

Town and Country Planning Act 1990 (As amended).

4/21/2231/0F1

NOTICE OF GRANT OF PLANNING PERMISSION

Hough Tullett
St Andrews
Ecclerigg
Ambleside Road
Windermere
LA23 1LJ
FAO: Mark Wimpenny

**CHANGE OF USE OF CONTRACTORS PLANT HIRE DEPOT TO BUILDERS MERCHANTS (SUI
GENERIS) WITH ASSOCIATED OPERATIONAL DEVELOPMENT OF DEMOLITIONS AND
ALTERATIONS.**

HEWDEN PLANT HIRE, MEADOW ROAD, WHITEHAVEN

Chris Gilbertson

The above application dated 19/05/2021 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. 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: -

Site Location Plan, scale 1:1250, drawing number HT1440.1.100, received 19th May 2021;

Proposed Site Plan, scale 1:250, drawing number HT1440.1.103, received 19th May 2021;

Existing Floor Plans and Elevations, scale 1:200, drawing number HT1440.1.101, received 19th May 2021;

Proposed Floor Plans and Elevations, scale 1:200, drawing number HT1440.1.102, received 19th May 2021;
Site Survey, scale 1:200, received 19th May 2021;
Flood Risk Assessment, received 19th May 2021;
Transport Form, received 28th June 2021;
Planning Statement, received 19th May 2021;
Construction Method Statement, received 19th May 2021;
Environment and Ecology Statement, received 19th May 2021;
Surface Water Drainage Statement, written by Hough Tullett, dated July 2021, received 5th July 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-occupation condition

3. The use must not be commenced until access and vehicle parking (including EV Charging Points) requirements and loading, unloading and manoeuvring areas have been constructed in accordance with the approved plan as detailed on Plan HT1440.1.103 RevC Proposed Site Plan Morris Plant Hire - Dated 19.08.2021. Any such access and or parking provision must be retained and be capable of use when the development is completed and must not be removed or altered without the prior consent of the Local Planning Authority.

Reason

To ensure a minimum standard of access provision when the development is brought into use and in accordance with Policy DM22 of the Copeland Local Plan.

Other conditions

3. Development must be undertaken in accordance with the Construction Method Statement, submitted as part of the application on 19th May 2021.

Reason

In order to ensure a suitable method of construction and protect the amenity of the surrounding properties during the construction phase.

Informative Coal Standing Advice

1) 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

Informative Flood Risk

2) The proposed development falls within Flood Zone 2, which is land defined in the planning practice guidance as being at medium risk of flooding.

We have produced a series of standard comments for local planning authorities and planning applicants to refer to on 'lower risk' development proposals. These comments replace direct case-by-case consultation with us. This proposal falls within this category.

These standard comments are known as Flood Risk Standing Advice (FRSA). They can be viewed at <https://www.gov.uk/guidance/flood-risk-assessment-for-planning-applications#when-to-follow-standing-advice>.

We recommend that you view our standing advice in full before making a decision on this application. We do not need to be consulted on the flood risk assessment.

Environmental permit - advice to applicant

The site is adjacent to the designated main river Pow Beck.

The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506. The applicant should not assume that a permit will automatically be forthcoming once

planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

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
Approve (commence within 3 years)

Please read the accompanying notice

01/09/2021

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

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.