

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

NOTICE OF GRANT OF PLANNING PERMISSION

Martin Cuthell Ltd
Whitestones
Portinscale
Keswick
CA12 5RW
FAO Mr Martin Cuthall

APPLICATION No: 4/21/2485/0F1

**RESIDENTIAL DEVELOPMENT TO CREATE FOUR DETACHED DWELLINGS
FORMER CASTLE CINEMA SITE, BOOKWELL, EGREMONT**

KBE (Homes) Ltd

The above application dated 08/11/2021 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:-
 - Site Location Plan, Scale 1:1250, received by the Local Planning Authority on the 8th November 2021.

- Proposed Block Plan (Amended), Scale 1:500, Number 20.33/107a, received by the Local Planning Authority on the 7th April 2022.
- Proposed Site Layout (Amended), Scale 1:200, Drawing No 20.33/100D, received by the Local Planning Authority on the 29th April 2022.
- Plots 1 Plans and Elevations (Amended), Scale 1:100, Number 20.33/101a, received by the Local Planning Authority on the 7th April 2022.
- Plots 2 Plans and Elevations (Amended), Scale 1:100, Number 20.33/102a, received by the Local Planning Authority on the 7th April 2022.
- Plots 3 Plans and Elevations, Scale 1:100, Number 20.33/103, received by the Local Planning Authority on the 8th November 2021.
- Plots 4 Plans and Elevations, Scale 1:100, Number 20.33/104, received by the Local Planning Authority on the 8th November 2021.
- Cross Section & Street Elevation (Amended), Scale 1:100, Number 20.33/106a, received by the Local Planning Authority on the 7th April 2022.
- Long Sections & Street Elevations (Amended), Scale 1:100, Number 20.33/105b, received by the Local Planning Authority on the 7th April 2022.
- Flood Risk Assessment, Prepared by Martin Cuthell Ltd November 2021, received by the Local Planning Authority on the 8th November 2021.
- Percolation Test, Prepared by Bingham Yates Limited October 2018, received by the Local Planning Authority on the 31st January 2022.
- Copeland Letter Planning Response, Prepared by Martin Cuthell Ltd January 2022, received by the Local Planning Authority on the 4th February 2022.
- Rose Wood Collection – Retail Brochure, received by the Local Planning Authority on the 7th April 2022.
- Additional Information Letter (Amended), Prepared by Martin Cuthell Ltd April 2022, received by the Local Planning Authority on the 29th April 2022.
- Planning Statement (Amended), Prepared by Martin Cuthell Ltd October 2021, V2 updated May 2022, received by the Local Planning Authority on the 17th May 2022.

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. The development must not commence until visibility splays providing clear visibility as shown on approved plan 'Proposed Site Layout (Amended), Scale 1:200, Drawing No 20.33/100D, received by the Local Planning Authority on the 29th April 2022' of 48 metres measured 2.4 metres down the centre of the access road and the nearside channel line of the carriageway edge 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 grow 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. The visibility splays must be retained at all times thereafter.

Reason

In the interests of highway safety.

Prior to Erection of External Walling Conditions

4. No superstructure must be erected until samples and details of the materials to be used in the construction of the external surfaces of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. Development must be completed in accordance with the approved details of materials and must be retained for the lifetime of the development.

Reason

To ensure a satisfactory appearance of the development in the interests of visual amenity.

Prior to Installation Conditions:

5. Prior to their first installation within the development hereby approved, full details of all proposed windows and external doors must be submitted and approved in writing by the Local Planning Authority. The development must be carried out and maintained in accordance with this approved detail at all times thereafter.

Reason

In the interest of protecting the heritage asset.

6. Prior to their first use within the development hereby approved details of the proposed new roof slates 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 must be maintained at all times thereafter.

Reason

In the interest of protecting the heritage asset.

Prior to Occupation/Completion Conditions:

7. The dwellings hereby approved must not be occupied until the vehicular access and turning requirements have been constructed in accordance with the approved plan 'Proposed Site Layout (Amended), Scale 1:200, Drawing No 20.33/100D, received by the Local Planning Authority on the 29th April 2022.' and has been brought into use. The vehicular access turning provisions must be retained and capable of use at all times thereafter 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.

8. The drainage for the development hereby approved, must be carried out in accordance with the principles set out in the approved plan 'Proposed Site Layout (Amended), Scale 1:200, Drawing No 20.33/100D, received by the Local Planning Authority on the 29th April 2022.' For the avoidance of doubt no surface water will be permitted to drain directly or indirectly into the public sewer. Prior to occupation of the proposed development, the drainage schemes must be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason

To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.

9. Prior to the first occupation of the development hereby approved, all measures to prevent surface water discharging onto and off the highways must be implemented in accordance with the approved plan 'Proposed Site Layout (Amended), Scale 1:200, Drawing No 20.33/100D, received by the Local Planning Authority on the 29th April 2022'. The development must be retained in accordance with these approved details all times thereafter for the lifetime of the development.

Reason

In the interests of highway safety and environmental management.

10. Prior to the first occupation of any dwelling hereby approved, the boundary treatment at this site must be installed in accordance with the following approved plans:

- Proposed Site Layout (Amended), Scale 1:200, Drawing No 20.33/100D, received by the Local Planning Authority on the 29th April 2022.
- Additional Information Letter (Amended), Prepared by Martin Cuthell Ltd April 2022, received by the Local Planning Authority on the 29th April 2022.

Once installed the boundary treatment must be retained in accordance with these approved details at all times thereafter.

Reason

To protect residential amenity.

Other Conditions

11. The development must be carried out in accordance with and implement all of the details and mitigation measures specified within 'Flood Risk Assessment, received by the Local Planning Authority on the 8th November 2021' and must be maintained as such at all times thereafter.

Reason

For the avoidance of doubt and to ensure that adequate measures are incorporated to protect the occupiers from flooding.

12. 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 and doors) or extensions, conservatories, dormer, or enlargement shall be carried out to the dwelling, nor shall 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 the visual amenity of the area.

13. The development hereby approved must be completed in accordance with the approved materials detailed within the approved documents:

- Additional Information Letter (Amended), Prepared by Martin Cuthell Ltd April 2022, received by the Local Planning Authority on the 29th April 2022.

The development must be retained in accordance with these approved details for the lifetime of the development.

Reason

To ensure a satisfactory appearance of the development in the interests of visual amenity.

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

27th May 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.