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TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

NOTICE OF APPROVAL OF RESERVED MATTERS

Ashwood Design Associates Ltd
Solway House Business Centre
Parkhouse Road
Carlisle
CA6 4BY
FAO: Mr Joseph Connelly

APPLICATION No: 4/23/2100/0R1

**RESERVED MATTERS APPLICATION RELATING TO ACCESS, ROAD LAYOUT
& DRAINAGE ONLY PURSUANT TO OUTLINE PLANNING APPROVAL
4/21/2368/001 FOR RESIDENTIAL DEVELOPMENT**

LAND TO SOUTH OF SOUTHRIGG, NETHERTOWN ROAD, ST BEES

Sunshine Properties West Coast Limited

The above application dated 06/04/2023 has been considered by the Council in pursuance of its powers under the above Act and APPROVAL OF RESERVED MATTERS HAS BEEN GRANTED subject to the following conditions:

Standard Conditions

1. The development must be carried out in accordance with the plans submitted and in accordance with the conditions attached to the outline planning permission.

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.

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, Drawing No: 666, received by the Local Planning Authority on the 6th April 2023.
- Site Plan – Road Layout Only (Amended), Scale 1:1250, Drawing No: 005, Revision: J, received by the Local Planning Authority on the 28th June 2023.
- Construction Traffic Management Plan (Amended), received by the Local Planning Authority on the 27th July 2023.
- Plot 4 & 5 Nethertown Road St Bees Drainage Details, Scale 1:20, Drawing No: 22-C-16767-02, Rev: A, received by the Local Planning Authority on the 6th April 2023.
- Plot 4 & 5 Nethertown Road St Bees Proposed Drainage Plan, Scale 1:200, Drawing No: 22-C-16767-01, Rev: B, received by the Local Planning Authority on the 25th May 2023.
- Letter from Unblock Cumbria Ltd dated 17th March 2023, received by the Local Planning Authority on the 6th April 2023.
- Drainage Strategy Report, Prepared by A L Daines & Partners November 2022, Rev A, received by the Local Planning Authority on the 6th 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.

Pre Commencement Conditions:

3. No further works are to commence on the application site until visibility splays are installed/constructed in accordance with the approved plan 'Site Plan – Road Layout Only (Amended), Scale 1:1250, Drawing No: 005, Revision: J, received by the Local Planning Authority on the 28th June 2023'.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be planted or be permitted to grown within the visibility splay which obstruct the visibility splays.

Reason

In the interests of highway safety in accordance with Policy T1 and DM22 of the Copeland Local Plan.

4. No further works are to commence on the application site until the existing front boundary wall along Nethertown Road has been lowered in accordance with the approved plan. 'Site Plan – Road Layout Only (Amended), Scale 1:1250, Drawing No: 005, Revision: J, received by the Local Planning Authority on the 28th June 2023'. The boundary wall must be retained at this approved height at all times thereafter.

Reason

In the interests of highway safety in accordance with Policy T1 and DM22 of the Copeland Local Plan.

Prior to Occupation Conditions:

5. Prior to the first occupation of any dwelling hereby approved the shared drainage for the site must be carried out/installed in accordance with the following approved documents:
 - Drainage Strategy Report, Prepared by A L Daines & Partners November 2022, Rev A, received by the Local Planning Authority on the 6th April 2023.
 - Construction Traffic Management Plan (Amended), received by the Local Planning Authority on the 27th July 2023.

The shared drainage scheme must be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason

To ensure the provision of a satisfactory drainage scheme in accordance with the provision of Policy ENV1 and Policy DM24 of the Copeland Local Plan 2013 – 2028.

6. Prior to the first occupation of each dwelling hereby approved, the drainage scheme for that occupied plot must be installed in accordance with the following approved documents:

- Drainage Strategy Report, Prepared by A L Daines & Partners November 2022, Rev A, received by the Local Planning Authority on the 6th April 2023.

The drainage scheme for each plot must be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason

To ensure the provision of a satisfactory drainage scheme in accordance with the provision of Policy ENV1 and Policy DM24 of the Copeland Local Plan 2013 – 2028.

7. The new access and access road hereby approved as detailed on the approved plan 'Site Plan – Road Layout Only (Amended), Scale 1:1250, Drawing No: 005, Revision: J, received by the Local Planning Authority on the 28th June 2023', must be constructed, completed and brought into use prior to the occupation of any dwelling hereby permitted. The access road must remain operational as approved at all times thereafter.

Reason

To ensure that the proposed new access road is constructed within a reasonable timescale, in the interests of highway safety (and general amenity) in accordance with Policy T1 and DM22 of the Copeland Local Plan.

Other Conditions:

8. The development must implement all of the measures set out in the approved document Construction Traffic Management Plan (Amended), received by the Local Planning Authority on the 27th July 2023. The development must be carried out in accordance with the approved details at all times thereafter.

Reason

To ensure the undertaking of the development does not adversely impact upon the fabric or operation of the local highway network and in the interests of highway and pedestrian safety in accordance with Policy T1 and DM22 of the Copeland Local Plan.

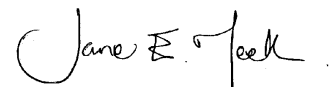
Informatives:

1. The development hereby approved must be carried out in accordance with conditions 1, 2, 3, 8, 9, and 10 of Outline Planning Approval Ref: 4/21/2368/001.
2. Any works within or near the Highway must be authorised by Cumbria County Council and no works shall be permitted or carried out on any part of the Highway including footways and verges, until you are in receipt of an appropriate permit allowing such works. This also applies to erecting scaffolding or placing traffic management or skips on the highway and the creation of vehicle cross-overs from the highway to a private driveway. Enquires should be made to Cumbria County Councils Street Work's team - streetworks.west@cumbria.gov.uk.

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

25th August 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) 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.