

## CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/26/2029/DOC
2.	<b>Proposed Development:</b>	DISCHARGE OF CONDITIONS 15, 18 AND 19 OF PLANNING APPLICATION 4/23/2314/0F1
3.	<b>Location:</b>	LAND AT PRESTON STREET, PRESTON STREET, WHITEHAVEN
4.	<b>Parish:</b>	Whitehaven
5.	<b>Constraints:</b>	ASC Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change, Coal - Development Referral Area - Data Subject to Change, Main River Consultation Area - Main River Consultation Area
6.	<b>Publicity Representations &amp; Policy</b>	See report.
7.	<b>Report:</b>	<p><b>Site and Location:</b></p> <p>The Application Site extends to c.1ha and comprises an former car park located to the east of Preston Street, Whitehaven and a parcel of formerly vacant land located to the rear of Nos. 1-4 and the Former Annlea House (No. 10) The Ginns, Whitehaven.</p> <p>The erection of a discount food store with associated access, parking, landscaping and associated works was approved under planning application ref. 4/23/2314/0F1 and is currently under construction.</p> <p><b>Proposal:</b></p> <p>This Application seeks approval of details reserved by Planning Condition 15, Planning Condition 18 and Planning Condition 19 of planning permission reference 4/23/2314/0F1.</p> <p><i>15. Prior to the occupation of the development hereby approved a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to and approved in</i></p>

writing by the Local Planning Authority.

*This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.*

*18. 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.*

*19. No external closed circuit television equipment shall be installed unless or until a scheme of closed circuit television equipment has first been submitted to and approved in writing by the Local Planning Authority.*

*All closed circuit television equipment shall be installed in accordance with the approved details and shall thereafter be retained as such for the lifetime of the development.*

The information submitted in support of the application comprises the following:

Application Form

Electrical Engineering Services External Lux Plot – Drawing No. Ss\_37\_16\_90-0002 S3 Rev. P01

External CCTV Layout – Drawing No. 21340 THPW XX XX DR A1100 Rev. P01

Stantec Report Reference: 333701585 Land at Preston Street, Whitehaven – 28<sup>th</sup> January 2026

<b>Consultee:</b>	<b>Nature of Response:</b>
The Coal Authority	<p>Thank you for your notification of 30 January 2026 seeking the views of the Coal Authority on the above.</p> <p>The Coal Authority is a non-departmental public body sponsored by the Department for Energy Security and Net Zero. As a statutory consultee, the Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.</p> <p><u>The Coal Authority response:</u></p> <p>Condition 15 of the permission states:</p>



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	<p><i>'Prior to the occupation of the development hereby approved a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to and approved in writing by the Local Planning Authority.</i></p> <p><i>This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.'</i></p> <p>The Coal Authority notes the statement (dated 28 January 2026) from Stantec UK Ltd, which has been submitted in support of the discharge of the aforementioned condition. On the basis that the content of the statement confirms that no shallow coalmine workings were encountered as a result of probing works and that the site is considered to be safe and stable, the Coal Authority is able to recommend the LPA discharge Condition 15.</p>
Environmental Health	<p>Environmental Health have considered the 'Electrical Engineering Services External Lux Plot' dated 10.11.25.</p> <p>There is minimal external light spill to off-site receptors demonstrated by this.</p> <p>It should also be noted that a separate planning application (ref 4/25/2331/0A1) has been approved for external illuminated signage which shall be turned off at closure of business hours. Condition 18, relating to external lighting, can therefore be discharged.</p>
<b>Neighbour Responses:</b>	
N/A.	

**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 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.

Policy DS4: Design and Development Standards

Policy DS8: Soils, Contamination and Land Stability

Strategic Policy N1: Conserving and Enhancing Biodiversity and Geodiversity

**Other Material Planning Considerations**

National Planning Policy Framework (NPPF).

Planning Practice Guidance (PPG).

**Assessment:**

*Planning Condition 15*

The Coal Authority have been consulted and have confirmed that based upon the conclusions of the statement (dated 28 January 2026) from Stantec UK Ltd confirming that no shallow coalmine workings were encountered as a result of probing works and that the site is considered to be safe and stable, Planning Condition 15 can be approved.

*Planning Condition 18*

A scheme of external lighting has been submitted.

Environmental Health have been consulted and have confirmed that there is minimal external light spill to off-site receptors demonstrated; therefore, Planning Condition 18 can be approved.

*Planning Condition 19*

A scheme detailing the proposed CCTV cameras has been provided. This includes cameras to the loading bay and main entrance.



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	<p>The number of proposed CCTV cameras is proportionate to the scale of the development. The location of the cameras is not prominent/dominant and will not overlook existing or proposed dwellings.</p> <p><b>Conclusion</b></p> <p>Planning Condition 15 – Discharge requirements of planning condition.</p> <p>Planning Condition 18 – Approve requirements of planning condition.</p> <p>Planning Condition 19 – Approve requirements of planning condition.</p>
8.	<p><b>Recommendation:</b> Approve</p>
<b>Case Officer:</b> C. Harrison	<b>Date :</b> 12.03.2026
<b>Authorising Officer:</b> N.J. Hayhurst	<b>Date :</b> 12.03.2026
<b>Dedicated responses to:-</b>	