



Town and Country Planning Act 1990 (As amended).

4/20/2150/0B1

NOTICE OF GRANT OF PLANNING PERMISSION

THIS PERMISSION IS SUBJECT TO A SECTION 106 AGREEMENT

Gleeson Homes
Rural Enterprise Centre
Redhills
PENRITH
Cumbria CA11 0DT
FAO Mr David Wright

APPLICATION FOR VARIATION OF CONDITION 2 (PLANS) OF APPROVED PLANNING APPLICATION 4/19/2143/0F1 (ERECTION OF 29 DWELLINGS AND ASSOCIATED INFRASTRUCTURE) TO REDUCE NUMBER OF DWELLINGS TO 28 AND AMEND THE HOUSE TYPES ON PLOTS 5, 12 AND 13 – 20

LAND ADJACENT TO FELL VIEW DRIVE, EGREMONT

Gleeson Homes

The above application dated 07/04/2020 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 must be commenced before the 31st January 2023.

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:-

- Site Location Plan, scale 1:1250, received by the Local Planning Authority on the 7th April 2020.
- Affordable Housing – Indicative Plan, Scale 1:500, Drawing No MJG/PL-107/16, received by the Local Planning Authority on the 7th April 2020.
- Street Scenes, Scale 1:100, Drawing No MJG/PL-107-12, received by the Local Planning Authority on the 7th April 2020.
- Plots 14 & 15 Plans & Elevations, Scale 1:100, Drawing No MJG/PL-107-14, received by the Local Planning Authority on the 7th April 2020.
- Plots 11 & 12 Plans & Elevations, Scale 1:100, Drawing No MJG/PL-107-13, received by the Local Planning Authority on the 7th April 2020.
- Landscape Maintenance & Management Plan, Rev A, Prepared by Westwood Landscape, received by the Local Planning Authority on the 7th April 2020.
- Landscape Plan, Scale 1:250, Drawing No WWLP-0-A1, received by the Local Planning Authority on the 7th April 2020.
- Section 104 Plan, Scale 1:250, Drawing No D801, Rev 5, received by the Local Planning Authority on the 7th April 2020.
- Section 38 Plan, Scale 1:250, Drawing D800, Rev 5, received by the Local Planning Authority on the 7th April 2020.
- Flow Control Detail SW5FC, Drawing No D702, Rev 2, received by the Local Planning Authority on the 7th April 2020.
- Drainage Details, Drawing No D701, Rev 2, received by the Local Planning Authority on the 7th April 2020.
- Road Construction Details, Drawing No D700, Rev 7, received by the Local Planning Authority on the 7th April 2020.
- Formation Level Cut & Fill Direct Comparison, Scale 1:250, Drawing No D601, Rev 1, received by the Local Planning Authority on the 7th April 2020.
- Cut & Fill Direct Comparison, Scale 1:250, Drawing No D600, Rev 7, received by the Local Planning Authority on the 7th April 2020.
- Surface Finish Plan, Scale 1:250, Drawing No D500, Rev 5, received by the Local Planning Authority on the 7th April 2020.
- Road Setting Out Plan, Scale 1:250, Drawing No D401, Rev 3, received by the Local Planning Authority on the 7th April 2020.
- Plot Setting Out Plan, Scale 1:250, Drawing No D400, Rev 2, received by the Local Planning Authority on the 7th April 2020.
- Proposed Road Long Sections, Scale 1:250, Drawing No D300, Rev 6, received by the Local Planning Authority on the 7th April 2020.
- Private Drainage Schedule, Scale 1:250, Drawing No D205, Rev 4, received by the Local Planning Authority on the 7th April 2020.
- 1:20 Main Hole Details, Scale 1:250, Drawing No D210, Rev 2, received by the Local Planning Authority on the 7th April 2020.
- Porous Paving Plan, Scale 1:250, Drawing No D204, Rev 6, received by the Local Planning Authority on the 7th April 2020.
- Flood Routing Plan, Scale 1:250, Drawing No D203, Rev 7, received by the Local Planning Authority on the 7th April 2020.

