

Town and Country Planning Act 1990 (As amended).

4/18/2504/001

NOTICE OF GRANT OF OUTLINE PLANNING PERMISSION

MJN Associates
Red How Lodge
Lamplugh
WORKINGTON
Cumbria CA14 4RN
FAO Mr Bob Metcalfe

**OUTLINE APPLICATION FOR THE ERECTION OF 9 DWELLINGS INCLUDING LAYOUT WITH PROPOSED NEW ACCESS
LAND OFF ARLECDON PARKS ROAD, ARLECDON, FRIZINGTON**

Mr S Close

The above application dated 20/11/2018 has been considered by the Council in pursuance of its powers under the above mentioned Act and OUTLINE PLANNING PERMISSION HAS BEEN GRANTED subject to the following conditions:

1. The scale, appearance 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 permissionOr
 - 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: -

Site Location Plan, scale 1:1250, drawing number SC/1/18, received 20th November 2018;

Topographic and detail survey, scale 1:100, drawing number RevB, received 20th November 2018;

Proposed Drainage Scheme, scale 1:200, drawing number D1196/01 rev F, received 29th December 2020;

Ground Investigation for Soil Infiltration Analysis, written by GEO Environmental Engineering, received 9th October 2019;

Drainage calculations, drawing number D1196/SW1 to SW3, received 9th October 2019;

Preliminary Ecological Appraisal and Hedge Survey, written by Openspace, received 20th November 2018;

Design and Access Statement, received 20th November 2018.

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. Prior to the commencement of any development on the site full details of the foul water and surface water drainage scheme, including attenuation and the future maintenance regime (as indicatively shown on drawing no D1196/01) must be submitted to and approved in writing by the Local Planning Authority. The approved scheme must become operational before any part of the development is brought into use and must be so maintained at all times thereafter.

Reason

To ensure a satisfactory scheme of surface and foul water disposal from the site in accordance with policies ENV1 and DM24 of the Copeland Local Plan.

5. No development approved by this planning permission or such other date or stage in the development as may be agreed in writing by the Local Planning Authority, will take place until a scheme that includes the following components to deal with the geotechnical and contaminative risks detailed in the Preliminary Environmental Risk Assessment must each be submitted to and approved, in writing, by the local planning authority:
- 1) Site investigation scheme, based on the Preliminary Environmental Risk Assessment to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
 - 2) The results of the site investigation and detailed risk assessment referred to in 1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation or mitigation measures required and how they are to be undertaken.
 - 3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in 2) are complete and identifying any requirements for longer term monitoring of pollutant linkages , maintenance and arrangement for contingency action.

Any changes to these components require the express written consent of the Local Planning Authority. The scheme must be implemented as approved.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off site receptors in accordance with Policy ST1 of the Copeland Local Plan.

6. All works on site must be carried out in accordance with the good practice, harm avoidance, mitigation and recommendations outlined in the submitted Preliminary Ecological Appraisal and Hedge Survey, written by OpenSpace and received on 20th November 2018.

Reason

In order to protect any biodiversity on the site in accordance with Policies ENV3 and DM25 of the Copeland Local Plan.

7. A native hedgerow shall be planted along the western boundary of the site in

accordance with details which have been submitted to and approved in writing by the Local Planning Authority. The hedgerow shall be planted in accordance with the approved details in the first available planting season following the occupation of the units on the plots along the western boundary of the site.

Reason

In accordance with the recommendations set out in the submitted Preliminary Ecological Appraisal and Hedge Survey, written by OpenSpace and received on 20th November 2018 and in accordance with policies ENV3 and DM25 of the Copeland Local Plan.

8. Prior to the commencement of development on the site, protection measures for the hedgerows to be retained as part of the development must be implemented in accordance with the details set out in the submitted Preliminary Ecological Appraisal and Hedge Survey, written by OpenSpace and received on 20th November 2018. These measures must be retained for the whole construction phase of the development.

Reason

In accordance with the recommendations set out of in the Preliminary Ecological Appraisal and Hedge Survey and in accordance with policies ENV3 and DM25 of the Copeland Local Plan.

9. Prior to the commencement of development on site, a detailed Management Plan for the control and management of the invasive species on the site must be submitted to and approved in writing by the Local Planning Authority. Development must be carried out in accordance with the approved plan at all times thereafter.

Reasons

To protect the ecological interests evident on the site and in accordance with policies ENV3 and DM25 of the Copeland Local Plan.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that order with or without modification) no external alterations (including replacement windows and doors) or extensions, conservatories, dormer, or enlargement shall be carried out to the dwellings, nor shall any detached building, enclosure, domestic fuel containers, pool or hardstandings be constructed within the curtilage other than those expressly authorised by this permission.

Reason

To safeguard the character and appearance of the development in the interests of visual amenity and in accordance with policy DM12 of The Copeland Local Plan.

11. The development shall not commence until visibility splays providing clear visibility of 2.4m (down the centre of the access road) by site maximum, has been provided to the nearside channel line of the carriageway edge in both directions. 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.

Reason

In the interests of highway safety and in accordance with Policies ST1 and DM22 of the Copeland Local Plan.

12. The carriageway and footpaths shall be designed, constructed, drained and lit to a standard suitable for adoption and in this respect further details, including longitudinal/cross sections, shall be submitted to the Local Planning Authority for approval before work commences on site. No work shall be commenced until a full specification has been approved. These details shall be in accordance with the standards laid down in the current Cumbria Design Guide. Any works so approved shall be constructed before the development is complete.

Reason

To ensure a minimum standard of construction in the interests of highway safety and in accordance with Policies ST1 and DM22 of the Copeland Local Plan.

13. Details showing the provision for the parking, including the provision of parking spaces visitors, shall be submitted to the Local Planning Authority for approval. The development shall not be brought into use until any such details have been approved and the parking facilities constructed. The approved parking areas shall be kept available for those purposes at all times and shall not be used for any other purpose.

Reason:

To ensure that vehicles can be properly and safely accommodated clear of the highway in accordance with Policy DM22 of the Copeland Local Plan.

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.

Approve in Outline (commence within 3 years) subject to the following conditions

Please read the accompanying notice



PP Pat Graham
Chief Executive

08th January 2021

APPROVALS
(OUTLINE, FULL RESERVED MATTERS & HOUSEHOLDER)

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/planning-inspectorate>. 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.