

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

NOTICE OF GRANT OF PLANNING PERMISSION

Chris Bugler Architects Ltd  
The Barn  
Baycliffe House  
Baycliff  
Ulverston  
LA12 9RN  
FAO Mr Chris Bugler

**APPLICATION No: 4/22/2132/0B1**

**VARIATION OF CONDITION 4 (DRAINAGE MANAGEMENT) OF PLANNING APPROVAL  
4/17/2418/0R1 RESERVED MATTERS APPLICATION FOR THREE BEDROOMED 2 STOREY  
DWELLING  
PLOT 2, FORMER COUNCIL YARD, HOLBORN HILL, MILLOM**

**Mr & Mrs James**

The above application dated 17/03/2022 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:

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, received by the Local Planning Authority on the 8<sup>th</sup> December 2017.
  - Block Plan, Scale 1:200, Drawing No: SK 102, received by the Local Planning Authority on the 8<sup>th</sup> December 2017.
  - Elevations (Amended), Scale 1:100, Drawing No: SK 101B, received by the Local Planning Authority on the 19<sup>th</sup> January 2018.
  - Floor Plans, Scale 1:100, Drawing No: Sk100B, received by the Local Planning Authority on the 8<sup>th</sup> December 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 drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted drawing of "Proposed Drainage Layout and Manhole Construction Details", ref: K32716/A1/11 Rev B dated 13<sup>th</sup> December 2016 which was prepared by R.G. Parkins & Partners LTD (as approved under application 4/16/2339/OR1). For the avoidance of doubt and unless otherwise agreed in writing by the Local Planning Authority, surface water must drain at the restricted rate of 6.5 l/s into the combined sewer. The development shall be completed in accordance with the approved details and maintained at all times thereafter.

#### 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.

4. The development must be carried out in accordance with and implement all of the details and mitigation measures specified within the following approved documents:
  - Sustainable Drainage Maintenance & Management Plan on behalf of Bay View Close RTM Company Limited for Bay View Close, Millom – Rev C, received by the Local Planning Authority on the 17<sup>th</sup> March 2022.
  - Proof of Right to Manage Co, received by the Local Planning Authority on the 17<sup>th</sup> March 2022.

The development shall subsequently be completed, maintained and managed in accordance with the approved details.

#### 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.

5. The development hereby approved must be carried out in accordance with the List of External materials approved as part of condition 5 of permission 4/17/2418/OR1, as detailed within correspondence dated 22<sup>nd</sup> January 2022. Development must be carried out in accordance with the approved details and so maintained thereafter.

Reason

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

6. Footways shall be provided that link continuously to the nearest existing footway as part of the development and ramps shall be provided on each side of every junction to enable wheelchairs, pushchairs etc. to be safely manoeuvred at kerb lines. Details of all such footways and ramps shall be submitted to and approved by the Local Planning Authority in writing before development commences. Any details so approved shall be constructed as part of the development.

Reason

To ensure that pedestrians and people with impaired mobility can negotiate road junctions in relative safety.

7. Prior to the commencement of any construction works an access shall be formed which provides visibility splays of 2.4m x 43m in accordance with the approved plan External Works Layout, Drawing No: K32716/A1/04B, received by the Local Planning Authority on the 12<sup>th</sup> December 2016 (as approved under application 4/16/2339/0R1). Once constructed the access shall be maintained in accordance with the approved details at all times thereafter.

Reason

To ensure that the new access road is constructed within a reasonable timescale in the interests of highway safety.

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

Reason

In the interests of highway safety.

**Informative:**

It is the applicant's responsibility to demonstrate the exact relationship between any United Utilities' assets and the proposed development. United Utilities offers a fully supported mapping service and we recommend the applicant contact our Property Searches Team on 03707 510101 to obtain maps of the site.

**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

05/05/2022

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

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](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.