- Manhole Schedule, Scale 1:250, Drawing No D201, Rev 3, received by the Local Planning Authority on the 7th April 2020.
- Proposed Drainage Plan, Scale 1:250, Drawing No D200, Rev 7, received by the Local Planning Authority on the 7th April 2020.
- Proposed Levels, Scale 1:250, Drawing No D100, Rev 3, received by the Local Planning Authority on the 7th April 2020.
- Engineering Plan, Scale 1:250, Drawing No D001, Rev 5, received by the Local Planning Authority on the 7th April 2020.
- Planning Layout Colour Coded, Scale 1:500, Drawing No MJF/PL-107-6, Rev D, received by the Local Planning Authority on the 7th April 2020.
- Impermeable Area Plan, Scale 1:250, Drawing No D2020, Rev 4, received by the Local Planning Authority on the 7th April 2020.
- Boundary Treatment Plan, Scale 1:500, Drawing No MJF/PL-107-5, Rev D, received by the Local Planning Authority on the 7th April 2020.
- Planning Layout, Scale 1:500, Drawing No MJF/PL-107, Rev J, received by the Local Planning Authority on the 7th April 2020.
- Supplementary Design Statement, Scale 1:500, Drawing No MJF/PL-107-6, Rev D, received by the Local Planning Authority on the 7th April 2020.
- Car Parking Plan, Scale 1:500, Drawing No MJG/PL-107-5, Rev B, received by the Local Planning Authority on the 7th April 2020.
- Plans and Elevations Type 405o, Scale 1:100, Drawing No 443/204, received by the Local Planning Authority on the 5th August 2020.
- 405 Dwelling Type – Floor Plans, Scale 1:200, Drawing No 405/1E, received by the Local Planning Authority on the 4th August 2020.
- Type 201 First Floor (Amended), Scale 1:50, Drawing No 201 -04, Rev G, received by the Local Planning Authority on the 16th July 2019.
- Type 201 Ground Floor (Amended), Scale 1:50, Drawing 201-03, Rev K, received by the Local Planning Authority on the 1st August 2019.
- Type 201 Elevations (Rural 13) (Amended), scale 1:100, Drawing No 13/201-8 Rev A, received by the Local Planning Authority on the 26th July 2019.
- Plans and Elevations Type 304o (Amended), Scale 1:100, Drawing No 443/201, received by the Local Planning Authority on the 10th July 2019.
- 307 Dwelling Type
- Type 304 Ground Floor (Amended), Scale 1:50, Drawing No 304-09, Rev Y, received by the Local Planning Authority on the 26th July 2019.
- Type 304, Scale 1:50, Drawing 304-04, Rev P, received by the Local Planning Authority on the 26th July 2019.
- Type 304 Elevations (Rural 13) (Amended), Scale 1:100, Drawing No 13/304-10, Rev G, received by the Local Planning Authority on the 1st August 2019.
- Type 307 First Floor (Amended), Scale 1:50, Drawing No 307-04, Rev T, received by the Local Planning Authority on the 26th July 2019.
- Type 307 Ground Floor (Amended), Scale 1:50, Drawing No 307-03, Rev Z, received by the Local Planning Authority on the 26th July 2019.
- Type 307 Elevations (Rural 13) (Amended), Scale 1:100, Drawing No 13/307-10, Rev F, received by the Local Planning Authority on the 26th July 2019.

