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TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

NOTICE OF GRANT OF PLANNING PERMISSION

This Permission is Subject to a Section 106 Agreement

Gleeson Homes
Rural Enterprise Centre
Penrith
CA11 0DT
FAO Mr Jordan Tyson

APPLICATION No: 4/21/2489/0F1
RESIDENTIAL DEVELOPMENT OF 37 DWELLINGS
LAND WEST OF CLEATOR MOOR ROAD, WHITEHAVEN

Gleeson Homes

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:-

- Location Plan, Scale 1:1250, received by the Local Planning Authority on the 8th November 2021.
- Planning Layout (Amended), Scale 1:500, Drawing No: MJG/PL-112, Revision: G, received by the Local Planning Authority on the 18th August 2022.
- Planning Layout (Colour Coded) (Amended), Scale 1:500, Drawing No: MJG/PL-112-2, Revision: B, received by the Local Planning Authority on the 18th August 2022.
- Boundary Treatment Plan (Amended), Scale 1:500, Drawing No: MJG/PL-112-1, Revision: C, received by the Local Planning Authority on the 18th August 2022.
- Boundary Treatments 1800mm High Brickwork Screen Wall, Scale 1:20, Drawing No: SD-100, Revision: B, received by the Local Planning Authority on the 8th December 2021.
- 1800mm High Close Boarded Timber Fence, Scale 1:20, Drawing No: SD-100, Revision: F, received by the Local Planning Authority on the 8th December 2021.
- Car Parking Plan (Amended), Scale 1:500, Drawing No: MJG/PL-112-3, Revision: B, received by the Local Planning Authority on the 18th August 2022.
- 201 & 301 House Types Contemporary – Elevations (Amended), Scale 1:100, Drawing No: 21-201_301-C, Revision: -, received by the Local Planning Authority on the 15th December 2021.
- 201 & 301 House Types Contemporary – Elevations (handed) (Amended), Scale 1:100, Drawing No: 21-201_301-C(h), Revision: -, received by the Local Planning Authority on the 15th December 2021.
- 201/301 Floor Plans (Amended), Scale 1:100, Drawing No: MJG/PL-107-7, Rev: -, received by the Local Planning Authority on the 17th December 2021.
- 301/201 Floor Plans (Amended), Scale 1:100, Drawing No: MJG/PL-107-8, Rev: -, received by the Local Planning Authority on the 17th December 2021.
- 303 House Type Contemporary – Elevations (Amended), Scale 1:100, Drawing No: 21-303-C-0301, Revision: C01, received by the Local Planning Authority on the 15th December 2021.
- 303 Dwelling Type – Floor Plans (Amended), Scale 1:100, Drawing No: 303/1E, received by the Local Planning Authority on the 8th December 2021.
- 337 House Type Contemporary – Elevations (Amended), Scale 1:100, Drawing No: 21-337-C-0001, Revision: C02, received by the Local Planning Authority on the 14th December 2021.
- 337 Dwelling Type – Floor Plans (Amended), Scale 1:100, Drawing No: 337/1, received by the Local Planning Authority on the 8th December 2021.

