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TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

NOTICE OF GRANT OF PLANNING PERMISSION

Shepherd Architecture and Surveying
Phoenix Business Centre
Phoenix Road
Barrow in Furness
LA14 2UA
FAO: Mr Neil Shepherd

APPLICATION No: 4/23/2390/0F1

**PROPOSED NEW TWO STOREY DWELLING AND ERECTION OF DETACHED
GARDEN ROOM WITHIN FRONT GARDEN
LAND TO THE SIDE OF WHITRIGGS COTTAGE, HAVERIGG ROAD, HAVERIGG**

Mrs Christine Cairns

The above application dated 19/12/2023 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. Permission must relate to the following plans and documents as received on

the respective dates and development must be carried out in accordance with them:

- Existing Site Plan & Site Location Plan (Amended), Scale 1:250 & 1:1250, Drawing No: WHD12A PA 001B, received by the Local Planning Authority on the 5th March 2024.
- Proposed Site Plan (Amended), Scale 1:250, Drawing No: WHD12A PA 002D, received by the Local Planning Authority on the 22nd February 2024.
- Proposed Ground Floor Plan & Proposed First Floor Plan (Amended), Scale 1:100, Drawing No: WHD12A PA 003B, received by the Local Planning Authority on the 9th February 2024.
- Proposed Rear/North West Facing Elevation & North East Facing Elevation (Amended), Scale 1:100, Drawing No: WHD12A PA 005B, received by the Local Planning Authority on the 9th February 2024.
- Proposed Front/South East Facing Elevation & South West Facing Elevation (Amended), Scale 1:100, Drawing No: WHD12A PA 004B, received by the Local Planning Authority on the 9th February 2024.
- Proposed Garden Room, Scale 1:75, Drawing No: WHD12A PA 009, received by the Local Planning Authority on the 19th December 2023.
- Proposed Section A-A & Section B-B (Amended), Scale 1:150, Drawing No: WHD12A PA 008F, received by the Local Planning Authority on the 22nd February 2024.
- Proposed Section C-C & Section D-D, Scale 1:150, Drawing No: WHD12A PA 009, received by the Local Planning Authority on the 22nd February 2024.
- Design & Access Statement (Amended), received by the Local Planning Authority on the 4th March 2024.
- Preliminary Ecological Appraisal, Prepared by Lakeland Ecology March 2024, received by the Local Planning Authority on the 5th 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.

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.

4. Before development commences, a Construction Environmental Management Plan must be submitted to and approved in writing by the Local Planning Authority in line with the approved document 'Preliminary Ecological Appraisal, Prepared by Lakeland Ecology March 2024, received by the Local Planning Authority on the 5th March 2024'. The development must be carried out in accordance with the approved details 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.

Prior to Erection of External Walling Conditions

5. 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.

Prior to Use/Occupation Conditions:

6. The development hereby approved must not be occupied until the access, parking and turning requirements have been constructed in accordance with the approved plan 'Proposed Site Plan (Amended), Scale 1:250, Drawing No: WHD12A PA 002D, received by the Local Planning Authority on the 22nd February 2024'. The approved access, parking, and turning provision must be retained at all times thereafter and must not be removed or altered without the prior consent of the Local Planning Authority.

Reason

In the interests of highway safety and in accordance Policy T1 and DM22 of the Copeland Local Plan and the relevant provisions of the National Planning Policy Framework.

7. Prior to the first occupation of the dwelling hereby approved the biodiversity enhancement measures set out in the approved document 'Preliminary Ecological Appraisal, Prepared by Lakeland Ecology March 2024, received by the Local Planning Authority on the 5th March 2024' must be installed. The enhancement measures must be submitted to and agreed in writing by the Local Planning Authority prior to installation and must be installed in accordance with these approved details and retained 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.

8. Prior to the first occupation of the dwelling hereby approved the proposed boundary treatment must be installed in accordance with the approved plan 'Proposed Site Plan (Amended), Scale 1:250, Drawing No: WHD12A PA 002D, received by the Local Planning Authority on the 22nd February 2024'. Once installed the proposed and existing boundary treatment must be retained in accordance with these approved details at all times thereafter.

Reason

In the interest of residential amenity.

Other Conditions:

9. The development must be carried out in accordance with and implement all of the mitigation and compensation measures set out in the approved document 'Preliminary Ecological Appraisal, Prepared by Lakeland Ecology March 2024, received by the Local Planning Authority on the 5th March 2024'. 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.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that order with or without modification) no external alterations (including replacement windows and doors) or extensions, conservatories, dormer, or enlargement shall be carried out to the dwelling, nor shall any detached building, enclosure, domestic fuel containers, pool or hardstandings be constructed within the curtilage other than those expressly authorised by this permission.

Reason

To safeguard the character and appearance of the development in the interests of the visual amenity of the area.

11. The garden room hereby approved must not be occupied at any time other than for purposes ancillary to the residential property also approved under this application and must not be independently occupied let or sold as a separate permanent dwelling, or used for any business purposes whatsoever.

Reason

The garden room is not considered appropriate for use as a separate residential unit.

12. 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.

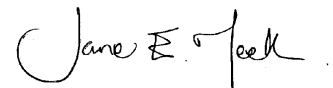
Reason

In the interest of highway safety.

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

A handwritten signature in black ink, appearing to read 'Jane E. Meek'.

Jane Meek

Assistant Director

Thriving Place and Investment

28th March 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.