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TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

NOTICE OF GRANT OF PLANNING PERMISSION

SRE Associates
10 Parklands Drive
Cockermouth
CA13 0WX
FAO: Mr Simon Blacker

APPLICATION No: 4/23/2394/0F1

**CHANGE OF USE & ALTERATION OF LAND FOR SITING OF 5 HOLIDAY PODS
INCLUDING ACCESS ROAD, DRAINAGE, LANDSCAPING, SOLAR PANELS,
PARKING AREA, AND PROPOSED PAVING/DECKING
LAND AT NETHERTOWN ROAD, ST BEES**

Sunshine Properties West Coast Ltd

The above application dated 22/12/2023 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:

Defining The Permission

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: -

- Site Location Plan (Amended), Scale 1:2500, LP01, received by the Local Planning Authority on the 10th May 2024.
- Existing Context Plan (Amended), Scale as shown, Drawing Number: WW/L01A, Revision: -, received by the Local Planning Authority on the 10th May 2024.
- Proposed Site Plan (Amended), Scale 1:500, Drawing Number: SP/01, Revision C, received by the Local Planning Authority on the 16th July 2024.
- Proposed Site Section (Amended), Scale 1:250, Drawing Number: SEC/10, Revision: B, received by the Local Planning Authority on the 11th October 2024.
- Services Plan (Amended), Scale 1:250, Drawing Number: WW/L04, Revision: D, received by the Local Planning Authority on the 19th August 2024. .
- Type E Layout Plan and Elevations, Scale 1:50, Drawing Number: 465-005, received by the Local Planning Authority on the 22nd December 2023.
- Proposed Solar Panel Design Details, received by the Local Planning Authority on the 22nd December 2023.
- GivEnergy 2020 Solar Panel Brochure, received by the Local Planning Authority on the 22nd December 2023.
- Drainage Strategy Report, Prepared by A L Daines & Partners July 2024, Rev: A, Ref: 23-C-17369, received by the Local Planning Authority on the 19th August 2024.
- Drainage Strategy Appendices, received by the Local Planning Authority on the 19th August 2024.
- Photographic Landscape Analysis (Amended), Prepared by Westwood Landscape April 2024, Revision A, received by the Local Planning Authority on the 10th May 2024.
- Landscape Plan (Amended), Scale 1:250, Drawing Number: WW/L03, Revision: E, received by the Local Planning Authority on the 19th August 2024.
- Planting Plan (Amended), Scale 1:250, Drawing Number: WW/L05, Revision B, received by the Local Planning Authority on the 19th August 2024.
- Planning Statement V5 (Amended), Prepared by SRE Associates Ltd, received By the Local Planning Authority on the 19th August 2024.
- Letter from Agent, SRE Associates Ltd, received by the Local Planning Authority on the 19th August 2024.
- Matix Traffic and Transport Data, received by the Local Planning Authority on the 10th May 2024.
- Construction Traffic Management Plan, Prepared by SRE Associates Ltd, received by the Local Planning Authority on the 19th August 2024.
- Site Management Information (Amended), Prepared by SRE Associates Ltd, received by the Local Planning Authority on the 19th August 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:

Highways

3. The carriageway, footways, footpaths, cycleways etc must be designed, constructed, drained to the satisfaction of the Local Planning Authority 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 shall be commenced on site until a full specification has been approved in writing by the Local Planning Authority. Any works so approved must be constructed before the development is complete in accordance with the approved details.

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 CO4 of the Copeland Local Plan 2021-2039 and the relevant provisions of the National Planning Policy Framework.

Biodiversity Net Gain

4. Prior to the commencement of development a Biodiversity Net Gain Strategy (BNGS) and a Project Implementation Plan (PIP) shall be submitted to and approved in writing by the Local Planning Authority.

The BNGS shall detail proposals to redress loss of biodiversity and the mitigation strategy proposed shall include all on and off-site habitats required to deliver a net gain of at least ten percent. The BNGS shall use the Statutory Biodiversity Metric Calculation Tool associated with the Environment Act 2021.

The PIP shall detail the delivery of ecological BNG mitigation and compensation, in accordance with the approved BNG strategy. The PIP shall include timescales for implementation, and an ongoing management and maintenance plan.

The BNGS and PIP shall be implemented, managed and maintained in accordance with the approved details for a period of 30 years.

Reason

To ensure delivery of the required biodiversity net gain in accordance with the provisions of Policy N3 of the Copeland Local Plan 2021-2039.

Prior to First Use/Installation/Occupation Conditions:

Highways

5. No pod hereby approved must be occupied until the proposed access road, including footways to serve each pod, has been constructed in accordance with the approved plans and has been brought into full operation use.

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 DS4 of the Copeland Local Plan 2021-2039 and the relevant provisions of the National Planning Policy Framework.

Drainage

6. The drainage for the development hereby approved, must be carried out in accordance with principles set out in the following approved documents:

- Drainage Strategy Report, Prepared by A L Daines & Partners July 2024, Rev: A, Ref: 23-C-17369, received by the Local Planning Authority on the 16th July 2024.
- Drainage Strategy Appendices, received by the Local Planning Authority on the 16th July 2024.

For the avoidance of doubt no surface water will be permitted to drain directly or indirectly into the public sewer.

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 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 provisions of Strategic Policy DS6 and Policy DS7 of Copeland Local Plan 2021-2039.

