



Town and Country Planning Act 1990 (As amended).

4/20/2146/0F1

NOTICE OF GRANT OF PLANNING PERMISSION

Mr Kieron Davies  
7 Litt Place  
CLEATOR MOOR  
Cumbria CA25 5NG

**ERECTION OF A CHALET BUNGALOW AND ASSOCIATED GARAGE  
LAND ADJACENT TO 6 KIRKBECK DRIVE, BECKERMET**

**Mr Kieron Davies**

The above application dated 09/04/2020 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. This permission relates to the following plans and documents as received on the respective dates and development must be carried out in accordance with them: -
  - Location Plan, Scale 1:500, received by the Local Planning Authority on the 25<sup>th</sup> May 2020.
  - Service Plan, Scale 1:500, Entrance Details and Ground Coverage, Scale 1:500, received by the Local Planning Authority on the 9<sup>th</sup> April 2020.
  - Land Registry Plan, Scale 1:500, received by the Local Planning Authority on the 9<sup>th</sup> April 2020.
  - Proposed Elevations, Scale 1:200, received by the Local Planning Authority on the 9<sup>th</sup> April 2020.
  - Entrance Details and Ground Coverage, Scale 1:500, received by the Local

Planning Authority on the 9<sup>th</sup> April 2020.

- Entrance Details and Ground Coverage, Scale 1:500, received by the Local Planning Authority on the 9<sup>th</sup> April 2020.
- Building Internal Layouts, received by the Local Planning Authority on the 9<sup>th</sup> April 2020.
- Garage (NTS), received by the Local Planning Authority on the 9<sup>th</sup> April 2020.
- Drainage Plan, Scale 1:500, received by the Local Planning Authority on the 9<sup>th</sup> April 2020.
- Design and Access Statement, received by the Local Planning Authority on the 9<sup>th</sup> April 2020.
- Flood Risk Assessment, prepared by R.G.Parkin & Partners LTD on the 20<sup>th</sup> June 2019, received by the Local Planning Authority on the 9<sup>th</sup> April 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. The development must be carried out in accordance with and implement all of the details and mitigation measures specified within the Flood Risk Assessment, prepared by R.G.Parkin & Partners LTD on the 20<sup>th</sup> June 2019, received by the Local Planning Authority on the 9<sup>th</sup> April 2020. The development shall be maintained in accordance with this approved detail at all times thereafter unless agreed in writing with the Local Planning Authority.

Reason

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

4. The drainage for the development hereby approved, must be carried out in accordance with principles set out in the submitted Flood Risk Assessment, prepared by R.G.Parkin & Partners LTD on the 20<sup>th</sup> June 2019, received by the Local Planning Authority on the 9<sup>th</sup> April 2020 proposing surface water discharging into soakaway. No surface water will be permitted to drain directly or indirectly into the public sewer. Any variation to the discharge of foul must be agreed in writing by the Local Planning Authority prior to the commencement of the development. The development must be completed in accordance with the approved details.

Reason

To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.

5. The finished floor levels for the development hereby approved must be carried out in accordance with the detail set out in the submitted Flood Risk Assessment, prepared by R.G.Parkin & Partners LTD on the 20th June 2019, received by the Local Planning Authority on the 9th April 2020. Any variation to the finished floor levels must be agreed in writing by the Local Planning Authority prior to the commencement of the development. The development must be completed in accordance with the approved details and retained at such at all times thereafter.

Reason

To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.

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

Reason

To secure proper drainage and to manage the risk of flooding and pollution.

7. Prior to the occupation of the dwelling hereby approved the boundary treatment must be erected in accordance with the detail shown on the approved plans:
  - Service Plan, Scale 1:500, Entrance Details and Ground Coverage, Scale 1:500, received by the Local Planning Authority on the 9<sup>th</sup> April 2020.
  - Entrance Details and Ground Coverage, Scale 1:500, received by the Local Planning Authority on the 9<sup>th</sup> April 2020.

