes Sustainable Drainage Systems where appropriate.

The application site is located within Flood Zone 1 and is therefore not supported by a Flood Risk Assessment.

The agent has confirmed that the drainage arrangements at the site will remain unaltered. The proposal will not increase impermeable surfacing at the site.

No objections have been received to the application from the LLFA as it is confirmed that the development will not increase the flood risk on the site or elsewhere.

The proposal is therefore considered to be compliant with the Policy DS6 and DS7 of the Copeland Local Plan, and provisions of the NPPF.

#### Impact on Ecology and Biodiversity

Policy N1 of the ELP seeks to ensure that new development will protect and enhance biodiversity and geodiversity and defines a mitigation hierarchy.

Policy N3 requires that all development, with the exception of that listed in the Environment Act must provide a minimum of 10% biodiversity net gain over and above existing site levels, following the application of the mitigation hierarchy set out in Policy N1. This is in addition to any compensatory habitat provided under Policy N1. It is stated net gain should be delivered on site where possible and where on-site provision is not appropriate, provision must be made elsewhere in accordance with a defined order of preference.

In England, BNG is now mandatory under Schedule 7A of the Town and Country Planning Act



## Cumberland Council

1990 (as inserted by Schedule 14 of the Environment Act 2021). Applications must now deliver a Biodiversity Net Gain of 10%, resulting in more or better-quality natural habitat than there was before the development. Some developments are however exempt from these BNG requirements. In this instance the development is considered exempt from BNG as the development is for a change of use with the existing footprint of the building so there will be no or only a de minimis impact on onsite habitat.

The application is supported by a Biodiversity Net Gain Baseline and Feasibility Assessment. This assessment concludes that the current proposals for the site do not involve any impacts to existing habitats and therefore the proposal qualifies for the de minimis exemption to the 10% BNG requirement. No compensation is therefore required. The Council's Ecologist has confirmed that they accept the conclusion of this report however they stated that if the development is to be exempt from BNG under the de minimis rule, then the redline boundary will need to be redrawn and resubmitted to evidence that this development could be exempt. Following the submission of an amended site location plan, the Ecologist has offered no objection to the proposal.

The application is also supported by a Preliminary Roost Assessment, which concludes that as the potential suitability of the roosting habitat is low in conjunction with the findings of the Presence/ Likely Absence survey showing no bats using the site or foraging/ commuting in the immediate vicinity of the site, the impact of the proposed works is likely to be negligible. No further surveys are required, however great care must be taken when works commence and if bats are seen or suspected works must stop and further advice sought.

Based on this, planning conditions are proposed to secure that the development is completed in accordance with the proposed mitigation measures set out within this report. An informative will also be included within the decision notice to ensure that if any bats, or evidence of this species, are found during construction works the applicant informs the relevant bodies.

Subject to the planning conditions set out above the proposal is considered to achieve the requirement of Policies N1 and N3 of the Copeland Local Plan, and the provisions of the NPPF.

### Planning Balance and Conclusions

The application site relates to a former licenced premises, located within the open countryside.

Whilst the application site is located outside of any settlement boundary, the proposal seeks to reuse an existing dilapidated vacant commercial premises. The proposal will allow a local business to expand to account for the growth of their business and will allow the business to be located closer to their client and stakeholders at the nearby Sellafield site.

Although the community facility will be lost from the site, the premises has been vacant for a number of years. Evidence has been submitted to show that the site is no longer feasible under the current use.

