

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) – SECTION 73.

NOTICE OF APPROVAL OF RESERVED MATTERS

SRE Associates
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Cockermouth
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FAO Mr Simon Blacker

APPLICATION No: 4/22/2110/0B1

**VARIATION OF CONDITION 2 (REVISED HOUSE TYPES) OF PLANNING APPROVAL
4/20/2334/0R1 - RESERVED MATTERS APPLICATION FOR 26 DWELLINGS AND ASSOCIATED
INFRASTRUCTURE FOLLOWING OUTLINE APPROVAL 4/17/2143/001**

FORMER ROMAR FACTORY, IVY MILL, MAIN STREET, HENSINGHAM, WHITEHAVEN

Gleeson Homes

The above application dated 07/03/2022 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:

Standard Conditions

1. The development must 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. This permission relates to the following plans and documents as received on the respective dates and development must be carried out in accordance with them:-

- Location Plan, Scale 1:1250, Drawing Number: 16061-00, received by the Local Planning Authority on the 2nd September 2020.
- Planning Layout (Amended), Scale 1:500, Drawing No: MJG/PL-110, Rev: K, received by the Local Planning Authority on the 23rd May 2022.
- Planning Layout (Colour Coded) (Amended), Scale 1:500, Drawing Number: MJG/PL-110-2, Rev C, received by the Local Planning Authority on the 1st November 2021.
- Site Sections, Scale 1:500, Drawing Number: MJG/PL-110-7, Rev B, received by the Local Planning Authority on the 26th April 2022.
- Street Scene Plots 1-5, Scale 1:100, received by the Local Planning Authority on the 26th April 2022.
- Car Parking Plan (Amended), Scale 1:500, Drawing Number: MJG/PL-110-3, Rev: C, received by the Local Planning Authority on the 1st November 2021.
- Boundary Treatment Plan (Amended), Scale 1:500, Drawing Number: MJG/PL-101-1, Rev C, received by the Local Planning Authority on the 1st November 2021.
- Boundary Treatments 1800mm High Brickwork Screen Wall, Scale 1:20, Drawing Number: SD-110, Rev: B, received by the Local Planning Authority on the 2nd September 2020.
- Boundary Treatments 1800mm High Timber Fence, Scale 1:20, Drawing Number: SD-100, Rev: D, received by the Local Planning Authority on the 2nd September 2020.
- Detached Garage Details Single, Scale 1:50 & 1:100, Drawing Number: SD700, Rev: A, received by the Local Planning Authority on the 2nd September 2020.
- Detached Garage Details Double, Scale 1:50 & 1:100, Drawing Number: SD701, Rev: B, received by the Local Planning Authority on the 2nd September 2021.
- Landscape Plan (Amended), Scale 1:250, Drawing Number: GHIM-WW01-C, received by the Local Planning Authority on the 22nd July 2021.
- Landscape Management Plan (Amended), Scale 1:250, Drawing Number: GHIM-WW02-C, received by the Local Planning Authority on the 22nd July 2021.
- Site Surroundings, received by the Local Planning Authority on the 2^{6th} February 2021.
- External and Finished Floor Levels (Amended), Scale 1:200, Drawing Number: K36892/A1/102, Rev: D, received by the Local Planning Authority on the 22nd July 2021.
- Proposed Highway Longitudinal Sections (Amended), Scale 1:100 & 1:500, Drawing Number: K36892/A1/102, Rev: B, received by the Local Planning Authority on the 22nd July 2021.

- Noise Assessment Report, Prepared by RS Acoustic Engineering 22nd July 2021, received by the Local Planning Authority on the 22nd July 2021.
- Economic Benefits Report, Prepared by Homes by Gleeson August 2020, received by the Local Planning Authority on the 2nd September 2020.
- Proposed Highway Levels (Amended), Scale 1:200, Drawing Number: K36892/A1/100, Rev: B, received by the Local Planning Authority on the 22nd July 2021.
- External Works Layout (Amended), Scale 1:200, Drawing Number: K36892/A1/110, Rev: A, received by the Local Planning Authority on the 2nd July 2021.
- 211 & 301 House Type Contemporary – Elevations (Amended), Scale 1:100, Drawing No: 21-211_301-C, received by the Local Planning Authority on the 23rd May 2022.
- 211 & 301 House Type Contemporary – Elevations (Handed) (Amended), Scale 1:100, Drawing No: 21-211_301-C-(h), received by the Local Planning Authority on the 23rd May 2022.
- 211 & 301 Floor Plans, Scale 1:100, Drawing No: MJG/PL-107-7, received by the Local Planning Authority on the 31st May 2022.
- 301 & 211 Floor Plans, Scale 1:100, Drawing No: MJG/PL-107-7, received by the Local Planning Authority on the 31st May 2022.
- 301 House Type Contemporary – Planning Drawing (Amended), Scale 1:100, Drawing No: 21-301- C-0001, Rev: C03, received by the Local Planning Authority on the 27th May 2022.
- 303 House Type Contemporary – Elevations (Amended), Scale 1:100, Drawing No: 21-303- C-0301, Rev: C01, received by the Local Planning Authority on the 23rd May 2022.
- House Type 303 Floor Plans, Scale 1:100, Drawing No: 303/1E, received by the Local Planning Authority on the 2nd September 2020.
- 353 House Type Contemporary – Planning Drawings (Handed) (Amended), Scale 1:100, Drawing No: 21-353- C-0001-(h), Rev: C01, received by the Local Planning Authority on the 23rd May 2022.
- 358/9 House Type Contemporary – Planning Drawings (Amended), Scale 1:100, Drawing No: 21-358/9- C-0001, Rev: C01, received by the Local Planning Authority on the 27th May 2022.
- 358/9 House Type Contemporary – Planning Drawings (Handed) (Amended), Scale 1:100, Drawing No: 21-358/9- C-0001-(h), Rev: C01, received by the Local Planning Authority on the 27th May 2022.
- 450 House Type Contemporary – Elevations (Amended), Scale 1:100, Drawing No: 21-450- C-0301, Rev: C01, received by the Local Planning Authority on the 26th April 2022.
- House Type 450 Floor Plans, Scale 1:100, Drawing Number: 450/1A, received by the Local Planning Authority on the 27th September 2021.

