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TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

**NOTICE OF GRANT OF PLANNING PERMISSION**

Geoffrey Wallace Limited  
11 St Bridgets Close  
Brigham  
Cockermouth  
CA13 0DJ  
FAO: Mr Geoffrey Wallace

**APPLICATION No: 4/24/2130/0F1**

**DEMOLITION OF EXISTING GARAGES AND ERECTION OF ONE NEW SELF  
BUILD DWELLING INCLUDING RETENTION OF WORKSHOP/GARAGES FOR  
PRIVATE/DOMESTIC USE  
WORKSHOP AND PREMISES, OUTRIGG, ST BEES**

**Mr John Carr and M Christine Chadwick**

The above application dated 03/05/2024 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:

**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:

- Block and Location Plans (Amended), Scale 1:500, DWG No: 24/0379/01, Rev: B, received by the Local Planning Authority on the 29<sup>th</sup> July 2024.
- Ground Floor and First Floor Plans (Amended), Scale 1:100, DWG No: 24/0397/02, Rev: B, received by the Local Planning Authority on the 29<sup>th</sup> July 2024.
- Elevations (Amended), Scale 1:100, DWG No: 24/0397/03, Rev: B, received by the Local Planning Authority on the 29<sup>th</sup> July 2024.
- Elevations (Amended), Scale 1:100, DWG No: 24/0397/04, Rev: A, received by the Local Planning Authority on the 29<sup>th</sup> July 2024.
- Proposed Block Plan Part 1 (Amended), Scale 1:200, DWG No: 24/0397/05, Rev: C, received by the Local Planning Authority on the 29<sup>th</sup> July 2024.
- Proposed Block Plan Part 2 (Amended), Scale 1:200, DWG No: 24/0397/06, Rev: B, received by the Local Planning Authority on the 29<sup>th</sup> July 2024.
- Site Sections (Amended), Scale 1:200, DWG No: 24/0397/07, received by the Local Planning Authority on the 29<sup>th</sup> July 2024.
- Design and Access Statement, Prepared by Geoffrey Wallace April 2024, received by the Local Planning Authority on the 26<sup>th</sup> June 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 shall 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 shall 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 shall 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. Development must not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the local planning authority. The CTMP must include details of:

- details of proposed crossings of the highway verge;
- retained areas for vehicle parking, manoeuvring, loading and unloading for their specific purpose during the development;
- cleaning of site entrances and the adjacent public highway;
- details of proposed wheel washing facilities;
- the sheeting of all HGVs taking spoil to/from the site to prevent spillage or deposit of any materials on the highway;
- surface water management details during the construction phase

#### 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.

#### 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 Occupation Conditions:

6. The development hereby approved must not be occupied until the driveway and parking requirements have been constructed in accordance with the approved plan 'Proposed Block Plan Part 1 (Amended), Scale 1:200, DWG No: 24/0397/05, Rev: B, received by the Local Planning Authority on the 26<sup>th</sup> June 2024'. The approved access and driveway 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.

7. Prior to the first occupation of the dwelling hereby approved the proposed boundary treatment must be installed in accordance with the following approved plans:
  - Proposed Block Plan Part 1 (Amended), Scale 1:200, DWG No: 24/0397/05, Rev: C, received by the Local Planning Authority on the 29<sup>th</sup> July 2024.
  - Site Sections (Amended), Scale 1:200, DWG No: 24/0397/07, received by the Local Planning Authority on the 29<sup>th</sup> July 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 and visual amenity.

8. Prior to the first occupation of the dwelling hereby approved the indicated windows within the first floor of the east elevation must be fitted with obscure glazing in line with the approved plan 'Elevations (Amended), Scale 1:100, DWG No: 24/0397/04, Rev: A, received by the Local Planning Authority on the

29<sup>th</sup> July 2024'. The obscure glazing must be permanently retained at all times thereafter.

Reason

To safeguard the amenities of occupiers of adjoining properties in accordance with the provisions of Policy ST1 of the Copeland Local Plan 2013-2028.

9. Prior to the first installation within the development hereby approved, details of the proposed solar panels must be submitted to and approved in writing by the Local Planning Authority. The development must be carried out in accordance with the approved details at all times thereafter and must not be altered without the prior consent of the Local Planning Authority.

Reason

To ensure a satisfactory appearance of the development in the interests of visual amenity and to safeguard the heritage asset.

10. Prior to the first occupation of the dwelling hereby approved the existing stores/garages highlighted purple on the approved plan 'Block and Location Plans (Amended), Scale 1:500, DWG No: 24/0379/01, Rev: B, received by the Local Planning Authority on the 26<sup>th</sup> June 2024', must only be utilised for purposes ancillary to the residential property approved under this application and must not be used for any business or other purposes whatsoever for the lifetime of the development.

Reason

In the interest of residential amenity in accordance with the provisions of Policy ST1 of the Copeland Local Plan 2013-2028.

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11. The dwelling hereby approved must be constructed as a self-build and custom housebuilding dwelling within the definitions of self-build and custom housebuilding as contained in the Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016).

The first occupation of the dwelling hereby permitted must be as the sole or main residence of a person or persons who had primary input into the design and layout of the dwelling.

Reason

To ensure the development complies with the self-build and custom house building definition and help meet the Districts self-build requirement, in accordance with National Policy.

12. At least two months prior to the first occupation of the dwelling hereby approved, details of the person or persons who are to be the first occupants of the dwelling and confirmation that the dwelling is to comprise their sole or main residence shall be submitted to and approved in writing by the local planning authority.

Reason

To ensure the development complies with the self-build and custom house building definition and help meet the Districts self-build requirement, in accordance with National Policy.

Other Conditions:

13. The attached garage 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 used for any business purposes whatsoever.

Reason

In the interest of residential amenity and to restrict inappropriate uses within the area.

14. 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.

## **Informative Notes:**

### Biodiversity Net Gain – Exemption

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition”) that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the local planning authority, and
- (b) the local planning authority has approved the plan.

The planning authority, for the purposes of the Biodiversity Gain Plan is Cumberland Council.

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements is/are considered to apply.

Applicable exemption – The development comprises a self-build dwelling.

### Coal Authority Standing Advice

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](http://www.gov.uk/government/organisations/the-coal-authority)

## **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

14th October 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](mailto: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.