

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

NOTICE OF GRANT OF PLANNING PERMISSION

Holdsworth Design Practice Ltd
Chestnut House
3 The Woodlands
Hayton, Carlisle
CA8 9HZ
FAO Mr Andrew Holdsworth

APPLICATION No: 4/21/2411/0F1

CHANGE OF USE OF LAND FROM WOODLAND FOR SITE TO PROVIDE EIGHT MOTORHOME BAYS, EIGHT SELF CONTAINED TIMBER BUILT HOLIDAY CABINS, SITE SHOP/OFFICE BUILDING, SHOWER/TOILET BLOCK, BIN STORE WITH INTERNAL ACCESS ROAD (RESUBMISSION OF WITHDRAWN APPLICATION 4/21/2252/0F1) LAND ADJACENT TO PARTFIELD HOUSE, DRIGG

Mr C Usher

The above application dated 13/09/2021 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 development hereby permitted must 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. This permission relates to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them:-

- Location Plan, Scale 1:1250, received by the Local Planning Authority on the 13th September 2021.
- Survey Drawings: Site Plan, Scale 1:200, Drawing No: USH.CS.1222.PL1.1, Rev: 0, received by the Local Planning Authority on the 13th September 2021.
- Proposed Drawings: Site Plan (Amended), Scale 1:200, Drawing No: USH.CS.1222.PL2.1, Rev: 4, received by the Local Planning Authority on the 31st January 2022.
- Survey Drawings: Site Sections, Scale 1:200, Drawing No: USH.CS.1222.PL3.1, received by the Local Planning Authority on the 13th September 2021.
- Survey Drawings: Site Sections Proposed (Amended), Scale 1:200, Drawing No: USH.CS.1222.PL4.1, Rev 1, received by the Local Planning Authority on the 7th February 2022.
- Survey & Proposed Drawings: Site Elevations – Boundary to East and South (Amended), Scale 1:200, Drawing No: USH.CS.1222.PL5.1, Rev 1, received by the Local Planning Authority on the 7th February 2022.
- Highway: Entry/Exit Plans (Amended), Scale 1:200, Drawing No: USH.CS.1222.PL6.1, Rev 2, received by the Local Planning Authority on the 7th February 2022.
- Proposed Drawings: Cabins, Shops, Bin Enclosure and Site Signage (Amended), Scale 1:100, Drawing No: USH.CS.1222.PL17.1, Rev: 1, received by the Local Planning Authority on the 13th December 2021.
- Partfield House Drigg: No Shadow, Scale 1:150, received by the Local Planning Authority on the 13th September 2021.
- Survey Details for Trees at Partfield House, Drigg, Prepared by Iain Tavendale January 2021, received by the Local Planning Authority on the 13th September 2021.
- Ecogrid Technical Data Product Features, received by the Local Planning Authority on the 13th September 2021.
- Self Binding Path Gravel Details, received by the Local Planning Authority on the 13th September 2021.
- Arboricultural Impact Assessment, Prepared by Iain Tavendale January 2021, received by the Local Planning Authority on the 13th September 2021.
- Preliminary Ecological Appraisal, Prepared by Environmental Management Ltd, received by the Local Planning Authority on the 13th September 2021.
- Design and Access Statement, received by the Local Planning Authority on the 13th September 2021.
- Overhead Image: Situation & Setting, Drawing No: USH.CS.1222.PL10, Rev: 1, received by the Local Planning Authority on the 13th September 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. 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:
 - I. 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;
 - II. 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
 - III. 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.

4. Full details of the surface water drainage system (incorporating SUDs features as far as practicable) and a maintenance schedule (identifying the responsible parties) 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 thereafter in accordance with the schedule.

Reason

To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. To ensure the surface water system continues to function as designed and that flood risk is not increased within the site or elsewhere in accordance with the provision of Policy ENV1 and Policy DM24 of the Copeland Local Plan 2013 – 2028.

