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TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

DRAFT NOTICE OF GRANT OF PLANNING PERMISSION

**This Permission is Subject to a Section 106 Agreement**

Savills (UK) Ltd  
The Lumen  
St James Boulevard  
Newcastle Helix  
Newcastle Upon Tyne  
NE4 5BZ  
FAO: Mr Neil Morton

**APPLICATION No: 4/23/2313/0F1**

**FULL PLANNING APPLICATION FOR THE RESIDENTIAL DEVELOPMENT OF  
164 DWELLINGS (USE CLASS C3), VEHICLE ACCESS FROM ULDALE VIEW,  
LANDSCAPING, SUDS, AND ASSOCIATED INFRASTRUCTURE WORKS  
LAND TO THE SOUTH OF DALEVIEW GARDENS, EGREMONT**

**Gleeson Homes**

The above application dated 06/11/2023 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 must 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. This permission relates to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them:-
  - Covering Letter, prepared by Savills September 2023, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.
  - Site Location Plan, Scale 1:1250, Drawing No: 01, Revision: -, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.
  - Existing Site Plan and Topographical Survey, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.
  - Detailed Site Layout Plan (Amended), Scale 1:500, Drawing No: 100, Revision: J, received by the Local Planning Authority on the 27<sup>th</sup> May 2024.
  - Detailed Site Layout Plan (Unit Typology) (Amended), Scale 1:500, Drawing No: 802, Revision: -. received by the Local Planning Authority on the 11<sup>th</sup> April 2024.
  - Proposed Boundary and Elevation Plan (Amended), Scale 1:500, Drawing No: 103, Revision: E, received by the Local Planning Authority on the 27<sup>th</sup> March 2024.
  - Proposed Boundary and Elevation Plan Including Character Areas, Scale 1:500, Drawing No: 801, Revision: -, received by the Local Planning Authority on the 27<sup>th</sup> March 2024.
  - Proposed Parking Provision Plan (Amended), Scale 1:500, Drawing No: 104, Revision: B, received by the Local Planning Authority on the 4<sup>th</sup> April 2024.
  - Landscape Plan (Amended), Scale 1:500, Drawing No: WW/L01, Revision: A, received by the Local Planning Authority on the 4<sup>th</sup> April 2024.
  - Landscape Management Plan (Amended), Scale 1:500, Drawing No: WW/L02, Revision: A, received by the Local Planning Authority on the 4<sup>th</sup> April 2024.
  - Tree Constraint Plan, Scale 1:1500, Map Filename: Land east of Uldale View TCP, Rev: 1, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.
  - Tree Mitigation Plan (Amended), Drawing No: WW/L03, Revision: A, received by the Local Planning Authority on the 8<sup>th</sup> April 2024.
  - Tree Survey, Drawing No: Uldale View\_Rec1.0, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.

- Tree Survey Report (Amended), Prepared by Westwood Landscape Chartered Landscape Architects April 2024, Revision: B, received by the Local Planning Authority on the 4<sup>th</sup> April 2024.
- Tree Schedule, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.
- Plant Schedule, Prepared by Westwood Landscape Chartered Landscape Architects August 2023, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.
- House Type Drawings, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.
- Planning Statement, Prepared by Savills September 2023, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.
- Design and Access Statement, Prepared by Design by Pod, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.
- Desk-based Assessment, Prepared by Gerry Martin Associates Ltd, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.
- Heritage Statement, Prepared by Humble Heritage May 2023, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.
- Preliminary Ecological Appraisal, Prepared by Ascerta: Landscape, Arboricultural & Ecological Solutions for the Built Environment June 2023, Ref: P.1723.22, Rev: B, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.
- Habitat Regulations Assessment (HRA), Prepared by Ascerta: Landscape, Arboricultural & Ecological Solutions for the Built Environment July 2023, Rev: C, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.
- FRA and Drainage Strategy Report (Amended), Prepared by Gadsden Consulting April 2024, received by the Local Planning Authority on the 26<sup>th</sup> April 2024.
- Flood Exceedance Routes (Amended), Scale 1:500, Drawing No: 1005, Rev: P04, received by the Local Planning Authority on the 26<sup>th</sup> April 2024.
- S38 Adoption Plan, Scale 1:500, Drawing No: 1590, Rev: SK03, received by the Local Planning Authority on the 26<sup>th</sup> April 2024.
- Impermeable Areas, Scale 1:500, Drawing No: 1040, Rev: P03, received by the Local Planning Authority on the 26<sup>th</sup> April 2024.
- Drainage Layout (Amended), Scale 1:500, Drawing No: 1000, Rev: P07, received by the Local Planning Authority on the 26<sup>th</sup> April 2024.
- Soil Infiltration Report, Prepared by Environmental Engineering February 2023, received by the Local Planning Authority on the 26<sup>th</sup> April 2024.