- Type 405 Elevations (Amended), Scale 1:100, Drawing No 13/405-9, Rev F, received by the Local Planning Authority on the 10th July 2019.
- Plot 21 - 24 Plans and Elevations (301/201), Scale 1:100, Drawing No MJG/PL-107-8, received by the Local Planning Authority on the 7th August 2020.
- Plot 2 & 3 Plans and Elevations (201/301) (Amended), Scale 1:100, Drawing No MJG/PL-107-7, received by the Local Planning Authority on the 26th July 2019.
- Plots 8 & 9 Plans and Elevations (301/309) (Amended), Scale 1:100, Drawing No MJG/PL-107-11, received by the Local Planning Authority on the 26th July 2019.
- Plans and Elevations Types 301o & 309a (Amended), Scale 1:100, Drawing No 443/219, received by the Local Planning Authority on the 10th July 2019.
- Plans and Elevations Types 314 (Amended), Scale 1:100, Drawing No 443/220, received by the Local Planning Authority on the 10th July 2019.
- Plans and Elevations Type 307, Scale 1:100, Drawing No 443/214, received by the Local Planning Authority on the 10th July 2019.
- Plot 1 Plans and Elevations (Amended), Scale 1:100, Drawing No MJG/PL-107-9, Rev A, received by the Local Planning Authority on the 6th August 2019.
- Plot 4 Plans and Elevations (Amended), Scale 1:100, Drawing No MJG/PL-107-10, received by the Local Planning Authority on the 26th July 2019.
- Boundary Treatments 1800mm High Timber Fence, Scale 1:20, Drawing No DD-100, Rev D, received by the Local Planning Authority on the 18th April 2019.
- Boundary Treatment Post and Wire Fence, Scale 1:20, Drawing No SD103, Rev B, received by the Local Planning Authority on the 18th April 2019.
- Detached Garage Details Double, Scale 1:50 & 1:100, Drawing No SD701, Rev B, received by the Local Planning Authority on the 18th April 2019.
- Detached Garage Details Single, Scale 1:50 & 1:100, Drawing No SD700, Rev A, received by the Local Planning Authority on the 18th April 2019.
- Garage Threshold/Gravel Drive Details, Scale 1:20 & 1:50, Rev E, received by the Local Planning Authority on the 18th April 2019.
- Storm Sewer Design by the Modified Rational Method, RWO Associates, received by the Local Planning Authority on the 11th June 2019.
- Storm Sewer Design by the Modified Rational Method, RWO Associates, received by the Local Planning Authority on the 11th June 2019.
- Storm Sewer Design by the Modified Rational Method, RWO Associates, received by the Local Planning Authority on the 11th June 2019.
- Design & Access Statement (Amended), received by the Local Planning Authority on the 26th July 2019.
- Planning Statement (Amended), received by the Local Planning Authority on the 10th October 2019.
- Economic Benefits Report, received by the Local Planning Authority on the 18th April 2019.
- Affordable Housing Statement, received by the Local Planning Authority on the 18th April 2019.

- Flood Risk Assessment, Prepared by RWO Assocaites, received by the Local Planning Authority on the 12th June 2019.
- Maximising Security Through Design, received by the Local Planning Authority on the 18th April 2019.
- Construction Management Plan, received by the Local Planning Authority on the 18th April 2019.
- Transport Statement, received by the Local Planning Authority on the 18th April 2019.
- Survey Details for Trees at Fell View, Egremont, received by the Local Planning Authority on the 18th April 2019.
- Method Statement (Amended), received by the Local Planning Authority on the 10th July 2019.
- Tree Protection Plan, Scale 1:250, received by the Local Planning Authority on the 10th July 2019.
- Drainage Statement (Amended), received by the Local Planning Authority on the 9th August 2019.
- Schematic Engineering Plan (Amended), Scale 1:250, Drawing No D900, Rev 5, received by the Local Planning Authority on the 16th September 2019.
- Ecological Assessment, received by the Local Planning Authority on the 18th April 2019.
- Geoenvironmental Appraisal, Prepared by Sirius Geotechnical Ltd, received by the Local Planning Authority on the 18th April 2019.
- Ground Gas Monitoring Addendum Letter, Prepared by Sirius Geotechnical Ltd, received by the Local Planning Authority on the 18th April 2019.

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 shall be carried out in accordance with and implement all of the details and mitigation measures specified within Flood Risk Assessment, Prepared by RWO Assocaites, received by the Local Planning Authority on the 12th June 2019. , and shall 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.

4. The development shall be carried out in accordance with and implement all of the details and mitigation measures specified within the approved document Ecological

Assessment, received by the Local Planning Authority on the 18th April 2019, and shall be maintained as such at all times thereafter.

Reason

To protect the ecological interests evident on the site.

5. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. In the event of surface water draining to the public surface water sewer, the pass forward flow rate to the public surface water sewer must be restricted to 5 l/s.

Reason

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

6. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

The drainage scheme submitted for approval shall also be in accordance with the principles set out in the Flood Risk Assessment & Drainage Statement FRA18484.100/fra/1 dated January 2019 proposing surface water discharging to United Utilities surface water sewer.

