

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

NOTICE OF GRANT OF PLANNING PERMISSION

Adams Planning + Development Ltd
The Oaks
Oaks Drive
Crook Road
Bowness-on-Windermere
LA23 3JA
FAO Mr Russell Adams

APPLICATION No: 4/21/2361/001

OUTLINE APPLICATION FOR CONVERSION OF AGRICULTURAL BARN AND ASSOCIATED FARMYARD TO PROVIDE THE PHASED DELIVERY OF UP TO 5 NO. SELF, CUSTOM OR DEVELOPER BUILT RESIDENTIAL DWELLINGS WITH ASSOCIATED INFRASTRUCTURE AND ANCILLARY FACILITIES WITH ACCESS DEFINED & ALL OTHER MATTERS RESERVED CROFT END FARM, BECKERMET

Mr Jon Hodgson

The above application dated 10/08/2021 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:

Standard Conditions

1. The layout, scale, appearance, and landscaping must 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 must be submitted to the Local Planning Authority within three years of the date of this permission and the development hereby permitted must 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. This permission relates to the following plans and documents as received on the respective dates and development must be carried out in accordance with them:-

- Location Plan, Scale 1:1250, Drg No: 04, received by the Local Planning Authority on the 10th August 2021.
- Existing Site Plan (Amended), Scale 1:200, Drg No: 01, Rev A, received by the Local Planning Authority on the 6th September 2021.
- Site Survey And Barn Elevations, Scale 1:200, received by the Local Planning Authority on the 6th September 2021.
- Letter: Structural Integrity of Barn (Amended), Prepared by WDP Chartered Architects August 2021, received by the Local Planning Authority on the 6th September 2021.
- Supporting Planning, Design & Heritage Statement, received by the Local Planning Authority on the 10th August 2021.
- Ecological Impact Assessment, Prepared by AIBM Ecology June 2021, received by the Local Planning Authority on the 10th August 2021.
- Flood Risk Assessment, received by the Local Planning Authority on the 20th September 2021.
- Proposed Site Entrance and Visibility Splays (Amended), Scale 1:200, Drg No: 05, received by the Local Planning Authority on the 30th November 2021.
- Design Code (Amended), received by the Local Planning Authority on the 1st November 2021.
- Proposed Access (Amended), Prepared by R G Parkins November 2021, received by the Local Planning Authority on the 30th November 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

4. No development must commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme must include:
 - a. An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;
 - b. A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations); and
 - c. A timetable for its implementation.

The approved scheme must also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

The development hereby permitted must be carried out only in accordance with the approved drainage scheme.

Reason

To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with the provision of Policy ENV1 and Policy DM24 of the Copeland Local Plan 2013 – 2028.

5. Prior to the commencement of any development at this site full detail of the proposed foul drainage system and a maintenance schedule (identifying the responsible parties) for this development must be submitted to and approved in writing by the Local Planning Authority. The approved drainage system must be implemented prior to the first use of the site and must 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 provision of Policy ENV1 and Policy DM24 of the Copeland Local Plan 2013 – 2028.

6. Details of all measures to be taken by the applicant/developer to prevent surface water discharging onto or off the highway 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 interest of highway safety in accordance with the provisions of Policy T1 and Policy DM22 of the Copeland Local Plan 2013 - 2028.

7. The development must not commence until visibility splays providing clear visibility of 2.4 metres by site maximum towards both sides, measured down the centre of the access and then 0.5m from the nearside channel line of the carriageway edge have been provided at the access with the county highway. The visibility splays must be constructed before general development of the site commences so that construction traffic is safeguarded.

Reason

In the interest of highway safety in accordance with the provisions of Policy T1 and Policy DM22 of the Copeland Local Plan 2013 - 2028.

8. Prior to the commencement of development at this site, the front boundary wall and small outbuilding to the west of the access must be lower 1.05m in accordance with the approved plan 'Proposed Site Entrance and Visibility Splays (Amended), Scale 1:200, Drg No: 05, received by the Local Planning Authority on the 30th November 2021'. The development must be retained in accordance with these approved details at all times thereafter.

Reason

In the interest of highway safety in accordance with the provisions of Policy T1 and Policy DM22 of the Copeland Local Plan 2013 - 2028.