- 340 & 301 House Types Contemporary – Elevations (Amended), Scale 1:100, Drawing No: 21-340_301-C, Revision: -, received by the Local Planning Authority on the 15th December 2021.
- 340 & 301 House Types Contemporary – Elevations (handed) (Amended), Scale 1:100, Drawing No: 21-340_301-C-(h), Revision: -, received by the Local Planning Authority on the 15th December 2021.
- 340/301 House Types Contemporary – Planning Drawing Floor Plans (handed) (Amended), Scale 1:100, Drawing No: 21-340/301-C-0001-(h), Revision: C01, received by the Local Planning Authority on the 17th January 2022.
- 340/301 House Types Contemporary – Planning Drawing Floor Plans (Amended), Scale 1:100, Drawing No: 21-340/301-C-0001, Revision: C01, received by the Local Planning Authority on the 17th January 2022.
- 353 House Type Contemporary – Elevations, Scale 1:100, Drawing No: 21-353-C-0301, Revision: C01, received by the Local Planning Authority on the 8th November 2021.
- 353 House Type Contemporary – Elevations (handed), Scale 1:100, Drawing No: 21-353-C-0301-(h), Revision: C01, received by the Local Planning Authority on the 15th December 2021.
- 353 House Type Contemporary – Planning Drawings Floor Plans (handed), Scale 1:100, Drawing No: 21-353-C-0001-(h), Revision: C01, received by the Local Planning Authority on the 25th January 2022.
- 353 Dwelling Type – Floor Plans, Scale 1:100, Drawing No: 353/1A, received by the Local Planning Authority on the 8th December 2021.
- 359 House Type Contemporary – Elevations (handed) (Amended), Scale 1:100, Drawing No: 21-358/9-C-0301(h), Revision: C01, received by the Local Planning Authority on the 25th January 2022.
- 359 House Type Contemporary – Floor Plans (handed) (Amended), Scale 1:100, Drawing No: 21-358/9-C-0001(h), Revision: C01, received by the Local Planning Authority on the 17th January 2022.
- 435 House Type Contemporary – Elevations, Scale 1:100, Drawing No: 21-435-C-0301, Revision: C02, received by the Local Planning Authority on the 8th November 2021.
- 435 House Type Contemporary – Elevations (handed), Scale 1:100, Drawing No: 21-435-C-0301-(h), Revision: C02, received by the Local Planning Authority on the 15th December 2021.
- 435 Dwelling Type – Floor Plans (Amended), Scale 1:100, Drawing No: 435/1A, received by the Local Planning Authority on the 8th December 2021.
- 435 House Type Contemporary – Planning Drawing Floor Plans (handed) (Amended), Scale 1:100, Drawing No: 21-435-C-0001-(h), Revision: C02, received by the Local Planning Authority on the 17th January 2022.
- 450 House Type Contemporary – Elevations, Scale 1:100, Drawing No: 21-450-C-0301, Revision: C01, received by the Local Planning Authority on the 8th November 2021.
- 450 House Type Contemporary – Elevations (handed), Scale 1:100, Drawing No: 21-450-C-0001, Revision: C01, received by the Local Planning Authority on the 17th January 2022.

- 450 Dwelling Type – Floor Plans, Scale 1:100, Drawing No: 450/1A, received by the Local Planning Authority on the 8th December 2021.
- 450 House Type Contemporary – Planning Drawing Floor Plans (handed), Scale 1:100, Drawing No: 21-450-C-0001-(h), Revision: C01, received by the Local Planning Authority on 17th January 2022.
- Detached Single Garage Details, Scale 1:20, 1:50, & 1:100, Drawing No: SD700, Revision E, received by the Local Planning Authority on the 8th December 2021.
- Street Scenes (Amended), Scale 1:125, Drawing No: MJG/PL-112-2, Revision: A, received by the Local Planning Authority on the 29th April 2022.
- Tree Survey, Scale 1:680, Drawing No: Ivy Mill Phase2_Rev1.0, received by the Local Planning Authority on the 8th November 2021.
- Tree Mitigation Plan (Amended), Scale 1:500, Drawing No: TMP03, Revision: A, received by the Local Planning Authority on the 6th June 2022.
- Tree Constraints Plan, Scale 1:600, Drawing No: Ivy Mill Phase 2 TCP, Revision: 1, received by the Local Planning Authority on the 8th November 2021.
- Tree Survey Report, Prepared by Westwood Landscape July 2021, received by the Local Planning Authority on the 8th November 2021.
- Landscape Plan, Scale 1:500, Drawing No: WW01, Revision: A, received by the Local Planning Authority on the 6th April 2022.
- Topographical Survey, Scale 1:200, Drawing No: GH/CMR/TA01, Revision: -, received by the Local Planning Authority on the 8th November 2021.
- Outline Drainage Layout (Amended), Scale 1:200, Drawing No: 100, Revision: C, received by the Local Planning Authority on the 18th August 2022.
- Drainage Area Plan (Amended), Scale 1:500, Drawing No: GHC-IM-C-P2-14-01, Revision: A, received by the Local Planning Authority on the 23rd June 2022.
- A3 Land Registry Plan Phase 2 (Amended), Scale 1:1250, Ref: GHC-IV-C-P2-10-02, Revision: A, received by the Local Planning Authority on the 23rd June 2022.
- Phase 2 Section 38 Agreement Plan (Amended), Scale 1:500, Drawing No: GHC-IM-C-P2-19-01, Revision: A, received by the Local Planning Authority on the 23rd June 2022.
- Phase 2 S104 Agreement Plan (Amended), Scale 1:250, Drawing No: GHC-IM-C-P2-10-01, Revision: B, received by the Local Planning Authority on the 23rd June 2022.
- Phase 2 Road Setting Out (Amended), Scale 1:500, Drawing No: GHC-IM-C-P218-01, Revision: A, received by the Local Planning Authority on the 23rd June 2022.
- Phase 2 Manhole Schedules, Drawing No: GHC-IM-C-P2-15-01, Revision: -, received by the Local Planning Authority on the 6th June 2022.

