

Town and Country Planning Act 1990 (As amended)

4/20/2295/OR1

NOTICE OF APPROVAL OF RESERVED MATTERS

M A Walker
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**APPLICATION FOR ALL MATTERS RESERVED (EXCLUDING EXISTING ACCESS) OF APPROVED
OUTLINE APPLICATION 4/19/2104/001 (OUTLINE APPLICATION FOR ERECTION OF
GENERAL INDUSTRIAL BUILDING)
SLACKS MILLOM LTD, BORWICK RAILS, MILLOM**

Slacks Millom Ltd

The above application dated 04/08/2020 has been considered by the Council in pursuance of its powers under the above Act and APPROVAL OF RESERVED MATTERS HAS BEEN GRANTED subject to the following conditions:

1. The development must be carried out in accordance with the plans submitted and in accordance with the conditions attached to the outline planning permission.

Reason

To comply with Section 92 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:-
 - Site Plan (Amended), Scale 1:1250, received by the Local Planning Authority on the 2nd December 2020.
 - Proposed Elevations: View on Gable Ends (Amended), Scale 1:100, received by the Local Planning Authority on the 2nd December 2020.
 - Proposed Elevations: View on Side Elevations (Amended), Scale 1:200, received by the Local Planning Authority on the 2nd December 2020.
 - Floor Plan (Amended), Scale 1:200, received by the Local Planning Authority on the 2nd December 2020.

- Existing Site Plan, received by the Local Planning Authority on the 4th August 2020.
- Design & Access Statement, received by the Local Planning Authority on the 4th August 2020.
- Landscaping, received by the Local Planning Authority on the 4th August 2020.
- Landscaping Plan, received by the Local Planning Authority on the 4th August 2020.
- Landscaping Block Plan, received by the Local Planning Authority on the 4th August 2020.
- Flood Risk Assessment, received by the Local Planning Authority on the 4th August 2020.
- Construction Method & Environment Management Plan, received by the Local Planning Authority on the 4th August 2020.
- Intrusive Site Investigation Report, Prepared by Geo Investigate April 2020, received by the Local Planning Authority on the 4th August 2020.
- Gas Monitoring Addendum Report, Prepared by Geo Investigate October 2020, received by the Local Planning Authority on the 18th December 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 approved Flood Risk Assessment, received by the Local Planning Authority on the 4th August 2020.

Reason

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

4. The development must be carried out in accordance with and implement all of the details and mitigation measures specified within the approved documents:
 - Intrusive Site Investigation Report, Prepared by Geo Investigate April 2020, received by the Local Planning Authority on the 4th August 2020.
 - Gas Monitoring Addendum Report, Prepared by Geo Investigate October 2020, received by the Local Planning Authority on the 18th December 2020.

Reason

To ensure the protection of controlled waters from potential land contamination.

5. The development must be carried out in accordance with and implement all of the details and mitigation measures specified within the approved documents Construction Method & Environment Management Plan, received by the Local Planning Authority on the 4th August 2020.

Reason

To protect the amenity of residents and the appearance of the site during construction.

6. There must be no construction carried out on this site outside the following times:

7. Monday – Friday – 08:00 – 18:00;
8. Saturday – 08:00 – 12:00.

There must be no construction on this site on Sundays or Bank Holidays.

Reason

To minimise potential disturbance to nearby residents as a result of noise.

7. The development must be carried out in accordance with and implement all of the details and mitigation measures specified within the approved document Noise Assessment for Discharge of Condition Application, received by the Local Planning Authority on the 27th January 2020 as part of application ref 4/20/2036/DOC.

Reason

To protect the amenity of nearby residents.

8. Full details of the soft landscaping works including planting plans and written specifications of plants, species, sizes and densities must be submitted to and approved in writing by the Local Planning Authority before the building hereby approved is occupied. Landscaping must be planted in accordance with the approved details in the first available planting season following the occupation of the building and be retained as such at all times thereafter.

Reason

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

9. A schedule of landscape maintenance must be submitted to and approved in writing by the Local Planning Authority before the building hereby approved is occupied. The schedule must include details for its implementation. Development must be carried out in accordance with the approved schedule at all times thereafter.

Reason

To ensure the implementation of a satisfactory landscaping scheme.

10. The surface water at this site must be drained in accordance with the details set out within the email from the application received by the Local Planning Authority on the 7th May 2020. Any variation to the proposed drainage will require permission from the Local Planning Authority.

Reason

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

11. Notwithstanding the details shown on the submitted plans there must be no rooflights on the south east elevation of the building hereby approved. Furthermore there must be no additional rooflights inserted into the north-west elevation of the building hereby approved.

Reason

To reduce the impact on residential amenity.

12. Prior to the commencement of works at this site additional detail must be submitted to and approved in writing by the Local Planning Authority to support the submitted Construction Environmental Management Plan, including the following:

- Details on how dust, noise and vibrations will be controlled;
- A plan showing the location of materials storage, refuelling, concrete mixing etc;
- Detail of a toolbox talk to be undertaken with all contractors working on site and clear mitigation measures outlined.

The development hereby approved must be carried out in accordance with the approved details and must implement all mitigation measure at all times thereafter.

Reason

For the avoidance of doubt and to ensure satisfactory mitigation measures are implemented in order to limit the impact of the development on the local environment and to ensure adequate protection on pollution

Informatives:

1. A PROW (public footpath) number 415021 lies adjacent to the site, if the application is approved the Applicant must ensure that no obstruction to the footpath occurs during, or after the completion of the site works. For closures or diversions of the footpath the applicant must contact Countryside Access Team Countryside.Access@cumbria.gov.uk for the appropriate permit.
2. No works and/or any person performing works on any part of the Highway, including Verges, will be permitted, until in receipt of an appropriate permit allowing such works. Enquires should be made to Cumbria County Councils Streetwork's team.

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

14/01/2021



PP Pat Graham
Chief Executive

APPROVALS
(OUTLINE, FULL RESERVED MATTERS & HOUSEHOLDER)

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) 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.