

Town and Country Planning Act 1990 (As amended).

4/20/2371/0F1

NOTICE OF GRANT OF PLANNING PERMISSION

Craig & Meyer Architects  
98-100 Duke Street  
BARROW IN FURNESS  
Cumbria LA14 1RD  
FAO Mr Steve Meyer

**DEMOLITION OF EXISTING THREE BEDROOMED FARMHOUSE, ATTACHED TWO BEDROOMED COTTAGE AND OUTBUILDINGS; CONSTRUCTION OF A REPLACEMENT FOUR BEDROOMED 2 STOREY HOUSE & INSTALLATION OF A NEW PACKAGE SEWAGE TREATMENT PLANT  
APPLEHEAD FARM, THE HILL, MILLOM**

**Mr S Mawson**

The above application dated 21/09/2020 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 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, Scale 1:2500, received by the Local Planning Authority on the 21<sup>st</sup> September 2020.
  - Location Plan – Treatment Plan Location, Scale 1:2500, received by the Local Planning Authority on the 18<sup>th</sup> January 2021.

- Existing Site Plan, Scale 1:200, Drawing No 6267/01, received by the Local Planning Authority on the 21<sup>st</sup> September 2020.
- Proposed Site Plan (Amended), Scale 1:200, Drawing No 6267/02, Rev A, received by the Local Planning Authority on the 22<sup>nd</sup> December 2020.
- Proposed Site Plan – Public Footpath 416019, Scale 1:200, Drawing No 6267/02, Rev A, received by the Local Planning Authority on the 22<sup>nd</sup> December 2020.
- Proposed Floor Plans (Amended), Scale 1:100, Drawing No 6267/03, Rev A, received by the Local Planning Authority on the 22<sup>nd</sup> December 2020.
- Proposed Elevations (1 of 2) (Amended), Scale 1:100, Drawing No 6267/04, Rev B, received by the Local Planning Authority on the 18<sup>th</sup> January 2021.
- Proposed Elevations (2 of 2) (Amended), Scale 1:100, Drawing No 6267/05, Rev A, received by the Local Planning Authority on the 22<sup>nd</sup> December 2020.
- Site Survey, Scale 1:200, received by the Local Planning Authority on the 21<sup>st</sup> September 2020.
- Existing Building Details, received by the Local Planning Authority on the 21<sup>st</sup> September 2020.
- Proposed Drainage Plan, Scale 1:500 & 1:1250, Drawing No 6267/06, received by the Local Planning Authority on the 22<sup>nd</sup> December 2020.
- Foul Drainage Assessment Form, received by the Local Planning Authority on the 22<sup>nd</sup> December 2020.
- Waste Water Solutions: BioDisc, received by the Local Planning Authority on the 22<sup>nd</sup> December 2020.
- Design, Access & Environmental Statement, received by the Local Planning Authority on the 22<sup>nd</sup> December 2020.
- Construction Management Plan, received by the Local Planning Authority on the 21<sup>st</sup> September 2020.
- Bat, Barn Owl & Nesting Bird Survey, Prepared by Envirotech September 2020, received by the Local Planning Authority on the 21<sup>st</sup> September 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 implement all of the mitigation and compensation measures set out in the approved document Bat, Barn Owl & Nesting Bird Survey, Prepared by Envirotech September 2020, received by the Local Planning Authority on the 21<sup>st</sup> September 2020. These measures must be retained at all times thereafter.

## Reasons

To protect the ecological interests evident on the site.

4. Prior to their first use on the development hereby permitted representative samples of the materials to be used on the external surfaces of the development hereby permitted must be submitted to and approved in writing by the Local Planning Authority. Development must be carried out in accordance with the approved details and so maintained thereafter.

## Reason

To ensure a satisfactory appearance of the development in the interests of visual amenity.

## Informative(s):

1. If the public footpath is to be temporarily obstructed, for resurfacing or demolition work using heavy machinery, then a formal temporary closure will be required for health and safety requirements there is a 12 week lead in time for this process please contact [Sandra.smith@cumbria.gov.uk](mailto:Sandra.smith@cumbria.gov.uk) for further information.
2. A PROW (public footpath/bridleway/byway) number 416019 lies adjacent to and within the site, the Applicant must ensure that no obstruction to the footpath occurs during, or after the completion of the site works.
3. The applicant must ensure that the package treatment plant which discharges to the nearby water course, meets the building regulation process and the general binding rules, it is not known if the water course in question as the discharge point meets Rule 19 in that it normally runs all year round. It is therefore advised that the applicant looks to apply for an Environmental Permit from the Environment Agency who will undertake out an assessment to determine if this is required.
4. The NPPG clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. We would ask the developer to consider the following drainage options in the following order of priority:
  1. into the ground (infiltration);
  2. to a surface water body;
  3. to a surface water sewer, highway drain, or another drainage system;
  4. to a combined sewer.

UU recommend the applicant implements the scheme in accordance with the surface water drainage hierarchy outlined above.

**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'.

PP Pat Graham  
Chief Executive

08<sup>th</sup> March 2021

**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.