- Phase 2 Highway Construction Details, Scale 1:20 & 1:25, Drawing No: GHC-IM-C-P2-SD-01, Revision: -, received by the Local Planning Authority on the 6th June 2022.
- White Lining and Signage Details, Scale 1:500, Drawing No: GHC-IM-C-P2-20-01, Revision: -, received by the Local Planning Authority on the 6th June 2022.
- Developer Services Construction Details, received by the Local Planning Authority on the 6th June 2022.
- Phase 2 Longitudinal Sections 1 of 2 (Amended), Scale 1:100 & 1:500, Drawing No: GHC-IM-C-P2-13-01, Revision: -, received by the Local Planning Authority on the 6th June 2022.
- Phase 2 Longitudinal Sections 2 of 2 (Amended), Scale 1:100 & 1:500, Drawing No: GHC-IM-C-P2-13-02, Revision: -, received by the Local Planning Authority on the 6th June 2022.
- Flood Risk Assessment & Outline Surface Water Drainage Strategy (Amended), Prepared by Site Infrastructure Services Limited May 2019, Ref: GHC-IM-W-FRA-REV B, received by the Local Planning Authority on the 16th November 2022.
- Preliminary Ecological Appraisal, Prepared by Carr Ecology March 2021, received by the Local Planning Authority on the 8th November 2021.
- GEOEnvironmental Appraisal, Prepared by Sirius March 2021, received by the Local Planning Authority on the 8th November 2021.
- Planning Statement (Amended), Prepared by Gleeson, received by the Local Planning Authority on the 18th August 2023.
- Design & Access Statement
- Transport Statement (Amended), Prepared by Vectos June 2022, received by the Local Planning Authority on the 1st July 2022.
- Economic Benefits Report, Prepared by Gleeson November 2021, Version 001, received by the Local Planning Authority on the 8th November 2021.
- Construction Management Plan, Prepared By Gleeson November 2021, received by the Local Planning Authority on the 8th 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:

3. Prior to the commencement of development (including any earthworks), the following must be submitted to the local planning authority and approved in writing:
 - Evidence that diversion/abandonment works for the existing water main have been agreed with the relevant statutory undertaker and that the approved works have been undertaken.

- Details of the means of ensuring the water main is protected from damage as a result of the development. These details must include the potential impacts on the water main from construction activities and the impacts post completion of the development, including landscaping, on the water main infrastructure, and identify mitigation measures, to protect and prevent any damage to the water main both during construction and post completion of the development.

Any mitigation measures identified by (ii) must be implemented in full prior to commencement of development in accordance with the approved details and must shall be retained thereafter for the lifetime of the development.

Reason

In the interest of public health and to ensure protection of the public water supply in accordance with the provision of Policy ENV1 and Policy DM24 of the Copeland Local Plan 2013 – 2028.

4. Prior to the commencement of the development hereby approved detailed specifications of carriageways, footways, footpaths, cycleways must be submitted to and approved in writing by the Local Planning Authority. The carriageway, footways, footpaths, cycleways etc shall be designed, constructed, drained and lit to a standard suitable for adoption and must be in accordance with the standards laid down in the current Cumbria Design Guide. Any works so approved must be constructed before the development is complete and maintained thereafter.

Reason

To ensure a minimum standard of construction in the interests of highway safety in accordance with the provisions of Policy T1 of the Copeland Local Plan 2013-2028.

5. The development shall not commence until visibility splays shown on approved plan 'Planning Layout (Amended), Scale 1:500, Drawing No: MJG/PL-112, Revision: G, received by the Local Planning Authority on the 18th August 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 shall 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 the provisions of Policy T1 of the Copeland Local Plan 2013-2028.

6. Prior to the commencement of the development hereby approved, details of the proposed vehicle crossing over the footway, including lowering of kerbs, must be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. Any works so approved must be constructed before the development is complete and maintained thereafter.

Reason

To ensure a minimum standard of construction in the interests of highway safety in accordance with the provisions of Policy T1 of the Copeland Local Plan 2013-2028.

7. Any existing highway fence/wall boundary must be reduced to a height not exceeding 1.05m above the carriageway level of the adjacent highway in accordance with details submitted to and approved in writing by the Local Planning Authority before the development commences and must not be raised to a height exceeding 1.05m thereafter.

Reason

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

8. The highway drain must be protected at the access prior to the development commencing in accordance with details which have been submitted to and approved in writing by the Local Planning Authority. The works to protect the drain must be carried out in accordance with the approved specifications at all times thereafter.

