

Town and Country Planning Act 1990 (As amended).

4/19/2396/0F1

NOTICE OF GRANT OF PLANNING PERMISSION

JTS Architectural Services Ltd
1 Curwendale
Stainburn
WORKINGTON
Cumbria CA14 4UT
FAO Mr Gavin Taylor

**REMOVAL OF STORAGE BUILDING AND REPLACEMENT WITH 3 TWO BEDROOMED DWELLINGS
LAND TO REAR OF 8 RAILWAY TERRACE, SEASCALE**

Mr Andy Lee

The above application dated 05/11/2019 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:

Standard Conditions

1. The development hereby permitted must be commenced before the expiration of three years from the date of this permission.

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. This permission relates to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them:-
 - Existing Plans, Scale 1:50, 1:100 & 1:1250, DWG01, Rev A, received by the Local Planning Authority on the 5th November 2019.
 - Proposed Plans (Amended), Scale 1:50, 1:100 & 1:500, DWG02, Rev D, received by the Local Planning Authority on the 22nd April 2021.
 - Location Plans (Amended), Scale 1:50 & 1:100, DWG03, Rev B, received by the Local Planning Authority on the 29th August 2020.

- Flood Risk Assessment (Amended), Prepared by Rubicon Project Consultancy Ltd in April 2021, received by the Local Planning Authority on the 22nd April 2021.

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.

Pre Commencement Conditions

3. No development must commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme must include:
 - i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;
 - ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations); and
 - iii) A timetable for its implementation.

The approved scheme must also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

The development hereby permitted must be carried out only in accordance with the approved drainage scheme.

Reason

To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

4. The access and parking/turning requirements must be substantially met before any building work commences on site so that constructional traffic can park and turn clear of the highway.

Reason

The carrying out of this development without the provision of these facilities during the construction work is likely to lead to inconvenience and danger to road users.

Other Conditions

5. The development must be carried out in accordance with and implement all of the details and mitigation measures specified within 'Flood Risk Assessment (Amended), Prepared by Rubicon Project Consultancy Ltd in April 2021, received by the Local Planning Authority on the 22nd April 2021', and must be maintained as such at all times thereafter.

Reason

For the avoidance of doubt and to ensure that adequate measures are incorporated to protect the occupiers from flooding.

6. 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 dwelling, 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 the visual amenity of the area.

7. Foul and surface water must be drained on separate systems.

Reason

To secure proper drainage and to manage the risk of flooding and pollution in accordance with the provision of Policy ENV1 and Policy DM24 of the Copeland Local Plan 2013 – 2028.

8. Any access gates installed within the property must be of a style which do not open onto the highway and must be retained as such at all times thereafter.

Reason

In the interest of highway safety.

Informative(s):

1. Any works within the Highway must be agreed with the Highway Authority. No works and/or any person performing works on any part of the Highway, including Verges, will be permitted, until in receipt of an appropriate permit allowing such works. Enquires should be made to Cumbria County Councils Streetwork's team.
2. In the event of the application being granted, the applicant should contact the resilience units office via emergency.planning@cumbria.gov.uk to allow for further discussion to ensure the applicant and their trades people/contractors are aware of the appropriate information and actions to take should there be an incident at the Sellafield site.

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

09/06/2021



PP Pat Graham
Chief Executive

APPROVALS
(OUTLINE, FULL RESERVED MATTERS & HOUSEHOLDER)

DEVELOPMENT MANAGEMENT PROCEDURE (ENGLAND) ORDER 2010

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.