

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

NOTICE OF GRANT OF PLANNING PERMISSION

South Parade Seascale Limited
Gillgrass Cottage
Wellington
Seascale
CA20 1ED
FAO: Mr Benjamin Seed

APPLICATION No: 4/23/2029/0F1

**CHANGE OF USE FROM CHARITY WALK IN CENTRE TO CAFÉ/RESTURANT/TAKEAWAY AND
ERECTION OF VENTILATION FLUE TO REAR ELEVATION
1A SOUTH PARADE, SEASCALE**

South Parade Seascale Limited

The above application dated 30/01/2023 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 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. This permission relates to the following plans and documents as received on the respective dates and development must be carried out in accordance with them:-

- Location Plan, Scale 1:1250, received by the Local Planning Authority on the 30th January 2023.
- Floor Plan, received by the Local Planning Authority on the 30th January 2023.
- Exterior Diagram Front Ventilation, received by the Local Planning Authority on the 30th January 2023.
- Exterior Diagram Rear Ventilation (Amended), received by the Local Planning Authority on the 27th February 2023.
- Photographs, received by the Local Planning Authority on the 30th January 2023.
- Flood Risk Assessment, Prepared by Rubicon Projects Consultancy Ltd August 2021, received by the Local Planning Authority on the 30th January 2023.
- Design and Access Statement (Amended), received on the 20th February 2023.
- Specification for Sheet Metal Ductwork (Amended), received by the Local Planning Authority on the 27th February 2023.
- Ventilation Cover Letter, received by the Local Planning Authority on the 27th February 2023.
- Examples of Ventilation Flue in Copeland, received by the Local Planning Authority on the 27th February 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.

Other Conditions:

3. The use of the property hereby permitted must only be open to the public/customers between:

- 10:00am – 21:00pm Tuesday to Friday;
- 11:30am – 21:00pm Saturday;
- 11:30am – 17:30pm Sunday and Bank Holidays.

Reason

To minimise potential disturbance to nearby residences and to safeguard the amenities of the locality.

4. Delivery and waste collection times for this site should only take place between 08:00 – 20:00 hours Monday to Saturday, and not at all on Sundays or Bank Holidays.

Reason

To minimise potential disturbance to nearby residences and to safeguard the amenities of the locality.

5. The development must be carried out in accordance with and implement all of the details and measures set out within the approved document Flood Risk Assessment, Prepared by Rubicon Projects Consultancy Ltd August 2021, received by the Local Planning Authority on the 30th January 2023. Once installed these measures shall be retained at all times thereafter.

Reason

To secure proper drainage and to manage the risk of flooding and pollution.

Informatives:

1. There is a public footpath (FP426000) opposite the proposal site. There shall be no obstruction to this during the construction works or after as a result of this proposal.
2. The premise would be subject to food safety inspection and would need a Premises Licence (under the Licensing Act 2003) if alcohol is to be sold.

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

23rd March 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.