



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).

NOTICE OF GRANT OF PLANNING PERMISSION

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

APPLICATION No: 4/25/2006/0F1

**PROPOSED DOMESTIC SELF-BUILD DWELLING
PLOT 5, BONNY MEADOWS, MORESBY PARKS, WHITEHAVEN**

Mr Lewis Jolly & Miss Faith Hodgson

The above application dated 09/01/2025 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 begin not later than three years from the date of this decision.

Reason

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Planning Application Form

House Type 9FHLJ – Ground Floor Plan Part 1 – Drawing No. 24/410/01 Rev. 0
House Type 9FHLJ – Ground Floor Plan Part 2 – Drawing No. 24/410/02 Rev. 0
Ground Floor Plan General Arrangement - Drawing No. 24/410/03 Rev. 0
First Floor Plan Part 1 - Drawing No. 24/410/04 Rev. 0
First Floor Plan Part 2 - Drawing No. 24/410/05 Rev. 0
First Floor Plan General Arrangement - Drawing No. 24/410/06 Rev. 0
Second Floor Plan Part 1 - Drawing No. 24/410/07 Rev. 0
Second Floor Plan Part 2 - Drawing No. 24/410/08 Rev. 0
Sectional Elevation AA - Drawing No. 24/410/09 Rev. 0
Sectional Elevation BB - Drawing No. 24/410/10 Rev. 0
Front Elevation - Drawing No. 24/410/12 Rev. 0
Rear Elevation - Drawing No. 24/410/13 Rev. 0
End Elevation - Drawing No. 24/410/14 Rev. 0
End Elevation - Drawing No. 24/410/15 Rev. 0
Site Layout – Drawing No. 24/410/19 Rev. 0
Site Layout – Drawing No. 24/410/20 Rev. 0

Reason:

For the avoidance of doubt and in the interests of proper planning.

Pre-Occupation Planning Conditions

3.

a) Prior to occupation of the dwelling hereby approved full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority.

These details shall include:-

- proposed finished levels or contours;
- means of enclosure; and,
- hard surfacing materials;

b) Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers / densities; and an implementation programme.

The agreed scheme shall be carried out as approved to the agreed timetable. Any trees / shrubs which are removed, die, become severely damaged or diseased within five years of their planting shall be replaced in the next planting season with trees / shrubs of similar size and species to those originally required to be planted unless the Local Planning Authority gives written consent to any variation.

Reason:

To safeguard and enhance the character of the area and secure high quality landscaping in accordance with the provisions of Policy DS5 of the Copeland Local Plan 2021-2039.

4. The dwelling hereby approved shall not be occupied until the vehicular access and parking requirements to serve the dwelling have been constructed in accordance with the approved plan and brought into use. The vehicular access and parking provisions shall be retained and capable of use at all times thereafter and shall not be removed or altered.

Reason:

To ensure a minimum standard of access provision when the development is brought into use in accordance with the provisions of Policy CO2 of the Copeland Local Plan 2021-2039.

5. No construction work associated with the development hereby approved shall be carried out outside of the hours of 07.30 hours -18.00 hours Monday-Saturday, nor at any time on Sundays and bank holidays.

Reason

In the interests of neighbouring residential amenity in accordance with the provisions of the National Planning Policy Framework.

Ground Conditions

6. 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 within 14 days to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination, development must be halted on that part of the site.

An assessment must be undertaken and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority.

The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures

identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority.

Reason

To prevent harm to human health and the environment in accordance with the provisions of Policy DS8 of the Copeland Local Plan 2021-2039.

Construction Management

7. The construction management details outlined in Design and Access Statement - Self Build Plot 5, Bonny Meadows shall be implemented for the duration of the construction period.

Reason

To prevent pollution and in the interests of neighbouring residential amenity in accordance with the provisions of Policy DS8, Policy N1, Policy N5 of the Copeland Local Plan 2021-2039 and the relevant provisions of the National Planning Policy Framework.

Informative

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 considered to apply.

Applicable exemption:

- **Self-build and custom build development**


Development which:

consists of no more than 9 dwellings, and is carried out on a site which has an area no larger than 0.5 hectares, and consists exclusively of dwellings which are self-build or custom housebuilding as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015.

Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against, primarily, the development plan policies, any duties applicable and also all material considerations, including Local Plan policy, the National Planning Policy Framework and any stakeholder representations that may have been received. It has subsequently determined to grant planning permission.

Please read the accompanying notice



Nick Hayhurst
Head of Planning and Place
Inclusive Growth and Placemaking

24th 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.