5. Prior to commencement of development, a detailed landscaping scheme must be submitted to and approved in writing by the Local Planning Authority. The scheme must be at a scale of 1:200 and shall include:
- a) The exact location and species of all existing trees and other planting to be retained;
 - b) An outline specification for ground preparation for landscaped areas outside of the ecological areas;
 - c) All proposals for new planting and turfing, indicating the location, arrangement, species, size, specifications, numbers and planting densities;
 - d) All proposed boundary treatments with supporting elevations and construction details;
 - e) All proposed hard landscaping elements and paving, including layout, materials and colours;
 - f) The proposed arrangements and specifications for initial establishment maintenance and long-term maintenance of all planted and/or turfed areas.

The approved scheme must be implemented in its agreed form prior to the end of the first planting season following substantial completion of each phase of the development to which it is associated. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased must be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written approval to any variation.

Reason:

To ensure an adequate landscaping scheme in accordance with Policy DM26 and ENV5 of the Copeland Local Plan 2013-2028.

6. Prior to commencement of development, an Arboricultural Method Statement must be submitted to and approved in writing by the Local Planning Authority. The Arboricultural Method Statement must include, but is not limited to:
- i) Facilitation tree works;
 - ii) Installation of temporary ground protection;
 - iii) Installation of tree protection barriers;
 - iv) Excavations, level changes and the requirement for specialised trenchless techniques for the installation of services;
 - v) Installation of access roads – materials and design;
 - vi) Installation of specialist foundations;
 - vii) Preparatory works for new landscaping;

- viii) Auditable/audited system of arboricultural site monitoring, including a schedule of specific site events requiring input or supervision.

The approved Arboricultural Method Statement must be implemented in its agreed form unless the Local Planning Authority gives written approval to any variation.

Reason

To ensure that existing trees are protected in accordance with Policy DM28 of the Copeland Local Plan 2013-2028.

- 7. Prior to the commencement of any development full details of the trees/hedgerow to be removed within the site must be submitted to and approved in writing by the Local Planning Authority. Details should also be provided of all of the proposals for new planting, including the location, arrangement, species, size, specifications, numbers and planting densities. The development must be carried out in accordance with these approved details at all times thereafter.

Reason

To ensure an adequate landscaping scheme and protection of existing trees in accordance with Policy DM26 and ENV5 of the Copeland Local Plan 2013-2028.

- 8. Before development commences, a Construction Management Plan must be submitted to and approved in writing by the Local Planning Authority. This plan must include provide details of dust emissions, noise and vibration, and must identify remedial action to prevent nuisance. The development must be carried out in accordance with the approved details at all times thereafter.

Reason

In the interest of residential amenity in accordance with DM10 of the Copeland Local Plan.

- 9. 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.

10. The development must not commence until visibility splays providing clear visibility as shown the approved plan 'Proposed Drawings: Site Plan (Amended), Scale 1:200, Drawing No: USH.CS.1222.PL2.1, Rev: 4, received by the Local Planning Authority on the 31st January 2022' have been provided at the junction of the access road with the county highway. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be planted or be permitted to grown within the visibility splay which obstruct the visibility splays. The visibility splays must be constructed before general development of the site commences so that construction traffic is safeguarded.

Reason

In the interests of highway safety in accordance with Policy T1 and DM22 of the Copeland Local Plan.

11. 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 interests of highway safety and environmental management in accordance with Policy T1 and DM22 of the Copeland Local Plan.

12. 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, maneuvering, 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 in accordance with Policy T1 and DM22 of the Copeland Local Plan.

Prior to Use/Installation Conditions:

13. Prior to their first installation within the development hereby approved full details of any external lighting must be submitted to and approved in writing by the Local Planning Authority. The development must be carried out in accordance with these approved details at all times thereafter.

Reason

In the interest of residential amenity in accordance with DM10 of the Copeland Local Plan.

