

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

NOTICE OF GRANT OF PLANNING PERMISSION UNDER SECTION 73

Alpha Design
7 Europe Way
Cockermouth
CA13 0RJ
FAO Mr Glen Beattie

APPLICATION No: 4/21/2514/0B1

**VARIATION OF CONDITION 2 OF PLANNING APPROVAL 4/20/2016/0B1 FOR CHANGE OF HOUSE TYPES ON PLOTS 11, 12, 14 AND 15 AND ALTERATIONS TO ASSOCIATED LANDSCAPING.
MILLFIELDS, LAMPLUGH**

John Swift Homes Ltd

The above application dated 23/11/2021 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:

1.-

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:

Location Plan, scale 1:1250, Drawing Number 16158 (SU) 100
Landscape Infrastructure Plan - Drawing Number M2821.01 Rev R
Farmhouse Plans and Elevation, scale 1:100 - Drawing Number 16158(PI) 201A
B Type Plans and Elevations, scale 1:100 - Drawing Number 16/11/894-24
C Type Plans and Elevations, scale 1:100 - Drawing Number 16/11/894-25
Dwelling Type E – Floor Plans – Drawing Number 16/11/894-06c)
Dwelling Type E – Working Elevations – Drawing Number 16/11/894-08c)
F Type Plans and Elevations, scale 1:100 - Drawing Number 16158(PI) 207A
Dwelling Type G – Plots 20 & 21 – Plans & Elevations – Drawing Number 16/11/894-20

H Type Plans and Elevations, scale 1:100 - Drawing Number 16158 (PI) 209 C
Garage and Carport Plans and Elevations, scale 1:100 - Drawing Number 16158(PI) 210A
Pavilion Plans and Elevations, scale 1:100 - Drawing Number 16158(PI)211A
Revised Overall Drainage Plan – Drawing No. 16/11/894-03a
Plot 1 (Type K) – Plans & Elevations – Drawing No. 16/11/894-68
Plot 2 (Type K) – Plans & Elevations – Drawing No. 16/11/894-69
Plots 5-8 (Type L&M) – Floor Plans – Drawing No. 16/11/894-71
Plots 5-8 (Type L&M) – Elevations – Drawing No. 16/11/894-72
Plots 9 & 10 (Type N) – Plans & Elevations – Drawing No. 16/11/894-70

Design and Access Statement dated May 2017

Transport Statement prepared by WYG, Reference A102386, dated May 2017

Landscape and Visual Impact Assessment prepared by Barnes Walker, Reference M281_LVA_03.17.01 Rev A

Heritage Impact Assessment prepared by Wardell Armstrong, Reference 2-278374, dated February 2017

Flood Risk and Foul Drainage Strategy prepared by Fairhurst, Reference D/I/D/119126/01, dated 11th May 2017

Preliminary Ecological Appraisal prepared by OpenSpace, Reference 17/SCS05v1, dated May 2017

Tree and Hedge Survey Report prepared by OpenSpace, Reference 17/TRE03v1, dated May 2017

Housing Market Assessment prepared by Grisedales dated 16th May 2017

Planning Statement received on 24th May 2017

Phase 1 Desk Top Study (Preliminary Environmental Risk Assessment) Geo Environmental Engineering, Reference 2017-2358, dated 17th May 2017

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.

3. The development hereby approved shall be completed in accordance with the Material Samples detailed on Doc Ref. 16/11/894-PPC approved 19th December 2018.

Reason

To ensure a satisfactory appearance of the development, in the interest of visual amenity and in accordance with Policy DM10 of the Copeland Local Plan 2013-2028.

4. The development hereby approved shall be constructed in accordance with the approved plans, and maintained thereafter, using the materials approved under Planning Condition 3.

Reason

To ensure a satisfactory appearance of the development, in the interest of visual amenity and in accordance with Policy DM10 of the Copeland Local Plan 2013-2028.

5. Development shall take place in accordance with the approved landscaping plans and maintained for the lifetime of the development. Any trees or plants which die, are removed, or become damaged or diseased within the first five years following planting shall be replaced during the next planting season with planting of a similar size.

Reason

To ensure that an acceptable form of landscaping is maintained on the site, in the interests of visual amenity and in accordance with Policy DM10 of the Copeland Local Plan 2013-2028.

6. The replacement hedgerows along the road frontages of the site shall be completed in accordance with the Road Frontage Hedgerow Specification Doc. Ref 16/11/894-H approved 19th December 2018. Any trees or plants which die, are removed, or become damaged or diseased within the first five years following planting shall be replaced during the next planting season with planting of a similar size and species.

