



**Cumberland Council**  
**Cumbria House**  
**107-117 Botchergate**  
**Carlisle**  
**Cumbria CA1 1RD**  
**Telephone 0300 373 3730**  
**[cumberland.gov.uk](http://cumberland.gov.uk)**

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

NOTICE OF GRANT OF OUTLINE PLANNING PERMISSION

Mr Martin Birkett  
43 May Road  
Swinton  
Manchester  
Lancashire  
M27 5FS

**APPLICATION No: 4/23/2034/001**  
**OUTLINE APPLICATION (WITH ALL MATTERS RESERVED) FOR FIVE**  
**DWELLINGS**  
**BECKERMET SERVICE GARAGE, BECKERMET**

**Mr David Whitfield**

The above application dated 03/02/2023 has been considered by the Council in pursuance of its powers under the above mentioned Act and OUTLINE PLANNING PERMISSION HAS BEEN GRANTED subject to the following conditions:

Defining the Permission Conditions:

- i) The layout, scale, appearance, landscaping, and access must be approved by the Local Planning Authority.

Reason

To comply with Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. Detailed plans and drawings with respect to the matters reserved for subsequent approval must be submitted to the Local Planning Authority within three years of the date of this permission and the development hereby permitted must be commenced not later than the later of the following dates:-

a) The expiration of THREE years from the date of this permission

Or

b) The expiration of TWO years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

#### Reason

To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

3. 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 3<sup>rd</sup> February 2023.
- Existing Site Plan, Scale 1:500, received by the Local Planning Authority on the 3<sup>rd</sup> February 2023.
- Existing Site Plan, Scale 1:500, received by the Local Planning Authority on the 3<sup>rd</sup> February 2023.
- Photographic Survey Sheet 1 of 2, Scale 1:500, received by the Local Planning Authority on the 3<sup>rd</sup> February 2023.
- Photographic Survey Sheet 1 of 2, Scale 1:500, received by the Local Planning Authority on the 3<sup>rd</sup> February 2023.
- Design and Access Statement, received by the Local Planning Authority on the 3<sup>rd</sup> February 2023.
- Design Code, received by the Local Planning Authority on the 21<sup>st</sup> July 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.

4. This permission gives outline approval for a maximum of five dwellings only at this site.

Reason

To ensure an appropriate form of development at this site in accordance with the provisions of Policy ST1 of the Copeland Local Plan 2013 - 2028.

Pre-Commencement Conditions:

5. Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme must be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:
  - i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
  - ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
  - iii) Levels of the proposed systems including proposed ground and finished floor levels in AOD;
  - iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
  - v) Foul and surface water shall drain on separate systems.

The approved schemes must also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Prior to occupation of the proposed development, the drainage schemes must be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason

To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with the provision of Policy ENV1 and Policy DM24 of the Copeland Local Plan 2013 – 2028.

6. Prior to the commencement of any development at this site full detail of the proposed drainage maintenance schedule (identifying the responsible parties) for this development must be submitted to and approved in writing by the Local Planning Authority. The development must be carried out in accordance with the drainage maintenance schedule at all time thereafter.

Reason

To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with the provision of Policy ENV1 and Policy DM24 of the Copeland Local Plan 2013 – 2028.

7. The carriageway, driveways and parking areas, showing the provision of a vehicle turning space within each curtilage which allows vehicles to enter and leave the highway in a forward gear must be designed, constructed, drained to the satisfaction of the Local Planning Authority , and in this respect further details, including longitudinal/cross sections, must be submitted to the Local Planning Authority for approval before work commences on site. No work shall be commenced until a full specification has been approved. Any works so approved shall be constructed before the development is complete.

Reason

To ensure a minimum standard of construction in the interests of highway safety in accordance with the provisions of Policy T1 of the Copeland Local Plan 2013-2028.

8. Details of all measures to be taken by the applicant/developer to prevent surface water discharging onto or off the highway must be submitted to the Local Planning Authority for approval prior to development being commenced. Any approved works must be implemented prior to the development being completed and shall be maintained operational thereafter.

#### Reason

To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with the provision of Policy ENV1 and Policy DM24 of the Copeland Local Plan 2013 – 2028.

9. Any existing or proposed highway boundary (fence/wall) must be reduced or built to a height not exceeding 1.05m above the carriageway level of the adjacent highway in accordance with details submitted to the Local Planning Authority and which have subsequently been approved before development commences and must not be raised to a height exceeding 1.05m thereafter. This includes all boundary treatments within 2m of the carriageway edge (i.e. front garden fences/walls) to maintain intervisibility splays across the property frontages.

#### Reason

To ensure a minimum standard of construction in the interests of highway safety in accordance with the provisions of Policy T1 of the Copeland Local Plan 2013-2028.

10. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These works must include hard surfacing, means of enclosure, finished levels or contours etc. Landscaping must be carried out in accordance with the approved details and retained at all times thereafter.

#### Reason

To safeguard and enhance the character of the area and secure high-quality landscaping in accordance with the requirements of Policy DM26 of the Copeland Local Plan 2013 – 2028.

11. No development shall take place until a schedule of landscape maintenance has been submitted to and approved in writing by the Local Planning Authority. The schedule must include a specification for new trees and shrubs, a detailed planting design, details for its implementation and a five-year maintenance scheme. Development must be carried out in accordance with the approved schedule at all times thereafter.

Reason

To safeguard and enhance the character of the area and secure high-quality landscaping in accordance with the requirements of Policy DM26 of the Copeland Local Plan 2013 – 2028.

Other Conditions:

12. The development hereby approved, and any subsequent application, must be carried out in accordance with the approved document 'Design Code, received by the Local Planning Authority on the 21<sup>st</sup> July 2023' at all times. All applications for Approval of Reserved Matters following Outline Approval submitted pursuant to this planning permission shall accord with the provisions of the approved Design Code.

Reason

To protect the architectural and historical interest evident on the site in accordance with Policies ST1, ENV4, DM27 of the Copeland Local Plan 2013 - 2028.

13. 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 external alterations, including replacement windows, doors or skylights and roof coverings, or painting or rendering shall be carried out to the property, nor shall any building, enclosure, extension, porch, domestic fuel container, pool or hardstanding be constructed within the curtilage without the prior written consent of the Local Planning Authority.

Reason

To safeguard the traditional appearance of the buildings in the interests of visual amenity.

14. Construction site operating hours must only take place between the following hours:

- 08:00am to 18:00pm Monday to Friday; and
- 08:00am to 13:00 Saturdays

No construction works shall take place at any time on Sundays or Bank Holidays.

## Reason

To safeguard the amenity of neighbouring occupiers in accordance with the provisions of Policy ST1 of the Copeland Local Plan 2013-2028.

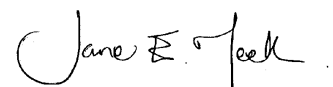
## Informatives

In view of the fact that this application, if granted, could increase the number of persons in the area (including trade people) I would be grateful if you could advise the applicant to liaise with the Resilience Office via [emergency.planning@westmorlandandfurness.gov.uk](mailto:emergency.planning@westmorlandandfurness.gov.uk) to allow for further discussion to ensure the applicant and their trades people/contractors are aware of the appropriate information and actions to take should there be an incident at the Sellafield site.

## 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> October 2023

**APPROVALS  
(OUTLINE, FULL RESERVED MATTERS & HOUSEHOLDER)**

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.