- 450 House Type Contemporary – Planning Drawing (Handed) (Amended), Scale 1:100, Drawing No: 21-450- C-0001-(h), Rev: C01, received by the Local Planning Authority on the 23rd May April 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. Before development commences at this site a Light Assessment based around the night-time operations of the adjacent commercial garage must be submitted to and approved in writing by the Local Planning Authority. Any approved remedial action identified within this assessment must be implemented before the development is first occupied and must be retained at all times thereafter.

Reason

To protect residential amenity.

4. Before development commences, a Construction Management Plan must be submitted to and approved in writing by the Local Planning Authority. This plan must include provide details of dust emissions, noise and vibration, and must identify remedial action to prevent nuisance. The development must be carried out in accordance with the approved details at all times thereafter.

Reason

In order to protect residential amenity.

Prior to Occupation Conditions:

5. Prior to the first occupation of the development hereby approved 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.

6. 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:
- Boundary Treatment Plan (Amended), Scale 1:500, Drawing Number: MJG/PL-101-1, Rev C, received by the Local Planning Authority on the 1st November 2021.
 - Boundary Treatments 1800mm High Brickwork Screen Wall, Scale 1:20, Drawing Number: SD-110, Rev: B, received by the Local Planning Authority on the 2nd September 2020.
 - Boundary Treatments 1800mm High Timber Fence, Scale 1:20, Drawing Number: SD-100, Rev: D, received by the Local Planning Authority on the 2nd September 2020.

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

Reason

To protect residential amenity

7. Prior to the first occupation of any dwelling hereby approved, the mitigation measures identified within the approved document 'Noise Assessment Report, Prepared by RS Acoustic Engineering 22nd July 2021, received by the Local Planning Authority on the 22nd July 2021', must be installed. Once installed the mitigation measures must be retained in accordance with these approved details at all times thereafter.

Reason

To protect residential amenity.

8. Prior to the first occupation of any dwelling hereby approved, the proposed landscaping at this site must be planted in accordance with the following approved document 'Landscape Plan (Amended), Scale 1:250, Drawing Number: GHIM-WW01-C, received by the Local Planning Authority on the 22nd July 2021'. Once installed the landscaping must be retained in accordance with these approved details and managed in accordance with the following approved document 'Landscape Management Plan (Amended), Scale 1:250, Drawing Number: GHIM-WW02-C, received by the Local Planning Authority on the 22nd July 2021', at all times thereafter.

Reason

To enhance the appearance of the development in the interest of visual amenities of the area and to ensure a satisfactory landscaping scheme.

9. Prior to the first occupation of any dwelling hereby approved, the proposed access to the site must be installed in accordance with the following approved plan 'Planning Layout (Amended), Scale 1:500, Drawing No: MJG/PL-110, Rev: K, received by the Local Planning Authority on the 23rd May 2022'. The approved access must be retained at all times thereafter in accordance with these approved details.

Reason

In the interests of highway safety

Other conditions:

10. The development hereby approved must be carried out in accordance with the schedule of materials set out in the approved plan 'Planning Layout (Amended), Scale 1:500, Drawing No: MJG/PL-110, Rev: K, received by the Local Planning Authority on the 23rd May 2022', and retained as such at all times thereafter.

Reason

In the interest of visual amenity.

11. The existing stone wall along the north east frontage of the site must be retained at all times in accordance with the details shown on the approved 'Planning Layout (Amended), Scale 1:500, Drawing No: MJG/PL-110, Rev: K, received by the Local Planning Authority on the 23rd May 2022'. This wall should not be altered without the prior written consent of the Local Planning Authority.

Reason

In the interest of visual amenity.

12. Construction site operating hours will be Monday-Friday 08:00 to 18:00 and Saturdays 08:00 to 13:00. No construction on Sundays or Bank Holidays.

Reason

In the interest of residential amenity.

13. All HGV deliveries to the site must be carried out solely between the hours of 09:00 and 17:00 Monday to Friday. There must be no HGV deliveries on Saturdays, Sundays and/or Bank Holidays.

Reason

In the interest of residential amenity.

Informatives:

1. Prior to the commencement of this development, the requirements of Planning Conditions 4, 5, 6, 7, 8, and 10 of Outline Planning Approval Ref: 4/17/2143/001 are required to be submitted and approved in writing by the Local Planning Authority.
2. The development hereby approved must be carried out in accordance with conditions 2, 9, and 11 of Outline Planning Approval Ref: 4/17/2143/001.
3. All external lighting must meet the guidelines and obtrusive limits details in the institute of lighting professionals Guidance Notes for the Reduction of Obtrusive light (GN01:2011).

4. 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

21ST June 2022

PP Pat Graham
Chief Executive

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.