



**Cumberland Council
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TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

NOTICE OF APPROVAL OF RESERVED MATTERS

PFK Planning & Development
Agricultural Hall
Skirsgill
Penrith
CA11 0DN
FAO: Simon Blacker

APPLICATION No: 4/21/2561/0R1

**RESERVED MATTERS APPLICATION SEEKING APPROVAL OF ACCESS,
APPEARANCE, LANDSCAPING, LAYOUT AND SCALE OF OUTLINE PLANNING
APPROVAL 4/19/2325/001 - OUTLINE APPLICATION FOR ERECTION OF ONE
DWELLING**

RHEDA CROSS, RHEDA PARK, FRIZINGTON

Dr McKay

The above application dated 22/12/2021 has been considered by the Council in pursuance of its powers under the above Act and APPROVAL OF RESERVED MATTERS HAS BEEN GRANTED subject to the following conditions:

1. The development shall be carried out in accordance with the plans submitted and in accordance with the conditions attached to the outline planning permission.

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. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Location Plan – Drawing No. D.03

Floor Plans and Elevations - Drawing No. D.01a

Site Layout Landscape Plan – Drawing No. WW/L01A Rev. B

Garage Floor Plan - Drawing No. D.04

Site Layout Tree Mitigation Plan – Drawing No. WW/L03 Rev. A

Tree Survey Report Proposed Residential Development - Rheda Cross, Frizington, CA26 3TA West Site Rev A 16.02.23

Reason:

For the avoidance of doubt and in the interests of proper planning.

Pre-Commencement Planning Conditions

3. No development shall commence until details of the service corridors containing the mains service connections serving the proposed development have been submitted to and approved in writing by the Local Planning Authority.

Reason:

For the avoidance of doubt and to prevent harm to protected trees in accordance with Policy DM28 of the Copeland Local Plan 2013-2028.

4.
 - a) Notwithstanding the submitted details, no development shall commence until full detailed specifications of the proposed soft landscaping works have been submitted to and approved in writing by the Local Planning Authority.

The soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers / densities; and an implementation programme.

- b) The agreed scheme shall be carried out as approved to the agreed timetable.
 - c) Any trees / shrubs which are removed, die, become severely damaged or diseased within five years of their planting shall 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 safeguard and enhance the character of the area and secure high-quality landscaping in accordance with Policy DM26 of the Copeland Local Plan 2013-2028.

Other Stage Planning Conditions

- 5.
- a) No superstructure shall 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.
 - b) The development shall be carried out in accordance with the approved details of materials.

Reason:

To ensure the development is of a high quality design in accordance with Policy DM10 of the Copeland Local Plan 2013-2028.

6. The development shall not proceed except in accordance with the arboricultural protection strategy detailed in Site Layout Tree Mitigation Plan – Drawing No. WW/L03 Rev. A and Tree Survey Report Proposed Residential Development - Rheda Cross, Frizington, CA26 3TA West Site Rev A 16.02.23.

Reason:

For the avoidance of doubt and to prevent harm to protected trees in accordance with Policy DM28 of the Copeland Local Plan 2013-2028.

7. The dwelling hereby approved shall not be occupied until the vehicular access and turning requirements have been constructed in accordance with the approved plan and brought into use. The vehicular access/turning provisions shall be retained and capable of use at all times thereafter and shall not be removed or altered.

Reason:

To ensure a minimum standard of access provision when the development is brought into use in accordance with the provisions of Policy T1 and Policy DM22 of the Copeland Local Plan 2013-2028.

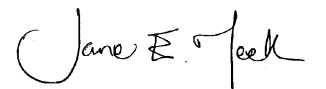
Informative Note

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



Jane Meek
Assistant Director
Thriving Place and Investment

19th July 2023

**APPROVALS
(OUTLINE, FULL RESERVED MATTERS & HOUSEHOLDER)**

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.