



**Cumberland Council  
Cumbria House  
107-117 Botchergate  
Carlisle  
Cumbria CA1 1RD  
Telephone 0300 373 3730  
[cumberland.gov.uk](http://cumberland.gov.uk)**

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

**NOTICE OF GRANT OF PLANNING PERMISSION**

Calva Design Studio  
Waters Edge  
2A Church Road  
Harrington  
Workington  
CA14 5QP  
FAO: Mr Richard Lindsay

**APPLICATION No: 4/25/2272/0F1**

**PROPOSED CAR WASH AND VALETING FACILITY INCLUDING RETENTION OF  
EXISTING CABIN BUILDING ON EXISTING GARAGE AND CAR SALES SITE**

**LAND BETWEEN ASDA AND VETERINARY SURGERY (KNOWN AS CHURCH  
CAR SALES), PRESTON STREET, WHITEHAVEN**

**Mr Diako Salih**

The above application dated 31/07/2025 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:

Planning Application Form

Location Plan - Drawing No. 613 01001 Rev. 02

Block Plan – Drawing No. 613 01003 Rev. 02

Proposed Site Layout – Drawing No. 613 04001 Rev. 01

Proposed Screen Detail – Drawing No. 613 04001 Rev. 01

Proposed Staff Welfare Facility – Drawing No. 613 04002 Rev. 01

Reason

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

### Pre-Commencement Planning Conditions

Highways

3. The development shall not commence until visibility splays providing clear visibility of 60 metres measured 2.4 metres down the centre of the access road and the nearside channel line of the carriageway edge have been provided at the junction of the access road with the county highway. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be planted or be permitted to grow within the visibility splay which obstruct the visibility splays. The visibility splays shall be constructed before general development of the site commences so that construction traffic is safeguarded. Any existing highway fence/wall boundary shall be reduced to a height not exceeding 1.05m above the carriageway level of the adjacent highway in accordance with details submitted to the Local Planning Authority and which have subsequently been approved before the development is brought into use and shall not be raised to a height exceeding 1.05m thereafter.

Reason

In the interests of highway safety in accordance with the provisions of Policy C07 of the Copeland Local Plan 2021-2039.

Drainage

4. Notwithstanding the submitted details, prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority.

The drainage schemes must include:

- (i) An investigation of the hierarchy of drainage options in the National Standards for Sustainable Drainage Systems (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
- (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
- (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable;
- (v) A maintenance schedule (identifying the responsible parties); and,
- (v) Foul and surface water shall drain on separate systems.

The approved schemes shall be in accordance with the National Standards for Sustainable Drainage Systems (2025) or any subsequent replacement national standards.

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason

To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with the provisions of Policy DS7 of the Copeland Local Plan 2021-2039.

#### Pre-Occupation Conditions

5. The development hereby approved shall not be brought into use until the following works have been undertaken and completed in accordance with the approved plans/details:

- Access detailed on Drawing No. 613 04001 Rev. 01
- Proposed Screen detailed on Drawing No. 613 04001 Rev. 01
- Drainage Scheme secured by Planning Condition 4

Reason

To ensure the provision of high quality design, suitable means of access, suitable welfare facilities 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.

#### Other Planning Conditions

6. No external lighting shall be installed unless or until a scheme of external lighting has first been submitted to and approved in writing by the Local Planning Authority.

The scheme shall include details of the intensity of illumination and predicted lighting spill contours.

All external lighting shall be installed in accordance with the approved details and shall thereafter be retained as such for the lifetime of the development.

#### Reason

To protect residential amenity, to ensure high quality design and to protect the environment from light pollution in accordance with Policy DS4 of the Copeland Local Plan 2021-2039.

#### Hours of Use

7. The development hereby approved shall not be used otherwise than between:

Monday to Saturday - 09:00 to 18:00

Sunday - 10:00 to 16:00

#### Reason

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

#### Construction Management

8. 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.

#### Reason

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

#### Contamination

9. 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.

## **Highways**

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

<https://www.cumberland.gov.uk/parking-roads-and-transport/streets-roads-and-pavements/street-licences-and-permits/street-permit-and-licence-fees-and-charges>  
Please be advised that the Highway outside and or adjacent to the proposal must be kept clear and accessible at all times.

### **Development Low Risk Area - Standing Advice**

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242.

Further information is also available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK

### **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

18th February 2026



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](mailto: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.