

Town and Country Planning Act 1990 (As amended).

4/20/2043/001

NOTICE OF GRANT OF OUTLINE PLANNING PERMISSION

Alpha Design
7 Europe Way
COCKERMOUTH
Cumbria CA13 0RJ
FAO Mr Glen Beattie

OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT FOR 11 DWELLINGS INCLUDING ACCESS POSITION (RESUBMISSION) LAND AT TRUMPET ROAD, CLEATOR MOOR

Mr and Mrs A Casson

The above application dated 27/01/2020 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:

Standard Conditions

1. The layout, 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 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: -

- Site Location Plan – Drawing No. 17/07/914-01.
- Proposed Site Access Arrangement – Drawing No. A106115 C001 Rev. A.

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/Occupation

Highways

4. The development hereby approved shall not commence until visibility splays of 120m x 2.4m measured down the centreline of the approved access and the nearside channel lines of the major road have been provided. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (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 kept clear from structures or planting for the lifetime of the development.

Reason

In the interests of highway safety and in accordance with Policy DM22 of the Copeland Local Plan 2013-2028.

5. No development shall commence until a full specification of the carriageways and footpaths associated with the development have been submitted to and approved in writing by the Local Planning Authority. The carriageways and footways associated with the development shall be designed, constructed, drained and lit to a standard suitable for adoption and as such 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:

In the interests of highway safety and in accordance with Policy DM22 of the Copeland Local Plan 2013-2028.

6. No dwelling hereby approved shall be occupied until the approved carriageways and footways to serve such dwellings have 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 in to full operational use.

Reason:

In the interests of highway safety, in accordance with the National Planning Policy Framework and Policies T1 and DM22 of the Copeland Local Plan 2013-2028.

Drainage

7. No development shall commence until a sustainable surface water drainage scheme including a timetable for implementation has been submitted to and approved in writing by the Local Planning Authority. No surface water shall drain directly or indirectly into the public sewer. The development hereby permitted shall 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 in accordance with the National Planning Policy Framework and National Planning Practice Guidance and in accordance with Policies ST1 and ENV1 of the Copeland Local Plan 2013-2028.

8. Prior to the first occupation of the dwellings hereby approved a Sustainable Drainage Management and Maintenance Plan shall be submitted to and approved in writing to the Local Planning Authority.

The Management and Maintenance Plan shall include:

- arrangements for adoption by an appropriate public body or statutory undertaker, or management and maintenance by a development management company; and

- arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall be managed and maintained in accordance with the approved Plan for the lifetime of the development.

Reason

To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development in accordance with the National Planning Policy Framework and Policy ST1 and Policy ENV1 of the Copeland Local Plan 2013-2028.

9. No development shall commence until a Construction Surface Water Management Plans including a timetable for implementation has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall 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 in accordance with the National Planning Policy Framework and National Planning Practice Guidance and in accordance with Policies ST1 and ENV1 of the Copeland Local Plan 2013-2028

10. The development hereby approved shall to completed in accordance with the provisions of Flood Risk Assessment Ref. 17/07/914-FRA. The application for approval of reserved matters following outline approval shall include details of the mitigation of the surface water flood risk on the Application Site. The development shall be completed in accordance with the approved details.

Reason

To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with the National Planning Policy Framework and National Planning Practice Guidance and in accordance with Policies ST1 and ENV1 of the Copeland Local Plan 2013-2028.

Construction

11. No development hereby approved shall commence until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority.

The statement shall include:

- details of the means of access and parking for construction traffic and vehicles
- procedures for the loading and unloading of plant and materials
- details of the storage of plant and materials used in construction
- details of measures to control dust, emissions, sediments and pollutants arising from the development, specifically including measures to prevent the discharge of such materials to the River Ehen
- a scheme for recycling/disposing of waste resulting from construction works.

The approved Construction Method Statement and Management Plan shall be adhered to throughout the construction period.

Reason

To protect neighbour amenity and to protect the environment from pollution in accordance with Policy ST1 of the Copeland Local Plan 2013-2028.

12. No site clearance, preparatory work or development shall take place until a scheme for the protection and future management of the retained hedgerows (the hedgerow protection plan) has been submitted to and agreed in writing with the Local Planning Authority. The hedgerow protection measures shall be carried out as described and approved and the hedgerow shall be permanently retained.

Reason

To adequately protect the existing hedgerows on site which are considered worthy of retention in accordance with the provisions of Policy DM28 of the Copeland Local Plan 2013-2028.

Contamination

13. Prior to the commencement of the development approved by this planning permission (or such other date or stage in the development as may be agreed in writing with the Local Planning Authority) the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing by the Local Planning Authority:

- a. A preliminary risk assessment which has identified:
 - All previous uses,
 - Potential contaminants associated with those uses,
 - A conceptual model of the site indicating sources, pathways and receptors,
 - Potentially unacceptable risks arising from contamination at the site.
- b. A site investigation scheme based on 1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- c. The results of the site investigation and detailed risk assessment referred to in 2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- d. 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 3) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the Local Planning Authority and the scheme shall be implemented as approved.

Reason

To ensure the protection of controlled waters from potential land contamination in accordance with Policy ST1 of the Copeland Local Plan 2013-2028.

Refuse

14. No dwelling shall be occupied until full details of proposed refuse collection arrangements have been submitted to and approved in writing by the Local Planning Authority. Following occupation of the first dwelling on the site, refuse collection shall be commenced and maintained in accordance with the approved management and maintenance details to the satisfaction of the local planning authority.

Reason:

To ensure that adequate provision is made with the development for refuse collection arrangements in the interests of residential amenity and highway safety and in accordance with the National Planning Policy Framework and Policy DM22 of the Copeland Local Plan.

Other Conditions

Drainage

15. Foul and surface water shall be drained on separate systems.

Reason

To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with the National Planning Policy Framework and National Planning Practice Guidance and in accordance with Policies ST1 and ENV1 of the Copeland Local Plan 2013-2028.

Hours of Construction

16. No construction work associated with the development hereby approved shall be carried out outside of the hours of 07.30 hours -18.00 hours Monday-Saturday, nor at any time on Sundays and bank holidays, unless otherwise agreed in writing by the local planning authority.

Reason

In the interests of neighbouring residential amenity and in accordance with Policy ST1 of the Copeland Local Plan 2013-2028.

Ecology

17. The development shall implement all of the mitigation and compensation measures set out in the Preliminary Ecological Appraisal and Hedge Survey, prepared by Openspace Ecology and Habitat Solutions Ref. OP-Trumpet Terrace-SCS17/09v1.

Reason

To ensure that adequate protection is given to protected species, in the interests of the environmental protection and in accordance with Policy DM10 of the Copeland Local Plan 2013-2028.

Contamination

18. If during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted to and obtained written approval from the Local Planning Authority for a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

Reason

To ensure the protection of controlled waters from potential land contamination in accordance with Policy ST1 of the Copeland Local Plan 2013-2028.

Informatives

COAL FIELD STANDING ADVICE AREAS - ALL DEVELOPMENT

The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to The Coal Authority.

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com
<<http://www.groundstability.com/>>

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



PP Pat Graham
Chief Executive

18th March 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.