



TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

NOTICE OF GRANT OF PLANNING PERMISSION

Martin Cuthell Ltd  
Whitestones  
Portinscale  
Keswick  
CA12 5RW  
FAO: Mr Martin Cuthell

**APPLICATION No: 4/22/2389/0F1**

**CHANGE OF USE OF EXISTING BOARDING HOUSE TO FORM APART-HOTEL (USE CLASS C1),  
INCLUDING ASSOCIATED INTERNAL WORKS, NEW VEHICLE EXIT FROM THE SITE; AND  
CREATION OF PARKING AREAS TO REAR  
GRINDAL HOUSE, MAIN STREET, ST BEES**

**Harrison Fell Limited**

The above application dated 26/09/2022 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:

1. 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 must be carried out in accordance with them:-

- Location Plan, Scale 1:1250, received by the Local Planning Authority on the 26<sup>th</sup> September 2022.
- Existing Site Plan, Scale 1:250, Drawing No: 2213.07, received by the Local Planning Authority on the 26<sup>th</sup> September 2022.
- Block Layout Plan as Proposed (Amended), Scale 1:250, Drawing No: 2131-200-PL, Revision H, received by the Local Planning Authority on the 12<sup>th</sup> December 2022.
- Existing Lower Floor Plan, Scale 1:100, Drawing No: 22.13/01a, received by the Local Planning Authority on the 26<sup>th</sup> September 2022.
- Existing Ground & First Floor Plan, Scale 1:100, Drawing No: 22.13/02a, received by the Local Planning Authority on the 26<sup>th</sup> September 2022.
- Existing Second Floor & Roof Space, Scale 1:100, Drawing No: 22.13/03a, received by the Local Planning Authority on the 26<sup>th</sup> September 2022.
- Proposed Lower Ground Floor Plan, Scale 1:100, Drawing No: 22.13/04a, received by the Local Planning Authority on the 26<sup>th</sup> September 2022.
- Proposed Ground Floor & First Floors, Scale 1:100, Drawing No: 22.13/05a, received by the Local Planning Authority on the 26<sup>th</sup> September 2022.
- Proposed Second Floor & Attic, Scale 1:100, Drawing No: 22.13/06a, received by the Local Planning Authority on the 26<sup>th</sup> September 2022.
- Site Access as Existing & Proposed, Scale 1:200, Drawing Number: 2131-EX-101, Rev A, received by the Local Planning Authority on the 26<sup>th</sup> September 2022.
- Planning Statement – Response to Conservation Officer Comments, received by the Local Planning Authority on the 31<sup>st</sup> October 2022.
- Planning Statement (Amended), Rev D 11/12/22, received by the Local Planning Authority on the 12<sup>th</sup> December 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. The new access and access road hereby approved must be constructed in accordance with the approved plan 'Block Layout Plan as Proposed (Amended)', Scale 1:250, Drawing No: 2131-200-PL, Revision H, received by the Local Planning

Authority on the 12<sup>th</sup> December 2022', and must be brought into use before work on the development commences.

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 T1 and DM22 of the Copeland Local Plan.

4. 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:

- retained areas for vehicle parking, manoeuvring, loading and unloading for their specific purpose during the development;
- cleaning of site entrances and the adjacent public highway;
- details of proposed wheel washing facilities;
- the sheeting of all HGVs taking spoil to/from the site to prevent spillage or deposit of any materials on the highway;
- construction vehicle routing;
- the management of junctions to and crossings of the public highway and other public rights of way/footway;
- Details of any proposed temporary access points (vehicular / pedestrian)
- surface water management details during the construction phase
- specific measures to manage and limit the impact on the school, including working hours, any special measures to accommodate pedestrians

Deliveries and movement of equipment on the road network surrounding the site must not take place during school muster times in the interests of road safety.

The development must be carried out in accordance with these approved details at all times thereafter.

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 with Policy T1 and DM22 of the Copeland Local Plan.

Prior to Operation Conditions:

5. The development hereby approved must not become operational until the new access, access road and parking have been completed in accordance with the

approved plan 'Block Layout Plan as Proposed (Amended), Scale 1:250, Drawing No: 2131-200-PL, Revision H, received by the Local Planning Authority on the 12<sup>th</sup> December 2022'. The access, access road, and parking must be retained in accordance with these approved details at all times thereafter.

Reason

In the interests of highway safety in accordance with Policy T1 and DM22 of the Copeland Local Plan.

