



**Cumberland Council
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Carlisle
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TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

NOTICE OF GRANT OF PLANNING PERMISSION

Harrison Ince Architects Ltd
Sunhouse
2-4 Little Peter Street
Knott Mill
Manchester
M15 4PS
FAO: Harrison Ince

APPLICATION No: 4/23/2006/0F1

FORM A NEW ROOF GARDEN TO EXISTING PUB

THE BRANSTY ARCH, BRANSTY ROW, WHITEHAVEN

JD Wetherspoon PLC

The above application dated 09/01/2023 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 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 7th July 2022;

Site Plan, scale 1:500, drawing number AS00-B, received 7th July 2023;

Block Plan, scale 1:1250, drawing number AS05, received 7th July 2023;

Proposed Ground Floor Plan, scale 1:100, drawing number AK07-A, received 7th July 2022;

Proposed Mid Level Floor Plan, scale 1:100, drawing number AK08-A, received, 16th January 2023;

Proposed First Floor Plan, scale 1:100, drawing number AK09-A, received 9th January 2023;

Proposed Garden Plan, scale 1:50, drawing number AL06-, received 17th February 2023;

Proposed Ground Floor GA Plan, scale 1:100, drawing number AL01-, received 9th January 2023;

Proposed Mid Level Floor GA Plan, scale 1:100, drawing number AL02-, received 9th January 2023;

Proposed Roof GA Plan, scale 1:100, drawing number AL05-, received 9th January 2023;

Proposed Garden Layout GA Plan, scale 1:100, drawing number AL03-, received 9th January 2023;

Proposed Sections, scale 1:100, drawing number AX01-, received 9th January 2023;

Proposed Elevations, scale 1:100, drawing number AV03, received 17th August 2023;

Proposed Stting Out Plan First Floor, scale 1:100, drawing number AL07, received 17th August 2023;

Noise Impact Assessment, written by Spectrum Consultants, received 9th January 2023;

Design and Access Statement, written by Harrison Ince Architects, received 13th July 2022;

JD Wetherspoon PLC Code of Conduct for Responsible Retailing - England, Scotland and Wales, received 20th February 2023;

Proposed Smoking Area, scale 1:50, drawing number AL12-, received 20th February 2023;

Premises Management Plan, received 22nd February 2023;

Mayfair Flags Specification, received 18th April 2023;
Paving Stone Sample, received 18th April 2023;
Millboard Sample, received 18th April 2023;
Millboard Advanced Grain Sample, received 18th April 2023;
Quartz Zinc Sample, received 18th April 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.

3. No development must take place, including any works of demolition, until a construction management plan or construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement must be adhered to throughout the construction period. The statement must provide for:
 - mitigation measures to prevent excessive noise from the site;
 - details of the control of external lighting;
 - parking of vehicles of site operatives and visitors;
 - routes for construction traffic;
 - hours of operation;
 - method of prevention of mud being carried onto highway;
 - pedestrian and cyclist protection;
 - arrangements for turning vehicles.

Reason

In the interests of safe operation of the highway and in order to maintain a satisfactory level of neighbouring amenity in accordance with Policies ST1 and DM10 of the Copeland Local Plan.

Prior to Use Conditions

4. Prior to first use of the beer garden, a Noise Management Plan must be submitted to and approved in writing by the Local Planning Authority. This must also include full details of how bottles, glasses, plates and cutlery will be

removed from the beer garden and disposed, as well as details on the control of patrons in the beer garden, and handling / recording of any complaints made.

Reason

To ensure adequate amenity for the surrounding residential properties in accordance with Policies ST1 and DM10 of the Copeland Local Plan.

5. Prior to first use of the beer garden, full details of the area to be used for outdoor smoking must be submitted to and approved in writing by the Local Planning Authority. Development must be undertaken in accordance with the approved details and retained as such at all times thereafter.

Reason

To ensure a reasonable level of amenity for surrounding properties in accordance with Policies ST1 and DM10 of the Copeland Local Plan.

6. Full details of the treatment of the northern boundary wall must be submitted to and approved in writing by the Local Planning Authority. Development must be in accordance with the approved details and completed before the first use of the beer garden hereby approved and must be retained at all times thereafter.

Reason

To ensure the safety of the users of the beer garden and in accordance with Policy DM10 of the Copeland Local Plan.

Other Conditions

7. Details of any external lighting that is to be installed in the beer garden must be submitted to and approved in writing by the Local Planning Authority prior to its installation. Details of the lighting must be in accordance with the Guidance Notes for the Reduction of Obtrusive Light produced by the Institute of Lighting Professionals and must be maintained as per the approved details at all times thereafter.

Reason

In order to ensure the amenity of the surrounding residential properties and in

accordance with Policies ST1 and DM10 of the Copeland Local Plan.

8. There must be no operational use of the beer garden hereby approved between the hours of 21:00 and 09:00 on any day.

Reason

To minimise potential disturbance to nearby residents as a result of noise and in accordance with Policy ST1 of the Copeland Local Plan.

9. During construction, development must take place during the following hours and at no other times:

Monday to Friday – 08:00 – 18:00

Saturday – 08:00 – 13:00

Reason

In order to ensure a reasonable standard of amenity for the surrounding properties in accordance with Policy ST1 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.

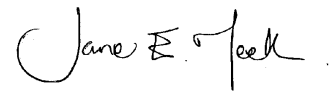
Further information is also available on the Coal Authority website at:

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 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 "Jane E. Meek". The signature is fluid and cursive, with a large initial "J" and a distinct "E".

Jane Meek
Assistant Director
Thriving Place and Investment

04th October 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/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.