



**Cumberland Council
Cumbria House
107-117 Botchergate
Carlisle
Cumbria CA1 1RD
Telephone 0300 373 3730
cumberland.gov.uk**

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

NOTICE OF GRANT OF PLANNING PERMISSION

Mr Terry Ferguson
Groewood House
Sandwith
Whitehaven
CA28 9UG

APPLICATION No: 4/23/2292/0F1

ERECTION OF A DWELLING & DETACHED GARAGE/WORKSHOP

FIELD ADJACENT TO CHURCH STREET, CLEATOR

Mr Terry Ferguson

The above application dated 17/10/2023 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 shall 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. 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: -

Planning Application Form, received 17th October 2023;

Site Location Plan, scale 1:2500, drawing no. TF-PDD-001 Rev F, received 22nd March 2024;

Existing And Proposed Site Plan, scale 1:500, drawing no. TF-PDD-001 Rev F, received 22nd March 2024;

Block and Drainage Plan, scale 1:200, drawing no. TF-PDD-001 Rev F, received 22nd March 2024;

Proposed Floor Plan and Elevations, scale 1:50, drawing no. TF-PDD-002 Rev L, received 22nd March 2024;

Proposed Elevations, scale 1:50, drawing no. TF-PDD-003 Rev H, received 22nd March 2024;

Dimensional Plan and Section, scale 1:50, drawing no. TF-PDD-004 Rev F, received 22nd March 2024.

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.

Prior to Commencement

3. Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall 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 drainage 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 shall 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 shall 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.

Prior to the Installation

4. Prior to their use on the site representative samples of materials to be used on the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and so maintained thereafter.

Reason

To ensure a satisfactory appearance of the development in the interests of visual amenity.

Prior to Use/Occupation Conditions

5. The dwelling hereby approved shall be not occupied until the approved parking layout has been constructed and made available for use in accordance with the approved Proposed Block Plan, drawing no. TF-PDD-001 Rev F, received by the Local Planning Authority on 22nd March 2024. The approved parking layout shall be retained for the lifetime of the development.

Reason

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

6. The dwelling hereby approved shall be not occupied until the approved measures are installed to prevent surface water from flowing onto or off the highway has been constructed and made available for use in accordance with the details illustrated on the approved Proposed Block Plan, drawing no. TF-

PDD-001 Rev F, received by the Local Planning Authority on 22nd March 2024. The approved ACO drainage measures shall be retained for the lifetime of the development.

Reason

For the avoidance of doubt and in the interests of highway safety in accordance with Policy DM22 of the Copeland Local Plan.

7. The approved new fence and boundary hedge shall be installed in the first planting season following the occupation of the house. It shall not exceed 900mm above the footway level of the adjacent highway in accordance with the details set out on the approved Proposed Block Plan, drawing no. TF-PDD-001 Rev F, received by the Local Planning Authority on 22nd March 2024 and shall be maintained to a maximum height of 900mm thereafter.

Reason

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

Other Conditions

8. Visibility splays providing clear visibility of 43 metres measured 2.4 metres down the centre of the access road and the nearside channel line of the carriageway edge shall be maintained at the junction of the access road with the county highway. 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 grow within the visibility splay which obstruct the visibility splays.

Reason

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

9. The detached garage must be used for the parking of private vehicles and the storage of domestic equipment only in association with the main dwelling and for no commercial or business purposes whatsoever.

Reason

To ensure that non-conforming uses are not introduced into the area in accordance with Policy DM10 of the Copeland Local Plan.

Informative Notes

1. A PROW public footpath number 403005 lies adjacent to/runs through the site, the Applicant must ensure that no obstruction to the footpath occurs during, or after the completion of the site works.
2. 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.

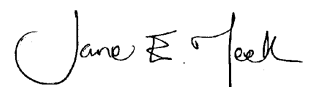
Further information is also available on the Coal Authority website at:

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

04th April 2024

**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.