

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER  
2015 (AS AMENDED) SCHEDULE 2, PART 11 CLASS B

**PRIOR APPROVAL FOR DEMOLITION**

Day Cummins Ltd  
Unit 4A Lakeland Business Park  
Lamplugh Road  
Cockermouth  
CA13 0QT  
FAO: Mr Michael Dawson

**APPLICATION No: 4/22/2277/0F1**

**APPLICATION TO DETERMINE IF PRIOR APPROVAL IS REQUIRED TO DEMOLISH THE MAIN  
HOTEL BUILDING (RESUBMISSION OF 4/21/2451/0F1)  
GROVE COURT HOTEL, CLEATOR**

**Mr Colin Benn**

I refer to the above application which has been made under the prior approval procedure for demolition.

Copeland Borough Council, as Local Planning Authority, has determined to **PRIOR APPROVAL IS REQUIRED AND APPROVED** for the proposed demolition subject to adherence to the following planning conditions:

1. The demolition/works must be carried out within a period of 5 years from the date of this decision.

Reason

To comply with the requirements of Part 11 Class B.2 (b) (ix) (aa) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

2. The demolition must be carried out in accordance with the following application plans and documents:

Application Form dated 27 June 2022.

Existing Site Plan = Reference 5464 drawing number 10

Demolition Statement Rev A dated September 2021

Survey for Bats, Barn Owls and Breeding Birds prepared by Steve Wake, received on 28 June 2022

Bat Scoping Survey prepared by UES Ltd, reference UES03068/01, dated 13<sup>th</sup> August 2020

Planning Statement prepared by Day Cummins received on 28 June 2022

Heritage Statement and Impact Assessment prepared by Townscape dated August 2020

#### Reason

To comply with the requirements of Part 11 Class B.2 (b) (viii) (aa) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

3. Demolition shall be carried out in strict accordance with the Demolition Method Statement set out in the Demolition Statement Rev A dated September 2021.

#### Reason:

To safeguard the amenity of neighbouring occupiers and to comply with the requirements of Part 11 Class B.2 (b) (viii) (aa) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

4. The mitigation measures shall be installed in accordance with the mitigation strategy set out in the Survey for Bats, Barn Owls and Breeding Birds prepared by Steve Wake, received on 28 June 2022. Once installed the mitigation measures shall be maintained at all times thereafter.

#### Reason

For the avoidance of doubt and to secure suitable mitigation to protect bats on the site and to comply with the requirements of Part 11 Class B.2 (b) (viii) (aa) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

5. Prior to the commencement of the development tree protection measures shall be put in place to provide adequate protection to the mature trees contained within the site that are covered by a Tree Preservation Order. The protective measures should be maintained until the development is complete

Reason:

For the avoidance of doubt and to prevent harm to protected trees and to comply with the requirements of Part 11 Class B.2 (b) (viii) (aa) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Please read the accompanying notice



PP Pat Graham  
Chief Executive

29<sup>th</sup> July 2022

## **NOTICE**

If you are aggrieved by the decision of the Authority to refuse your application or to impose conditions on the permission with which you are dissatisfied, you may appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990. All appeals are handled on behalf of the Secretary of State by the Planning Inspectorate.

If you want to appeal against this decision then you must do so within 6 months of the date of this notice, or such longer period as the Secretary of State may, at any time, allow. Although the Secretary of State can allow a longer period for giving notice of an appeal, he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

Appeals must be made electronically. You can find more information online at [www.gov.uk/appealplanning-decision](http://www.gov.uk/appealplanning-decision) or using a form which you can get from the Planning Inspectorate Customer Support Team (0303 444 50 00).

Please note only the applicant possesses the right of appeal.

The Secretary of State need not consider an appeal if it seems to him that the Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions any development order and to any directions given under a development order. In practice, the Secretary of State does not refuse to consider appeals solely because the Authority based its decision on a direction given by him