7. Prior to occupation of the development 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 Strategic Policy DS6 and Policy DS7 of Copeland Local Plan 2021-2039.

Noise Management

8. Prior to the first use of the application site as tourist accommodation hereby permitted a Noise Management Plan must be submitted to and approved in writing by the Local Planning Authority.

The Noise Management Plan must include undertakings and procedures for:

- I. The name/s of an (on-site) supervisor/s responsible for the behaviour of guests and for liaison with local residents and this Council;
- II. The control and use of outside areas;
- III. The control of noise breakout from the site;
- IV. Access and egress to and from the site by guests including arrangements for vehicle parking;
- V. Recording of complaints and response to those complaints;
- VI. The annual review of the Noise Management Plan and, if necessary, the submission and approval in writing by the Local Planning Authority of any revised Noise Management Plan;
- VII. Any other matters that are reasonably required by the Local Planning Authority.

The use must be carried out in accordance with these 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 DS4 of the Copeland Local Plan 2021-2039.

External Lighting

9. Prior to their first installation within the development hereby approved full details of all external lighting must be submitted to and approved in writing by the Local Planning Authority. The development must be carried out in accordance with these approved details at all times thereafter.

Artificial light to the development must conform to requirements to meet the Obtrusive Light Limitations for Exterior Lighting Installations for Environmental Zone

E2 contained within Table 2 of the Institute of Light Engineers Guidance Notes for the Reduction of Obtrusive Lighting GN01:2021.

Reason

To protect residential amenity, to ensure high quality design and to protect the environment from light pollution in accordance with Policy DS4 of the Copeland Local Plan 2021-2039.

Materials

10. Prior to their first installation within the development full details of the external materials of the pods hereby approved must be submitted to an approved in writing by the Local Planning Authority. The development must be carried out in accordance with these approved details at all times thereafter.

Reason

To enhance the appearance of the development in the interest of visual amenities of the area in accordance with Policy DS4 of the Copeland Local Plan 2021-2039.

Other Conditions:

Site Management

11. The pods hereby approved must only be occupied by a maximum of 2 people per pod at any time.

Reason

To safeguard the amenity of neighbouring occupiers in accordance with the provisions of Policy DS4 of the Copeland Local Plan 2021-2039.

12. The use of the site hereby approved must at all times be operated and managed in accordance with the following approved details:

- Planning Statement (Amended), Prepared by SRE Associates Ltd, received by the Local Planning Authority on the 20th August 2024.
- Site Management Information (Amended), Prepared by SRE Associates Ltd, received by the Local Planning Authority on the 16th July 2024.
- Letter from Agent, SRE Associates Ltd, received by the Local Planning Authority on the 19th August 2024.

Reason

To safeguard the amenity of neighbouring occupiers in accordance with the provisions of Policy DS4 of the Copeland Local Plan 2021-2039.
Noise.

13. Following approval of the development, construction activities that are audible at the site boundary must only be carried out between the following hours:

- Monday to Friday 08.00 – 18.00
- Saturday 08.00 – 13.00

There must be no construction activities 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 DS4 of the Copeland Local Plan 2021-2039.

Highways

14. There must be no vehicular access to or egress from the site other than via the approved access, unless otherwise agreed by the Local Planning Authority.

Reason

To avoid vehicles entering or leaving the site by an unsatisfactory access or route, in the interests of road safety in accordance with the provisions of Policy CO4 of the Copeland Local Plan 2021-2039 and the relevant provisions of the National Planning Policy Framework.

Landscaping

15. All hard and soft landscape works must be carried out in accordance with the details illustrated on the approved Landscape Plan (Drawing No: WW/L03, Revision: E) and Planting Plan (Drawing No: WW/L05, Revision: B) received by the Local Planning Authority. The works shall be carried out in the first planting season following the completion of the development. Any trees or shrubs that die, are removed, or become severely damaged or diseased, within five years of planting must be replaced the following planting season with trees or shrubs of a similar size and species to those originally specified, unless varied by written consent from 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 in accordance with Policy DS5 of the Copeland Local Plan 2021-2039.

Occupancy

16. The holiday pods hereby approved shall be occupied solely for holiday letting purposes and shall not be sold or let as a permanent dwelling.

Reason

The site is not considered appropriate for permanent residential use.

CCTV

17. No external closed circuit television equipment shall be installed unless or until a scheme of closed-circuit television equipment has first been submitted to and approved in writing by the Local Planning Authority.

All closed-circuit television equipment shall be installed in accordance with the approved details and shall thereafter be retained as such for the lifetime of the development.

Reason

To protect residential amenity and ensure high quality design in accordance with Policy DS4 of the Copeland Local Plan 2021-2039.

Access

18. Prior to their installation details of the pedestrian access gate and the vehicle gate shall be submitted to and approved in writing by the Local Planning Authority.

The pedestrian access gate and the vehicle gate shall be installed in accordance with the approved details and shall thereafter be retained as such for the lifetime of the development.

Reason

To protect pedestrian and highway safety and to ensure high quality design in accordance with Policy DS4 of the Copeland Local Plan 2021-2039.

The existing boundary wall along the western boundary of the site must be retained at all times as part of the development.

Reason

To ensure a satisfactory appearance in the interests of visual amenity in accordance with Policy DS4 of the Copeland Local Plan 2021-2039.

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



Nick Hayhurst
Head of Planning and Place
Inclusive Growth and Placemaking

20th February 2025

**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.