Reason

To ensure an adequate boundary treatment and also to minimise the impact of the development within the locality in accordance with the provisions of Policy DM26 of the Copeland Local Plan 2013-2028.

7. All public landscaped areas shall be maintained in accordance with Landscape Management Plan Doc. Ref. 16/11/894 – LMP approved 8th January 2019.

Reason

To protect and safeguard the amenity of the development in accordance with the provision of Policy DM10 and DM26 of the Copeland Local Plan 2013-2028.

8. The development hereby approved is to be completed in accordance with the provisions of the Tree Protection Plan (TPP) Doc. Ref. 16/11/894-TPP. Rev. B received 18th March 2020. The radius of the Tree Protection Fencing may be reduced to 12m where this abuts the proposed footpath during the construction of the footpath. The approved tree protection shall remain in place until the completion of the development.

Reason

To ensure that the mature tree which is present on the site is adequately protected as part of the development in accordance with the provisions of Policy DM28 of the Copeland Local Plan 2013-2028.

9. Travel Plan Statement - The Millfields, Lamplugh, Workington approved 19th December 2018 shall be implemented as long as any part of the development is occupied.

Reason

In the interests of highway safety and to aid the delivery of sustainable transport objectives in accordance with Policy T1 and Policy DM22 of the Copeland Local Plan 2013-2028.

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13. There shall be no vehicular access to, or egress from the site other than via the approved access.

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 and Policy DM22 of the Copeland Local Plan 2013-2028.

14. The visibility splays identified on Landscape Infrastructure Plan – Drawing Number M2821.01 Rev R received 15th March 2022 shall be maintained for the lifetime of the development. 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 splays identified on Landscape Infrastructure Plan – Drawing Number M2821.01 Rev R received 15th March 2022.

Reason

In the interests of highway safety in accordance with the provisions of Policy T1 and DM22 of the Copeland Local Plan 2013-2022.

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16. The development hereby approved shall be completed in accordance with the drainage specifications detailed on Overall Drainage Plan - Drawing No. 16/11/894-03a received 15th March 2022 and maintained operational thereafter.

Reason

In the interests of highway safety and environmental management and in accordance with Policy DM11 and Policy DM22 of the Copeland Local Plan 2013-2028.

17.-

18. The development shall not proceed except in accordance with Construction Method Statement Doc Ref. 16/11/894-CMS approved 19th December 2018.

Reason

In the interests of residential amenity and to protect the water environment from pollution, in accordance with provisions of Policy ST1, Policy DM24 and Policy DM25 of the Copeland Local Plan 2013-2028.

19. No construction work associated with the development hereby approved shall be carried out outside of the hours of 07.30 hours-18.00 hours Monday-Saturday, nor at any time on Sundays and bank holidays.

Reason

In the interests of neighbouring residential amenity in accordance with the provisions of Policy ST1 of the Copeland Local Plan 2013-2028.

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21. -

22. Following occupation of the first dwelling on the site, refuse collection shall be commenced and maintained in accordance with the Refuse Collection Statement approved 19th December 2018 to the satisfaction of the local planning authority.

Reason

To ensure that adequate provision is made with the development for refuse collection arrangements in the interests of residential amenity and highway safety in accordance with the provisions of Policy ST1 and Policy DM22 of the Copeland Local Plan 2013-2028.

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25. The development shall not proceed except in accordance with lighting specification detailed on document reference 16/11/894-PCC approved 19th December 2018. The approved scheme shall be maintained for the lifetime of the development.

Reason

In the interest of residential amenity and in accordance with the provisions of Policy ST1 of the Copeland Local Plan 2013-2028.

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27. The development shall not proceed except in accordance with Ecological Management Plan – 16/11/894-EMP approved 19th December 2018. The contents of the plan shall be adhered during the construction of the scheme.

Reason

To ensure that adequate protection is given to protected species and in the interests of the environmental protection in accordance with the provisions of Policy ENV3 and Policy DM25 of the Copeland Local Plan 2013-2028.

Informative

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 identifying matters of concern with the proposal and negotiating with the applicants acceptable amendments to address them. As a result the Local Planning Authority has been able to grant planning permission for an acceptable proposal in accordance with Copeland Local Plan policies and the presumption in favour of sustainable development as set out in the National Planning Policy Framework.

Please read the accompanying notice

A handwritten signature in black ink, appearing to read 'N. S. Hayman' followed by a stylized flourish.

PP Pat Graham
Chief Executive

30th 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.