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

NOTICE OF GRANT OF PLANNING PERMISSION

Energy Coast Property Services
1 Prior Rigg
Prior Rigg Lane
Carlisle
CA2 7RG
FAO: Mr Paul Jefferson

APPLICATION No: 4/26/2131/0B1

**VARIATION OF CONDITION 2 (PLANS) TO INCREASE SCALE OF BUILDING OF
PLANNING APPLICATION 4/23/2085/0F1 - ERECTION OF TWO NEW
BUILDINGS (ONE TO CONTAIN UNITS 1 & 2 AND ONE TO CONTAIN UNIT 3) TO
INCLUDE COMMERCIAL SHOP FRONT, MANUFACTURE, WAREHOUSING &
DISTRIBUTION (USE CLASSES B2 AND B8)**

UNITS 1, 2 & 3 JOE MCBAIN AVENUE, MORESBY PARKS

Energy Coast Property Services

The above application dated 28/04/2026 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 development hereby permitted must be commenced before the 15th August 2026.

Reason

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

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 28th April 2026;

Site Location Plan, scale 1:1250, drawing number GSK0040, received received 28th April 2026;

Proposed Site Plan, scale 1:1250, drawing number MP-PR-002A, received 22nd March 2023;

Proposed Alterations Building A/B Site Plans, scale 1:250, drawing number 25-052-DWG002 B, received 28th April 2026;

Proposed Alterations Building A/B Elevations, scale 1:250, drawing number 25-052-DWG001 B, received 28th April 2026;

Preliminary Environmental Appraisal, written by Geo Environmental Engineering, reference GEO 2016-2088, received 22nd March 2023;

Proposed Materials, received 22nd March 2023;

Design and Access Statement, written by Paul Jefferson, received 22nd March 2023; Drainage Report, written by Kingmoor Consulting, reference 23-186r001, received 25th April 2023;

Agent's Statement re. Trade Counters, received 9th August 2023;

Proposed Floor Plans showing Trade Counters, scales 1:500 and 1:1250, drawing number MP-PR-002C, receive 9th August 2023.

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. Development must be undertaken in accordance with the Construction Phase Traffic Management Plan, reference 24-471r002, received 13th November 2024 and approved under discharge of conditions reference 4/24/2386/DOC.

Reason:

To ensure the undertaking of the development does not adversely impact upon the fabric or operation of the local highway network and in the interests of highway and pedestrian safety in accordance with Policy CO7 of the Copeland Local Plan.

4. Development must be undertaken in accordance with the Visibility Splay Plan, reference 24-471-DWG009 A, received 13th November 2024 and approved under discharge of conditions reference 4/24/2386/DOC.

Reason:

In the interests of highway safety and in accordance with Policy CO7 of the Copeland Local Plan.

5. Development must be undertaken in accordance with the parking approved on the Overall Site Plan, reference 24-471-DWG001 A, received 13th November 2024 and approved under discharge of conditions reference 4/24/2386/DOC.

Reason

In the interests of highway safety and in accordance with Policy CO7 of the Copeland Local Plan.

6. Development must be undertaken in accordance with the details, strategy and remediation laid out within the Contaminated Land Remediation Strategy, written by Kingmoor Consulting, received December 2024 and approved under discharge of conditions reference 4/24/2386/DOC.

Reason

To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 174 of the National Planning Policy Framework and Policy DS8 of the Copeland Local Plan.

7. Prior to the first occupation of the development hereby approved, highway improvements including a new pedestrian island crossing point and the repositioning of the speed restriction signs on the Moresby Parks Road must be constructed and available for use in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority. These must remain operational during the lifetime of the development.

Reason

In order to ensure active travel to and from the site in accordance with Policy CO7 of the Copeland Local Plan.

8. Development must be undertaken in accordance with the drainage approved on the Drainage Detail Plan, reference 24-471-DWG010 A, received 13th November 2024 and approved under discharge of conditions reference 4/24/2386/DOC.

Reason

To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution and in accordance with Policies DS6 and DS7 of the Copeland Local Plan.

9. Development must be undertaken in accordance with the drainage management approved on the Operational Drainage Management Plan, reference 24-471r004, received December 2024 and approved under discharge of conditions reference 4/24/2386/DOC.

Reason

To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development and in accordance with Policies DS6 and DS7 of the Copeland Local Plan.

10. Prior to the first use of the development, accessible parking bays must be provided in accordance with the Overall Site Plan, reference 24-471-DWG001 A, received 13th November 2024 and approved under discharge of conditions reference 4/24/2386/DOC.

Reason

To ensure that adequate provision is made for all users in accordance with the adopted car parking guidelines and in accordance with Policy CO7 of the Copeland Local Plan.

11. Prior to the first use of the development hereby approved, the highways and footways must be constructed in accordance with the approved Highways Works Sheets received as part of the discharge of conditions application reference 4/24/2386/DOC. The works must be retained as such at all times for the lifetime of the development.

Reason

To ensure a minimum standard of construction in the interests of highway safety and in accordance with Policy CO7 of the Copeland Local Plan.

12. Development must be undertaken in accordance with the landscaping scheme approved on the Overall Site Plan, reference 24-471-DWG001 A, received 13th November 2024 and approved under discharge of conditions reference 4/24/2386/DOC.

Reason

In the interests of visual amenity and in accordance with Policy DS5 of the Copeland Local Plan.

13. Prior to their installation full details of any external lighting must be submitted to and approved in writing by the Local Planning Authority. Any lighting must conform to requirements set out in the Obtrusive Light Limitations for Exterior Lighting Installations for Environmental Zone E3 contained within the Institute of Light Engineers Guidance Notes for the Reduction of Obtrusive Lighting GN01/21. Development must be maintained in accordance with the approved details at all times thereafter.

Reason

For the avoidance of doubt and to protect the visual and residential amenity within the locality in accordance with Policy DS4 of the Copeland Local Plan.

14. The commercial premises hereby granted planning permission must be used for Class B2 and B8 of the Town and Country Planning (Use Classes) (England) Order 1987 (as amended) only, including ancillary trade use, and for no other purpose without the express written consent of the Local Planning Authority.

Reason

To ensure that inappropriate uses are not brought onto the Industrial Estate and in accordance with Policy E2 of the Copeland Local Plan 2013-2028.

Informative Notes

Coal Mining Legacy

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.

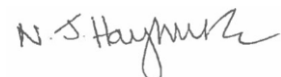
Further information is also available on the Coal Authority website at:

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 a variation of condition 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

23rd 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.