The development shall be completed, maintained and managed in accordance with the approved details.

Reason

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

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

Reason

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

8. Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

1. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
2. 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 subsequently be completed, maintained and managed in accordance with the approved plan.

Reason

To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

9. Prior to the first occupation of any dwelling hereby approved, the windows to be created within a side elevation of the dwellings shall be glazed with obscure glass and shall be non-opening. These windows shall not be altered in any way without the prior written approval of the Local Planning Authority once installed.

Reason

To protect residential amenity.

10. Prior to the first occupation of any dwelling hereby approved, the boundary treatment at this site shall be installed in accordance with the approved plan

Boundary Treatment Plan, Scale 1:500, Drawing No MJF/PL-107-5, Rev D, received by the Local Planning Authority on the 7th April 2020, and shall be retained as such at all times thereafter.

Reason

To protect residential amenity.

11. The development hereby approved shall be carried out in accordance with the schedule of materials set out in the approved document 'Design & Access Statement (Amended), received by the Local Planning Authority on the 26th July 2019', and retained as such at all times thereafter.

Reason

In the interest of visual amenity.

12. The carriageway, footways, footpaths, cycle ways etc. 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 in writing 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.

13. No dwellings or buildings or structures shall be commenced until the access roads, as approved, are defined by kerbs and sub base construction.

Reason

To ensure that the access roads are defined and laid out at an early stage.

14. Development shall not commence until a Construction Phase Plan has been submitted to and approved in writing by the Local Planning Authority. The CPP shall

include details of:

- pre-construction road condition established by a detailed survey for accommodation works within the highways boundary conducted with a Highway Authority representative; with all post repairs carried out to the satisfaction of the Local Highway Authority at the applicants expense;
- retained areas for vehicle parking, manoeuvring, loading and unloading for their specific purpose during the development;
- cleaning of site entrances and the adjacent public highway;
- details of proposed wheel washing facilities;
- the sheeting of all HGVs taking spoil to/from the site to prevent spillage or deposit of any materials on the highway;
- construction vehicle routing;
- Details of any proposed temporary access points (vehicular / pedestrian).

The development shall subsequently be completed in accordance with the approved plan

Reason

In the interests of highway safety.

15. –

16. The development shall be carried out in accordance with and implement all of the details and mitigation measures specified within the Survey Details for Trees at Fell View, Egremont, received by the Local Planning Authority on the 18th April 2019.

Reason

To adequately protect the existing trees on site which are subject to a Tree Preservation Order in the interests of visual amenity.

17. The development shall be carried out in accordance with and implement all of the detail and mitigation measures set out within the Method Statement (Amended), received by the Local Planning Authority on the 10th July 2019.

Reason

To protect the ecological interests evident on the site.

18. Prior to the commencement of works at this site the details and mitigations measures set out within the approved plan 'Tree Protection Plan, Scale 1:250, received by the Local Planning Authority on the 10th July 2019' shall be implemented.

Reason

To protect the ecological interests evident on the site.

19. Full details of the soft landscaping works including planting plans and written specifications of plants, species, sizes and densities shall be submitted to and approved in writing by the Local Planning Authority. Landscaping shall be carried out in accordance with the approved details within the first available planting season.

Reason

To enhance the appearance of the development in the interests of visual amenities and to ensure a satisfactory landscaping scheme.

20. A landscape management plan including long term design objectives, management responsibilities and maintenance schedules for all landscape areas shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of any the dwellings on the development. The landscape management plan shall be carried out as approved.

Reason

To ensure a satisfactory landscaping scheme.

Informatives

1. If the applicant intends to obtain a water supply from United Utilities (UU) for the proposed development, UU strongly recommend they engage with us 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.
2. Where United Utilities' assets exist, the level of cover to the water mains and public sewers must not be compromised either during or after construction.

3. 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.
4. Should this planning application be approved the applicant should contact United Utilities regarding a potential water supply or connection to public sewers. Additional information is available on UU website <http://www.unitedutilities.com/builders-developers.aspx>.

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

02nd September 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) 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.