- Response to LLFA Letter, Prepared by Gadsden Consulting April 2024, Ref: 23127, received by the Local Planning Authority on the 26<sup>th</sup> April 2024.
- Gadsden Consulting Drawing Register, received by the Local Planning Authority on the 26<sup>th</sup> April 2024.
- Phase 2: Ground Investigation Report, Prepared by GEO Environmental Engineering November 2022, Report Ref: 2022-5346, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.
- Transport Assessment, Prepared by Vectos August 2023, Vectors Ref: VN222370, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.
- Technical Note 01, Prepared by SLR Consulting Limited March 2024, received by the Local Planning Authority on the 19<sup>th</sup> March 2024.
- Swept Path Analysis – Refuse Vehicle (Amended), Scale 1:500, Drawing Number: VN222370-TR102, Revision: B, received by the Local Planning Authority on the 11<sup>th</sup> April 2024.
- Emergency Vehicle Access Visibility Splays & Swept Path Analysis (Amended), Scale 1:500, Drawing Number: VN222370-D105, Revision: B, received by the Local Planning Authority on the 11<sup>th</sup> April 2024.
- General Arrangement Visibility Splays & Swept Path Analysis (Amended), Scale 1:500, Drawing Number: VN222370-D104, Revision: B, received by the Local Planning Authority on the 11<sup>th</sup> April 2024.
- Economic Benefits Report, Prepared by Gleasons June 2023, Version 001, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.
- Biodiversity Net Gain Assessment, Prepared by Biodiverse Consulting November 2023, Version: V1.0, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.
- Landscape and Visual Appraisal Report, Prepared by Westwood Landscape Chartered Landscape Architects June 2023, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.
- Site Sections (Amended), Scale: 1:250, Drawing No: 1450, Rev: P02, received by the Local Planning Authority on the 8<sup>th</sup> April 2024.
- 201 House Type Rural, Scale 1:100, Drawing No: 21-201-R-0001, Revision: C04, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.
- 201 House Type Urban, Scale 1:100, Drawing No: 21-201-U-0001, Revision: C04, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.
- 201 Render, Scale 1:100, Drawing No: 21-201-M-0001, Revision: C03, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.

