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TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

NOTICE OF GRANT OF PLANNING PERMISSION

Next Level Architecture Limited
111-113 New Union Street
Coventry
CV1 2NT
FAO: Mr Sukhjeet Dhillon

APPLICATION No: 4/24/2090/0F1

**CONVERSION AND CHANGE OF USE OF THE FIRST AND SECOND FLOORS
INTO TWO 2 BEDROOM HOLIDAY LETS AND CONVERSION OF LOFT INTO A 1
BEDROOM HOLIDAY LET (USE CLASS C3) WITH INTERNAL AND EXTERNAL
ALTERATIONS
49 KING STREET, WHITEHAVEN**

Imovina Properties Limited

The above application dated 25/03/2024 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:

Conditions:

Standard Conditions

1. The development hereby permitted shall 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 shall relate to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them: -

Application form, received 25th March;

Site Location Plan, scale 1:1250, drawing number A0700-P1, received 25th March 2024;

Existing and proposed ground floor plans, scale 1:100, drawing number A0800-P1, received 25th March 2024;

Existing and proposed first floor plans, scale 1:100, drawing number A0850-P1, received 25th March 2024;

Existing and proposed second floor plans, scale 1:100, drawing number A0900-P1, received 25th March 2024;

Existing and proposed third floor plans, scale 1:100, drawing number A0950-P1, received 25th March 2024;

Existing and proposed front elevations, scale 1:100, drawing number A01000-P1, received 25th March 2024;

Flood Risk Assessment, written by UNDA, document reference 92458-Imovina-KingSt, received 14th June 2024;

Heritage Statement, written by Next Level Architecture, document number KS2023-A0600, received 25th March 2024;

Design and Access Statement, written by Next Level Architecture, document number KS2023-A0500, received 25th 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.

Prior to Construction Conditions

3. Prior to the replacement of any windows or doors within the building, full details and specifications must be submitted to and approved in writing by the Local Planning Authority. Any windows and doors replaced must be done so in accordance with the approved details and retained as such at all times thereafter.

Reason

In order to ensure that the character of the Conservation Area is maintained

and in accordance with Policies ENV4 and DM27 of the Copeland Local Plan.

4. Prior to its installation, full details of the dormer window to be situated in the roof on the rear elevation must be submitted to and approved in writing by the Local Planning Authority. Development must be carried out in accordance with the approved details and retained as such at all times thereafter.

Reason

To ensure a satisfactory design with the Conservation Area and in accordance with Policies ENV4 and DM27 of the Copeland Local Plan.

Prior to Occupation Condition

5. No building or use hereby permitted must be occupied or the use commenced until a Noise Management Plan has been 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 within the building;
- IV. Access and egress to and from the property 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.

Reason

To safeguard the amenity of nearby residents and the area generally in accordance with Policy ST1 of the Copeland Local Plan.

Other Conditions

6. Following approval of the development, construction activities that are audible at the site boundary must be carried out only between the following hours:
Monday to Friday 08.00 – 18.00 and Saturday 08.00 – 13.00 and at no time on Sunday 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 Policy ST1 of the Copeland Local Plan.

7. Any rainwater goods replaced must be in cast iron and retained as such at all times.

Reason

In order to respect the character of the Conservation Area and in accordance with Policies ENV4 and DM27 of the Copeland Local Plan.

8. Development must be carried out in accordance with all of the conclusions and mitigation measures outlined within the Flood Risk Assessment for Planning, written by Unda, document reference 92458-Imovina-KingSt and received 14th June 2024.

Reason

In order to ensure that the risk of flooding is not increased either on site or in the surrounding area and in accordance with Policies ENV1 and DM24 of the Copeland Local Plan.

Informative Notes

- 1) 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

2) The LLFA surface water map show flooding close to the site and indicate 1 in 100 chance of occurring each year.

The applicant needs to consider the Standing Advice for vulnerable developments in flood zone 2 & 3 regarding floor levels, extra flood resistance and resilience measures, access and escape and surface water management.

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
Place, Sustainable Growth and Transport

26th July 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.