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

NOTICE OF GRANT OF PLANNING PERMISSION

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

APPLICATION No: 4/24/2366/0B1

VARIATION OF PRE COMMENCEMENT CONDITIONS 3 (SUSTAINABLE WATER DRAINAGE SCHEME), CONDITION 4 (MEASURES TO PREVENT SURFACE WATER DISCHARGING ONTO OR OFF THE HIGHWAY) AND CONDITION 6 (LAND FOR PARKING VEHICLES ENGAGED IN CONSTRUCTION OPERATIONS) OF PLANNING APPLICATION 4/24/2096/0F1 - DEMOLITION OF EXISTING DETACHED BUNGALOW & ERECTION OF REPLACEMENT DWELLING INCLUDING ERECTION OF DETACHED GARAGE & ALTERATIONS TO EXISTING ACCESS

MELLENDENE, HIGH HOUSE ROAD, ST BEES

Jackson Timber Ltd

The above application dated 23/10/2024 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:

Standard Conditions

1. The development hereby permitted must be commenced before the 28th May 2027.

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. This permission relates to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them:-

- Location Plan, Scale 1:1250, Drawing No: 23/06/1051-01, received by the Local Planning Authority on the 25th March 2024.
- Existing Site Plan, Scale 1:500, Drawing No: 23/06/1051-02, received by the Local Planning Authority on the 25th March 2024.
- Proposed Site Plan (Amended), Scale 1:500, Drawing No: 23/06/1051-03c), received by the Local Planning Authority on the 24th May 2024.
- Dwelling – Plans and Elevations (Amended), Scale 1:100, Drawing No: 23/06/1051-04a), received by the Local Planning Authority on the 24th May 2024.
- Detached Garage – Plans and Elevations, Scale 1:100, Drawing No: 23/06/1051-05, received by the Local Planning Authority on the 25th March 2024.
- Site Sections, Scale 1:200, Drawing No: 23/06/1051-06, received by the Local Planning Authority on the 25th March 2024.
- Brief Condition Report, Doc Ref: 23/06/1051-CR, received by the Local Planning Authority on the 25th March 2024.
- External Materials Schedule, 23/06/1051-EMS, received by the Local Planning Authority on the 25th March 2024.
- Photographic Record of Existing Dwelling, March 2024, received by the Local Planning Authority on the 25th March 2024.
- Heritage, Design & Assess Statement, Ref: 23/06/1051-HDAS, received by the Local Planning Authority on the 25th March 2024.
- Proposed Site Plan – Parking/Turning, Scale 1:500, Drawing No: 23/06/1051-03d), received by the Local Planning Authority on the 23rd October 2024.
- Working Site Plan, Scale 1:100, Drawing No: 23/06/1051-14, received by the Local Planning Authority on the 23rd October 2024.
- Attenuation Calculations, Prepared by J D P Limited October 2024, received by the Local Planning Authority on the 23rd October 2024.
- Rainbox 3SR Product Information Sheet, received by the Local Planning Authority on the 23rd October 2024.
- Surface Water Drainage Strategy, received by the Local Planning Authority on the 13th January 2025.
- Summary of Classification Test Results, received by the Local Planning Authority on the 13th January 2025.

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. The drainage for the development hereby approved, must be carried out in accordance with principles set out in accordance with the following approved plans:
 - Working Site Plan, Scale 1:100, Drawing No: 23/06/1051-14, received by the Local Planning Authority on the 23rd October 2024.
 - Attenuation Calculations, Prepared by J D P Limited October 2024, received by the Local Planning Authority on the 23rd October 2024.
 - Rainbox 3SR Product Information Sheet, received by the Local Planning Authority on the 23rd October 2024.
 - Surface Water Drainage Strategy, received by the Local Planning Authority on the 13th January 2025.
 - Summary of Classification Test Results, received by the Local Planning Authority on the 13th January 2025.

Prior to occupation of the proposed development, the drainage schemes must 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. The development hereby approved must be carried out in accordance with and implement the measures set out in the approved document 'Working Site Plan, Scale 1:100, Drawing No: 23/06/1051-14, received by the Local Planning Authority on the 23rd October 2024'. The measures to prevent surface water discharging onto or off the highway must be implemented prior to the development being completed and must be maintained operational thereafter.

Reason

In the interests of highway safety and environmental management.

5. The development hereby approved must be carried out in accordance with the Demolition and Construction Traffic Management Plan approved as part of condition 5 of permission 4/24/2096/0F1, as detailed within correspondence dated 19th June 2024 (ref: 4/24/2212/DOC).

Reason

To ensure the undertaking of the demolition and construction 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.

6. No further works are to commence on site until the parking for construction vehicles has been constructed in accordance with the approved details 'Proposed Site Plan – Parking/Turning, Scale 1:500, Drawing No: 23/06/1051-03d), received by the Local Planning Authority on the 23rd October 2024'. The parking area must be used for and kept available for the parking of construction vehicles at all times until completion of the construction works.

Reason

The carrying out of this development without the provision of these facilities during the construction work is likely to lead to inconvenience and danger to road users.

Prior to Erection of External Walling Conditions:

7. The development hereby approved, must be carried out in accordance with the materials approved as part of condition 7 of permission 4/24/2096/0F1, as detailed within correspondence dated 28th November 2024 (ref: 4/24/2354/DOC). 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 First Use/Occupation Conditions:

8. The development hereby approved, must be carried out in accordance with the solar panel details approved as part of condition 8 of permission 4/24/2096/0F1, as detailed within correspondence dated 28th November 2024

(ref: 4/24/2354/DOC). Development must be completed in accordance with the approved details 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 and to safeguard the heritage asset.

9. Prior to the first occupation of the dwelling hereby approved the boundary treatment must be installed in line with the approved plan 'Proposed Site Plan (Amended), Scale 1:500, Drawing No: 23/06/1051-03c), received by the Local Planning Authority on the 24th May 2024'. All boundary treatment must be retained in accordance with this approved plan at all times thereafter.

Reason

In the interest of residential amenity.

10. Prior to the first occupation of the dwelling hereby approved the indicated windows within the south west elevation must be fitted with obscure glazing in line with the approved plan 'Dwelling – Plans and Elevations (Amended), Scale 1:100, Drawing No: 23/06/1051-04a), received by the Local Planning Authority on the 24th May 2024'. The obscure glazing must be permanently retained at all times thereafter.

Reason

In the interest of residential amenity.

Other Conditions:

11. The detached 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 independently occupied let or sold as a separate permanent dwelling or used for any business purposes whatsoever.

Reason

The detached garage is not considered appropriate for use as a separate residential unit and to ensure that non-conforming uses are not introduced into the area.

12. Any access gates installed within the property must be of a style which do not open onto the highway and must be retained as such at all times thereafter.

Reason

In the interest of highway safety.

Informative:

Any works within or near the Highway must be authorised by the Council and no works shall be permitted or carried out on any part of the Highway including Verges, until you are in receipt of an appropriate permit from the LHA Streetworks team.

<https://www.cumberland.gov.uk/parking-roads-and-transport/streets-roads-and-pavements/street-licences-and-permits/street-permit-and-licence-fees-and-charges>

Please be advised that the Highway outside and or adjacent to the proposal must be kept clear and accessible at all times.

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

28th January 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.