- 254 House Type Urban, Scale 1:100, Drawing No: 21-254-U-0001, Revision: C03, received by the Local Planning Authority on the 28<sup>th</sup> March 2024.
- 301 House Type Rural, Scale 1:100, Drawing No: 21-301-R-0001, Revision: C04, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.
- 301 Render, Scale 1:100, Drawing No: 21-301-M-0001, Revision: C03, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.
- 302 House Type Rural, Scale 1:100, Drawing No: 21-302-R-0001, Revision: C04, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.
- 302 House Type Urban, Scale 1:100, Drawing No: 21-302-U-0001, Revision: C03, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.
- 302 Render, Scale 1:100, Drawing No: 21-302-M-0001, Revision: C02, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.
- 304 House Type Rural, Scale 1:100, Drawing No: 21-304-R-0001, Revision: C03, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.
- 304 House Type Urban, Scale 1:100, Drawing No: 21-304-U-0001, Revision: C04, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.
- 304 House Type Render, Scale 1:100, Drawing No: 21-304-M-0001, Revision: C03, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.
- 337 House Type Rural, Scale 1:100, Drawing No: 21-337-R-0001, Revision: C05, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.
- 337 House Type Urban, Scale 1:100, Drawing No: 21-337-U-0001, Revision: C06, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.
- 337 Render, Scale 1:100, Drawing No: 21-337-M-0001, Revision: C05, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.
- 340 House Type Rural, Scale 1:100, Drawing No: 21-340-R-0001, Revision: C06, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.
- 340 House Type Urban, Scale 1:100, Drawing No: 21-340-U-0001, Revision: C08, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.
- 340 Render, Scale 1:100, Drawing No: 21-340-M-0001, Revision: C06, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.

- 358/359 House Type Rural, Scale 1:100, Drawing No: 21-358/359-R-0001, Revision: C03, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.
- 358/359 House Type Urban, Scale 1:100, Drawing No: 21-358/359-U-0001, Revision: C03, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.
- 358/359 Render, Scale 1:100, Drawing No: 21-358/359-M-0001, Revision: C03, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.
- 360 House Type Rural, Scale 1:100, Drawing No: 21-360-R-0001, Revision: C04, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.
- 360 House Type Render, Scale 1:100, Drawing No: 21-360-M-0001, Revision: C04, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.
- 369 House Type Urban, Scale 1:100, Drawing No: 21-369-U-0001, Revision: -, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.
- 390 House Type Urban, Scale 1:100, Drawing No: 21-390-U-0001, Revision: -, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.
- 401 House Type Urban, Scale 1:100, Drawing No: 21-401-U-0001, Revision: C06, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.
- 401 Render, Scale 1:100, Drawing No: 21-401-M-0001, Revision: C04, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.
- 435 House Type Urban, Scale 1:100, Drawing No: 21-435-U-0001, Revision: C07, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.
- 435 Render, Scale 1:100, Drawing No: 21-435-M-0001, Revision: C04, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.
- 436 House Type Rural, Scale 1:100, Drawing No: 21-436-R-0001, Revision: C05, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.
- 436 House Type Urban, Scale 1:100, Drawing No: 21-436-U-0001, Revision: C06, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.
- 436 Render, Scale 1:100, Drawing No: 21-436-M-0001, Revision: C05, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.
- 455 House Type Urban, Scale 1:100, Drawing No: 21-455-U-0001, Revision: C03, received by the Local Planning Authority on the 28<sup>th</sup> March 2024.

- 455 House Type Rural, Scale 1:100, Drawing No: 21-455-R-0001, Revision: C03, received by the Local Planning Authority on the 28<sup>th</sup> March 2024.
- 490 House Type Urban, Scale 1:100, Drawing No: 21-490-U-0001, Revision: -, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.
- 590 House Type Urban, Scale 1:100, Drawing No: 21-590-U-0001, Revision: -, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.
- Proposed Elevation Configurations 1, Scale 1:200, Drawing No: 501, Rev: -, received by the Local Planning Authority on the 19<sup>th</sup> March 2024.
- Proposed Elevation Configurations 1 (Colour), Scale 1:200, Drawing No: 501, Rev: -, received by the Local Planning Authority on the 28<sup>th</sup> March 2024.
- Proposed Elevation Configurations 2, Scale 1:200, Drawing No: 502, Rev: -, received by the Local Planning Authority on the 19<sup>th</sup> March 2024.
- Proposed Elevation Configurations 2 (Colour), Scale 1:200, Drawing No: 502, Rev: -, received by the Local Planning Authority on the 19<sup>th</sup> March 2024.
- 3m x 7m Internal Dimension Detached Single Garage Details, Scale 1:50 & 1:100, Drawing No: SD1700, Rev: -, received by the Local Planning Authority on the 12<sup>th</sup> February 2024.
- 3m x 7m Internal Dimension Det. Double Garage (Pyramid Roof), Scale 1:20 & 1:100, Drawing No: SD3X7P, Rev: -, received by the Local Planning Authority on the 4<sup>th</sup> April 2024.
- 3m x 7m Internal Dimension Detached Double Garage Details, Scale 1:20 & 1:100, Drawing No: SD3X7P, Rev: -, received by the Local Planning Authority on the 4<sup>th</sup> April 2024.
- SD125 - 1800mm Timber Screen Fence (Amended), Scale 1:20, Drawing No: SD-125, Rev: P01, received by the Local Planning Authority on the 15<sup>th</sup> April 2024.
- SD100 – 1800mm Hit and Miss Timber Fence (Amended), Scale 1:20, Drawing No: SD-100, Rev: F, received by the Local Planning Authority on the 15<sup>th</sup> April 2024.
- NSD109B – 900mm High Vertical Rail (Amended), Scale: 1:10, Drawing No: NSD109, Rev: B, received by the Local Planning Authority on the 15<sup>th</sup> April 2024.
- 450 High Knee Rail Fence, Scale 1:10, Drawing No: NSD122, Rev: -, received by the Local Planning Authority on the 19<sup>th</sup> March 2024.

