



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 – SECTION 73

PFK Rural
1 Redhills Business Park
Penrith
CA11 0DT
FAO: Mr Simon Blacker

APPLICATION No: 4/26/2121/0B1

VARIATION OF CONDITION 11 (PROVISION OF PEDESTRIAN FACILITY ON B5295) OF PLANNING APPLICATION 4/17/2143/001 - DEMOLITION OF FACTORY AND OUTLINE PLANNING FOR ERECTION OF DWELLINGS

IVY MILL, MAIN STREET, HENSINGHAM, WHITEHAVEN

Gleeson Homes

The above application dated 21/04/2026 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 layout scale, appearance, means of access thereto and landscaping shall be as may be approved by the Local Planning Authority.

Reason

To comply with Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. Detailed plans and drawings with respect to the matters reserved for subsequent approval shall be submitted to the Local Planning Authority within

three years of the date of this permission and the development hereby permitted shall be commenced not later than the later of the following dates:-

a) The expiration of THREE years from the date of this permission

Or

b) The expiration of TWO years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason

To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

3. 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: -
- Location Plan, Scale 1:1250, Drawing No: 16061-00, received by the Local Planning Authority on the 12th April 2017.
 - Existing Plans and Elevations, Scale 1:200, Drawing No: 16061-01, received by the Local Planning Authority on the 12th April 2017.
 - Design and Access Statement, prepared by PFK dated April 2017, received by the Local Planning Authority on the 12th April 2017.
 - Preliminary Environmental Risk Assessment, Part 1 of 5, prepared by Elliott Environmental Surveyors Ltd on the 7th March 2017, received by the Local Planning Authority on the 12th April 2017.
 - Preliminary Environmental Risk Assessment, Part 2 of 5, prepared by Elliott Environmental Surveyors Ltd dated March 2017, received by the Local Planning Authority on the 12th April 2017.
 - Preliminary Environmental Risk Assessment, Part 3 of 5, prepared by Elliott Environmental Surveyors Ltd dated March 2017, received by the Local Planning Authority on the 12th April 2017.
 - Preliminary Environmental Risk Assessment, Part 4 of 5, prepared by Elliott Environmental Surveyors Ltd dated March 2017, received by the Local Planning Authority on the 12th April 2017.
 - Preliminary Environmental Risk Assessment, Part 5 of 5, prepared by Elliott Environmental Surveyors Ltd dated March 2017, received by the Local Planning Authority on the 12th April 2017.

- Flood Risk Assessment and Outline Drainage Strategy, prepared by R.G.Parkins & Partners Ltd on the 16th March 2017, received by the Local Planning Authority on the 12th April 2017.
- Ecological Appraisal, prepared by Envirotech on the 28th September 2016, received by the Local Planning Authority on the 12th April 2017.
- Transport Statement, prepared by Moda Group Ltd dated October 2016, received by the Local Planning Authority on the 12th April 2017.

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.

4. Foul and surface water shall be drained on separate systems, and must be carried out in accordance with the details approved as part of condition 4 of permission 4/17/2143/001, as detailed within correspondence dated 14th October 2022 (ref: 4/22/2238/DOC).

Reason

To ensure the provision of a satisfactory drainage scheme in accordance with the provision of Policy DS6 and DS7 of the Copeland Local Plan.

5. The surface water drainage scheme for the development must be carried out in accordance with the details approved as part of condition 5 of permission 4/17/2143/001, as detailed within correspondence dated 7th October 2025 (ref: 4/25/2296/DOC).

Reason

To ensure flood risk is not increased within the site or elsewhere

6. The surface drainage management and maintenance plan for the lifetime of the development must be carried out in accordance with the details approved as part of condition 6 of permission 4/17/2143/001, as detailed within correspondence dated 9th September 2025 (ref: 4/25/2239/DOC).

Reason

To ensure a minimum standard of parking provision is made within the site for vehicles visiting the site.

7. The highway surface water drainage system for the development must be carried out in accordance with the details approved as part of condition 7 of permission 4/17/2143/001, as detailed within correspondence dated 14th October 2022 (ref: 4/22/2238/DOC).

Reason

In the interests of highway safety and environmental management

8. The remediation strategy for the development for the development must be carried out in accordance with the details approved as part of condition 8 of permission 4/17/2143/001, as detailed within correspondence dated 8th May 2025 (ref: 4/25/2046/DOC).

Reason

To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution in line with paragraph 109 of the National Planning Policy Framework.

9. The asbestos survey for the development for the development must be carried out in accordance with the details approved as part of condition 9 of permission 4/17/2143/001, as detailed within correspondence dated 1st May 2018.

Reason

In order to ensure that risks from asbestos to the environment, future users of the land and neighbouring land are minimised, and to ensure that the development can be carried out safely without unacceptable risk to workers, neighbours and other off-site receptors

10. The provisions for the parking, turning and loading and unloading of vehicles visiting the site, including the provision of parking spaces for visitors, for the development must be carried out in accordance with the details approved as part of condition 10 of permission 4/17/2143/001, as detailed within correspondence dated 14th October 2022 (ref: 4/22/2238/DOC).

Reason

To ensure a minimum standard of parking provision is made within the site for vehicles visiting the site.

11. Full details of a pedestrian facility on the B5295, including any highway widening, must be submitted to the Local Planning Authority (LPA) for approval. Any work so approved must be fully implemented before the occupation of the 26th dwelling approved on the site.

Reason

To ensure a suitable standard of crossing for pedestrian safety.

12. The provisions for the parking, turning and loading and unloading of vehicles visiting the site, including the provision of parking spaces for visitors, for the development must be carried out in accordance with the details approved as part of condition 10 of permission 4/17/2143/001, as detailed within correspondence dated 12th November 2025 (ref: 4/25/2261/DOC).

Reason

To ensure a minimum standard of construction in the interest of highway safety.

13. No dwellings shall be occupied until the estate road, including the footways to serve such dwellings has been constructed in all respects to base course level and street lighting where it is to form part of the estate road has been provided and brought into full operational use.

Reason

In the interest of highway safety

Informative

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 Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

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



Nick Hayhurst
Head of Planning and Place
Thriving Places

12th June 2026

**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.