



**Cumberland Council**  
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**[cumberland.gov.uk](http://cumberland.gov.uk)**

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

**NOTICE OF GRANT OF PLANNING PERMISSION**

Alpha Design  
7 Europe Way  
Cockermouth  
CA13 0RJ  
FAO: Mr Glen Beattie

**APPLICATION No: 4/23/2083/0F1**

**REPLACEMENT DWELLING TYPES ON PLOTS 9, 10 AND 11  
PLOTS 9, 10 & 11 HIGH STILE GARDENS, WHITEHAVEN**

**G & A.M. Lawson Ltd**

The above application dated 23/03/2023 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:

1. The development hereby permitted shall begin not later than three years from the date of this decision.

Reason:

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Permission shall relate the following plans and documents as received on the respective dates and development shall be carried out in accordance with them:

Planning Application Form - Material specifications as superseded by email received from Glen Beattie 11<sup>th</sup> May 2023

Site Location Plan – Drawing No. 13/07/805-01.  
Revised Site Plan (Residential) – Drawing No. 13/07/805-69d)  
Masterplan – Drawing No. M3252-PA-02-V4  
Landscape Layout – Drawing No. M3252-PA-01-V4  
Residential Development – Dwelling Type C/3 (Plots 8, 9 &10) – Floor Plans – Drawing No. 13/07/805-87a)  
Residential Development – Dwelling Type C/3 (Plots 8, 9 &10) – Working Elevations – Drawing No. 13/07/805-89a)  
Residential Development – Dwelling Type M (Plots 11) – Proposed Plans & Elevations – Drawing No. 13/07/805-90

#### Reason

To conform with the requirement of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsary Purchase Act 2004.

3. The surface water from the dwellings hereby approved shall discharge to the mains sewer via the surface water attenuation tank infrastructure system approved under planning application ref. 4/20/2377/0B1 and by no other means.

#### Reason

For the avoidance of doubt and to secure an appropriate form of drainage in accordance with the provisions of Policy ENV1 and Policy DM24 of the Copeland Local Plan 2013-2028.

4. No dwelling hereby approved shall be occupied until the highway required to serve that dwelling has been constructed to a minimum of base course level.

#### Reason

To ensure a minimum standard of access provision when the development is brought into use in accordance with the provisions of Policy T1 of the Copeland Local Plan 2013-2028.

5. No dwelling hereby approved shall be occupied until the access and parking facilities to serve that dwelling have been constructed in accordance with the approved details. The access and parking facilities shall be retained and capable of use at all times thereafter.

#### Reason

To ensure a minimum standard of access provision for the lifetime of the development in accordance with the provisions of Policy T1 of the Copeland Local Plan 2013-2028.

6. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out in the first planting season following completion of the development. Any trees / shrubs which are removed, die, become severely damaged or diseased within five years of their planting shall be replaced in the next planting season with trees / shrubs of similar size and species to those originally required to be planted.

**Reason**

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

7. The development hereby approved shall be completed in accordance with the provisions of Report Ref. 2018-3413 prepared by Geo Environmental Engineering received 10<sup>th</sup> May 2021.

**Reason**

To prevent harm to human health and the environment in accordance with the provisions of Policy ST1 of the Copeland Local Plan 2013-2028.

**Informative**

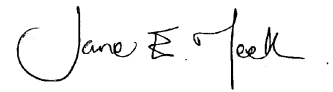
The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:  
[www.gov.uk/government/organisations/the-coal-authority](http://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

15<sup>th</sup> May 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](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.