



Town and Country Planning Act 1990 (As amended).

4/20/2183/0F1

NOTICE OF GRANT OF PLANNING PERMISSION

Lakeland Building Design  
El-Tipharah  
Greysouthern  
COCKERMOUTH  
Cumbria CA13 0UF  
FAO Mr Paul Boustead

**LANDSCAPING AND IMPROVEMENTS TO EXISTING GOLF COURSE INCLUDING EARTH  
MOUND SCREENING  
DISTINGTON GOLF COURSE AND DRIVING RANGE, DISTINGTON**

**Mr R Gate**

The above application dated 12/05/2020 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 begin not later than three years from the date of this decision.

Reason

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Application Form received 12<sup>th</sup> May 2020

Location Plan – Drawing No. 17.20.loc Rev. A received 13<sup>th</sup> October 2020

Proposed Site Layout – Masterplan – Drawing No. 20.06.MP Rev. A received 8<sup>th</sup> October 2020

Proposed Landscaping/Planting – Drawing No. 20.06.L.MP Rev. A received 8<sup>th</sup> October 2020

Proposed Landscaping Phase 1 – Drawing No. 17.20.PH1/A Rev. B received 8<sup>th</sup> October 2020

Proposed Landscaping Phase 2 – Drawing No. 20.06.PH2 received 8<sup>th</sup> October 2020  
Proposed Landscaping Phase 3 – Drawing No. 20.06.PH3 received 8<sup>th</sup> October 2020  
Proposed Landscaping Phase 4 – Drawing No. 20.06.PH4 received 8<sup>th</sup> October 2020  
Proposed Landscaping Phase 5 – Drawing No. 20.06.PH5 received 8<sup>th</sup> October 2020  
Transport Assessment received 17<sup>th</sup> September 2020  
Construction Environmental Management Plan For Landscaping Works To Distington Golf Course received 12<sup>th</sup> May 2020  
Statement of Improvement (inc. Design and Access) received 12<sup>th</sup> May 2020

Reason

For the avoidance of doubt and in the interests of proper planning.

### **Pre-Commencement Planning Conditions**

3. No development shall commence until a Construction Surface Water Management Plan has been agreed in writing with the local planning authority.

Reason:

To safeguard against flooding to surrounding sites and to safeguard against pollution of surrounding watercourses and drainage systems in accordance with the provisions of Policy ST1, Policy ENV1 and Policy DM24 of the Copeland Local Plan 2013-2028.

### **Other Planning Conditions**

4. The development shall be carried out in strict accordance with the phasing detailed on Proposed Site Layout – Masterplan – Drawing No. 20.06.MP Rev. A received 8<sup>th</sup> October 2020 hereby approved.

Reason

To safeguard and enhance the character of the area and secure high quality landscaping in accordance with the provisions of Policy ENV5 and Policy DM26 of the Copeland Local Plan 2013-2028.

5. All landscape works shall be carried out in accordance with the approved details. The landscaping of each phase of the development shall be carried out in the first planting season following the completion of the earthworks relating to that approved phase as identified on Proposed Site Layout – Masterplan – Drawing No. 20.06.MP Rev. A received 8<sup>th</sup> October 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.

#### Reason

To safeguard and enhance the character of the area and secure high quality landscaping in accordance with the provisions of Policy ENV5 and Policy DM26 of the Copeland Local Plan 2013-2028.

6. 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 first occupation of the development.

The landscape management plan shall be implemented as approved before the development is complete.

#### Reason

To safeguard and enhance the character of the area and secure high quality landscaping in accordance with the provisions of Policy ENV5 and Policy DM26 of the Copeland Local Plan 2013-2028.

7. In the event that contamination is found at any time when carrying out the approved development it must be reported in writing within 14 days to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination, development must be halted on that part of the site.

An assessment must be undertaken and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority.

The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority.

#### Reason

To prevent harm to human health and the environment in accordance with the provisions of Policy ST1 of the Copeland Local Plan 2013-2028.

8. The development shall not proceed except in accordance with the provisions of Construction Environmental Management Plan For Landscaping Works To Distington Golf Course received 12<sup>th</sup> May 2020.

#### Reason

To safeguard the character of the area and prevent adverse impacts upon residential amenity in accordance with the provision of Policy ST1 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 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. Public Footpaths 262003 and FP 404010 follow an alignment to the east side of the development area and must not be altered or obstructed before or after the development has been completed.

If the footpaths are to be temporarily obstructed then a formal temporary closure will be required, there is a 14 week lead in time for this process, please contact [sandra.smith@cumbria.gov.uk](mailto:sandra.smith@cumbria.gov.uk) for further information.

#### 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

15<sup>th</sup> October 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.