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TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

NOTICE OF GRANT OF PLANNING PERMISSION

Avison Young
Central Square
Forth Street
Newcastle upon Tyne
NE1 3PJ
FAO: Mr Chris Johnson

APPLICATION No: 4/24/2328/0F1

**INSTALLATION OF DRAINAGE ASSOCIATED WITH ADJACENT NEW BUILD
CMIQ HUB OFFICE, RESEARCH AND DEVELOPMENT SCHEME APPROVED
UNDER REFERENCE 4/22/2184/001. RESTORATION OF SITE TO PREVIOUS
STATE UPON COMPLETION OF THE DEVELOPMENT.
UNITS 20A & 20B LECONFIELD INDUSTRIAL ESTATE, CLEATOR MOOR**

Cumberland Council

The above application dated 02/10/2024 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 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: -

Site Location Plan, by Norr, dwg no. CMIQ-NOR-NOR-ZZ-DR-90006
Proposed Site Plan, by BGP, dwg no. CMIQ-BGP-05-XX-DR-C-52-05145_P01
Covering Letter by Chris Johnson, MRTPI of Avison Young, dated 24 September 2024.
Ecological Appraisal, prepared by Tetra Tech Ltd, ref. 784-B029886 Rev 2, dated November 2021.
Further Drainage Information Letter by Chris Johnson, MRTPI of Avison Young, dated 6 December 2024.
Biodiversity Net Gain: Statement of Exemption Cleator Moor Innovation Quarter, by Tetra Tech Ltd, ref. 784-B029668, dated December 2024.
Hub – Official Drainage Connections, by BGP, dwg. CMIQ-BGP-05-XX-DR-C-52-05145, dated 24.09.24.
Site – Proposed Plan, by Norr, dwg. CMIQ-NOR-HUB-ZZ-DR-A-90006-RevP1, dated 19.09.24.

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.

Contamination

3. 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 immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which should be submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Noise & Air Pollution

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

Monday to Friday 08.00 – 18.00

Saturday 08.00 – 13.00

At no time on Sunday or Bank Holidays.

Deliveries to and removal of plant, equipment, machinery and waste from the site shall only take place within the permitted hours detailed above unless otherwise agreed in writing with the Local Planning Authority.

Measures for the control of dust and other airborne pollutants from the site during the construction phase shall be submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented as approved.

Reason

In the interests of the amenities of surrounding occupiers during the construction of the development.

Reinstatement

5. Following installation of the approved drainage works the land shall be re-instated in accordance with the details contained in the approved BNG: Statement of Exemption.

Reason

In order to protect the ecological habitat on the site.

Informative - Waste

Waste on site – the CL:AIRE Definition of Waste : Development Code of Practice (version 2) provides a framework for determining if excavated material arising from site development works is waste or has ceased to be waste. Developers should ensure that all contaminated materials are adequately characterised. Further advice may be sought from the Environment Agency

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

A handwritten signature in black ink, appearing to read 'N. J. Hayhurst'.

Nick Hayhurst
Head of Planning and Place
Inclusive Growth and Placemaking

10th March 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.