14. The use of the site hereby approved must not be commenced until the access and parking requirements have been constructed in accordance with the approved plan 'Proposed Drawings: Site Plan (Amended), Scale 1:200, Drawing No: USH.CS.1222.PL2.1, Rev: 4, received by the Local Planning Authority on the 31st January 2022'. 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 in accordance with Policy T1 and DM22 of the Copeland Local Plan.

15. The access drive/road must be surfaced in bituminous or cement bound materials, or otherwise bound and shall be constructed to Highway Standard and completed before the development is occupied/brought into use.

Reason

In the interests of highway safety in accordance with Policy T1 and DM22 of the Copeland Local Plan.

Other Conditions

16. 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.

17. The development must implement all of the mitigation and compensation measures set out in the approved document 'Preliminary Ecological Appraisal, Prepared by Environmental Management Ltd, received by the Local Planning Authority on the 13th September 2021', including the requirement to provide a Habitat Suitability Index (HIS) survey. 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 ST1, ENV3, and DM25 of the Copeland Local Plan.

18. The development must be carried out in accordance with and implement all of the details and mitigation measures specified within the Arboricultural Impact Assessment, Prepared by Iain Tavendale January 2021, received by the Local Planning Authority on the 13th September 2021. The development must be carried out in accordance with the approved document at all times thereafter.

Reason

To ensure that existing trees are protected in accordance with Policy DM28 of the Copeland Local Plan 2013-2028.

19. The use of the site shop hereby permitted must only be open to the public/customers between:

- 07:00am – 18:00pm Monday to Sundays and Bank Holidays.

Reason

To minimise potential disturbance to nearby residences and to safeguard the amenities of the locality in accordance with DM10 of the Copeland Local Plan.

20. Construction site operating hours must be carried out solely between the hours of 08:00 to 18:00 Monday to Friday and 08:00 to 13:00 Saturday. No construction on Sundays or Bank Holidays.

Reason

In the interest of residential amenity in accordance with DM10 of the Copeland Local Plan.

21. All HGV deliveries and delivery to and removal of plant, machinery and waste from the site must be carried out solely between the hours of 08:00 and 18:00 Monday to Friday and Saturdays 08:00 to 13:00. There must be no HGV deliveries on Sundays and/or Bank Holidays.

Reason

In the interest of residential amenity in accordance with DM10 of the Copeland Local Plan.

22. Deliveries and collections to and from the site once operational must be carried out solely between the hours of 8:00 – 19:00 Monday – Sunday.

Reason

In the interest of residential amenity in accordance with DM10 of the Copeland Local Plan.

23. The development hereby approved shall be used for short term holiday use only and for no other purposes whatsoever.

Reason

To ensure that non-conforming uses are not introduced into the area.

24. The permission hereby granted authorises the use of the site for the siting of eight timber cabins and eight motorhome bays only at this site.

Reason

To ensure that non-conforming uses are not introduced into the area.

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 must contact CCC Resilience Unit office via emergency.planning@cumbria.gov.uk to ensure information about the business can be captured and the Sellafield off Site Emergency Plan updated accordingly.
3. In view of the fact that this application could increase the number of persons in the area (including trade people) the applicant should liaise with the CCC Resilience Unit Office via emergency.planning@cumbria.gov.uk to allow for further discussion to ensure the applicant and their trades people/contractors plus paying guests are aware of the appropriate information and actions to take should there be an incident at the Sellafield site.
4. This permission does not grant consent for the adverts shown on the submitted plans and they may require a separate Advertisement Consent application. Any proposed adverts to be displayed at the premises may require advertisement consent. The applicant is therefore advised to contact the Local Planning Authority (development.control@copeland.gov.uk) to discuss this matter further prior to installation.

5. Any works undertaken within the highway will require the correct permit, these permits can be applied for at the following email address streetworks.west@cumbria.gov.uk.

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 February 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.