

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) – SECTION 73.

NOTICE OF GRANT OF PLANNING PERMISSION

Mr Tony Barnett
3 Geelong Terrace
Sandwith
WHITHAVEN
CA28 9UQ

APPLICATION No: 4/22/2480/0B1

**VARIATION OF CONDITION 2 (PLANS - TO CHANGE POSITION OF DWELLING ON PLOT) OF
PLANNING APPROVAL 4/20/2173/0F1 FOR A DETACHED DWELLING
LAND ADJACENT TO SCHOOL CROFT, SANDWITH, WHITEHAVEN**

Ms Olivia West

The above application dated 14/12/2022 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 must be commenced before the 7th July 2023.

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: -

Site Location Plan, scale 1:1250, received 21st April 2020;
Block Plan, scale 1:500, received 14th December 2022;
Ground Floor Plan, scale 1:50, drawing number 1 of 5, received 21st April 2020;
First Floor Plan, scale 1:50, drawing number 2 of 5, received 21st April 2020;
Sectional Drawing, scale 1:50, drawing number 3 of 5, received 21st April 2020;
Front and Rear Elevations, scale 1:50, drawing number 4 of 5, received 21st April

2020;
Side Elevations, scale 1:50, drawing number 5 of 5, received 18th June 2020;
Supporting Statement, received 21st April 2020.

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 the first occupation of the development hereby approved, full details of the foul and surface water drainage schemes, including attenuation measures and prevention from runoff to the highway, must be submitted to and approved in writing by the Local Planning Authority. The approved scheme must become operational before the development is brought into use and must be so maintained thereafter.

Reason

To ensure a satisfactory scheme of surface water disposal from the site in accordance with Policies ENV1 and DM11 of the Copeland Local Plan.

4. Prior to their first use on the development hereby approved, representative samples of the materials to be used on the external surfaces must be submitted to and approved in writing by the Local Planning Authority. Development must be carried out in accordance with the approved details and so maintained thereafter.

Reason

To ensure a satisfactory appearance of the development in the interests of visual amenity in accordance with Policy DM10 of the Copeland Local Plan.

5. Prior to the first occupation of the dwelling hereby approved, the ground floor window in the side elevation (facing east) must be glazed with obscure glass and maintained as such at all times thereafter.

Reason

To ensure the amenity of the adjacent property in accordance with Policy DM12 of the Copeland Local Plan.

6. 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 extensions, conservatories, dormer, or enlargement shall be carried out to the dwelling, 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 DM10 of the Copeland Local Plan and to ensure the amenity of the neighbouring properties in accordance with Policy DM12 of the Copeland Local Plan.

7. Prior to the first occupation of the development hereby approved, the parking and turning provision shown on the Block Plan and Side Elevations, scales 1:500 and 1:50, drawing number 5 of 5, received 18th June 2020 must be constructed and brought into use. The parking and turning provision must remain available at all times thereafter.

Reason

To ensure highway safety and the amenity of the dwelling known as School Croft and in accordance with Policy DM22 of the Copeland Local Plan.

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

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 a variation of condition 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' with a stylized flourish at the end.

Nick Hayhurst
Head of Planning and Place

08th February 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.