



TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

NOTICE OF GRANT OF PLANNING PERMISSION

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

**APPLICATION No: 4/22/2016/0F1**

**FORMATION OF SURFACE WATER RETENTION BASIN TO SERVE RESIDENTIAL DEVELOPMENT WITH PLANNING PERMISSION  
KEEKLE MEADOWS, CLEATOR MOOR**

**High Grange Developments LTD**

The above application dated 11/01/2022 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. The development hereby permitted shall begin not later than three years from the date of this decision.

Reason

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of 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:

Application Form received 10<sup>th</sup> January 2022

Site Location Plan – Drawing No. 06/11/542-100A received 15<sup>th</sup> September 2022

Site Plan – SW Basin – Drawing No. 06/11/542-206a) received 1<sup>st</sup> September 2022

#### Reason

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

3. No development shall commence until full details of the surface water attenuation basin have been submitted to and approved in writing by the Local Planning Authority.

The relevant details shall include:

1. A detailed specification of the attenuation basin including a cross section plan and where the outfall of the attenuation basin will connect to the existing surface water system.
2. Confirmation of the storage capacity of the attenuation basin and any other attenuation features (i.e. pipes and chambers).
3. Evidence of how the discharge rates at the flow control chambers of the attenuation basin has been determined.
4. A detailed plan showing exceedance routes for rainfall events >1:100 yrs to comply with NSTS S9.
5. A detailed overview plan showing the areas that will drain to the attenuation basin and calculations to demonstrate that the attenuation basin has sufficient capacity to accommodate the drainage flows from the identified areas without increasing flood risk.

The approved works shall be implemented prior to the development being completed and shall be maintained thereafter in accordance with the schedule.

#### Reason

To ensure a satisfactory form of development and prevent additional flood risk in accordance with the provisions of Policy ENV1 and Policy DM24 of the Copeland Local Plan 2013-2028.

4. No development shall commence until a Maintenance and Management Plan detailing measures of how the attenuation basin will be maintained and managed for its lifetime has been submitted to and approved in writing by the Local Planning Authority.

The attenuation basin shall be managed and maintained in accordance with the approved details for the lifetime of the development.

#### Reason

To ensure that the development is completed and satisfactorily maintained and managed in accordance with the provisions of Policy ENV1 and Policy DM24 of the Copeland Local Plan 2013-2028.

5. Notwithstanding the submitted details, no development shall commence until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority.

These details shall include:-

1. proposed finished levels or contours;
2. means of enclosure;
3. hard surfacing materials; and,
4. minor artefacts and structures.

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.

The agreed scheme shall be carried out as approved to the agreed timetable. 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.

#### Reason

These details are required to be approved before the commencement of development to safeguard and enhance the character of the area and secure high quality landscaping in accordance with saved Policy ENV3, Policy DM25 and Policy DM26 of the Copeland Local Plan 2013-2028.

6. If during the development, contamination not previously identified is found to be present at the Application Site, no further development shall be carried out until a scheme of investigation and scheme of remediation detailing how the unsuspected contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The scheme of remediation shall be implemented as approved.

#### Reason

To prevent harm to human health and the environment in accordance with the provisions of Policy ST1 of the Copeland Local Plan 2013-2028.

7. No work for the construction of the developments hereby approved, shall take place on the site, except between the hours:

08.00 - 18.00 Monday to Friday; and

08.00 - 13.00 on Saturdays;

In particular, no work should be carried out on Sundays or officially recognised public holidays.

Reason

To safeguard the residential amenity of neighbouring occupiers in accordance with the provisions of Policy ST1 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](http://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



Nick Hayhurst  
Head of Planning and Place

13<sup>th</sup> February 2023

**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](mailto: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.