

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: 4/22/2375/0F1

PROPOSED DWELLING
SITE OF FORMER 3 MILL HOUSE, VALE VIEW, EGREMONT

Ms A Taylor

The above application dated 14/09/2022 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

- i) The development hereby permitted must 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. 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:-
 - Proposed Plans and Elevations: Location Plan, Block Plan, Proposed Site with Ground Floor Plan, Proposed Floor Plans, & Proposed Elevations (Amended),

Scale 1:100, 1:500 & 1:1250, Drawing No 1, Rev D, received by the Local Planning Authority on the 15th December 2022.

- Design and Access Statement, Prepared by Day Cummins Ltd October 2021, Revision B September 2022, received by the Local Planning Authority on the 14th September 2022.
- Flood Risk Assessment, Prepared by Rubicon Project Consultancy Ltd February 2022, received by the Local Planning Authority on the 14th September 2022.
- Phase 1: Desk Top Study Report (Preliminary Environmental Risk Assessment), Prepared by GEO Environmental Engineering September 2022, received by the Local Planning Authority on the 14th September 2022.
- Response to Planning Comments, received by the Local Planning Authority on the 22nd November 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.

Pre Commencement Conditions

3. Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme must be 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) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
 - iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
 - v) Foul and surface water shall drain on separate systems.

The approved schemes 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 schemes must be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason

To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with the provision of Policy ENV1 and Policy DM24 of the Copeland Local Plan 2013 – 2028.

4. Prior to the commencement of development, a Phase 2: Ground Investigation and Report must be undertaken in line with the recommendations with the approved document:
 - Phase 1: Desk Top Study Report (Preliminary Environmental Risk Assessment), Prepared by GEO Environmental Engineering September 2022, received by the Local Planning Authority on the 14th September 2022.

The report must be submitted to and agreed in writing by the Local Planning Authority before any works commence on site and must include a full sampling and testing regime for a suitable range of contaminants, an assessment made of their potential risk to health and an appraisal of any remediation measures required. The development must be completed in accordance with the approved details unless agreed in writing by the Local Planning Authority.

Reason:

To ensure that risks from land contamination are understood prior to works on site, both during the construction phase and to the future users of the land and neighbouring land, and any such risks are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors.

Prior to Erection of External Walling Conditions

5. No superstructure must be erected until samples and details of the materials to be used in the construction of the external surfaces of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. Development must be completed in accordance with the approved details of materials and must be retained for the lifetime of the development.

Reason

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

Prior to Use/Occupation Conditions:

6. The development hereby approved must not be occupied until the access and parking requirements have been constructed in accordance with the approved plan 'Proposed Plans and Elevations: Location Plan, Block Plan, Proposed Site with Ground Floor Plan, Proposed Floor Plans, & Proposed Elevations (Amended), Scale 1:100, 1:500 & 1:1250, Drawing No 1, Rev D, received by the Local Planning Authority on the 15th December 2022'. The approved access and parking provision must be retained at all times thereafter and must not be removed or altered without the prior consent of the Local Planning Authority.

Reason

In the interests of highway safety.

7. Prior to the first occupation of the dwelling hereby approved the proposed boundary treatment must be installed in accordance with the approved plan 'Proposed Plans and Elevations: Location Plan, Block Plan, Proposed Site with Ground Floor Plan, Proposed Floor Plans, & Proposed Elevations (Amended), Scale 1:100, 1:500 & 1:1250, Drawing No 1, Rev D, received by the Local Planning Authority on the 15th December 2022'. Once installed the boundary treatment must be retained in accordance with these approved details at all times thereafter.

Reason

In the interest of residential amenity.

Other Conditions

8. The development must be carried out in accordance with and implement all of the details and mitigation measures specified within approved document 'Flood Risk Assessment, prepared by Rubicon Project Consultancy Ltd February 2022, received by the Local Planning Authority on the 14th September 2022', and must be maintained as such at all times thereafter.

Reason

For the avoidance of doubt and to ensure that adequate measures are incorporated to protect the occupiers from flooding.

9. The development shall be carried out in accordance with and implement all of the details and mitigation measures specified within Phase 1: Desk Top Study Report

(Preliminary Environmental Risk Assessment), Prepared by GEO Environmental Engineering September 2022, received by the Local Planning Authority on the 14th September 2022, and shall be maintained as such at all times thereafter.

Reason

To ensure the protection of controlled waters from potential land contamination.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that order with or without modification) no external alterations (including replacement windows and doors) or extensions, conservatories, dormer, or enlargement shall be carried out to the dwelling, nor shall any detached building, enclosure, domestic fuel containers, pool or hardstandings be constructed within the curtilage other than those expressly authorised by this permission.

Reason

To safeguard the character and appearance of the development in the interests of the visual amenity of the area.

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

Reason

In the interest of highway safety.

12. Hours of work for noisy percussive works should be limited to 08.00 – 18.00 hours Monday to Friday and 08.00 – 13.00 Saturday with no works on Sunday and Bank / Public Holidays.

Reason

In the interests of amenities of surrounding occupiers during the construction of the development.

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. J. Hayhurst' followed by a stylized flourish.

Nick Hayhurst
Head of Planning and Place

20th December 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) 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.