

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).  
DRAFT NOTICE OF GRANT OF PLANNING PERMISSION

**THIS PERMISSION IS SUBJECT TO A SECTION 106 AGREEMENT**

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

**APPLICATION No: 4/20/2267/0F1**

**REMOVAL OF PREVIOUSLY APPROVED VILLAGE HALL AND REPLACEMENT WITH 2 NO.  
DETACHED DWELLINGS AND DETACHED DOUBLE GARAGE  
MILLFIELDS, LAMPLUGH**

**Swift Homes Ltd**

The above application dated 13/07/2020 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:

Application Form received 1<sup>st</sup> July 2021

Location Plan – Drawing No. 16/11/894-01 received 1<sup>st</sup> July 2021

Landscape Infrastructure – Drawing No. M2821.01I (iii) received 1<sup>st</sup> July 2021

Plots 16&17 Garage Plans & Elevations – Drawing No. 16/11/894-30 received 1<sup>st</sup> July 2021

Dwelling Type I – Plot 17 – Plans & Elevations – Drawing No. 16/11/894-27 received

1<sup>st</sup> July 2021

Dwelling Type J – Plot 16 – Plans & Elevations – Drawing No. 16/11/894-26 received

1<sup>st</sup> July 2021

External Materials Schedule Plots 16&17: Ref:16/11/894-EMS/2 received 1<sup>st</sup> July 2021

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 Planning Conditions**

3. No development shall commencement until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved Construction Method Statement.

Reason

To protect the water environment from pollution and residential amenity, in accordance with the provision of Policy ST1 and ENV1 of the Copeland Local Plan 2013-2028.

4. No development shall commencement until an Ecological Management Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved Ecological Management Plan.

Reason

To protect the ecological features and species in accordance with the provision of Policy ST1 and ENV3 of the Copeland Local Plan 2013-2028.

### **Pre-Occupation**

5. No dwelling hereby approved shall be occupied until the estate road including footways to serve that dwelling has been constructed in all respects to base course level 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.

6. No dwelling hereby approved shall be occupied until the surface water and foul water disposal works required to serve that dwelling has been completed on site in accordance with the approved details. The approved works shall be retained for the lifetime of the development.

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.

### **Other Planning Conditions**

7. 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.

8. Once implemented, the approved landscaping works shall be maintained in accordance with the maintenance schedule outlined on Landscape Infrastructure – Drawing No. M2821.01I(iii) received 1<sup>st</sup> July 2021. 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.

9. There shall be no vehicular access to, or egress from the site other than via the approved access, unless otherwise agreed by the Local Planning Authority.

Reason

To avoid vehicles entering or leaving the site by an unsatisfactory access or route, in the interests of road safety in accordance with the provisions of Policy T1 and Policy DM22 of the Copeland Local Plan 2013-2028.

10. No construction work associated with the development hereby approved shall be carried out outside of the hours of 07.30 hours and 18.00 hours Monday-Saturday, nor at any time on Sundays and bank holidays.

Reason

In the interests of neighbouring residential amenity and in accordance with Policy ST1 of the Copeland Local Plan 2013-2028.

11. No external lighting shall be installed unless or until details of the proposed lighting, including light spill diagrams, have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be maintained for the lifetime of the development.


Reason

In the interest of residential amenity and in accordance with Policy ST1 of the Copeland Local Plan 2013-2028.

**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



Pat Graham  
Chief Executive

11<sup>th</sup> October 2021

**APPROVALS**  
**(OUTLINE, FULL RESERVED MATTERS & HOUSEHOLDER)**

TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND)  
ORDER 2015

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.