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**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).**  
**NOTICE OF GRANT OF OUTLINE PLANNING PERMISSION**

Aditus Architectural Services Limited  
17 Swan Street  
Longtown  
CA6 5UY  
FAO: Dan Clements

**APPLICATION No: 4/22/2294/001**

**OUTLINE APPLICATION FOR THE SITING OF 3 NO HOLIDAY  
ACCOMMODATION PODS/UNITS INCLUDING APPROVAL OF SITE LAYOUT,  
ACCESS, PARKING & SCALE (NO OF UNITS ONLY) WITH ALL OTHER  
MATTERS RESERVED  
ROTHERSYKE HOUSE, EGREMONT**

**Mrs Chelsea Wright**

The above application dated 13/07/2022 has been considered by the Council in pursuance of its powers under the above mentioned Act and OUTLINE PLANNING PERMISSION HAS BEEN GRANTED subject to the following conditions:

**Standard Conditions:**

1. The scale, appearance, and landscaping must be approved by the Local Planning Authority.

**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. Detailed plans and drawings with respect to the matters reserved for subsequent approval must be submitted to the Local Planning Authority within three years of the date of this permission and the development hereby permitted must be commenced not later than the later of the following dates:-

- a) The expiration of THREE years from the date of this permission
- Or
- b) The expiration of TWO years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

**Reason**

To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

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

- Location Plan (Amended), Scale 1:1250, Number: 2128-02A, received by the Local Planning Authority on the 22<sup>nd</sup> May 2023.
- Site Plan (Amended), Scale 1:200, Number: 2128-01C, received by the Local Planning Authority on the 7<sup>th</sup> August 2023.
- Design and Access Statement (Amended), Prepared by Aditus Architectural Services, received by the Local Planning Authority on the 22<sup>nd</sup> May 2022.
- Drainage Report, Prepared by Kingmoor Consulting September 2022, received by the Local Planning Authority on the 27<sup>th</sup> September 2022.
- Tree Survey, Arboricultural Report and Tree Constraints Plan, Prepared by Rowan Tree Surveys, received by the Local Planning Authority on the 4<sup>th</sup> May 2023.

**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:**

4. Prior to development commencing a Wastewater/Foul Drainage design for the Development must be submitted to, and approved in writing by the Local Planning Authority. The drainage scheme must include:
- i) Foul and surface water shall drain on separate systems.

- ii) Evidence that any wastewater drainage systems mitigate the risk of pollution to groundwater, for the lifetime of the development.
- iii) Incorporate mitigation measures to manage the risk of sewer and channel surcharge, where applicable.

Prior to occupation of the development (hereby permitted) wastewater drainage shall be completed in accordance with the agreed design and subject to receipt of an Environmental Permit, or consent of the Environment Agency.

#### Reason

To manage the risk of pollution to the underlying aquifer, abstracted for drinking water supply and to promote sustainable development.

5. No development must commence until a surface water drainage scheme has been submitted to, and approved in writing, by the Local Planning Authority. The drainage schemes must include:

- i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water, in accordance with BRE365;
- ii) A restricted rate of discharge of surface water, agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
- iii) Incorporate mitigation measures to manage the risk of sewer or culvert surcharge, where applicable;
- iv) Use a SuDS management treatment train, to protect surface water and groundwater;
- v) Evidence that any surface water drainage system mitigate the risk of pollution to groundwater for the lifetime of the development.
- vi) A maintenance schedule (identifying the responsible parties).

The approved scheme must also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Prior to occupation of the proposed development, the drainage scheme must be completed, in accordance with the approved details, and retained thereafter for the lifetime of the development.

## Reason

To manage the risk of pollution to the underlying aquifer, abstracted for drinking water supply and to promote sustainable development and secure proper drainage and prevent flooding.

6. No development must take place until a Construction Environment Management Plan, including Pollution Risk Assessments and Method Statements, has been submitted to, and approved in writing by the Local Planning Authority. The Statement must provide for:
  - i) Protection of surface and groundwater resources;
  - ii) Best practise on the use and storage of fuels, oils and chemicals, to remove the risk of causing pollution during construction;
  - iii) loading and unloading of plant and materials;
  - iv) storage of plant and materials used in constructing the development;
  - v) the parking of vehicles of site operatives and visitors;
  - vi) wheel washing facilities;
  - vii) a scheme for recycling/disposing of waste, resulting from construction works;

The approved Construction Method Statement must be adhered to throughout the construction period for the development.

## Reason

To prevent pollution of groundwater and flooding and ensure there is no contamination to public water supply during construction.

7. The development must not commence until visibility splays providing clear visibility of 65m to the north and 61 metres to the south measured from 2.4 metres down the centre of the access road and the nearside channel line of the carriageway edge have been provided at the junction of the access road with the county highway.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be planted or be permitted to grown within the visibility splay which obstruct the visibility splays.

The visibility splays must be constructed before general development of the site commences so that construction traffic is safeguarded.

#### Reason

In the interests of highway safety and in accordance Policy DM22 of the Copeland Local Plan and the relevant provisions of the National Planning Policy Framework.

8. The carriageway and footpaths must be designed, constructed, and drained to the satisfaction of the Local Planning Authority and in this respect further details, including longitudinal/cross sections, must be submitted to the Local Planning Authority for approval before work commences on site. No work must be commenced until a full specification has been approved. Any works so approved must be constructed before the development is complete and retained at all times thereafter.

