

Town and Country Planning Act 1990 (As amended).

4/20/2417/0B1

NOTICE OF GRANT OF PLANNING PERMISSION

Genesis Homes
Unit 4b
Cowper Road
Gilwilly Industrial Estate
PENRITH
Cumbria CA11 9BN
FAO Mr John Blue

VARIATION OF PLANNING CONDITION 16 – SITE DRAINAGE LAYOUT OF PLANNING APPLICATION 4/18/2426/001 (OUTLINE FOR RESIDENTIAL DEVELOPMENT) LAND AT NORTH PARK, RHEDA, FRIZINGTON

Genesis Homes

The above application dated 19/10/2020 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 to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them: -

Outline

Site Location Plan – Drawing No. Rheda 13 Rev 01 received 28th September 2018
Access Plan A103335 C001- Drawing No. C001, received 28th September 2018
Phase 1 Desktop Study Report - Geo Environmental - Reference No. 2017-2566 dated 31st May 2017
Planning Statement – Reference - A109666
Design and Access Statement dated September 2018
Transport Assessment Report – WYG - Reference A103335 dated November 2017
Interim Travel Plan Report – WYG - Reference A103335 dated November 2017
Flood Risk and Drainage Statement - Reference A109666
Landscape and Visual Amenity Issues Brief Report - Eden Environment Ltd dated September 2018
Preliminary Ecological Appraisal – WYG - Reference A103720 dated November 2017
Archaeological Assessment – Reference A107463
Bat Survey – Reference - A103720

Tree Survey – Reference - EES17-082 V2

Reserved Matters

Existing Site – Drawing No. 1843 000 received 23rd July 2019;
Car Parking Spaces Layout - Drawing No. 1843 013 Rev. J received 13th March 2020;
Planting Plan – Drawing No. 01 R12 received 11th February 2020;
Plant Specification and Schedules – Drawing No. 02 Rev. 03 received 2nd January 2020;

Discharge of Planning Conditions Outline

Tree Survey For Proposed Development – Project No. EES17-082 received 28th August 2019
Construction Environmental Management Plan (Ecology) Version R3 received 28th August 2019
Arboricultural Method Statement & Tree Protection Plan V3 received 17th June 2020
Construction Phase Plan – Land at North Park received 8th April 2020
Construction Method Statement – Land at North Park received 8th April 2020
Plant Specification and Schedules – Drawing No. 02 Revision 03 received 8th April 2020
Planting Plan – Drawing No. 01 R11 received 8th April 2020
Phase 2 Ground Investigation Report – Report Ref. 2018-3719 received 8th April 2020
Exceedance Plan – Drawing No. 91 Issue P2 received 8th April 2020
Long Sections Sheet 1 – Drawing No. 61 Issue P4 received 8th April 2020
Long Sections Sheet 2 – Drawing No. 62 Issue P4 received 8th April 2020
Long Sections Sheet 3 – Drawing No. 05 Issue P2 received 8th April 2020
Highway Construction Details – Drawing No. 41 Issue P4 received 8th April 2020
Drainage Construction Details – Drawing No. 31 Issue P2 received 8th April 2020
SUDS Maintenance Plan – Report Number 19046-SMP1 received 27th April 2020
Street Lighting – Drawing No. 014 received 28th April 2020

Discharge of Planning Conditions RM

Proposed Finished Floor Levels – Sheet 1 – Drawing No. 101 P1 received 22nd June 2020
Proposed Finished Floor Levels – Sheet 2 – Drawing No. 102 P1 received 22nd June 2020

Revisions – Non-Material Amendment

Boundary Treatments Layout – Drawing No. 1843.003 Rev M received 28th January 2021
Boundary Details – Drawing No. 1843 008 Rev. A received 28th January 2021
Planning Layout – Drawing No. 1843.001 Rev M received 17th October 2020
Elevation Treatments Layout – Drawing No. 1843.004 Rev M received 17th October 2020
The Dee – House type Specification Rev L received 17th October 2020
The Derwent – House type Specification SG2 Rev L received 17th October 2020

