

Town and Country Planning Act 1990 (As amended).

4/20/2476/0F1

NOTICE OF GRANT OF PLANNING PERMISSION

Day Cummins Ltd
4A Lakeland Business Park
Lamplugh Road
COCKERMOUTH
Cumbria CA13 0QT
FAO Mr Andy West

**PROPOSED REDEVELOPMENT OF AN EXISTING HOTEL TO ACCOMMODATE 13 SUPPORTED LIVING UNITS, ALONG WITH ASSOCIATED COMMUNAL FACILITIES AND STAFF OFFICE SPACES
GROVE COURT HOTEL, CLEATOR**

Riversdale Homes

The above application dated 25/11/2020 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:

Standard 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: -

Location Plan – Drawing No. 5500 PL01 received 25th November 2020
Existing Floor Plans – Drawing No. 5500 PL03 received 25th November 2020
Existing Elevations – Drawing No. 5500 PL04 received 25th November 2020
Proposed Floor Plans – Drawing No. 5500 PL05 received 25th November 2020

Proposed Elevations – Drawing No. 5500 PL06 received 25th November 2020
Proposed Site Plan – Drawing No. 5500 PL02 Rev. C 14th December 2020
Design and Access Statement received 25th 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-Commencement/Occupation

3. No development shall commence until a scheme for the protection of the retained trees (the tree protection plan) and the appropriate working methods (the arboricultural method statement) in accordance with Clause 7 of British Standard BS5837 - *Trees in Relation to Construction - Recommendations* has been submitted to and approved in writing by the Local Planning Authority.

The tree protection measures shall be carried out as described and approved, and shall be maintained until the development is completed.

Reason

To adequately protect the existing trees on site which are subject to a TPO in accordance with the provisions of Policy ENV3 and Policy DM28 of the Copeland Local Plan 2013-2028.

4. No works to the exterior of the building hereby approved shall commence until samples and details of the materials to be used in the construction of the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details.

Reason

To ensure a satisfactory appearance of the development in the interests of visual amenity in accordance with the provisions of Policy ENV4 and Policy DM10 of the Copeland Local Plan 2013-2028.

5. Notwithstanding the submitted details, the development hereby approved shall not be brought into use until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include:-

- proposed finished levels or contours;
- means of enclosure;
- car parking layouts;
- other vehicle and pedestrian access and circulation areas;
- hard surfacing materials;
- minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting, etc.);
- communications cables, pipelines etc. indicating lines, manholes, supports); and
- retained landscape features such as trees together with details of how they will be protected during construction.

Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers / densities; and an implementation programme.

The scheme of landscaping shall be completed in accordance with the agreed details and implementation programme.

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 ensure the implementation of a satisfactory landscaping scheme in accordance with the provisions of Policy DM26 of the Copeland Local Plan 2013-2028.

6. The development shall not be brought into use until full 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 to the satisfaction of 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.

Other Conditions

7. The development shall be used for no purpose other than the provision of: 13no. self-contained supported living apartments; associated communal facilities; and, associated staff office space to be occupied by people who require person-centric support and have a primary diagnosis of learning disability and/or other mental health disabilities as defined by the National Institute of Health and Care Excellence.

The development shall not be used for the provision of transitional care or use short-term tenancies.

The development shall not be used for the treatment of drug and alcohol addiction and rehabilitation from any such addiction.

The development shall not be used for any other use falling within Use Class C2 of The Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason:

In the interests of sustainability and amenity and in accordance with the provisions of Policy ST1 and Policy ST2 of the Copeland Local Plan 2013-2028.

8. A bound register of all residents of the accommodation hereby approved shall be maintained at all times and shall be made available for inspection by the Local Planning Authority on request. The register shall comprise consecutively numbered pages, which shall be kept in order, and each entry shall contain the apartment name/number; the diagnosis of the resident occupying the apartment; and, the dates that the resident occupied the apartment.

Reason:

In the interests of sustainability and amenity and in accordance with the provisions of Policy ST1 and Policy ST2 of the Copeland Local Plan 2013-2028.

9. 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.

Reason

In the interests of neighbouring residential amenity and in accordance with 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 identifying matters of concern with the proposal and negotiating with the applicants acceptable amendments to address them. As a result the Local Planning Authority has been able to grant planning permission for an acceptable proposal in accordance with Copeland Local Plan policies and 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

18th 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.