- Boundary Treatments 1800mm High Brickwork Screen Wall, Scale 1:20, Drawing No: SD-110, Rev: B, received by the Local Planning Authority on the 19<sup>th</sup> March 2024.
- Boundary Detail – 600mm High Reconstituted Stone Wall, Scale 1:20, Drawing No: SD-001, Revision: - , received by the Local Planning Authority on the 19<sup>th</sup> March 2024.
- Estate Rail – 900mm High, Scale 1:20, Drawing No: SD-002, Revision: -, received by the Local Planning Authority on the 4<sup>th</sup> April 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.

#### Pre-Commencement Conditions:

3. 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 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 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.

4. No development must commence until a construction surface water management plan has been agreed in writing with the local planning authority. Development shall be carried out in accordance with the approved details at all times thereafter.

#### Reason

To safeguard against flooding to surrounding sites and to safeguard against pollution of surrounding watercourses and drainage systems.

5. The carriageway, footways, footpaths, cycleways etc must be designed, constructed, drained and lit to a standard suitable for adoption 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 must be commenced until a full specification has been approved. These details must be in accordance with the standards laid down in the current Council Design Guide. Any works so approved must be constructed before the development is complete.

#### Reason

To ensure a minimum standard of construction in the interests of highway safety in accordance Policy DM22 of the Copeland Local Plan and the relevant provisions of the National Planning Policy Framework.

6. The development hereby approved must not commence until 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, and 43m measured 1.5m from the carriageway edge at the two pedestrian crossing points and the nearside channel line of the carriageway edge have been provided.

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. The visibility splays shall be constructed before general development of the site commences so that construction traffic is safeguarded.

#### Reason

In the interests of highway safety in accordance Policy DM22 of the Copeland Local Plan and the relevant provisions of the National Planning Policy Framework.

7. Development must not commence on site until a Construction Traffic Management Plan has been submitted to and approved in writing by the local planning authority. The CTMP must include details of:

- pre-construction road condition established by a detailed survey for accommodation works within the highways boundary conducted with a Highway Authority representative; with all post repairs carried out to the satisfaction of the Local Highway Authority at the applicants expense; details of proposed crossings of the highway verge;
- retained areas for vehicle parking, manoeuvring, loading and unloading for their specific purpose during the development;
- cleaning of site entrances and the adjacent public highway;
- details of proposed wheel washing facilities;
- the sheeting of all HGVs taking spoil to/from the site to prevent spillage or deposit of any materials on the highway;
- construction vehicle routing;
- the management of junctions to and crossings of the public highway and other public rights of way/footway;
- Details of any proposed temporary access points (vehicular / pedestrian);
- specific measures to manage and limit the impact on the school, including working hours, any special measures to accommodate pedestrians [Note: deliveries and movement of equipment on the road network surrounding the site must not take place during school muster times in the interests of road safety].

