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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: Mr Michael Podmore

APPLICATION No: 4/22/2407/0F1

**CONSTRUCTION OF THREE TWO STOREY, FOUR BEDROOMED DETACHED
DWELLINGS WITH ASSOCIATED INFRASTRUCTURE
THE KNOLL, HIGH HOUSE ROAD, ST BEES**

Mr Ian Wrigley

The above application dated 11/10/2022 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. 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:

- Application Form, received by the Local Planning Authority on the 11th October 2022.
- Covering Letter, received by the Local Planning Authority on the 11th October 2022.
- Site Location Plan (Amended), Scale 1:1250, Drawing No: 03, Rev: B, received by the Local Planning Authority on the 1st November 2022.
- Existing Site Plan (Amended), Scale 1:200, Drawing No: 01, Rev: D, received by the Local Planning Authority on the 1st November 2022.
- Proposed Site Plan & Section (Amended), Scale 1:200, Drawing No: 02, Rev: P, received by the Local Planning Authority on the 7th October 2024.
- Proposed Type B House Plans & Elevations, Scale 1:100, Drawing No: 07, Rev: -, received by the Local Planning Authority on the 28th March 2023.
- Proposed Type C House Plans & Elevations (Amended), Scale 1:100, Drawing No: 06, Rev: B, received by the Local Planning Authority on the 28th March 2023.
- Proposed Type D House Plan & Elevations (Amended), Scale 1:100, Drawing No: 08, Rev: B, received by the Local Planning Authority on the 30th November 2023.
- Heritage Statement, Prepared by Day Cummins, Document Ref: 5568-D-02, received by the Local Planning Authority on the 11th October 2022.
- Design and Access Statement (Amended), received by the Local Planning Authority on the 28th March 2023.
- Arboricultural Survey, Implication Assessment and Tree Protection, Prepared by Lowther February 2023, received by the Local Planning Authority on the 17th February 2023.
- Architect's Statement in Response to Conservation Officer's Comments, Prepared by Day Cummins, received by the Local Planning Authority on the 28th March 2023.
- Flood Map, received by the Local Planning Authority on the 11th October 2022.
- In-Roof PV Panels, received by the Local Planning Authority on the 2nd May 2023.
- Proposed Site Sections, Scale 1:200, Drawing No: 09, Rev: 09, received by the Local Planning Authority on the 7th October 2024.
- Email from Agent: Response to Parish Council, received by the Local Planning Authority on the 27th February 2024.
- Email from Agent, received by the Local Planning Authority on the 30th

November 2023.

- Arboricultural Consultant Response, received by the Local Planning Authority on the 27th February 2024
- Email from Agent: Response to Arboriculturalist, received by the Local Planning Authority on the 7th October 2024.

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 shall 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 shall 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 shall 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 Policies DS6 and DS7 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.

5. The development hereby approved must not commence until visibility splays providing clear visibility in accordance with approved plan 'Proposed Site Plan & Section (Amended), Scale 1:200, Drawing No: 02, Rev: P, received by the Local Planning Authority on the 7th October 2024' have been provided.

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 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 in accordance with Policy CO4 of the Copeland Local Plan.

6. The development must be carried out in accordance with and implement all of the mitigation and compensation measures set out in the approved documents:
 - Arboricultural Survey, Implication Assessment and Tree Protection, Prepared by Lowther February 2023, received by the Local Planning Authority on the 17th February 2023.
 - Arboricultural Consultant Response, received by the Local Planning Authority on the 27th February 2024
 - Email from Agent: Response to Arboriculturalist, received by the Local

Planning Authority on the 7th October 2024.

The development must be carried out in accordance with the approved document at all times thereafter. All protective fencing and root protection measures must be installed prior to any construction activity onsite and must be retained throughout the development.

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 N6 of the Copeland Local Plan.

Prior to Erection of External Walling Conditions:

7. 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 in accordance with Policy DS4 of the Copeland Local Plan.

Prior to First Use/Occupation Conditions:

8. Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:
 - ii) Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
 - iii) Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason

To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development in accordance with Policies DS6 and DS7 of the Copeland Local Plan.

9. Prior to their first use within the development hereby approved details of the proposed materials to be used within the proposed hardstanding must be submitted to an approved in writing by the Local Planning Authority. The development must be carried out in accordance with these 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 protect the heritage assets in accordance with Policies BE1 and BE2 of the Copeland Local Plan..

10. Prior to the first installation within the development hereby approved, details of the proposed solar panels will be submitted to and approved in writing by the Local Planning Authority. The development must be carried out in accordance with the approved details at all times thereafter and must not be altered without the prior consent of the Local Planning Authority.

Reason

To ensure a satisfactory appearance of the development in the interests of visual amenity in accordance with Policy DS4 of the Copeland Local Plan.

11. Prior to their first use within the development hereby approved details of the proposed boundary treatments must be submitted to an approved in writing by the Local Planning Authority. The development must be carried out in accordance with these 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 protect the heritage assets in accordance with Policies BE1 and BE2 of the Copeland Local Plan.

Other Conditions:

12. All hard and soft landscape works must be carried out in accordance with the details illustrated on the following approved documents:

- Proposed Site Plan & Section (Amended), Scale 1:200, Drawing No: 02, Rev: P, received by the Local Planning Authority on the 7th October 2024.

The approved works must be implemented in full during the first planting season following completion of the development. Any trees or shrubs which are removed, die or become severely damaged or diseased within ten years of their first planting must be replaced in the next planting season with a similar species and in a similar location within one growing season. Any alterations to the agreed Landscape Plan should be approved in writing by the Local Planning Authority.

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 N6 of the Copeland Local Plan.

13. 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 dwellings / buildings, 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 visual amenity in accordance with Policy DS4 of the Copeland Local Plan.

14. The existing stone boundary wall along High House Road must be retained at all times in accordance with the details submitted in the approved document 'Proposed Site Plan & Section (Amended), Scale 1:200, Drawing No: 02, Rev: P, received by the Local Planning Authority on the 7th October 2024'.

Reason

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

Informative:

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>](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



Nick Hayhurst
Head of Planning and Place
Inclusive Growth and Placemaking

20th December 2024

**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/appeal-planning-decision> . 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.