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TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) – SECTION 73

NOTICE OF APPROVAL OF RESERVED MATTERS

Mrs Lammisa Alick
18 East Road
Egremont
Cumbria
CA22 2ED

APPLICATION No: 4/23/2325/0B1

VARIATION TO CONDITIONS 2 (PLANS), CONDITION 3 (MATERIALS) AND 4 (DRAINAGE) OF PLANNING APPLICATION 4/21/2563/0R1 RESERVED MATTERS RELATING TO ACCESS, APPEARANCE, LAYOUT SCALE, LANDSCAPING FOLLOWING OUTLINE APPROVAL 4/19/2025/001 FOR ERECTION OF ONE DWELLING

LAND ADJACENT TO THORNLEA, CARLETON, EGREMONT

Mrs Lammisa Alick

The above application dated 14/11/2023 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 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/Proposed Plans & Elevations (Amended), Scale 1:100 & 1:1250, Drawing No: 01, Rev: D, received by the Local Planning Authority on the 21st January 2022.
- Proposed Site Plan (Amended), Scale 1:200, Drawing No: 02, Rev: J, received by the Local Planning Authority on the 18th May 2022.
- Phase 2: Ground Investigation Report, Prepared by Geo Environmental Engineering September 2021, received by the Local Planning Authority on the 23rd December 2021.
- Phase 1: Desk Top Study Report (Preliminary Environmental Risk Assessment), Prepared by Geo Environmental Engineering January 2019, received by the Local Planning Authority on the 10th March 2022.
- Thornlea Utility Pack, Prepared by Centara Bureau Services July 2021, received by the Local Planning Authority on the 23rd December 2021.
- Remediation Options Appraisal & Strategy, Prepared by GEO Environmental Engineering March 2022, received by the Local Planning Authority on the 23rd March 2022.
- Landscape & Maintenance Plan, received by the Local Planning Authority on the 18th May 2022.
- Covering Letter, received by the Local Planning Authority on the 14th November 2023.
- Drainage Plan 1, Prepared 7th November 2023, received by the Local Planning Authority on the 14th November 2023.
- Drainage Plan 2, Prepared 7th November 2023, received by the Local Planning Authority on the 14th November 2023.
- Drainage Strategy, Prepared By Tweddell & Slater, received by the Local Planning Authority on the 14th November 2023.
- External Materials, received by the Local Planning Authority on the 3rd January 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 Erection of Superstructure Conditions:

3. The development hereby approved must be carried out in accordance with the schedule of materials set out in the approved document:

- External Materials, received by the Local Planning Authority on the 3rd January 2024.

The development must be retained in line with these approved details at all times thereafter.

Reason

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

Prior to Occupation/Use Conditions:

4. The drainage of the development hereby approved, must be carried out in accordance with the following approved documents:

- Covering Letter, received by the Local Planning Authority on the 14th November 2023.
- Drainage Plan 1, Prepared 7th November 2023, received by the Local Planning Authority on the 14th November 2023.
- Drainage Plan 2, Prepared 7th November 2023, received by the Local Planning Authority on the 14th November 2023.
- Drainage Strategy, Prepared By Tweddell & Slater, received by the Local Planning Authority on the 14th November 2023.

For the avoidance of doubt surface water must drain at the restricted rate of 5 l/s. 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 ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.

5. The proposed landscaping relating to the development hereby approved must be carried out in accordance with the following approved documents:

- Proposed Site Plan (Amended), Scale 1:200, Drawing No: 02, Rev: J, received by the Local Planning Authority on the 18th May 2022.

- Landscape & Maintenance Plan, received by the Local Planning Authority on the 18th May 2022.

The landscaping scheme must be implemented within the first available planting season after the dwelling hereby approved is brought into use. The development must be retained in accordance with this approved detail at all times thereafter unless agreed in writing with the Local Planning Authority.

Reason

To enhance the appearance of the development in the interest of visual amenities of the area and to ensure a satisfactory landscaping scheme.

6. The proposed landscaping relating to the development hereby approved must be maintained in accordance with the approved document, 'Landscape & Maintenance Plan, received by the Local Planning Authority on the 18th May 2022'. Following completion of the development should any of the planting be uprooted, destroyed or die, replacement planting must be planted at the same place. The replacement planting will be of a size, species and be planted at such a time as agreed in writing by the Local Planning Authority.

Reason

To enhance the appearance of the development in the interest of visual amenities of the area and to ensure a satisfactory landscaping scheme.

Other Conditions:

7. The development must be carried out in accordance with and implement all of the details and mitigation measures specified within approved documents:
 - Phase 1: Desk Top Study Report (Preliminary Environmental Risk Assessment), Prepared by Geo Environmental Engineering January 2019, received by the Local Planning Authority on the 10th March 2022.
 - Phase 2: Ground Investigation Report, Prepared by Geo Environmental Engineering September 2021, received by the Local Planning Authority on the 21st December 2021', and must be maintained as such at all times thereafter.
 - Remediation Options Appraisal & Strategy, Prepared by GEO Environmental Engineering March 2022, received by the Local Planning Authority on the 23rd March 2022.

Reason

To ensure the protection of controlled waters from potential land contamination.

8. Any access gates installed within the property must be of a style which do not open onto the highway and must be retained as such at all times thereafter.

Reason

In the interest of highway safety.

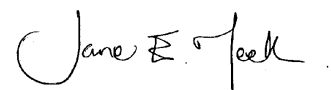
Informatives:

1. The development hereby approved must be carried out in accordance with conditions 4, 5, 6, 7, 8, and 9 of Outline Planning Approval Ref: 4/19/2026/001.

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

22nd January 2024

**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.