The development must be completed in accordance with these 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 Policy DM22 of the Copeland

Local Plan and the relevant provisions of the National Planning Policy Framework.

8. No development must take place until a site-specific Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting during the construction phase. The development must be carried out in accordance with the approved details at all times thereafter.

Reason

In the interests of the amenities of surrounding occupiers during the construction of the development in accordance with the provisions of Policy ST1 of the Copeland Local Plan 2013-2028.

9. No development must commence until a Biodiversity Gain Plan and Biodiversity Monitoring Plan, to ensure that there is a minimum 10% net gain in biodiversity within a 30 year period as a result of the development, has been submitted to and agreed in writing by the Local Planning Authority. The Biodiversity Management Plan must include 30 year objectives, management responsibilities, maintenance schedules and a methodology to ensure the submission of monitoring reports.

Monitoring reports will be submitted to the Council during years 2,5, 7, 10, 20 and 30 from commencement of development unless otherwise stated in the Biodiversity Management Plan, demonstrating how the BNG is progressing towards achieving its objectives, evidence of arrangements and any rectifying measures needed.

Reason

To protect the ecological interests evident on the site in accordance with the provisions of Policy ENV3 of the Copeland Local Plan 2013-2028 and the Environmental Act 2021.

10. Prior to the commencement of any works hereby approved the required additional species surveys and details of the proposed enhancement measures must be submitted to and approved in writing by the Local Planning Authority as set out in the following approved documents:

- Preliminary Ecological Appraisal, Prepared by Ascerta: Landscape, Arboricultural & Ecological Solutions for the Built Environment June 2023, Ref: P.1723.22, Rev: B, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.
- Habitat Regulations Assessment (HRA), Prepared by Ascerta: Landscape, Arboricultural & Ecological Solutions for the Built Environment July 2023, Rev: C, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.

The development must be carried out in accordance with and implement all of the mitigation and compensation measures set out within this approved document and retained thereafter.

#### Reason

To protect the ecological interests evident on the site in accordance with the provisions of Policy ENV3 of the Copeland Local Plan 2013-2028.

11. No development must commence within the site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority.

This written scheme will include the following components:

- i) An archaeological evaluation;
- ii) An archaeological recording programme the scope of which will be dependant upon the results of the evaluation;
- iii) Where significant archaeological remains are revealed by the programme of archaeological work, there shall be carried out within one year of the completion of that programme on site, or within such timescale as otherwise agreed in writing by the LPA: a post-excavation assessment and analysis, preparation of a site archive ready for deposition at a store approved by the LPA, completion of an archive report, and submission of the results for publication in a suitable journal.

#### Reason

To afford reasonable opportunity for an examination to be made to determine the existence of any remains of archaeological interest within the site and for the preservation, examination or recording of such remains in accordance with Policies ENV4 and DM27 Copeland Local Plan 2013 - 2028.

12. Prior to the commencement of each phase of the development details of a Phasing Plan for the development shall be submitted to and approved in writing by the Local Planning Authority unless a Phasing Plan has previously been submitted to and approved in writing by the local planning authority for the whole site.

The Phasing Plan will provide the following information;

- The boundary of the land within that phase, previous and subsequent phases;
- The number of market dwellings in that phase; and,
- The number of affordable dwellings in that phase.

Reason

To ensure a high level of design quality and minimise impacts upon neighbouring residents in accordance with the provisions of Policy ST1 and Policy DM10 of the Copeland Local Plan 2013-2028.

Prior to Occupation Conditions:

13. Prior to the first occupation any dwelling on the site hereby approved, a sustainable drainage management and maintenance plan for the lifetime of the development must be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan must include as a minimum:

- i) Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
- ii) Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development must subsequently be completed, maintained and managed in accordance with the approved plan.

