

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

NOTICE OF GRANT OF PLANNING PERMISSION

SRE Associates  
10 Parklands Drive  
Cockermouth  
CA13 0WX  
FAO Simon Blacker

**APPLICATION No: 4/22/2295/0B1**

**VARIATION OF CONDITION 2, PLANNING CONDITION 15 AND PLANNING CONDITION 16 OF APPLICATION REF. 4/13/2148/0F1 – THE REUSE OF PREVIOUSLY DEVELOPED SITE FOR HOLIDAY DEVELOPMENT COMPRISING 19 HOLIDAY UNITS, A LEISURE FACILITY, MANAGER ACCOMMODATION, FORMATION OF ACCESSWAY, A BRIDGE OVER DUB BECK & WILDLIFE HABITAT PLAN. PROPOSED AMENDMENT OF SPECIFICATION OF WINDOWS FROM TIMBER TO ALUMINIUM AND AMENDMENT OF PROPOSED ROOF SLATE FINISH**

**WEDDICAR HALL, CLEATOR MOOR**

**Messrs Cartmell and McNicholas**

The above application dated 13/07/2022 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:-

*Approved Details – Application Ref. 4/13/2148/0F1*

- Site plan reference 07106-00C scale 1:750 received on 02 February 2010
- Site layout plan reference 07106-01D, scale 1:500, received on 11 March 2010
- Farmhouse and leisure elevations 1, reference 07106-03F, scale 1:150, received on 02 February 2010

- Farmhouse and leisure floor plans, reference 07106-02G, scale 1:100, received on 11 March 2010
- Dairy Option 1 floor plans, reference 07106-05F, scale 1:100, received on 02 February 2010
- Former Mill building ground floor and first floor plans, reference 07106-08C, scale 1:100, received on 02 February 2010
- 6 Bed house type floor plans and elevation, reference 07106-20B, scale 1:100, received on 02 February 2010
- Site sections, reference 07106-21A, scale 1:200, received on 02 February 2010
- Units 2, 3, 4 and 5 plans and elevations, reference 07106-23C, received on 11 March 2010
- Units 8, 9, 10, and 11 plans and elevations, reference 07106-24B, scale 1:100, received on 02 February 2010
- Units 12, 13, 14, 15, 16 and 17 plans and elevations, reference 07106-25B, scale 1:100, received on 02 February 2010
- Location Plan, reference 07106-26B, scale 1:2500, received on 02 February 2010
- Barn Owl nesting box detail, reference 07106-27A, received on 02 February 2010
- Schematic drainage proposals, reference 07106-28C, received on 02 February 2010
- Landscaping drawing proposed, reference 01, scale 1:250, received on 02 February 2010 as amended by the letters from Margaret Hardy of Taylor Hardy Ltd, reference MEH/J/C07/216, dated 19<sup>th</sup> and 22<sup>nd</sup> April 2010
- Landscaping drawing proposed mitigation, reference 02, scale 1:250, received on 02 February 2010
- Statement in support prepared by Taylor and Hardy Limited, received on 02 February 2010
- Archaeological desk based assessment and archaeological building survey prepared by Gerry Martin Associates Ltd, received on 02 February 2010
- General habitat, wildlife and European protected species scoping survey report prepared by Open Space, received on 02 February 2010
- Bat survey prepared by Open Space, received on 02 February 2010
- Barn Owl presence/absence survey prepared by Open Space, received on 02 February 2010
- Presence/absence survey for great crested newts prepared by Open Space, received on 02 February 2010
- Reptile presence/absence survey, prepared by Open Space, received on 02 February 2010
- Tree and hedge survey report prepared by Open Space, received on 02 February 2010
- Freshwater pearl mussel letter dated 28 July from Open Space to Mr P. Cartmell
- Habitat and species management proposals report prepared by Open Spaces, received on 02 February 2010
- Design and access statement prepared by Architects Plus, received on 02 February 2010
- Flood risk assessment prepared by Mr G. Noonan, received on 02 February 2010

- Tourism viability and sustainability report prepared by IH Solutions, received on 02 February 2010
- Letter received from Margaret Hardy of Taylor Hardy Ltd, reference MEH/J/C07/216, dated 19<sup>th</sup> April 2010 relating to disability issues

*Approved Details Planning Conditions 11 and 12 – Application Ref. 4/13/2148/0F1*

- WEDDICAR HALL, CLEATOR MOOR. PHASE 2: SITE INVESTIGATION & GAS MONITORING REPORT  
CORBRUND DEVELOPMENTS LIMITED JUNE 2012
- ADDENDUM TO CEGS PHASE 1 DESK STUDY, REVA APRIL 2011 & SITE INVESTIGATION & GAS MONITORING REPORT, REVO JUNE 2012

*Approved Details Planning Conditions 13 – Application Ref. 4/13/2148/0F1*

- Schematic Drainage Proposals – Drawing No. 07 106-28C

*Approved Details Planning Conditions 14 – Application Ref. 4/13/2148/0F1*

- Materials Details/Samples approved 5<sup>th</sup> July 2016

*Approved Details Planning Conditions 17 – Application Ref. 4/13/2148/0F1*

- Approved Unit 6 to be accessible.
- 6 Bed House Type – Units 6&7 Floor Plans & Elevations – Drawing No. 07106-20A
- Site Layout – Drawing No. 07106-01D

*Approved Details Planning Conditions 18 – Application Ref. 4/13/2148/0F1*

- Drawing No. CDL-001\_001
- Drawing No. CDL-001\_002

*Approved Details Planning Conditions 19 – Application Ref. 4/13/2148/0F1*

- Pavement Construction Details – Drawing No. CDG746/Am.0
- Site Plans – South Section 1:750

