

Town and Country Planning Act 1990 (As amended).

4/21/2202/001

## NOTICE OF GRANT OF OUTLINE PLANNING PERMISSION

SRE Associates  
10 Parklands Drive  
Cockermouth  
CA13 0WX  
FAO: Simon Blacker

### **OUTLINE (WITH ALL MATTERS RESERVED) FOR A SINGLE RESIDENTIAL DWELLING LAND ADJACENT BELVEDERE, WATH BROW, CLEATOR**

**Gerard Coan**

The above application dated 05/05/2021 has been considered by the Council in pursuance of its powers under the above mentioned Act and OUTLINE PLANNING PERMISSION HAS BEEN GRANTED subject to the following conditions:

#### Standard Conditions

1. The layout, scale, appearance, access and landscaping shall be as may be approved by the Local Planning Authority.

Reason:

To comply with Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. Detailed plans and drawings with respect to the matters reserved for subsequent approval shall be submitted to the Local Planning Authority within three years of the date of this permission and the development hereby permitted shall be commenced not later than the later of the following dates:-

- a) The expiration of THREE years from the date of this permission
- Or
- b) The expiration of TWO years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason:

To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

3. 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: -

Application Form received 5<sup>th</sup> May 2021

Location Plan – Drawing No. 1961-002 received 5<sup>th</sup> May 2021

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

##### Drainage

4. No development shall commence until a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly. The development shall be completed, maintained and managed in accordance with the approved details.

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. No development shall commence until details of works for the disposal of sewage have been submitted to and approved in writing by the Local Planning Authority.

The development shall not be occupied until the approved works for the disposal of sewage have been provided on the site to serve the development.

The approved works shall be retained of the lifetime of the development 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.

### Construction

6. No development hereby approved shall commence until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority.

The statement shall include:

- details of the means of access and parking for construction traffic and vehicles
- procedures for the loading and unloading of plant and materials
- details of the storage of plant and materials used in construction
- details of measures to control dust, emissions, sediments and pollutants arising from the development, specifically including measures to prevent the discharge of such materials to the River Ehen
- a scheme for recycling/disposing of waste resulting from construction works.

The approved Construction Method Statement and Management Plan shall be adhered to throughout the construction period.

Reason:

To protect neighbour amenity and to protect the environment from pollution in accordance with Policy ST1 of the Copeland Local Plan 2013-2028.

7. No site clearance, preparatory work or development shall take place until a scheme for the protection and future management of the retained trees (the tree protection plan) has been submitted to and agreed in writing with the Local Planning Authority. The tree protection measures shall be carried out as described and approved and the trees shall be permanently retained.

Reason:

To adequately protect the existing trees on site which are considered worthy of retention in accordance with the provisions of Policy DM28 of the Copeland Local Plan 2013-2028.

### Other Conditions

#### Drainage

8. 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.

#### Hours of Construction

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, 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.

#### Contamination

10. If during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted to and obtained written approval from the Local Planning Authority for a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

Reason:

To ensure the protection of controlled waters from potential land contamination in accordance with Policy ST1 of the Copeland Local Plan 2013-2028.

## Informative

### **COAL FIELD STANDING ADVICE AREAS - ALL DEVELOPMENT**

The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to The Coal Authority.

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at [www.groundstability.com](http://www.groundstability.com)  
<<http://www.groundstability.com/>>

### **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



30<sup>th</sup> September 2021

PP Pat Graham  
Chief Executive

**APPROVALS**  
**(OUTLINE, FULL RESERVED MATTERS & HOUSEHOLDER)**

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](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.