Reason

To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development in accordance with the provision of Policy ENV1 and Policy DM24 of the Copeland Local Plan 2013 – 2028.

14. All hard and soft landscape works must be carried out in accordance with the details illustrated on the following approved documents:

- Landscape Plan (Amended), Scale 1:500, Drawing No: WW/L01, Revision: A, received by the Local Planning Authority on the 4<sup>th</sup> April 2024.
- Landscape Management Plan (Amended), Scale 1:500, Drawing No: WW/L02, Revision: A, received by the Local Planning Authority on the 4<sup>th</sup> April 2024.

The works must be carried out in the first planting season following the completion of the development. Any trees / shrubs which are removed, die, become severely damaged or diseased within five years of their planting must be replaced in the next planting season with trees / shrubs of similar size and species to those originally required to be planted unless the Local Planning Authority gives written consent to any variation.

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 and ENV5 of the Copeland Local Plan 2013-2028.

15. Prior to the first occupation of each dwelling hereby approved, the boundary treatment and landscaping on that occupied plot must be installed in accordance with the following approved plans:

- Landscape Plan (Amended), Scale 1:500, Drawing No: WW/L01, Revision: A, received by the Local Planning Authority on the 4<sup>th</sup> April 2024.
- Proposed Boundary and Elevation Plan (Amended), Scale 1:500, Drawing No: 103, Revision: E, received by the Local Planning Authority on the 27<sup>th</sup> March 2024.

Once installed the boundary treatment must be retained in accordance with these approved details at all times thereafter.

Reason

To protect residential amenity in accordance with the provisions of Policy ST1 of the Copeland Local Plan 2013-2028.

16. Prior to the occupation of the first dwelling hereby approved a scheme detailing the layout and design, including play equipment specifications, of the approved trim trail must be submitted to and approved in writing by the Local

Planning Authority. The approved scheme must be implemented as per the approved details prior to the completion of the development hereby approved. The area must be maintained for use as a public open space in accordance with the approved details for the lifetime of the development.

Reason

To ensure the provision of sufficient provision of children's play space within the development for use by residents in accordance with the provisions of Policy SS5 and Policy DM12 of the Copeland Local Plan 2013-2028.

Travel Plan Conditions:

17. Prior to the first occupation of any dwelling on the site hereby approved, the developer must prepare and submit to the Local Planning Authority for their approval a Travel Plan which shall identify the measures that will be undertaken by the developer to encourage the achievement of a modal shift away from the use of private cars to visit the development to sustainable transport modes. The measures identified in the Travel Plan must be implemented by the developer within 12 months of the development (or any part thereof) opening for business.

Reason

To aid in the delivery of sustainable transport objectives in accordance with the provisions of Policy T1 and Policy DM22 of the Copeland Local Plan 2013 – 2028.

18. An annual report reviewing the effectiveness of the approved Travel Plan and including any necessary amendments or measures must be prepared by the developer and submitted to the Local Planning Authority for approval following occupation of the 100<sup>th</sup> unit on the site.

Further Annual Performance Reports and Travel Plan modifications are to be prepared and submitted to the County Council for approval within two months of each subsequent anniversary of the aforementioned dated on an annual basis up to and including the fourth anniversary of the first Annual Performance Report.

Reason

To aid in the delivery of sustainable transport objectives in accordance with the provisions of Policy T1 and Policy DM22 of the Copeland Local Plan 2013 – 2028.

Other Conditions:

19. The development must be carried out in accordance with and implement all of the details and mitigation measures specified within the approved document “FRA and Drainage Strategy Report (Amended), Prepared by Gadsden Consulting April 2024, received by the Local Planning Authority on the 26<sup>th</sup> April 2024”, and must be maintained as such at all times 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.

