

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

NOTICE OF GRANT OF PLANNING PERMISSION

Alpha Design  
7 Europe Way  
Cockermouth  
CA13 0RJ  
FAO Mr Glen Beattie

**APPLICATION No: 4/22/2311/0R1**

**APPLICATION FOR APPROVAL OF RESERVED MATTERS FOR 1 NO. DETACHED DWELLING WITH DETACHED GARAGE RELATING TO ACCESS, APPEARANCE, LANDSCAPING, LAYOUT & SCALE FOLLOWING OUTLINE APPROVAL 4/21/2253/001 FOR RESIDENTIAL DEVELOPMENT FOLLOWING DEMOLITION OF EXISTING FARMHOUSE HOLLOWDYKE FARM, FRZINGTON ROAD, FRIZINGTON**

**Mr Nigel Kay**

The above application dated 22/07/2022 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:

**Conditions:**

Standard Conditions

1. The development shall be carried out in accordance with the plans submitted and in accordance with the conditions attached to the outline planning permission.

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. 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: -

Site Location Plan, scale 1:2500, drawing number 22/06/1025-01, received 22nd July 2022;  
Proposed Site Plan, scale 1:200, drawing number 22/06/1025-04b), received 26th August 2022;  
Proposed Plans, scale 1:100, drawing number 22/06/1025-05, received 22nd July 2022;  
Detached Garage - Proposed Plans and Elevations, scale 1:100, drawing number 22/06/1025-06, received 22nd July 2022;  
Schedule of Proposed Materials, received 22nd July 2022;  
Design and Access Statement, document reference 22/06/1025-DAS, received 15th September 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 Occupation Conditions

3. Prior to the first occupation of the dwelling hereby approved, the site boundary treatments must be constructed in accordance with the details set out in the approved Materials Schedule. Once constructed the boundary treatment must be retained in accordance with the approved details thereafter.

#### Reason

To enhance the appearance of the development in the interest of visual amenities of the area and to ensure the safeguarding of the neighbouring properties amenity. In accordance with Policies ST1 and DM12 of the Copeland Local Plan.

4. The new access hereby approved as detailed on the approved plan 'Proposed Site Plan, scale 1:200, drawing number 22/06/1025-04b), received 26th August 2022', must be constructed, completed and brought into use prior to the occupation of the dwelling hereby permitted. The access must remain operational as approved at all times thereafter.

#### Reason

To ensure that the proposed new access road is constructed within a reasonable timescale, in the interests of highway safety (and general amenity) in accordance with Policy DM22 of the Copeland Local Plan.

### Other Conditions

5. The development must be built in accordance with the submitted Materials Schedule and retained as such at all times thereafter.

#### Reason

To enhance the appearance of the development in the interest of visual amenities of the area and in accordance with Policy DM10 of the Copeland Local Plan.

6. The detached garage hereby approved must only be used in association with and ancillary to the residential property at Hollowdyke Farm and must not be used for any commercial or business purposes or as a separate residential unit whatsoever.

#### Reason

To ensure that non-conforming uses are not introduced into the area in accordance with Policies ST1 and DM18 of the Copeland Local Plan.

### **Informatives**

- 1) The development hereby approved must be carried out in accordance with conditions 4 and 6 of Outline Planning Approval Ref: 4/21/2253/001.
- 2) The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:

[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

### **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", with a stylized flourish at the end.

PP Pat Graham  
Chief Executive

16<sup>th</sup> September 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.