

Town and Country Planning Act 1990 (As amended).

4/21/2273/0F1

**NOTICE OF GRANT OF PLANNING PERMISSION**

MC Architecture + Design Ltd  
31 South Mossley Hill Road  
Mossley Hill  
Liverpool  
L19 3PY  
FAO: Mike Crewdson

**ERECTION OF SEVEN DWELLINGS  
LAND TO REAR OF TRAFALGAR HOUSE, YEATHOUSE ROAD, FRIZINGTON**

**The BV Group UK Ltd**

The above application dated 15/06/2021 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 2021-007-01, received 15<sup>th</sup> June 2021;

Proposed Site Plan, scale 1:200, drawing number 2021-007-002, received 2<sup>nd</sup> August 2021;

House Type A Proposed Floor Plans (Left Hand), scale 1:50, drawing number 2021-007-11, received 15<sup>th</sup> June 2021;

House Type A Proposed Elevations (Left Hand), scale 1:50, drawing number 2021-007-21, received 15<sup>th</sup> June 2021;

House Type A Proposed Floor Plans (Right Hand), scale 1:50, drawing number 2021-007-10, received 15<sup>th</sup> June 2021;  
House Type A Proposed Elevations (Right Hand), scale 1:50, drawing number 2021-007-20, received 15<sup>th</sup> June 2021;  
Proposed Site Sections and Topo 3D, scale 1:100, drawing number 2021-007-03, received 15<sup>th</sup> June 2021;  
Topographical Survey, scale 1:200, drawing number 521551-T, received 15<sup>th</sup> June 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 conditions

3. Prior to the commencement of development hereby approved, a full foul and surface water drainage scheme, including attenuation measures and in accordance with the drainage hierarchy, must be submitted to and approved in writing by the Local Planning Authority. The approved scheme must become operational before the development is brought into use and must be so maintained thereafter.

#### Reason

To ensure a satisfactory scheme of surface water disposal from the site and in accordance with Policies ENV1 and DM24 of the Copeland Local Plan.

4. The carriageway, footways, footpaths, cycleways etc must be designed, constructed, drained to the satisfaction of the Local Planning Authority and in this respect further details, including longitudinal/cross sections, must be submitted to the Local Planning Authority for approval before work commences on site. No work must be commenced until a full specification has been approved. Any works so approved must be constructed before the development is complete.

#### Reason

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

5. Before any development takes place, a plan must be submitted for the prior approval of the local planning authority reserving adequate land for the parking of vehicles engaged in construction operations associated with the development hereby approved, and that land, including vehicular access thereto, must be used for or be kept available for these purposes at all times until completion of the construction works.

Reason

The carrying out of this development without the provision of these facilities during the construction work is likely to lead to inconvenience and danger to road users and in accordance with Policy DM22 of the Copeland Local Plan.

6. Full details of the highway surface water drainage system must be submitted to the Local Planning Authority for approval prior to development being commenced. Any approved works must be implemented prior to the development being completed and must be maintained operational thereafter.

Reason

In the interests of highway safety and environmental management and in accordance with Policy DM24 of the Copeland Local Plan.

7. Development must not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the local planning authority. The CTMP must include details of:

- pre-construction road condition established by a detailed survey for accommodation works within the highways boundary conducted with a Highway Authority representative;
- with all post repairs carried out to the satisfaction of the Local Highway Authority at the applicants expense;
- details of proposed crossings of the highway verge;
- retained areas for vehicle parking, manoeuvring, loading and unloading for their specific purpose during the development;
- cleaning of site entrances and the adjacent public highway;
- details of proposed wheel washing facilities;
- the sheeting of all HGVs taking spoil to/from the site to prevent spillage or deposit of any materials on the highway;
- construction vehicle routing;
- the management of junctions to and crossings of the public highway and other public rights of way/footway;

- Details of any proposed temporary access points (vehicular / pedestrian);
- surface water management details during the construction phase.

Reason

To ensure the undertaking of the development does not adversely impact upon the fabric or operation of the local highway network and in the interests of highway and pedestrian safety and in accordance with Policy DM22 of the Copeland Local Plan.

8. Prior to their first use on the development hereby approved, representative samples of the materials to be used on the external surfaces of the development must be submitted to and approved in writing by the Local Planning Authority. Development must be carried out in accordance with the approved details and so maintained thereafter.

Reason

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

Pre-occupation condition

9. The access drives must be surfaced in bituminous or cement bound materials, or otherwise bound and must be constructed and completed before the development is occupied/brought into use.

Reason

In the interests of highway safety and in accordance with Policy DM22 of the Copeland Local Plan.

Other condition

10. Access gates, if provided, must be hung to open inwards only away from the highway.

Reason

In the interests of highway safety and in accordance with Policy DM22 of the Copeland Local Plan.

## **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](http://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

20/08/2021



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](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.