Reason

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

9. The access and parking/turning requirements must be substantially met before any building work commences on site so that constructional traffic can park and turn clear of the highway.

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.

10. Prior to the commencement of development a Construction Traffic Management Plan (CTMP) must be submitted to and approved in writing by the local planning authority. The CTMP shall 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
- Specific measures to manage and limit the impact on the school, including working hours, any special measures to accommodate pedestrians, deliveries and movement of equipment on the road network surrounding the site must not take place during school muster times in the interests of road safety

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 the provisions of Policy T1 of the Copeland Local Plan 2013-2028.

11. No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

- a) A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site
- b) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
- c) The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reason

To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework.

12. The development hereby approved must not commence until a tree maintenance scheme, to include detail of the planting and aftercare maintenance of the new trees, has been submitted to and approved in writing by the Local Planning Authority. The development must be carried out in accordance with the approved details at all times thereafter.

Reason

To adequately protect the proposed trees within the site.

Prior to Erection of External Walling Conditions

13. 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 Occupation Conditions:

14. The drainage for the development hereby approved, must be carried out in accordance with principles set out in the approved document 'Flood Risk Assessment & Outline Surface Water Drainage Strategy (Amended), Prepared by Site Infrastructure Services Limited May 2019, Ref: GHC-IM-W-FRA-REV B, received by the Local Planning Authority on the 16th November 2022'. For the avoidance of doubt surface water for both phases 1 and 2 collectively) must drain at the restricted rate of 10 l/s. 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 in accordance with the provision of Policy ENV1 and Policy DM24 of the Copeland Local Plan 2013 – 2028.

15. Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development must be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan must include as a minimum:
 - a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
 - b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development must subsequently be completed, maintained and managed in accordance with the approved plan.

Reason

To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development in accordance with the provision of Policy ENV1 and Policy DM24 of the Copeland Local Plan 2013 – 2028.

16. No dwellings shall be occupied until the estate road including footways and cycleways to serve such dwellings has been constructed in all respects to base course level and street lighting where it is to form part of the estate road has been provided and brought into full operational use.

Reason

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

17. No dwelling hereby permitted must be occupied until the means of vehicular access and parking provisions to serve that dwelling has been constructed in accordance with the approved plan 'Car Parking Plan (Amended), Scale 1:500, Drawing No: MJG/PL-112-3, Revision: B, received by the Local Planning Authority on the 18th August 2022'. These access and parking arrangements must be retained as such at all times thereafter.

Reason

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

18. All hard and soft landscape works must be carried out in accordance with the details illustrated on the approved document 'Landscape Plan, Scale 1:500, Drawing No: WW01, Revision: A, received by the Local Planning Authority on the 6th April 2022'. The works must be carried out in the first planting season following the completion of the development. Any trees / shrubs which are removed, die, become severely damaged or diseased within five years of their planting must be replaced in the next planting season with trees / shrubs of similar size and species to those originally required to be planted unless the Local Planning Authority gives written consent to any variation.

Reason

To enhance the appearance of the development in the interest of visual amenities of the area and to ensure a satisfactory landscaping scheme in accordance with Policy DM26 and ENV5 of the Copeland Local Plan 2013-2028.

19. Prior to the first occupation of each dwelling hereby approved, the boundary treatment and landscaping on that occupied plot must be installed in accordance with the following approved plans:

- Boundary Treatment Plan (Amended), Scale 1:500, Drawing No: MJG/PL-112-1, Revision: C, received by the Local Planning Authority on the 18th August 2022.

- Boundary Treatments 1800mm High Brickwork Screen Wall, Scale 1:20, Drawing No: SD-100, Revision: B, received by the Local Planning Authority on the 8th December 2021.
- 1800mm High Close Boarded Timber Fence, Scale 1:20, Drawing No: SD-100, Revision: F, received by the Local Planning Authority on the 8th December 2021.

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

Reason

To protect residential amenity in accordance with the provisions of Policy ST1 of the Copeland Local Plan 2013-2028.

20. Prior to the occupation of the first dwelling hereby approved a scheme detailing the layout and design, including play equipment specifications, of the approved public open space must be submitted to and approved in writing by the Local Planning Authority. The approved scheme must be implemented as per the approved details prior to the completion of the development hereby approved. The area must be maintained for use as a public open space in accordance with the approved details for the lifetime of the development.

Reason

To ensure the provision of sufficient provision of children's play space within the development for use by residents in accordance with the provisions of Policy SS5 and Policy DM12 of the Copeland Local Plan 2013-2028.

