

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

NOTICE OF GRANT OF PLANNING PERMISSION

Day Cummins Ltd
Lakeland Business Park
Lamplugh Road
Cockermouth
CA13 0QT
FAO Mrs L Coe

APPLICATION No: 4/22/2285/0F1

**CHANGE OF USE FROM CLASS F1 (OFFICE, EDUCATION, WORKHOP) APPROVED UNDER 4/97/0101/0 TO CLASS E(d) (OFFICE, EDUCATION, GYM); REPLACE SECTIONS OF GLAZING IN SOME EXISTING WINDOWS WITH EXTRACT LOUVRES
UNIT 2, OLD PROSPECT WORKS, MAIN STREET, DISTINGTON**

Together We CIC

The above application dated 29/06/2022 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 hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason

To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

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: -
 - Existing and Proposed Plans, scales 1:100, 1:500 and 1:1250, drawing number

- 5739-01-C, received 25th August 2022;
- Planning Statement, written by Day Cummins Ltd, dated 22nd June 2022, received 29th June 2022;
 - Transport Form, received 5th August 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.

Prior To Use Condition

3. The use hereby approved must not be commenced until the parking requirements have been constructed in accordance with the approved plan. Any such parking provision must be retained and be capable of use when the development is completed and must not be removed or altered without the prior consent of the Local Planning Authority.

Reason

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

Other Conditions

4. The use as a gym hereby permitted must not be open to the public/customers outside the following times:

Monday – Friday – 08:00 – 20:00

Saturdays – 09:00 – 12:00

Sundays and Bank Holidays – CLOSED

Reason

To minimise potential disturbance to nearby residences and to safeguard the amenities of the locality in accordance with Policy ST1 of the Copeland Local Plan.

5. There must be no amplified music played outside the following hours:

Monday to Friday – 09:30 – 10:30 and 18:00 – 20:00

Reason

To ensure the amenity of the neighbouring dwellings and in accordance with Policy ST1 of the Copeland Local Plan.

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

09th November 2022

A handwritten signature in black ink, appearing to read 'N. S. Hayman' with a stylized flourish at the end.

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.