*Approved Details Planning Conditions 20 – Application Ref. 4/13/2148/0F1*

- Outline Construction Method Statement For Proposed Access Road Bridge To Weddicar Hall Housing Development At Weddicar Hall NR Frizington Cumbria – Ref. WDS/05/1217/RP01 ModA
- General Arrangement – Drawing No. WDS/05/1217/100
- Bridge Deck Details – Drawing No. WDS/05/1217/101
- Abutment/Foundation No.1 Details – Drawing No. WDS/05/1217/102
- Abutment/Foundation No.2 Details – Drawing No. WDS/05/1217/103
- Site Plan – Drawing No. 07106-00 C

*Approved Details Planning Conditions 23 – Application Ref. 4/13/2148/0F1*

- Open Space Letter dated 13<sup>th</sup> August 2013

*Approved Details Planning Conditions 24 – Application Ref. 4/13/2148/0F1*

- Tree and hedge survey report prepared by Open Space, received on 02 February 2010

*Approved Details Planning Conditions 25 – Application Ref. 4/13/2148/0F1*

- Open Space Letter dated 13<sup>th</sup> August 2013

*Section 73 Planning Application*

- Application Form received 5<sup>th</sup> September 2022
- Site Layout – Drawing No. 07106-01D received 13<sup>th</sup> July 2022
- Window Specification received 13<sup>th</sup> July 2022 - Supplier: Alufold Direct Ltd, 13 Philips Road, Whitebirk Ind. Est., Blackburn. BB1 5AQ.  
Window Specification: AluFold Direct Slimline Aluminium Window in black. Frame: 58BW ST Slimline window outer: AW544r2-5/9005M 190mm Deep Nose Cill 9005M Jet Black.
- Proposed Slate received 13<sup>th</sup> July 2022 - Random green embelton slate

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 premises shall be used for holiday let accommodation and for no other purpose (including any other purpose in Class C of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason

The site is not considered appropriate for permanent residential use.

4. The premises shall not be used at any time as sole and principal residences by any occupants with the exception of the managers accommodation hereby approved.

Reason

The site is not considered appropriate for permanent residential use.

5. The premises shall not be used as a second home by any person.

Reason

The site is not considered appropriate for permanent residential use.

6. The owners/operators shall maintain an up to date register of the names of all the owners/occupiers of individual holiday units on the site, and of their main home addresses, and shall make this information available at all reasonable times to the Local Planning Authority.

Reason

The site is not considered appropriate for permanent residential use.

7. The occupation of the managers accommodation hereby approved shall be limited to a person solely or mainly employed at the holiday development. It shall not be occupied, sold or let as a separate dwelling unconnected with the holiday development.

Reason

An independent dwelling would be inappropriate in this location.

8. -

9. -

10. -

11. The development hereby approved shall be completed in accordance with the provisions of WEDDICAR HALL, CLEATOR MOOR. PHASE 2: SITE INVESTIGATION & GAS MONITORING REPORT CORBRUND DEVELOPMENTS LIMITED JUNE 2012 and ADDENDUM TO CEGS PHASE 1 DESK STUDY, REVA APRIL 2011 & SITE INVESTIGATION & GAS MONITORING REPORT, REVO JUNE 2012.

Reason

To protect controlled water and to ensure a safe form of development that poses no unacceptable risk of pollution to water resources or human health.

12. -

13. The approved scheme of foul and surface water drainage shall be made operational before the development is brought into use and shall be so maintained thereafter for the lifetime of the development.

Reason

To ensure the provision of a satisfactory drainage scheme.

14. Development shall be carried out in accordance with the approved external finishes and so maintained thereafter.

Reason

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

15. -

16. -

17. -

18. -

19. -

20. No holiday units hereby approved shall be occupied until the new bridge crossing Dub Beck hereby approved has been constructed and made operational.

Reason

For the avoidance of doubt and in the interests of highway safety.

21. There shall be no vehicular access to or egress from the site other than via the approved access.

Reason

To avoid vehicles entering or leaving the site by an unsatisfactory access or route, in the interests of road safety.

22. The development shall not commence until visibility splays providing clear visibility of 215 metres x 2.4 metres measured down the centre of the access road and the nearside channel line of the major road 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) Order 2015 (as amended) (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 grow within the visibility splay which obstructs the visibility splays. The visibility splays shall be constructed before general development of the site commences so that construction traffic is safeguarded.

Reason

To ensure provision of adequate visibility splays in the interests of highway safety.

23. The mitigation and planting measures detailed in Tree and Hedgerow Survey Report, prepared by Openspace, received on 02 February 2010 shall be completed in accordance with the approved scheme of implementation.

Reason

To ensure a satisfactory landscaping scheme.

24. The approved protection measures for the retained trees and hedgerows, including the erection of fencing and the installation of weight bearing root barrier membranes and appropriate ventilation / irrigation systems shall be installed and maintained for the duration of the construction of the development.

Reason

To adequately protect the existing trees and hedgerows on site which are considered worthy of retention in the interests of visual amenity.

25. The mitigation and compensation measures set out in the Habitat and Species Management Proposals Report, prepared by Openspace, received on 02 February

2010, and submitted as part of the planning application shall be implemented in accordance with the approved scheme of implementation.

Reason

To protect the ecological interests evident on 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

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

PP Pat Graham  
Chief Executive

24<sup>th</sup> October 2022



**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.