

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

NOTICE OF GRANT OF PLANNING PERMISSION

Mold Consultancy Ltd
37 Side
2nd Floor
Newcastle Upon Tyne
NE1 3JA
FAO Mr Burak Tosun

APPLICATION No: 4/22/2462/0F1

**CONVERT 7 BEDROOM HOUSE & GROUND FLOOR RETAIL AREA TO RETAIL ON GROUND FLOOR; 1 BEDROOM FLAT ON FIRST FLOOR; 1 BEDROOM FLAT ON SECOND FLOOR & A STUDIO FLAT IN LOFT (RESUBMISSION)
28 DUKE STREET, WHITEHAVEN**

Mr Sedar Altindag

The above application dated 23/11/2022 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: -

Application form, received 23rd November 2022;
Site Location Plan, scale 1:500, drawing number A0.1, received 23rd November 2022;
Block Plan, scale 1:200, drawing number A0.2, received 23rd November 2022;

Proposed Ground Floor Plan, scale 1:200, drawing number A0.4, received 23rd November 2022;
Existing and Proposed Ground Floor Plans, scale 1:100, drawing number A1.0, received 23rd November 2022;
Existing and Proposed First Floor Plans, scale 1:100, drawing number A1.1, received 23rd November 2022;
Existing and Proposed Second Floor Plans, scale 1:100, drawing number A1.2, received 23rd November 2022;
Existing and Proposed Attic Floor Plans, scale 1:100, drawing number A1.3, received 23rd November 2022;
Existing and Proposed Front Elevations, scale 1:100, drawing number A3.0, received 20th December 2022;
Design and Access Statement, received 23rd 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.

3. Prior to its installation on the development hereby approved details and a full specification for the rooflight must be submitted to and approved in writing by the Local Planning Authority. The rooflight must be mounted flush to the roof surface and framed in a dark colour. Development must be carried out in accordance with the approved details and retained as such at all times thereafter.

Reason

To safeguard the appearance of the Conservation Area and in accordance with Policies ENV4 and DM27 of the Copeland Local Plan.

4. The replacement front doors must be of a timber construction in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority prior to its installation. Development must be carried out in accordance with the approved details and retained as such at all times thereafter.

Reason

In order to retain the character of the Conservation Area and in accordance with Policies ENV4 and DM27 of the Copeland Local Plan.

Informative

It should be noted that there are no parking permits being issued to businesses or residents of new developments.

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. S. Hayhurst' followed by a stylized flourish.

Nick Hayhurst
Head of Planning and Place

18th January 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) 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.