



Cumberland Council
Cumbria House
107-117 Botchergate
Carlisle
Cumbria CA1 1RD
Telephone 0300 373 3730
cumberland.gov.uk

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) – SECTION 73

NOTICE OF GRANT OF PLANNING PERMISSION

Planning Branch Ltd
19 Greystoke Park Avenue
Penrith
CA11 9DB
FAO: Ms Anthea Jones

APPLICATION No: 4/24/2258/0G1

**REMOVAL OF CONDITION 3 (TO RETAIN SHIPPING CONTAINER) OF
PLANNING APPLICATION 4/23/2283/0F1 APPLICATION FOR NEW
AGRICULTURAL SHED & RETROSPECTIVE APPLICATION FOR ALTERATION
TO EXISTING GROUND LEVELS
HIGHVIEW, MILL LONNING, LOWCA**

Mr Kelvin Murphey

The above application dated 30/07/2024 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. -
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 4th October 2023;
 - Existing Location Plan, scale 1:1250, drawing no. DWG01, received 4th October 2023;
 - Existing Location Plan, scale 1:5000, drawing no. DWG01, received 4th October 2023;

- Proposed Floor Plan, scale 1:50, drawing no. DWG01, received 4th October 2023;
- Proposed Elevations, scale 1:100, drawing no. DWG01, received 4th October 2023;
- Surveyed Existing & Estimated Original Levels, drawing no. DWG01, received 4th October 2023;
- Preliminary Ecological Appraisal, received 4th October 2023;
- Proposed Site Cross Section, scale 1:200, drawing no. DWG02, received 4th October 2023;
- Proposed Block Plan, scale 1:500, drawing no. DWG02, received 4th October 2023;
- Soakaway Design (Amended), received 20th December 2023;
- Storage Container Location Plan, Block Plan and specifications, scale 1:1250 and 1:500, drawing number DWG01 Rev C, received 30th July 2024.
- Planning Statement dated May 2024 prepared by Planning Branch, received 30th July 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.

3. The container hereby approved must remain sited in the position identified on drawing DWG01 Rev C and finished to match the existing building approved under reference 4/23/2283/0F1 and cannot be moved within the site or colour changed unless otherwise agreed with the Local Planning Authority.

Reason

For avoidance of doubt and to ensure a minimal landscape impact in accordance with Policy DM10 of the Copeland Local Plan.

4. The proposed agricultural building shall be used for the purposes detailed in Section 3 of the approved Planning Statement received by the Local Planning Authority on 4th October 2023 only, and for no other purpose whatsoever.

Reason

To ensure that non-conforming uses are not introduced into the area.

5. The surface water drainage scheme must be carried out in accordance with the Percolation Test and Soakaway Design document received by the Local Planning Authority on 20th December 2023. The approved scheme must

remain operational and be maintained as such at all times thereafter.

Reason

To ensure the provision of a satisfactory surface water drainage scheme in accordance with Policy DM24 of the Copeland Local Plan.

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 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

26th September 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.