

Town and Country Planning Act 1990 (As amended).

4/20/2377/0B1

NOTICE OF GRANT OF PLANNING PERMISSION

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

VARIATION OF CONDITION 1 OF 4/19/2238/0B1 (SITE PLAN AND AMENDED AND NEW DWELLING TYPES)

FORMER CUMBERLAND COLD STORAGE LTD, HENSINGHAM, WHITEHAVEN

G & A M Lawson

The above application dated 25/09/2020 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. Permission shall relate the following plans and documents as received on the respective dates and development shall be carried out in accordance with them:

Site Location Plan – Drawing No. 13/07/805-01 received 9th December 2016

Site Plan – Drawing No. 13/07/69a) received 10th May 2021

Dwelling Type A Plans and Elevations – Drawing No. 13/07/805-22 scale 1:100 received 9th December 2016

Dwelling Type B Plans and Elevations – Drawing No. 13/07/805-23 scale 1:100 received 9th December 2016

Dwelling Type C Plans and Elevations – Drawing No. 13/07/805-24 scale 1:100 received 9th December 2016

Dwelling Type D Plans and Elevations – Drawing No. 13/07/805-25 scale 1:100 received 9th December 2016

Dwelling Type E Plans and Elevations – Drawing No. 13/07/805-23 scale 1:100 received 9th December 2016

Dwelling Type C1 Plans – Drawing No. 13/07/805-71 scale 1:100 received 29th September 2020

Dwelling Type C1 Elevations – Drawing No. 13/07/805-73 scale 1:100 received 29th September 2020

Dwelling Type C2 Plans – Drawing No. 13/07/805-74 scale 1:100 received 29th September 2020

Dwelling Type C2 Plans – Drawing No. 13/07/805-76 scale 1:100 received 29th September 2020

Dwelling Type F Plans – Drawing No. 13/07/805-78 scale 1:100 received 29th September 2020

Dwelling Type F Plans – Drawing No. 13/07/805-80 scale 1:100 received 29th September 2020

Design and Access Statement prepared by MJN Associated dated December 2016

Residential Site Manhole Schedule – Drawing No. 104264/2036 Rev. B received 10th May 2021

Residential Site Road and Drainage Long Section – Drawing No. 104264/2035 Rev. A received 10th May 2021

Engineering Layout – Drawing No. 104264/2040 Rev. A received 10th May 2021

Residential Site Construction Details Sheet 1 – Drawing No. 104264/2037 Rev. D received 10th May 2021

Residential Site Construction Details Sheet 2 – Drawing No. 104264/2038 Rev. A received 10th May 2021

Residential Site Construction Details Sheet 3 – Drawing No. 104264/2039 Rev. A received 10th May 2021

Residential Site Proposed Drainage – Drawing No. 104264/2032 Rev. C received 10th May 2021

Residential Site Surface Finishes and Kerb Types – Drawing No. 104264/2030 Rev. C received 10th May 2021

Spot Levels and Contours – Drawing No. 104264/2031 Rev. A received 10th May 2021

Drainage Implementation and Maintenance Strategy Issue 1 – Fairhurst - April 2018 received 4th May 2018

Landscape Layout – Drawing No. M3252-PA-01V2 received 10th May 2021

Schedule of External Finishes received 27th November 2018

Reason

To conform with the requirement of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsary Purchase Act 2004.

2. No dwelling hereby approved shall be occupied until foul and surface water infrastructure to serve that dwelling has been completed in accordance with the approved details. The foul and surface water infrastructure shall be retained, maintained and managed in accordance with the approved details.

Reason

For the avoidance of doubt and to secure an appropriate form of drainage in accordance with the provisions of Policy ENV1 and Policy DM24 of the Copeland Local Plan 2013-2028.

3. No dwelling hereby approved shall be occupied until the highway required to serve that dwelling has been constructed to a minimum of base course level.

Reason

To ensure a minimum standard of access provision when the development is brought into use in accordance with the provisions of Policy T1 of the Copeland Local Plan 2013-2028.

4. No dwelling hereby approved shall be occupied until the access and parking facilities to serve that dwelling have been constructed in accordance with the approved details. The access and parking facilities shall be retained and capable of use at all times thereafter and shall not be removed or altered without the prior consent of the Local Planning Authority.

Reason

To ensure a minimum standard of access provision for the lifetime of the development in accordance with the provisions of Policy T1 of the Copeland Local Plan 2013-2028.

5. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out in the first planting season following completion of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority prior to any development commencing. 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 safeguard and enhance the character of the area and secure high quality landscaping in accordance with the provisions of Policy DM26 of the Copeland Local Plan 2013-2028.

6. The development hereby approved shall be completed in accordance with the provisions of Report Ref. 2018-3413 prepared by Geo Environmental Engineering received 10th May 2021.

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.

Informative

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

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

28/06/2021



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.