



Cumberland Council
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TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) – SECTION 73.

NOTICE OF GRANT OF PLANNING PERMISSION

Day Cummins Ltd
4A Lakeland Business Park
Lamplugh Road
Cockermouth
CA13 0QT
FAO: Mr Michael Dawson

APPLICATION No: 4/25/2342/0F1

**VARIATION OF CONDITION 2 (PLANS) FOR VARIATION IN DESIGN OF
PLANNING APPLICATION 4/24/2149/0F1 PROPOSED DINING & CHANGING
ROOM EXTENSION**

WHITEHAVEN ACADEMY, CLEATOR MOOR ROAD, WHITEHAVEN

Cumbria Education Trust

The above application dated 13/10/2025 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. -
2. Permission shall relate to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them: -
 - Application Form, received 13th October 2025;
 - Site Location Plan, scale 1:2500, drawing 01, received 13th October 2025;
 - Existing Site Plan, scale 1:500, drawing 02, received 13th October 2025;
 - Existing Ground Floor Plans & Elevations, scale 1:200, drawing 03,

- received 13th October 2025;
- Design and Access Statement, received 13th October 2025;
 - Proposed Ground Floor Plans & Elevations (amended), scale 1:100, drawing 04, received 11th 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.

3. At all times, construction activities that are audible at the site boundary must only be carried out between the following hours:

Monday to Friday 08.00 – 18.00 and,
Saturday 08.00 – 13.00 and
at no 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 surrounding occupiers during the construction of the development and in accordance with Policy DS4 of the Copeland Local Plan 2021-2039.

Informative Notes

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

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 exemption: De Minimis

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

08th December 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.