20. The development must be carried out in accordance with and implement all of the mitigation and compensation measures set out in the approved documents:

- Preliminary Ecological Appraisal, Prepared by Ascerta: Landscape, Arboricultural & Ecological Solutions for the Built Environment June 2023, Ref: P.1723.22, Rev: B, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.
- Habitat Regulations Assessment (HRA), Prepared by Ascerta: Landscape, Arboricultural & Ecological Solutions for the Built Environment July 2023, Rev: C, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.

The development must be carried out in accordance with the approved document at all times thereafter.

Reason

To protect the ecological interests evident on the site in accordance with Policies ENV3, and DM25 of the Copeland Local Plan 2013-2028.

21. The development must be carried out in accordance with and implement all of the details and mitigation measures specified within the approved document ‘Phase 2: Ground Investigation Report, Prepared by GEO Environmental Engineering November 2022, Report Ref: 2022-5346, received by the Local

Planning Authority on the 6<sup>th</sup> November 2023'. All mitigation measures identified must be maintained as such at all times thereafter.

Reason

To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in accordance with the provisions of Policy ST1 of the Copeland Local Plan 2013 – 2028.

22. The development must be carried out in accordance with and implement all of the details and mitigation measures specified within the following approved documents:

- Tree Constraint Plan, Scale 1:1500, Map Filename: Land east of Uldale View TCP, Rev: 1, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.
- Tree Mitigation Plan (Amended), Drawing No: WW/L03, Revision: A, received by the Local Planning Authority on the 8<sup>th</sup> April 2024.
- Tree Survey, Drawing No: Uldale View\_Rec1.0, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.
- Tree Survey Report (Amended), Prepared by Westwood Landscape Chartered Landscape Architects April 2024, Revision: B, received by the Local Planning Authority on the 4<sup>th</sup> April 2024.
- Tree Schedule, received by the Local Planning Authority on the 6<sup>th</sup> November 2023.

The development must be carried out in accordance with the approved document at all times thereafter.

Reason

To adequately protect the existing trees on site.

23. Prior to the first occupation of any of the development hereby approved footways shall be provided that link continuously and conveniently to the nearest existing footway. Pedestrian within and to and from the site shall be provided that is convenient to use.

Reason

In the interests of highway safety in accordance Policy DM22 of the Copeland Local Plan and the relevant provisions of the National Planning Policy Framework.

24. All works, construction activities, and ancillary operations which are audible at the site boundary must be carried out only between the following hours:

- 08:00am to 18:00pm Monday to Friday;
- 08.00am – 13.00pm Saturdays and at no time on Sunday or Bank Holidays.

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

Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above unless otherwise agreed with the Local Planning Authority.

Reason

In the interests of the amenities of surrounding occupiers during the construction of the development in accordance with the provisions of Policy ST1 of the Copeland Local Plan 2013-2028

### **Informative Notes:**

#### Highways

Any works within or near the Highway must be authorised by the Council and no works shall be permitted or carried out on any part of the Highway including Verges, until you are in receipt of an appropriate permit from the LHA Streetworks team. For the accesses crossing the verge a S184 Agreement will be required and for the widened carriageway and footway construction to the north of the main access, a S278 agreement may be required as well. The applicant is advised to discuss their proposals with the council's Highways Streetworks and Adoptions department: <https://www.cumberland.gov.uk/parking-roads-and-transport/streets-roads-and-pavements/street-licences-and-permits/street-permit-and-licence-fees-and-charges> Please be advised that the Highway outside and or adjacent to the proposal must be kept clear and accessible at all times.

#### LLFA

Prior to any work commencing on the watercourse the applicant should contact the Lead Local Flood Authority on Tel: 01228 221331 or email: [LFRM.consent@cumbria.gov.uk](mailto:LFRM.consent@cumbria.gov.uk) to confirm if an Ordinary Watercourse Flood Defence Consent is required. If it is confirmed that consent is required it should be

noted that a fee of £50 will be required and that it can take up to two months to determine.

**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

10th February 2025



Nick Hayhurst  
Head of Planning and Place  
Inclusive Growth and Placemaking

**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.