This boundary treatment must be retained and maintained as such at all times thereafter unless agreed in writing with the Local Planning Authority.

Reason

To safeguard the amenity of neighbour properties.

8. Any existing highway fence/wall boundary must be reduced to a height not exceeding 1.05m above the carriageway level of the adjacent highway in accordance with details submitted to and approved in writing by the Local Planning Authority before development commences and must not be raised to a height exceeding 1.05m thereafter.

Reason

In the interests of highway safety.

9. Details of all measures to be taken by the applicant/developer to prevent surface water discharging onto or off the highway must be submitted to the Local Planning Authority for approval prior to development being commenced. Any approved works must be implemented prior to the development being completed and shall be maintained operational thereafter.

Reason

In the interests of highway safety and environmental management.

#### **Informatives:**

1. If the applicant intends to offer wastewater assets forward for adoption by United Utilities, the proposed detailed design will be subject to a technical appraisal by an Adoptions Engineer as UU need to be sure that the proposal meets the requirements of Sewers for Adoption and United Utilities' Asset Standards. The detailed layout should be prepared with consideration of what is necessary to secure a development to an adoptable standard. This is important as drainage design can be a key determining factor of site levels and layout. The proposed design should give consideration to long term operability and give United Utilities a cost effective proposal for the life of the assets. Therefore, should this application be approved and the applicant wishes to progress a Section 104 agreement, UU strongly recommend that no construction commences until the detailed drainage design, submitted as part of the Section 104 agreement, has been assessed and accepted in writing by United Utilities. Any works carried out prior to the technical assessment being approved is done entirely at the developers own risk and could be subject to change.
2. If the applicant intends to obtain a water supply from United Utilities for the proposed development, UU strongly recommend they engage with them at the earliest opportunity. If reinforcement of the water network is required to meet the demand, this could be a significant project and the design and construction period should be accounted for.

3. According to UU records there is an easement crossing the proposed development site which is in addition to our statutory rights for inspection, maintenance and repair. The easement dated 14/11/1923 UU Ref: N2418 has restrictive covenants that must be adhered to. It is the responsibility of the developer to obtain a copy of the document, available from United Utilities Legal Services or Land Registry and to comply to the provisions stated within the document. Under no circumstances should anything be stored, planted or erected on the easement width. Nor should anything occur that may affect the integrity of the pipe or United Utilities legal right to 24 hour access.
4. A public sewer crosses this site and we may not permit building over it. UU will require an access strip width of six metres, three metres either side of the centre line of the sewer which is in accordance with the minimum distances specified in the current issue of "Sewers for Adoption", for maintenance or replacement. Therefore, a modification of the site layout, or a diversion of the affected public sewer at the applicant's expense, may be necessary. To establish if a sewer diversion is feasible, the applicant must discuss this at an early stage with our Developer Engineer at [wastewaterdeveloperservices@uuplc.co.uk](mailto:wastewaterdeveloperservices@uuplc.co.uk) as a lengthy lead in period may be required if a sewer diversion proves to be acceptable.
5. It is the applicant's responsibility to investigate the possibility of any United Utilities' assets potentially impacted by their proposals and to demonstrate the exact relationship between any United Utilities' assets and the proposed development.
6. Any works within or near the Highway must be authorised by Cumbria County Council and no works shall be permitted or carried out on any part of the Highway including Verges, until you are in receipt of an appropriate permit (I.E Section 184 Agreement) allowing such works. Enquires should be made to Cumbria County Councils Street Work's team - [streetworks.central@cumbria.gov.uk](mailto:streetworks.central@cumbria.gov.uk)

### **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

A handwritten signature in black ink, appearing to read "N. J. Hayman". The signature is fluid and cursive, with a long, sweeping tail on the final letter.

PP Pat Graham  
Chief Executive

26<sup>th</sup> June 2020

**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](mailto: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.