

Town and Country Planning Act 1990 (As amended).

4/20/2179/0F1

NOTICE OF GRANT OF PLANNING PERMISSION

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

**RESIDENTIAL DEVELOPMENT FOR 8 DWELLINGS PLUS ASSOCIATED INFRASTRUCTURE AND
LANDSCAPING (PHASE 4)
THE MOUNT, WHITEHAVEN**

John Swift Homes Ltd

The above application dated 13/05/2020 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 – Drawing No. 15/10/863-50 received 12th May 2020

Phase Four – Landscape Layout – Drawing No. M2647.07A received 7th July 2020

Type A (Plots 43, 45 and 47) – Working Elevations (Render) – Drawing No.

15/10/863-82 received 12th May 2020

Type A (Plots 43, 45 and 47) – Working Elevations (Brick) – Drawing No. 15/10/863-83 received 12th May 2020

Type A (Plots 43, 45 and 47) – Floor Plans – Drawing No. 15/10/863-81 received 12th May 2020

Dwelling Type B – Elevations – Brick – Drawing No. 15/10/863-11c) received 12th May 2020

Dwelling Type B – Floor Plan - Drawing No. 15/10/863-10d) received 12th May 2020

Type F1 – Foundation and Floor Plans – Drawing No. 15/10/863 – 72 received 12th May 2020

Dwelling Type F1 – Elevations – Drawing No. 15/10/863-49 received 12th May 2020

Phase 4 – Site Section – Drawing No. 15/10/863-88 received 12th May 2020

Construction Traffic Management Plan – Doc. Ref. 15/10/863 – CTMP/4 received 12th May 2020

Design and Access Statement – Doc. Ref. 15/10/863-DAS/4 received 12th May 2020

Drainage Strategy – Doc. Ref. 15/10/863 –D.S received 12th May 2020

External Material Schedule – Doc. Ref. 15/10/863-EM/4 received 12th May 2020

Construction Management Plan – Doc. Ref. 15/10/863 – CMP/4 received 12th May 2020

Reason

To conform to 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

3. The carriageway and footways 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 to the Local Planning Authority for approval before work commences on site. No development shall commence 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 in accordance with the provisions of Policy DM22 of the Copeland Local Plan 2013-2028.

4. No development shall commence until full details of the surface water drainage system (incorporating SUDs features as far as practicable) and a maintenance schedule (identifying the responsible parties) has been submitted and approved in writing by the Local Planning Authority. Any approved works shall be implemented prior to the development being completed and shall be maintained thereafter in accordance with the schedule.

Reason:

To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with the provisions of Policy ENV1 of the Copeland Local Plan 2013-2028.

5. No development shall commence until a construction surface water management plan has been agreed in writing with the local planning authority.

Reason:

To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with the provisions of Policy ENV1 of the Copeland Local Plan 2013-2028.

6.
 - a) No development shall commence until an assessment of the noise likely to affect the application site and measures to mitigate such effects has been submitted to and approved in writing by the Local Planning Authority.
 - b) The approved mitigation measures shall be installed prior to first occupation of the development and retained thereafter.
 - c) A site completion report shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development. The site completion report shall validate that all works undertaken on site have been completed in accordance with those agreed in writing with the Local Planning Authority.

Reason:

These details are required to be approved before the commencement of development to safeguard the amenity of future occupiers in accordance with the provisions of Policy ST1 of the Copeland Local Plan 2013-2028.

Pre-Occupation

7. No dwellings shall be occupied until the estate road including footways to serve such dwellings has 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 into full operational use.

Reason:

To ensure a minimum standard of construction in the interests of highway safety in accordance with the provisions of Policy DM22 of the Copeland Local Plan 2013-2028.

8. No dwelling hereby approved shall be occupied until the surface water and foul water disposal works required to serve the dwelling has been completed on site in accordance with the approved plans/details. The approved works shall be retained as such thereafter.

Reason

To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with the provisions of Policy ENV1 of the Copeland Local Plan 2013-2028.

9. Prior to the first occupation of any dwelling hereby approved any individual plot boundary walls or fencing enclosing that plot shall be erected in accordance with the details set out on Phase Four – Landscape Layout – Drawing No. M2647.07A received 7th July 2020. The approved boundary treatments shall be retained at all times thereafter.

Reason

For the avoidance of doubt and to ensure a satisfactory form of boundary treatment in the interests of visual amenity in accordance with the provisions of Policy DM26 of the Copeland Local Plan 2013-2028.

10. 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 provisions of Policy ENV1 of the Copeland Local Plan 2013-2028.

11. The development hereby permitted shall be constructed entirely of materials detailed in the External Material Schedule – Doc. Ref. 15/10/863-EM/4 received 12th May 2020 and maintained as such thereafter.

Reason

To ensure a satisfactory appearance of the development in the interests of visual amenity in accordance with the provisions of Policy DM10 of the Copeland Local Plan 2013-2028.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development of the type described in Classes A, B, C, D, E, F, G of Part 1 and Class A of Part 2 of Schedule 2 of that Order shall be undertaken without the express permission of the Local Planning Authority.

Reason

To ensure a satisfactory appearance of the development in the interests of visual amenity in accordance with the provisions of Policy DM10 of the Copeland Local Plan 2013-2028.

13. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be completed in the first available planting season following the completion of the development.

Reason

To enhance the appearance of the development in the interest of visual amenities of the area and to ensure a satisfactory landscaping scheme in accordance with the provisions of Policy DM26 of the Copeland Local Plan 2013-2028.

14. Once implemented the approved landscaping works shall be maintained in accordance with the maintenance schedule outlined on Phase Four – Landscape Layout – Drawing No. M2647.07A received 7th July 2020. Any trees / shrubs which are removed, die, become severely damaged or diseased within five years of their planting shall be replaced in the next planting season with trees / shrubs of similar size and species to those originally required to be planted unless the Local Planning Authority gives written consent to any variation.

Reason

To ensure the planting scheme becomes appropriately established in the interests of visual amenity in accordance with the provisions of Policy DM26 of the Copeland Local Plan 2013-2028.

15. The approved Construction Traffic Management Plan – Doc. Ref. 15/10/863 – CTMP/4 received 12th May 2020 and Construction Management Plan – Doc. Ref. 15/10/863 – CMP/4 received 12th May 2020 shall be adhered to throughout the construction period.

Reason

To ensure the construction phase is carried out in accordance with the approved scheme and does not adversely impact local residential amenity in accordance with the provisions of Policy DM22 of the Copeland Local Plan 2013-2028.

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 0845 762 6848. It should also be noted that this site may lie in an area where a current licence exists for underground coal mining.

Further information is also available on The Coal Authority website at www.coal.decc.gov.uk

Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com <<http://www.groundstability.com>>

2. No development shall commence until Land Drainage / Ordinary Watercourse consent has been granted for the proposed changes to the watercourse flowing through the site. The developer will need to contact our Local Flood Risk Team for Ordinary Watercourse Consent via email (LFRM.consent@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. S. Hayman", with a stylized flourish at the end.

21st August 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.