#### Reason

To ensure a minimum standard of construction in the interests of highway safety in accordance Policy DM22 of the Copeland Local Plan and the relevant provisions of the National Planning Policy Framework.

9. Development must not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. The CTMP must include details of:
  - i) retained areas for vehicle parking, manoeuvring, loading and unloading for their specific purpose during the development;
  - ii) cleaning of site entrances and the adjacent public highway;
  - iii) details of proposed wheel washing facilities;
  - iv) the sheeting of all HGVs taking spoil to/from the site to prevent spillage or deposit of any materials on the highway;
  - v) construction vehicle routing;
  - vi) the management of junctions to and crossings of the public highway and other public rights of way/footway;
  - vii) surface water management details during the construction phase

#### Reason

To ensure the undertaking of the development does not adversely impact upon the fabric or operation of the local highway network and in the interests of highway and pedestrian safety in accordance Policy DM22 of the Copeland Local Plan and the relevant provisions of the National Planning Policy Framework.

10. Prior to the commencement of development, an Arboricultural Method Statement, which includes adequate tree protection measures, must to

submitted to and approved in writing by the Local Planning Authority. The approved Arboricultural Method Statement must be implemented in full prior to and during construction activity on the site.

Reason

This is in order to ensure the safety and stability of the development, in accordance with the provisions of Policy ST1 of the Copeland Local Plan 2013 – 2028.

11. No development must take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These works must include hard surfacing, means of enclosure, finished levels or contours etc. Landscaping must be carried out in accordance with the approved details and retained at all times thereafter.

Reason

To safeguard and enhance the character of the area and secure high-quality landscaping in accordance with the requirements of Policy DM26 of the Copeland Local Plan 2013 – 2028.

12. No development must take place until a schedule of landscape maintenance has been submitted to and approved in writing by the Local Planning Authority. The schedule must include a specification for new trees and shrubs, a detailed planting design, details for its implementation and a five-year maintenance scheme. Development must be carried out in accordance with the approved schedule at all times thereafter.

Reason

To safeguard and enhance the character of the area and secure high-quality landscaping in accordance with the requirements of Policy DM26 of the Copeland Local Plan 2013 – 2028.

Prior to Installation Conditions:

13. Prior to their first installation within the development hereby approved, a scheme detailing the proposed external lighting must be submitted and approved in writing by the Local Planning Authority. The development must be carried out and retained in accordance with the approved detail at all times thereafter.

Artificial lighting to the development must conform to requirements to meet the Obtrusive Light Limitations For Exterior Lighting Installations for Environmental Zone E2 within the Institute of Light Engineers Guidance Notes For the Reduction of Obtrusive Lighting GN01 dated 2005.

Reason

In order to safeguard the amenities of adjoining residential occupiers in accordance with the provisions of Policy ST1 of the Copeland Local Plan 2013-2028.

Prior to Occupation Conditions:

14. No pods/units must be occupied until the access road including footpaths to serve such unit have been constructed in all respects and brought into full operational use.

Reason

In the interests of highway safety and in accordance Policy DM22 of the Copeland Local Plan and the relevant provisions of the National Planning Policy Framework.

15. No pods/units must be occupied until the measures to prevent surface water discharging onto or off the highway have been installed in accordance with the approved plan:

Site Plan (Amended), Scale 1:200, Number: 2128-01C, received by the Local Planning Authority on the 7th August 2023.

These measures should be retained at all times thereafter.

Reason

In the interests of highway safety and in accordance Policy DM22 of the Copeland Local Plan and the relevant provisions of the National Planning Policy Framework.

Other Conditions:

16. This permission gives outline approval for a maximum of three pods/units only at this site.

Reason

To ensure an appropriate form of development at this site in accordance with the provisions of Policy ST1 of the Copeland Local Plan 2013 - 2028.

17. Any access gates installed within the site must be of a style which do not open onto the highway and must be retained as such at all times thereafter.

Reason

In the interest of highway safety.

**Informatives:**

1. In view of the fact that this application, if granted, could increase the number of persons in the area (including trade people) the applicant should liaise with the Resilience Unit office via [emergency.planning@cumbria.gov.uk](mailto:emergency.planning@cumbria.gov.uk) to allow for further discussion to ensure the applicant and their trades people/contractors are aware of the appropriate information and actions to take should there be an incident at the Sellafield site.
2. Please note that all sewage effluent discharges to ground within SPZ 1 require an Environmental Permit. It was recommended that the applicant contact the Environment Agency (EA), to discuss whether or not a new discharge to ground is likely to be granted a permit.
3. Any works within or near the Highway must be authorised by Cumberland Council and no works shall be permitted or carried out on any part of the Highway including Verges, until you are in receipt of an appropriate permit allowing such works. Enquires should be made to Cumberland Councils Street Work's team - [streetworks.central@cumbria.gov.uk](mailto:streetworks.central@cumbria.gov.uk)

Fees: <https://www.cumbria.gov.uk/roads-transport/fees.asp>

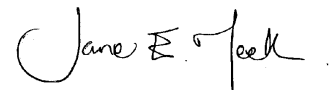
Please be advised that the Highway outside and or adjacent to the proposal must be kept clear and accessible at all times.

**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

A handwritten signature in black ink, reading "Jane E. Meek". The signature is written in a cursive style with a large initial 'J' and a distinct 'E'.

Jane Meek  
Assistant Director  
Thriving Place and Investment

08<sup>th</sup> September 2023

**APPROVALS  
(OUTLINE, FULL RESERVED MATTERS & HOUSEHOLDER)**

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.