



TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

NOTICE OF APPROVAL OF RESERVED MATTERS

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

APPLICATION No: 4/22/2393/0R1

**APPLICATION FOR APPROVAL OF RESERVED MATTERS RELATING TO ACCESS,
APPEARANCE, LANDSCAPING, LAYOUT & SCALE PURSUANT TO OUTLINE APPROVAL
4/19/2125/001 FOR A SINGLE DWELLING**

LAND ADJACENT TO 6 ROSE GARDENS, GILGARRAN

Gilgarran Estates

The above application dated 26/09/2022 has been considered by the Council in pursuance of its powers under the above Act and APPROVAL OF RESERVED MATTERS HAS BEEN GRANTED subject to the following conditions:

1. The development must 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 must relate to the following plans and documents as received on the respective dates and development must be carried out in accordance with them: -

Site Location Plan, scale 1:1250, received 26th September 2022;
Site Block Plan, scale 1:200, drawing number 04003 07, received 20th February 2023;
Proposed Floor Plans, scale 1:100, drawing number 04001 08, received 20th February 2023;

Proposed Elevations, scale 1:100, drawing number 05001 09, received 20th February 2023;
Nutrient Neutrality Statement, received 26th September 2022;
Drainage Report, written by Kingmoor Consulting, received 23th October 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 Commencement Conditions

3. The development must not commence until visibility splays providing clear visibility of 2.4 metres measured 46.7 metres south and 44.6 meters north 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 or object of any kind must be erected 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 with Policy DM22 of the Copeland Local Plan.

4. Details of all measures to be taken by the applicant/developer to prevent surface water discharging onto or off the highway must be submitted to the Local Planning Authority for approval prior to development being commenced. Any approved works must be implemented prior to the development being completed and must be maintained operational thereafter.

Reason

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

Prior to Use Condition

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 and in accordance with Policy DM10 of the Copeland Local Plan.

Prior to Occupation Conditions

6. Prior to the first occupation of the dwelling hereby approved, the boundary fence to the north of the site between 6 Rose Gardens and the new dwelling must be fully erected. The fence must be retained at all times thereafter in accordance with the approved details.

Reason

To ensure that the amenity of the neighbouring occupiers is maintained and in accordance with Policies DM10 and DM12 of the Copeland Local Plan.

7. Prior to the occupation of the development hereby approved, full details of both hard and soft landscape works must be submitted to and approved in writing by the Local Planning Authority. These works must include hard surfacing and means of enclosure as a minimum. Landscaping must be carried out in accordance with the approved details 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 to ensure a satisfactory landscaping scheme in accordance with Policy DM26 of the Copeland Local Plan.

Other Conditions

8. The stone boundary wall to the east and south of the site must be retained at its existing height and no sections removed, other than the access approved within this application, without the prior consent of the Local Planning Authority.

Reason

In order to preserve the heritage of the area and to provide screening for the proposed dwelling in accordance with Policy DM10 of the Copeland Local Plan.

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

Reason

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

Informatives

- 1) 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

- 2) Please note 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

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



Nick Hayhurst
Head of Planning and Place

21st March 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) 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.