21. Prior to the completion of the development hereby approved, a footpath must be provided that links to the adjacent site also to be developed by the applicant as shown on the approved plan 'Planning Layout (Amended), Scale 1:500, Drawing No: MJG/PL-112, Revision: G, received by the Local Planning Authority on the 18th August 2022'. Once completed the footway must be retained and accessible for its intended use in accordance with the approved details for the lifetime of the development.

Reason

To ensure that adequate provision is made for the provision and safeguarding of active travel connections in accordance with the provisions of Policy T1 of the Copeland Local Plan 2013-2028.

Other Conditions:

22. The development must be carried out in accordance with and implement all of the details and mitigation measures specified within the approved document 'Flood Risk Assessment & Outline Surface Water Drainage Strategy (Amended), Prepared by Site Infrastructure Services Limited May 2019, Ref: GHC-IM-W-FRA-REV B, received by the Local Planning Authority on the 16th November 2022', and must be maintained as such at all times thereafter.

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.

23. The development must implement all of the mitigation and compensation measures set out in the approved document 'Preliminary Ecological Appraisal, Prepared by Carr Ecology March 2021, received by the Local Planning Authority on the 8th November 2021'. The development must be carried out in accordance with the approved document at all times thereafter.

Reason

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

24. The development must be carried out in accordance with and implement all of the details and mitigation measures specified within the approved document 'GEOEnvironmental Appraisal, Prepared by Sirius March 2021, received by the Local Planning Authority on the 8th November 2021, received by the Local Planning Authority on the 16th March 2023'. All mitigation measures identified must be maintained as such at all times thereafter.

Reason

To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in accordance with the provisions of Policy ST1 of the Copeland Local Plan 2013 – 2028.

25. The development must be carried out in accordance with and implement all of the details and mitigation measures specified within the approved document Tree Mitigation Plan (Amended), Scale 1:500, Drawing No: TMP03, Revision: A, received by the Local Planning Authority on the 6th June 2022 The development must be carried out in accordance with the approved document at all times thereafter.

Reason

To adequately protect the existing trees on site.

26. There shall be no vehicular access to or egress from the site other than via the approved access, unless otherwise agreed by the Local Planning Authority.

Reason

To avoid vehicles entering or leaving the site by an unsatisfactory access or route, in the interests of road safety in accordance with the provisions of Policy T1 of the Copeland Local Plan 2013-2028.

- 27 Access gates, if provided, shall be hung to open inwards only away from the highway.

Reason

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

28. The existing boundary wall along the north east boundary of the site must be retained at all times in accordance with the details submitted in the approved document 'Planning Layout (Amended), Scale 1:500, Drawing No: MJG/PL-112, Revision: G, received by the Local Planning Authority on the 18th August 2022'.

Reason

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

29. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. Development on the part of the site affected must be halted and a risk assessment carried out and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These shall be implemented prior to the development (or relevant phase of development) being brought into use. All works shall be undertaken in accordance with current UK guidance, particularly CLR11.

Reason

To ensure that risks from land contamination both during the construction phase and to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in

accordance with the provisions of Policy ST1 of the Copeland Local Plan 2013 – 2028.

30. The development must be carried out in accordance with and implement all of the details and mitigation measures specified within the approved document 'Construction Management Plan, Prepared By Gleeson November 2021, received by the Local Planning Authority on the 8th November 2021'. The development must be carried out in accordance with the approved document at all times thereafter.

Reason

To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in accordance with the provisions of Policy ST1 of the Copeland Local Plan 2013 – 2028.

31. Construction site operating hours must only take place between the following hours:

- 08:00am to 18:00pm Monday to Friday; and
- 08:00am to 13:00 Saturdays

No construction works shall take place at any time on Sundays or Bank Holidays.

Reason

To safeguard the amenity of neighbouring occupiers in accordance with the provisions of Policy ST1 of the Copeland Local Plan 2013-2028.

32. All HGV deliveries to the site must only take place between the following hours:

- 09:00am to 17:00pm Monday to Friday

There must be no HGV deliveries on Saturdays, Sundays or Bank Holidays.

Reason

To safeguard the amenity of neighbouring occupiers in accordance with the provisions of Policy ST1 of the Copeland Local Plan 2013-2028.

Informative Notes:

1. Any works within the Highway must be agreed with the Highway Authority. No works and/or any person performing works on any part of the Highway, including Verges, will be permitted, until in receipt of an appropriate permit allowing such works. Enquires should be made to Cumberland Councils Streetwork's team.
2. 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

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

13th May 2024

Jane Meek
Assistant Director
Thriving Place and Investment

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/appeal-planning-decision> . 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.