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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: 4/22/2429/0F1**

**DETACHED DWELLING WITH INTEGRAL GARAGE  
PLOT 7, RUSPER DRIVE, MOOR ROW**

**Mr J Patrick & Ms C Kerr**

The above application dated 31/10/2022 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:

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

Amended Location Plan – Plot 7, drawing no. 22/05/1022-03a, scale 1:1250, dated Oct 2022, amendment received 20/02/2023.

Amended Site Plan – Plot 7, drawing no. 22/05/1022-04b, scale 1:500, dated Oct 2022, amendment received 10/03/2023.

Amended Plans and Elevations, drawing no. 22/05/1022-09b, scale 1:100, dated Sept 2022, amendment received 10/03/2023.

#### 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.

### Drainage

3. The dwelling hereby approved shall connect into the installed drainage system that was approved under outline planning permission reference 4/16/2206/001 in accordance with the details set out in the e-mail from the Agent, Glen Beattie of Alpha Design, dated 4/04/2023. The drainage system shall be maintained and in use for the lifetime of the development`.

#### Reason

To ensure the new dwelling connects into the approved and installed drainage system on the site.

### Highways

4. The dwelling hereby approved shall not be occupied until the vehicular access and driveway has been constructed in accordance with the approved plans and brought into use. The vehicular access and driveway shall be retained and capable of use at all times thereafter and shall not be removed or altered without the prior written consent of the Local Planning Authority.

#### Reason

To ensure a minimum standard of access provision when the development is brought into use in accordance in the interests of highway safety.

5. The dwelling shall not be occupied until the estate road including footways serving the dwelling has been constructed in all respects to base course level and street lighting where it is to form part of the estate road has been provided and brought into full operational use.

#### Reason

In the interests of highway safety.

### Boundary Treatment

6. Before the dwelling is occupied a 1.8m high close boarded timber fence or wall shall be erected along the southern side boundary of the plot, details of which shall be submitted to and approved in writing by the Local Planning Authority before the fence/ wall is erected. The approved boundary treatment shall be retained thereafter in perpetuity.

Reason

To safeguard neighbouring amenities.

### **Informative – Coal Mining Area**

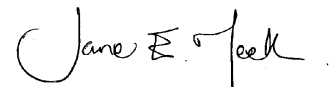
The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

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



Jane Meek

Assistant Director

Thriving Place and Investment

13<sup>th</sup> April 2023

**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.