



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

NOTICE OF GRANT OF PLANNING PERMISSION – SECTION 73

Mr Stephen Poultney
23 Vicarage Lane
Cockermouth
Cumbria
CA13 9DQ

APPLICATION No: 4/23/2211/0B1

**VARIATION OF CONDITION 2 (PLANS) OF PLANNING APPROVAL
REFERENCE 4/22/2131/0R1 - EXTENSION OF ROOF ON REAR ELEVATION TO
ENCLOSE BALCONY AND INCREASE RIDGE HEIGHT BY 0.5 METRES
PLOT 3, BANK YARD ROAD, PARTON**

Mr I Madrick

The above application dated 20/07/2023 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 must be commenced before the 5th April 2025.

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 20th July 2023;

Site Location Plan and Site Plan, scales 1:1250 and 1:100, drawing number SP-202102-01B, received 20th July 2023;

Lower and Ground Floor Plans, scale 1:50, drawing number SP-202102-02D, received 20th July 2023;

First Floor Plan and Elevations, scale 1:100 and 1:50, drawing number SP-202102-03C, received 20th July 2023;

Proposed Street view, scale 1:100, drawing number SP-202101-06A, received 20th 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.

Pre-commencement Condition

3. No superstructure must be erected until samples and details of the materials to be used in the construction of the external surfaces of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. Development must be completed in accordance with the approved details of materials and must be retained for the lifetime of the development.

Reason

To ensure a satisfactory appearance of the development in the interests of visual amenity and in accordance with Policy DM10 of the Copeland Local Plan.

Pre-occupation Conditions

4. Prior to the first occupation of the dwelling hereby approved, any windows situated on the north and south elevations must be fitted with fully obscured glazing and be retained as such at all times thereafter.

Reason

To safeguard the amenity of the neighbouring properties and in accordance with Policy DM12 of the Copeland Local Plan.

5. Prior to the first occupation of the dwelling hereby approved, full details of any privacy glass to be utilised as a balustrade on the balcony must be submitted to and approved in writing by the Local Planning Authority.

Reason

In order to protect the amenity of the neighbouring properties and in accordance with Policy DM12 of the Copeland Local Plan.

6. Prior to the first occupation of the dwelling hereby approved, the balustrade on the balcony must be erected according to the approved details and retained as such at all times thereafter.

Reason

In order to ensure that the amenity of the neighbouring properties is protected in accordance with Policy DM11 of the Copeland Local Plan.

7. Prior to the first use of the development hereby approved, full details of both hard and soft landscape works must be submitted to and approved in writing by the Local Planning Authority. These works must include hard surfacing and means of enclosure as a minimum. Landscaping must be carried out in accordance with the approved details.

Reason

To enhance the appearance of the development in the interest of visual amenities of the area and to ensure a satisfactory landscaping scheme in accordance with Policy DM26 of the Copeland Local Plan.

8. The access drive must be surfaced in bituminous or cement bound materials or otherwise bound and must be constructed and completed prior to the development being brought into use. This surfacing must extend for a distance of at least 5 metres inside the site, as measured from the carriageway edge of the adjacent highway and be retained as such at all times.

Reason

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

Informative Note

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.

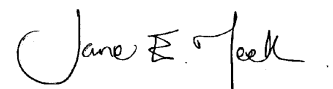
Further information is also available on the Coal Authority website at:

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



Jane Meek

Assistant Director

Thriving Place and Investment

14th September 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.