6. The development must not become operational until visibility splays providing clear visibility of 56 metres to the west and 4 metres to the east measured 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 grow 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 in accordance with Policy T1 and DM22 of the Copeland Local Plan.

7. The development hereby approved must not become operational until the front sandstone boundary wall to the north of the site has been reduced in height in accordance with the details set out in the following approved documents:
  - Block Layout Plan as Proposed (Amended), Scale 1:250, Drawing No: 2131-200-PL, Revision H, received by the Local Planning Authority on the 12<sup>th</sup> December 2022.
  - Planning Statement (Amended), Rev D 11/12/22, received by the Local Planning Authority on the 12<sup>th</sup> December 2022.

The boundary wall should be retained in accordance with these details at all times thereafter.

Reason

In the interests of highway safety in accordance with Policy T1 and DM22 of the Copeland Local Plan, and in the interest of protecting the heritage asset in accordance with Policies ENV4 and DM27 of the Copeland Local Plan.

8. The surface water drainage for the development hereby approved, must be carried out in accordance with the following approved documents:

- Block Layout Plan as Proposed (Amended), Scale 1:250, Drawing No: 2131-200-PL, Revision H, received by the Local Planning Authority on the 12<sup>th</sup> December 2022.
- Planning Statement (Amended), Rev D 11/12/22, received by the Local Planning Authority on the 12<sup>th</sup> December 2022.

The development hereby approved must not become operational until the drainage scheme has been completed in accordance with these approved details and must be retained thereafter for the lifetime of the development.

Reason

To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.

Other Conditions:

9. The access road and one-way system hereby approved must only be operated in accordance with the details outline within the approved documents:

- Block Layout Plan as Proposed (Amended), Scale 1:250, Drawing No: 2131-200-PL, Revision H, received by the Local Planning Authority on the 12<sup>th</sup> December 2022.
- Planning Statement (Amended), Rev D 11/12/22, received by the Local Planning Authority on the 12<sup>th</sup> December 2022.

The one-way system must not be altered without the approval of the Local Planning Authority and must be retained at all times.

Reason

In the interests of highway safety in accordance with Policy T1 and DM22 of the Copeland Local Plan.

10. Access gates, if provided, shall be hung to open inwards only away from the highway.

Reason

In the interests of highway safety in accordance with Policy T1 and DM22 of the Copeland Local Plan.

11. The gradient of the access drive (exit) must be no steeper than 10% for a distance not less than 5m as measured from the carriageway edge of the adjacent highway.

Reason

In the interests of highway safety in accordance with Policy T1 and DM22 of the Copeland Local Plan.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), and the Use Classes Order 1987 (or any equivalent Order following the amendment, revocation and re-enactment thereof) the units of accommodation within the premises hereby approved must only be used as serviced accommodation within Use Class C1 and at no time used as residential dwellinghouses within Use Class C3. The units must not be occupied by any one individual, family or group for a period exceeding eight weeks in any three month period. The owner/occupier must maintain an up-to-date register of the names of all occupier of the units of accommodation and their home address, and must make this register available to the Local Planning Authority within 14 days of receipt of a written request.

Reason

The units are configured such that they do not provide the standard of residential amenity required for permanent occupation.

13. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. A suitable investigation and risk assessment will then be agreed upon by the Council and the developer and where remediation is necessary a remediation scheme must be prepared and submitted to and approved in writing by the Local Planning Authority.

Reason

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

**Informative:**

1. Any works within or near the Highway must be authorised by Cumbria County 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 (I.E Section 184 Agreement) allowing such works. Enquires should be made to Cumbria County Councils Street Work's team - [streetworks.central@cumbria.gov.uk](mailto:streetworks.central@cumbria.gov.uk)
2. Please be advised that the Highway outside and/or adjacent to the proposal must be kept clear and accessible at all times.
3. Discussions concerning any additional highway signage take place with Network Rail via Asset Protection.
4. A BAPA must be entered into for Network Rail Asset Protection involvement in the undertaking of the visibility splay wall height reducing works and highway works, in line with NRSWA given this is within 200m of a Level Crossing.
5. The installation of any external cooking extraction/ventilations systems or flues may require planning permission and listed building consent, therefore the applicant should discuss this with the Local Planning Authority prior to their use within the site.
6. 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. J. Hayhurst' with a stylized flourish at the end.

Nick Hayhurst  
Head of Planning and Place

15<sup>th</sup> 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](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.