	<p>The change of use will be accommodated within the existing footprint with minor alterations to the external appearance of the building, which are considered in keeping with the existing building and will not have an impact on the overall streetscene or the surrounding landscape. The proposal will redevelop and enhance the existing dilapidated property.</p> <p>No objections have been received to this proposal in terms of highway safety, drainage, flood risk, or ecology/biodiversity.</p> <p>On balance the positive benefits that would result from this proposal outweigh any potential harm and the proposal represents a sustainable form of development which complies with the Policies set out in the Copeland Local Plan and the guidance within the NPPF.</p>
8.	<p><b>Recommendation:</b></p> <p>Approve (commence within 3 years)</p>
9.	<p><b>Conditions:</b></p> <p><u>Standard Conditions:</u></p> <ol style="list-style-type: none"> <li>1. The development hereby permitted must be commenced before the expiration of three years from the date of this permission.</li> </ol> <p>Reason</p> <p>To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.</p> <ol style="list-style-type: none"> <li>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:- <ul style="list-style-type: none"> <li>- Application Form, received by the Local Planning Authority on the 11<sup>th</sup> July 2025.</li> <li>- Application Form – Q9/Q10, received by the Local Planning Authority on the 11<sup>th</sup> July 2025.</li> <li>- Covering Letter, received by the Local Planning Authority on the 11<sup>th</sup> July 2025.</li> <li>- Block and Locations Plans (Amended), Scale 1:500 and 1:250, Drawing No: G&amp;AML/KT/25/05, received by the Local Planning Authority on the 10<sup>th</sup> December</li> </ul> </li> </ol>



## Cumberland Council

2025.

- Existing Survey (Floor Plans), Scale 1:100, Drawing No: G&AML/KT/24/02, received by the Local Planning Authority on the 11<sup>th</sup> July 2025.
- Proposed Floor Plans, Scale 1:100, Drawing No: G&AML/KT/25/04, received by the Local Planning Authority on the 11<sup>th</sup> July 2025.
- Existing Survey (Elevations), Scale 1:100, Drawing No: G&AML/KT/24/01, received by the Local Planning Authority on the 11<sup>th</sup> July 2025.
- Proposed Elevations, Scale 1:100, Drawing No: G&AML/KT/25/03, received by the Local Planning Authority on the 11<sup>th</sup> July 2025.
- Sales Particulars, received by the Local Planning Authority on the 11<sup>th</sup> July 2025.
- Biodiversity Net Gain Baseline and Feasibility Report (Amended), Prepared by Hesketh Ecology July 2025, received by the Local Planning Authority on the 17<sup>th</sup> December 2025.
- Design and Access Statement (Amended), Ref: G&AML/KT/25/DAS, received by the Local Planning Authority on the 10<sup>th</sup> December 2025.
- Preliminary Roost Assessment, Prepared by John Temple Licenced Bat Surveyor August 2025, Version 1, received by the Local Planning Authority on the 16<sup>th</sup> October 2025.
- Marketing Statement, received by the Local Planning Authority on the 7<sup>th</sup> November 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.

### Other Conditions:

3. The development hereby approved must implement all of the mitigation and compensation measures set out in the approved documents:

- Preliminary Roost Assessment, Prepared by John Temple Licenced Bat Surveyor August 2025, Version 1, received by the Local Planning Authority on the 16<sup>th</sup>

October 2025.

Reason

To protect the ecological interests evident on the site, in accordance with policies N1 and N3 of the Copeland Local Plan 2021 – 2039.

4. The use of the building hereby approved must only be permitted between the following hours:

- Monday to Friday – 07:30am – 18:00pm;
- Saturday – 07:30 – 16:00pm.

Reason

To minimise potential disturbance to nearby residences and to safeguard the amenities of the locality in accordance with Policy DS4 of the Copeland Local Plan 2021 – 2039.

5. Following approval of the development, construction activities that are audible at the site boundary must be carried out only between the following hours:

- Monday to Friday 08.00 – 18.00 and
- Saturday 08.00 – 13.00

There should be no construction activities on the site at any time on Sunday or Bank Holidays.

Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above unless otherwise agreed with the Local Planning Authority.

Reason

In the interests of the amenities of neighbouring occupiers during the construction of the development in accordance with DS4 of the Copeland Local Plan.



## Cumberland Council

### Informative Notes

#### 1. 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.

Applicable exemptions: Development subject to the de minimis exemption.

#### 2. Bats

During construction if any bats or evidence of bat is found within this structure the application should contact the National Bat Helpline on 0345 1300 2288 for advice on how to do works lawfully.

#### 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.

**Case Officer:** C. Burns

**Date :** 21.01.2026

**Authorising Officer:** N.J. Hayhurst

**Date :** 23.01.2026

**Dedicated responses to:-** N/A

