



Cumberland Council
Cumbria House
107-117 Botchergate
Carlisle
Cumbria CA1 1RD
Telephone 0300 373 3730
cumberland.gov.uk

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

NOTICE OF GRANT OF PLANNING PERMISSION

Alpha Design
7 Europe Way
Cockermouth
CA13 0RJ
FAO: Mr Glen Beattie

APPLICATION No: 4/25/2265/0F1

**CHANGE OF USE OF GROUND FLOOR OF FORMER HSBC BANK TO
'SPEAKEASY' CAFÉ BAR WITH OUTDOOR SEATING AREAS TO REAR AND
FRONT INCLUDING THE INSTALLATION OF RAILINGS ALONG THE ROAD
FRONTAGE, THE FORMATION OF NEW DOOR OPENING WITH EXTERNAL
STEPS IN SIDE (SOUTHEAST) ELEVATION AND ALTERATION OF WINDOW TO
DOOR IN REAR (NORTHEAST) ELEVATION**

69 LOWTHER STREET, WHITEHAVEN

High Grange Developments Ltd

The above application dated 29/07/2025 has been considered by the Council in pursuance of its powers under the above mentioned Act and PLANNING PERMISSION HAS BEEN GRANTED subject to the following conditions:

1. The development hereby permitted shall begin not later than three years from the date of this decision.

Reason

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans/details:

Application Form

Location Plan – Drawing No. 25/06/1080-01

Site Plan – Drawing No. 25/06/1080-02

Existing Ground Floor Plan – Drawing No. 25/06/1080-03

Existing Rear Elevation – Drawing No. 25/06/1080-07

Existing Side Elevation – Drawing No. 25/06/1080-09

Proposed Ground Floor Plan – Drawing No. 25/06/1080-04a)

Existing and Proposed Front Elevation to Lowther Street – Drawing No. 25/06/1080-06

Proposed Rear Elevation – Drawing No. 25/06/1080-08

Proposed Side Elevation – Drawing No. 25/06/1080-10b)

Railing Specification/Image

CCTV Camera Specification and Location Details contained in email dated 22nd October 2025 from Glen Beattie

Flagged Finish Specification

Reason

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

Pre-Use Conditions

3. Prior to their installation, the details and method of operation (including times of operation) of all external lighting fixtures (to land and buildings) shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter the development shall be completed and the lights operated in accordance with the approved details.

Reason

In the interest of visual amenity and to safeguard the amenity of neighbouring occupiers in accordance with the provisions of the National Planning Policy Framework and Policy DS4 of the Copeland Local Plan 2021 – 2039.

4. Prior to the installation of any plant or equipment capable of causing nuisance from noise and vibration, a noise assessment shall be submitted to and approved in writing by the Local Planning Authority.

The assessment must be carried out by a suitably qualified acoustic consultant and in accordance with British Standard 4142 2014.

Any mitigation measures identified within the noise assessment shall be implemented before the plant or equipment is operational and

Reason

In the interest of visual amenity and to safeguard the amenity of neighbouring occupiers in accordance with the provisions of the National Planning Policy Framework and Policy DS4 of the Copeland Local Plan 2021 – 2039.

Pre-Occupation Conditions

5. The external customer area hereby permitted facing Lowther Street shall not be used by customers until the following works have been undertaken and completed in accordance with the approved plans:

- The new boundary wall;
- The gated access;
- The entrance within southeast elevation; and,
- The painted black railings topping the stone boundary wall.

Reason

To ensure high quality design, suitable means of access and escape and to prevent conflict with the use of the adjacent public highway in accordance with the provisions of Policy DS4 of the Copeland Local Plan 2021 – 2039.

6. The external customer area hereby permitted facing to the rear (northeast) of the property shall not be used by customers until the following works have been undertaken and completed in accordance with the approved plans:

- The entrance within northeast elevation.

Reason

To ensure high quality design, suitable means of access and escape and to prevent conflict with the use of the adjacent public highway in accordance with the provisions of Policy DS4 of the Copeland Local Plan 2021 – 2039.

Limitations on Use – External Customer Areas

7. The external customer areas hereby permitted shall not be used by customers otherwise than between the hours of 09:30 and 21:00 on any day.

Reason

To safeguard the amenity of neighbouring occupiers in accordance with the provisions of the National Planning Policy Framework.

8. No amplified music, televised events, commentary or any other broadcast shall be shown or played within the external customer areas hereby permitted.

Reason

To safeguard the amenity of neighbouring occupiers in accordance with the provisions of the National Planning Policy Framework.

Limitations on Use – Internal Areas

9. The internal customer areas hereby permitted shall not be used by customers otherwise than between:

Monday to Saturday - 09:00 to 23:59
Sunday / Bank Holiday - 09:00 to 22:00

Reason

To safeguard the amenity of neighbouring occupiers in accordance with the provisions of the National Planning Policy Framework.

10. No deliveries shall be taken at the site, outside the hours of:
Monday to Saturday - 09:00 to 23:59
Sunday / Bank Holiday - 09:00 to 22:00

Reason

To safeguard the amenity of neighbouring occupiers in accordance with the provisions of the National Planning Policy Framework.

Construction Management

11. No work for the construction of these developments, including demolition, shall take place on the site, except between the hours:
08.00 - 18.00 Monday to Friday; and
08.00 - 13.00 on Saturdays;
unless otherwise agreed in writing with the Local Planning Authority.
In particular, no work should be carried out on Sundays or officially recognised public holidays without the prior agreement in writing of the Local Planning Authority.

Reason

To safeguard the amenity of neighbouring occupiers in accordance with the provisions of the National Planning Policy Framework.

Contamination

12. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 14 days to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination, development must be halted on that part of the site.

An assessment must be undertaken and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority.

The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority.

Reason

To prevent harm to human health and the environment in accordance with the provisions of Policy DS8 of the Copeland Local Plan 2021-2039.

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 as the proposals comprises development that does not impact a priority habitat and impacts less than:

- ☐ 25 square metres (5m by 5m) of on-site habitat; and,
- ☐ 5 metres of on-site linear habitats such as hedgerows.

Premises Licence

The development will require a Premises Licence under the Licensing Act 2003. Further information can be sought from the Licensing team at Cumberland Council.

The premises will need to register as a food business operator. This can be done from the following link - <https://register.food.gov.uk/new>

Advice on food hygiene and kitchen design can be sought from the Environmental Health team at Cumberland Council.

Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.

Please read the accompanying notice

10th November 2025



Nick Hayhurst
Head of Planning and Place
Thriving Places

**APPROVALS
(OUTLINE, FULL RESERVED MATTERS & HOUSEHOLDER)**

**TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT
PROCEDURE) (ENGLAND) ORDER 2015**

PART 2

TOWN AND COUNTRY PLANNING ACT 1990

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- Appeals can be made online at: <https://www.gov.uk/appeal-planning-decision> . If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)

Purchase Notices

- If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part V1 of the Town and Country Planning Act 1990.