9. Prior to the commencement of any above ground works on site, full design details of the proposed waste storage area must be submitted to and approved in writing by the Local Planning Authority. The approved details must be installed prior to the first use of the site and must be retained as such at all times thereafter.

Reason

In the interest of highway safety in accordance with the provisions of Policy T1 and Policy DM22 of the Copeland Local Plan and to protect the architectural and historical interest evident on the site in accordance with Policies ST1, ENV4, DM27 of the Copeland Local Plan 2013 - 2028.

Prior to Installation Conditions:

10. Prior to its installation within the development hereby approved, full details of the side boundary wall located to the east of the proposed parking area and its junction with the front wall at the roadside, must be submitted to and approved in writing by the Local Planning Authority. The approved details must be installed prior to the first use of the site and must be retained as such as all times thereafter.

Reason

To protect the architectural and historical interest evident on the site in accordance with Policies ST1, ENV4, DM27 of the Copeland Local Plan 2013 - 2028.

11. Prior to their first installation within the development hereby approved, full detail of proposed biodiversity enhancements must be submitted to and approved in writing by the Local Planning Authority. The development must be carried out in accordance with the approved details and so maintained thereafter.

Reasons

To protect the ecological interests evident on the site in accordance with Policies ENV3 and DM25 of the Copeland Local Plan 2013 – 2028.

Other Conditions

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

Reason

To secure proper drainage and to manage the risk of flooding and pollution in accordance with the provision of Policy ENV1 and Policy DM24 of the Copeland Local Plan 2013 – 2028.

13. This permission gives outline approval for a maximum of three new residential dwellings and two residential dwellings within the proposed barn conversion only at this site.

Reason

To ensure an appropriate form of development at this site in accordance with the provisions of Policy ST1 of the Copeland Local Plan 2013 - 2028.

14. The development hereby approved, and any subsequent application, must be carried out in accordance with the approved document 'Design Code (Amended), received by the Local Planning Authority on the 1st November 2021' at all times.

Reason

To protect the architectural and historical interest evident on the site in accordance with Policies ST1, ENV4, DM27 of the Copeland Local Plan 2013 - 2028.

15. The development must be carried out in accordance with and implement all of the details and mitigation measures specified within the Flood Risk Assessment, received by the Local Planning Authority on the 20th September 2021.

Reason

For the avoidance of doubt and to ensure that adequate measures are incorporated to protect the occupiers from flooding in accordance with the provision of Policy ENV1 and Policy DM24 of the Copeland Local Plan 2013 – 2028.

16. The development must implement all of the mitigation and compensation measures set out in the approved document 'Ecological Impact Assessment, Prepared by AIBM Ecology June 2021, received by the Local Planning Authority on the 10th August 2021'. The development must be carried out in accordance with the approved document at all times thereafter.

Reasons

To protect the ecological interests evident on the site in accordance with Policies ENV3 and DM25 of the Copeland Local Plan 2013 – 2028.

17. All HGV deliveries to the site must be carried out solely between the hours of 09:00 and 17:00 Monday to Friday. There must be no HGV deliveries on Saturdays, Sundays and/or Bank Holidays.

Reason

In the interest of residential amenity.

18. Construction site operating hours will be Monday-Friday 08:00 to 18:00 and Saturdays 08:00 to 13:00. No construction on Sundays or Bank Holidays.

Reason

In the interest of residential amenity.

19. 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, including replacement windows, doors or skylights and roof coverings, or painting or rendering shall be carried out to the property, nor shall any building, enclosure, extension, porch, domestic fuel container, pool or hardstanding be constructed within the curtilage without the prior written consent of the Local Planning Authority.

Reason

To safeguard the traditional appearance of the buildings in the interests of visual amenity.

Informatives:

1. All external lighting must meet the guidelines and obtrusive limits details in the institute of lighting professionals Guidance Notes for the Reduction of Obtrusive light (GN01:2011).
2. The applicant should liaise with the CCC Resilience Office via emergency.planning@cumbria.gov.uk to allow for further discussion to ensure the applicant and their trades people/contractors are aware of the appropriate information and actions to take should there be an incident at the Sellafield site.

3. During construction if any bats or evidence of bat is found within this structure the application should contact the National Bat Helpline on 0345 1300 2288 for advice on how to do works lawfully.

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



PP Pat Graham
Chief Executive

18th March 2022

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.