The Eden – House type Specification Rev L received 17th October 2020
The Ellen – House type Specification V1 DG1 Rev L received 17th October 2020
The Ellen – House type Specification Ellen V1 SG1 Rev L received 17th October 2020
The Esk Bungalow – House type Specification Rev L received 17th October 2020
The Gelt – House type Specification SG2 Rev L received 17th October 2020
The Lowther – House type Specification Rev L received 17th October 2020
The Lowther – House type Specification 1.5G1 Rev L received 17th October 2020
The Tunstall – House type – Specification DG1 Rev L received 17th October 2020
The Tunstall – House type Specification SG1 Rev L received 17th October 2020
The Whillan – House type Specification DG2 Rev L received 17th October 2020
The Wreay – House type Specification Rev L received 17th October 2020
Materials Schedule Rev A received 17th October 2020
Hard Surfaces Layout – Drawing No. 1843 002 Rev. J received 28th January 2021

Revision Section 73

Engineering Layout Sheet 1 – Drawing No 01 - Rev C received 17th October 2020
Engineering Layout Sheet 2 – Drawing No 02 - Rev D received 17th October 2020
Engineering Layout Sheet 3 – Drawing No 03 - Rev E received 17th October 2020
Section 104 – Drawing No. 71 Rev B received 17th October 2020
Microdrainage Calculations received 17th October 2020 as amended by email from Coast Engineering dated 17th November 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.

Pre-Occupation

2. A detailed scheme for any road signage associated with the development shall be submitted to the Local Planning Authority for approval prior to the first occupation of any dwelling hereby approved. These details shall be in accordance with the standards laid down in the Cumbria Design Guide. Any works approved shall be constructed before the development is complete.

Reason

To ensure a minimum standard of construction in the interests of highway safety in accordance with Policies T1 and DM22 of the Copeland Local Plan 2013-2028.

3. Ramps shall be provided on each side of every junction to enable wheelchairs and pushchairs to be safely manoeuvred at kerb lines. Details of all such ramps shall be submitted to, and approved in writing, by the local planning authority prior to the

first occupation of any dwelling hereby approved. Development shall be carried out in accordance with the approved details and shall be constructed before the development is complete.

Reason

To ensure that pedestrians and people with impaired mobility can negotiate road junctions safely in accordance with Policy DM22 of the Copeland Local Plan 2013-2028.

4. No dwelling hereby approved shall be occupied until details of proposed refuse collection arrangements have been submitted to and approved in writing by the Local Planning Authority. Following occupation of the first dwelling on the site, refuse collection shall be commenced and maintained in accordance with the approved management and maintenance details approved by the local planning authority.

Reason

To ensure that adequate provision is made with the development for refuse collection arrangements in the interests of residential amenity and highway safety and in accordance with the National Planning Policy Framework and Policy DM22 of the Copeland Local Plan 2013-2028.

5. No dwelling hereby approved shall be occupied unless and until a scheme detailing the layout and design of a children's play space measuring 100sqm has been submitted to and approved in writing by the Local Planning Authority. The approved scheme is to be completed prior to the occupation of the 30th dwelling hereby approved. The area shall not thereafter be used for any purpose other than a children's play space.

Reason

To ensure sufficient open space and children's play space is provided within the site for use by future occupants in accordance with the requirements of Policy SS5 and Policy DM12 of the Copeland Local Plan 2013 – 2028.

6.
 - a) A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas is to be submitted to and approved in writing by the Local Planning Authority prior to first occupation of any dwelling.

- b) The landscape management plan is to be implemented as approved before the development is occupied.

Reason

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

Other Planning Conditions

7. No dwellings shall be occupied until the approved estate roads including footways and cycleways to serve such dwellings have been constructed in all respects to base course level and street lighting where it is to form part of the estate road has been provided and brought in to full operational use.

Reason

In the interests of highway safety, in accordance with the National Planning Policy Framework and to support Local Transport Plan policies LD5, LD7, LD8 and policies T1 and DM22 of the Copeland Local Plan.

