

Town and Country Planning Act 1990 (As amended).

4/21/2136/0B1

NOTICE OF GRANT OF PLANNING PERMISSION

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

VARIATION OF CONDITION 2 OF PLANNING APPROVAL 4/20/2179/0F1 RELATING TO THE REVISION OF THE LANDSCAPE LAYOUT PLAN, THE SUBSTITUTION OF THE DWELLING TYPE ON PLOT 64 AND A MINOR INCREASE IN THE FLOOR HEIGHT ON PLOTS 43, 45, 47 AND 64 THE MOUNT, WHITEHAVEN

John Swift Homes LTD

The above application dated 29/03/2021 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. -
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. 15/10/863-50 received 12th May 2020

Phase Four – Landscape Layout – Drawing No. M2647.07E received 29th March 2021

Type A (Plots 43, 45 and 47) – Working Elevations (Render) – Drawing No.

15/10/863-82 received 12th May 2020

Type A (Plots 43, 45 and 47) – Working Elevations (Brick) – Drawing No. 15/10/863-83 received 12th May 2020

Type A (Plots 43, 45 and 47) – Floor Plans – Drawing No. 15/10/863-81 received 12th May 2020

Dwelling Type B – Elevations – Brick – Drawing No. 15/10/863-11c) received 12th May 2020

Dwelling Type B – Floor Plan - Drawing No. 15/10/863-10d) received 12th May 2020

Dwelling Type C – Elevations – Render – Drawing No. 15/10/863-14b) received 29th March 2021

Dwelling Type C – Floor Plan – Drawing No. 15/10/863-12c) received 29th March 2021

Type F1 – Foundation and Floor Plans – Drawing No. 15/10/863 – 72 received 12th May 2020

Dwelling Type F1 – Elevations – Drawing No. 15/10/863-49 received 12th May 2020

Phase 4 – Site Section – Drawing No. 15/10/863-88a received 29th March 2021

Construction Traffic Management Plan – Doc. Ref. 15/10/863 – CTMP/4 received 12th May 2020

Design and Access Statement – Doc. Ref. 15/10/863-DAS/4 received 12th May 2020

Drainage Strategy – Doc. Ref. 15/10/863 –D.S received 12th May 2020

External Material Schedule – Doc. Ref. 15/10/863-EM/4 received 12th May 2020

Construction Management Plan – Doc. Ref. 15/10/863 – CMP/4 received 12th May 2020

The Mount Phase 4, Whitehaven – Condition 6 Discharge – Noise Assessment 06 Oct 2020

Reason

To conform to the requirement of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

3. -

4. Within one month of the date of this Decision Notice, full details of the surface water drainage system (incorporating SUDs features as far as practicable) and a maintenance schedule (identifying the responsible parties) shall be submitted and approved in writing by the Local Planning Authority. The approved works shall be implemented prior to the development being completed and shall be maintained thereafter in accordance with the schedule.

Reason:

To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with the provisions of Policy ENV1 of the Copeland Local Plan 2013-2028.

5. -

6. -

Pre-Occupation

7. No dwellings shall be occupied until the estate road including footways to serve such dwellings has 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 into full operational use.

Reason:

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

8. No dwelling hereby approved shall be occupied until the surface water and foul water disposal works required to serve the dwelling has been completed on site in accordance with the approved plans/details. The approved works shall be retained as such thereafter.

Reason

To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with the provisions of Policy ENV1 of the Copeland Local Plan 2013-2028.

9. Prior to the first occupation of any dwelling hereby approved any individual plot boundary walls or fencing enclosing that plot shall be erected in accordance with the details set out on Phase Four – Landscape Layout – Drawing No. M2647.07E received 29th March 2021. The approved boundary treatments shall be retained at all times thereafter.

Reason

For the avoidance of doubt and to ensure a satisfactory form of boundary treatment in the interests of visual amenity in accordance with the provisions of Policy DM26 of the Copeland Local Plan 2013-2028.

10. Foul and surface water shall be drained on separate systems.

Reason:

To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with the provisions of Policy ENV1 of the Copeland Local Plan 2013-2028.

11. The development hereby permitted shall be constructed entirely of materials detailed in the External Material Schedule – Doc. Ref. 15/10/863-EM/4 received 12th May 2020 and maintained as such thereafter.

Reason

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

12. 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 Classes A, B, C, D, E, F, G of Part 1 and Class A of Part 2 of Schedule 2 of that Order shall be undertaken without the express permission of the Local Planning Authority.

Reason

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

13. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be completed in the first available planting season following the completion of the development.

Reason

To enhance the appearance of the development in the interest of visual amenities of the area and to ensure a satisfactory landscaping scheme in accordance with the provisions of Policy DM26 of the Copeland Local Plan 2013-2028.

14. Once implemented the approved landscaping works shall be maintained in accordance with the maintenance schedule outlined on Phase Four – Landscape Layout – Drawing No. M2647.07E received 29th March 2021. 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 ensure the planting scheme becomes appropriately established in the interests of visual amenity in accordance with the provisions of Policy DM26 of the Copeland Local Plan 2013-2028.

15. The approved Construction Traffic Management Plan – Doc. Ref. 15/10/863 – CTMP/4 received 12th May 2020 and Construction Management Plan – Doc. Ref. 15/10/863 – CMP/4 received 12th May 2020 shall be adhered to throughout the construction period.

Reason

To ensure the construction phase is carried out in accordance with the approved scheme and does not adversely impact local residential amenity in accordance with the provisions of Policy DM22 of the Copeland Local Plan 2013-2028.

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

05th August 2021



PP Pat Graham
Chief Executive

APPROVALS
(OUTLINE, FULL RESERVED MATTERS & HOUSEHOLDER)

TOWN AND COUNTRY PLANNING (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.