



**Cumberland Council
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TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

NOTICE OF GRANT OF PLANNING PERMISSION

Alpha Design
7 Europe Way
Cockermouth
CA13 0RJ
FAO: Mr Glen Beattie

APPLICATION No: 4/24/2065/0F1

**REPLACEMENT DWELLING TYPES ON PLOTS 12, 14, 15, 15A, 16 AND 16A
INCLUSIVE - 6 DWELLINGS
PLOTS 12, 14, 15, 15A, 16 AND 16A, HIGH STILE GARDENS, WHITEHAVEN**

G & A.M. Lawson Ltd

The above application dated 21/02/2024 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:

1. The development hereby permitted shall begin not later than three years from the date of this decision.

Reason

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Permission shall relate the following plans and documents and development shall be carried out in accordance with them:

Application Form

Site Location Plan – Drawing No. 13/07/805-01

Revised Site Plan (Residential) – Drawing No. 13/07/805-69 g)

Plot 12 (Type G) – Plans & Elevations – Drawing No. 13/07/805-89

Plots 14 & 15a (Type H) – Plans & Elevations – Drawing No. 13/07/805-87

Plot 15 (Type H) – Plans & Elevations – Drawing No. 13/07/805-88

Plot 16 (Type J) – Plans & Elevations – Drawing No. 13/07/805-86

Plot 16a (Type K) – Plans & Elevations – Drawing No. 13/07/805-85 a)

External Material Specification – Ref. REF: 13/07/805 EMS/1

Supplementary Phase 2: Ground Investigation Report (Ground Gas Risk Assessment) Report Ref. 2018-3413 prepared by Geo Environmental Engineering.

Reason

To conform with the requirement of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsary Purchase Act 2004.

Pre-Commencement Planning Conditions

3. Notwithstanding the submitted details, no development shall commence until details, including longitudinal/cross sections of the carriageway, footways, footpaths etc. have been submitted to and approved in writing by the Local Planning Authority.

The carriageway, footways, footpaths etc. serving the development shall be designed, constructed, drained and lit to a standard suitable for adoption and accord with the standards laid down in the Cumbria Development Design Guide or any such replacement documentation.

The development shall be completed in accordance with the approved details before the development is complete.

Reason

To ensure a minimum standard of construction in the interests of highway safety in accordance with the provisions of Policy T1 of the Copeland Local Plan 2013-2021.

4. Notwithstanding the submitted details, no development shall commence until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority.

These details shall include:-

- proposed finished levels or contours;

- other vehicle and pedestrian access and circulation areas; and,
- hard surfacing materials.

Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers / densities; and an implementation programme.

The agreed scheme shall be carried out as approved to the agreed timetable.

Any trees / shrubs which are removed, die, become severely damaged or diseased within five years of their planting shall be replaced in the next planting season with trees / shrubs of similar size and species to those originally required to be planted.

Reason

To safeguard and enhance the character of the area and secure high quality landscaping in accordance with the provisions of Policy DM26 of the Copeland Local Plan 2013-2028.

Pre-Occupation Planning Conditions

5. No dwelling hereby approved shall be occupied until foul water and surface water infrastructure to serve that dwelling has been completed in accordance with the approved details and brought into operational use. The foul and surface water infrastructure shall be retained, maintained and managed in accordance with the approved details.

Reason

For the avoidance of doubt and to secure an appropriate form of drainage in accordance with the provisions of Policy ENV1 and Policy DM24 of the Copeland Local Plan 2013-2028.

6. No dwelling hereby approved shall be occupied until the highway required to serve that dwelling has been constructed to a minimum of base course level.

Reason

To ensure a minimum standard of access provision when the development is brought into use in accordance with the provisions of Policy T1 of the Copeland Local Plan 2013-2028.

7. No dwelling hereby approved shall be occupied until the access and parking facilities to serve that dwelling have been constructed in accordance with the approved details. The access and parking facilities shall be retained and capable of use at all times thereafter and shall not be removed or altered without the prior consent of the Local Planning Authority.

Reason

To ensure a minimum standard of access provision for the lifetime of the development in accordance with the provisions of Policy T1 of the Copeland Local Plan 2013-2028.

Other Planning Conditions

8. The development hereby approved shall be completed in accordance with the provisions of Supplementary Phase 2: Ground Investigation Report (Ground Gas Risk Assessment) Report Ref. 2018-3413 prepared by Geo Environmental Engineering.

Reason

To prevent harm to human health and the environment in accordance with the provisions of Policy ST1 of the Copeland Local Plan 2013-2028.

9. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 14 days to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination, development must be halted on that part of the site.

An assessment must be undertaken and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority.

The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority.

Reason

To prevent harm to human health and the environment in accordance with the provisions of Policy ST1 of the Copeland Local Plan 2013-2028.

10. No work for the construction of these developments, including demolition, shall take place on the site, except between the hours:

- 07:30 - 18.00 Monday to Friday; and
- 08.00 - 13.00 on Saturdays.

No work should be carried out on Sundays or officially recognised public holidays.

Reason

To safeguard the amenity of neighbouring occupiers in accordance with the provisions of Policy ST1 of the Copeland Local Plan 2013-2028.

Informative

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.

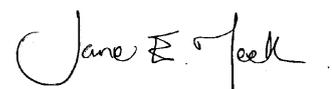
Further information is also available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and negotiating with the applicants acceptable amendments to address them. As a result the Local Planning Authority has been able to grant planning permission for an acceptable proposal in accordance with Copeland Local Plan policies and 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

02nd May 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.