8. 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 National Planning Policy Framework and Policies T1 and DM22 of the Copeland Local Plan 2013-2028.

9. Approved Construction Method Statement – Land at North Park received 8th April 2020 shall be implemented for the duration of the construction period.

Reason

To ensure that construction vehicles can be safely accommodated within the development site to prevent obstruction of the highway in accordance Policy DM22 of the Copeland Local Plan 2013-2028.

10. The approved foul water and surface water drainage systems shall be implemented in full in accordance with the approved details and retained for the lifetime of the development. No surface water shall discharge to the public sewerage system either directly or indirectly.

Reason

In the interests of highway safety and surface water management and in accordance with policies DM22 and ENV1 of the Copeland Local Plan 2013-2028.

11. Foul and Surface water shall be drained on separate systems

Reason

To secure proper drainage and to manage the risk of flooding and pollution in accordance with the National Planning Policy Framework and in accordance with Policies ST1 and ENV1 of the Copeland Local Plan 2013-2028.

12. The approved drainage scheme shall be managed and maintained in accordance with SUDS Maintenance Plan – Report Number 19046-SMP1 received 27th April 2020 for the lifetime of the development.

Reason

To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development in accordance with the National Planning Policy Framework and Policies ST1 and ENV1 of the Copeland Local Plan 2013--2028.

13. No construction work associated with the development hereby approved shall be carried out outside of the hours of 07.30 hours-18.00 hours Monday-Saturday, nor at any time on Sundays and bank holidays, unless otherwise agreed in writing by the local planning authority.

Reason

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

14. Approved Construction Environmental Management Plan (Ecology) Version R3 received 28th August 2019 shall be adhered to for the duration of the construction period.

Reason

To ensure that adequate protection is given to protected species, in the interests of the environmental protection and in accordance with Policy DM25 of the Copeland Local Plan 2013-2028.

15. The development hereby approved shall be completed in accordance with the provisions and recommendations of Phase 2 Ground Investigation Report – Report Ref. 2018-3719 received 8th April 2020.

Reason

To prevent development from contributing to or being put at acceptable risk from, or being adversely affected by unacceptable levels of pollution in accordance with Policy ST1 of the Copeland Local Plan 2013-2028.

- 16.
- a) No lighting is to be installed unless and until a scheme for the provision of external lighting has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include full details of the location, design, luminance levels, light spillage and hours of use of all external lighting within the site.
 - b) The approved lighting scheme is to be implemented in full prior to first occupation of the development hereby approved.

Reason

These details are required to be approved before the commencement of development to safeguard ecology in accordance with the requirements of Policy ENV3 and Policy DM25 of the Copeland Local Plan 2013 – 2028.

17. All hard and soft landscape works is to be carried out in accordance with the approved details. 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 requirements of Policy DM26 of the Copeland Local Plan 2013 – 2028.

18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no extension to the rear elevation or rear roof planes of Plot Nos. 16, 17, 18, 19, 29, 30, 31, 32, 33 and 34 as identified on Planning Layout – Drawing No. 1843.001 Rev M received 17th October 2020 shall be undertaken without the express permission of the Local Planning Authority.

Reason

To safeguard the residential amenity of the residents of Rheda Park in accordance with the provisions of Policy ST1 of the Copeland Local Plan 2013-2028.

19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development of the type described in Class E, Part 1 of Schedule 2 of that Order shall be undertaken Plot Nos. 16, 17, 18, 19, 29, 30, 31, 32, 33 and 34 as identified on Planning Layout – Drawing No. 1843.001 Rev M received 17th October 2020 without the express permission of the Local Planning Authority.

Reason

To safeguard the residential amenity of the residents of Rheda Park in accordance with the requirements of Policy DM12 of the Copeland Local Plan 2013 – 2028 and Paragraph 127 of the National Planning Policy Framework 2019.

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

A handwritten signature in black ink, appearing to read 'N. S. Hayman' followed by a stylized flourish.

PP Pat Graham
Chief Executive

04th February 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) 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.