

Town and Country Planning Act 1990 (As amended).

4/21/2301/0F1

NOTICE OF GRANT OF PLANNING PERMISSION

The Art of Experiment
18 Orchid Way
Sheffield
FAO: Spencer Fretwell

**TERRACE TYPE HOUSING BLOCK CONTAINING 4X STUDIO APARTMENTS AND 4X TWO BEDROOM APARTMENTS, WITH PRIVATE CAR PARK FOR 8 CARS INCLUDING 1 DISABLED BAY (WITH ACCESS OFF TODHOLES ROAD)
DENTHOLME, CRAGG ROAD, CLEATOR MOOR**

Cubic Architecture And Design Ltd

The above application dated 29/06/2021 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, received 29th June 2021;
Existing Site Plan, scale 1:200, received 29th June 2021;
Site plan showing car park visibility, scale 1:500, drawing revision A, received 9th September 2021;
Proposed plans and elevations, scale 1:100, received 29th June 2021;
Street section, scale 1:100, received 29th June 2021;

Design and Access Statement, received 29th 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 surface water drainage scheme, including attenuation measures and with reference to 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.

Prior-use conditions

4. Prior to their use on the building 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.

Prior-occupation conditions

5. Prior to the first occupation of the development hereby approved, full details of boundary treatments including access gates, planting and fencing must be submitted to and approved in writing by the Local Planning Authority. The boundary treatments must be erected and maintained in accordance with the approved plans at all times thereafter.

Reason

To ensure a satisfactory appearance of the building in the interests of visual amenity and in order to ensure highway safety in accordance with Policies DM10 and DM22 of the Copeland Local Plan.

6. Prior to the first occupation of the development hereby approved, the designated off street parking must be constructed and brought into use in accordance with the approved plans. The parking must remain operational at all times thereafter.

Reason

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

Other conditions

7. Foul and surface water must be drained on separate systems.

Reason

To ensure the provision of a satisfactory drainage scheme and in accordance with Policies ENV1 and DM24 of the Copeland Local Plan.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that order with or without modification) no external alterations or extensions, conservatories, dormer, or enlargement must be carried out to the building, nor must any detached building, enclosure, domestic fuel containers, pool or hardstandings be constructed within the curtilage other than those expressly authorised by this permission.

Reason

To safeguard the character and appearance of the development in the interests of visual amenity and in accordance with Policy DM10 of the Copeland Local Plan.

Informatives

- 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

2) Public Footpath 403013 follows an alignment to the south side of the proposed development area and must not be altered or obstructed before or after the development has been completed, if the Footpath is to be temporarily obstructed, then a formal temporary closure will be required, there is a 12 week lead in time for this process, please contact Sandra.smith@cumbria.gov.uk for further information.

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

16/09/2021



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.