

Town and Country Planning Act 1990 (As amended).

4/20/2048/0F1

NOTICE OF GRANT OF PLANNING PERMISSION

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

RELOCATION AND IMPROVEMENT OF EXISTING FIELD ACCESS
LAND ADJACENT TO ROCKSTONE RETREAT, INKERMANS TERRACE, WHITEHAVEN

Mr & Mrs I Laughlin

The above application dated 03/02/2020 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 shall 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. 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 1:2500, drawing number 20/01/962-01, received 3rd February 2020;

Improved Field Access, scale 1:1000, drawing number C001, received 3rd February 2020;

Design and Access Statement, document number 20/01/962 – DAS, received 3rd February 2020.

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. Prior to their first use on the development hereby approved, full details of all materials to be used, including the wall and access gate shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained as such at all times thereafter.

Reason

In order to ensure that the character of the Conservation Area and adjacent Listed Buildings are protected.

4. The access drive shall be surfaced in bituminous or cement bound materials, or otherwise bound and shall be constructed and completed before the development is brought into use. This surfacing shall extend for a distance of at least 5 metres inside the site, as measured from the carriageway edge of the adjacent highway.

Reason

In the interests of highway safety.

5. Prior to the commencement of the development hereby approved, any existing highway fence/wall boundary shall be reduced to a height not exceeding 1.05m above the carriageway level of the adjacent highway and maintained as such at all times thereafter.

Reason

In the interests of highway safety.

6. Prior to the commencement of the development hereby approved, full details of measures to prevent water discharging onto or off the highway shall be submitted to and approved by the local planning authority. Any approved works shall be completed according to the approved plans and retained as such at all times thereafter.

Reason

In the interests of highway safety.

7. Access gates, if provided, shall be hung to open inwards only away from the highway and retained as such at all times thereafter.

Reason

In the interests of highway safety.

Informatives

- 1) 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

<http://www.gov.uk/government/organisations/the-coal-authority>

- 2) The access currently does not have a dropped kerb in place which is required for this to be considered an official access. The applicant will need to obtain a Street Works License from streetworks.central@cumbria.gov.uk before they can carry out any works.

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

27/03/2020



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.