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TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

**NOTICE OF GRANT OF PLANNING PERMISSION**

Fox Architectural Design Ltd  
Church View Office  
Church Lane  
Bootle  
Millom  
LA19 5TE  
FAO: Karl Fox

**APPLICATION No: 4/25/2015/0F1**

**DEMOLITION OF AN EXISTING BUNGALOW AND THE CONSTRUCTION OF A  
NEW SINGLE STOREY DWELLING WITH INTEGRAL GARAGE AND  
ASSOCIATED LANDSCAPING  
PENHAVEN, NORTH LANE, HAVERIGG**

**Christine Cairns**

The above application dated 16/01/2025 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:

**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. 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:-

- Application Form, received by the Local Planning Authority on the 16<sup>th</sup> January 2025.
- Location/Block Plan, Scale 1:500 & 1:1250, Drawing Reference: 24-36-P-L, Revision: -, received by the Local Planning Authority on the 16<sup>th</sup> January 2025.
- Proposed Site Plan (Amended), Scale 1:250, Drawing Reference: 24-36-P-01, Revision: AB received by the Local Planning Authority on the 5<sup>th</sup> June 2025.
- Plans as Existing, Scale 1:100, Drawing Reference: 24-36-P-02, Revision: -, received by the Local Planning Authority on the 16<sup>th</sup> January 2025.
- Plans as Proposed (Amended), Scale 1:100, Drawing Reference: 24-36-P-06, Revision: F, received by the Local Planning Authority on the 23<sup>rd</sup> April 2025.
- Existing Elevations, Scale 1:100, Drawing Reference: 24-36-P-03, Revision: -, received by the Local Planning Authority on the 16<sup>th</sup> January 2025.
- Elevations as Proposed (Amended), Scale 1:100, Drawing Reference: 24-36-P-07, Revision: E, received by the Local Planning Authority on the 16<sup>th</sup> January 2025.
- Existing 3D Sketches 01, Drawing Reference: 24-36-P-04, Revision: -, received by the Local Planning Authority on the 16<sup>th</sup> January 2025.
- Existing 3D Sketches 02, Drawing Reference: 24-36-P-05, Revision: -, received by the Local Planning Authority on the 16<sup>th</sup> January 2025.
- Proposed 3D Sketches 01, Drawing Reference: 24-36-P-08, Revision: E, received by the Local Planning Authority on the 23<sup>rd</sup> April 2025.
- Proposed 3D Sketches 02, Drawing Reference: 24-36-P-09, Revision: E, received by the Local Planning Authority on the 23<sup>rd</sup> April 2025.
- Proposed 3D Sketches 03, Drawing Reference: 24-36-P-10, Revision: E, received by the Local Planning Authority on the 23<sup>rd</sup> April 2025.
- Bat Survey, Prepared by South Lakes Ecology January 2025, Report No: 0125/3, received by the Local Planning Authority on the 16<sup>th</sup> January 2025.
- Biodiversity Net Gain Assessment and Planting Plan, Prepared by South Lakes Ecology January 2025, received by the Local Planning Authority on the 16<sup>th</sup> January 2025.

- Design Access & Energy Statement (Amended), Prepared by Fox-Ad, Revision: A, received by the Local Planning Authority on the 5<sup>th</sup> June 2025.
- Email from Agent, received by the Local Planning Authority on the 5<sup>th</sup> June 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. Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme must 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 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 in accordance with Policies DS6 and DS7 of the Copeland Local Plan.

4. Details of all measures to be taken by the applicant/developer to prevent surface water discharging onto or off the highway must be submitted to the Local Planning Authority for approval prior to development being commenced. Any approved works 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 in accordance with Policies CO4 and CO7 of the Copeland Local Plan.

5. 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;
- Construction vehicle routing;
- The management of junctions to and crossings of the public highway and other public rights of way/footway;
- Details of any proposed temporary access points (vehicular / pedestrian)
- Surface water management proposals during the construction phase.

The development must be carried out in accordance with the approved details at all times thereafter.

#### 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 in accordance with Policies CO4 and CO7 of the Copeland Local Plan.

6. No development must take place until a site specific Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration and dust. The plan should include, but not be limited to:

- An asbestos survey of the existing bungalow and outbuildings.
- A Demolition Method Statement.
- Mitigation measures as defined in BS 5228 : Parts 1 and 2 : 2009 + A1 : 2014 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise from construction works.
- Control measures for dust and other airborne pollutants.

The development must be carried out in accordance with the approved details at all times thereafter.

#### Reason

In the interests of the safety of site workers and to protect the amenities of surrounding occupiers during the construction of the development in accordance with DS4 of the Copeland Local Plan.

#### Prior to Erection of External Walling Conditions:

7. 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 in accordance with DS4 of the Copeland Local Plan.

#### Prior to First Use/Occupation Conditions:

8. 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.

9. 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.

10. Prior to the first installation within the development hereby approved, details of the proposed solar panels will 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 in accordance with DS4 of the Copeland Local Plan.

11. Prior to the first occupation of the dwelling hereby approved the boundary treatment must be installed in line with the following approved documents:
  - Proposed Site Plan (Amended), Scale 1:250, Drawing Reference: 24-36-P-01, Revision: AB received by the Local Planning Authority on the 5<sup>th</sup> June 2025.
  - Email from Agent, received by the Local Planning Authority on the 5<sup>th</sup> June 2025.

All boundary treatment must be retained in accordance with this approved plan at all times thereafter.

Reason

In the interest of residential amenity in accordance with Policy DS4 of the Copeland Local Plan.

Other Conditions:

12 The development hereby approved must implement all of the mitigation and compensation measures set out in the approved documents:

- Bat Survey, Prepared by South Lakes Ecology January 2025, Report No: 0125/3, received by the Local Planning Authority on the 16<sup>th</sup> January 2025.

If demolition works have not commenced within 18 months of the date of this approval, repeat bat investigations will be required.

Reasons

To protect the ecological interests evident on the site, in accordance with policies N1 and N3 of the Copeland Local Plan 2021 – 2039.

13. 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

No construction works shall take place at any time on Sundays or Bank Holidays.

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

Measures for the mitigation of dust and other airborne pollutants should also be taken at all times during the construction phase.

Reason

In the interests of the amenities of surrounding occupiers during the construction of the development in accordance with Policy DS4 of the Copeland Local Plan.

14. Access gates, if provided, must be hung to open inwards only away from the highway.

Reason

In the interests of highway safety in accordance with Policies CO4 and CO7 of the Copeland Local Plan.

### **Informatives:**

#### **1. Public Right of Way**

This site takes access from PROW 416064 and 415029, the Applicant must ensure that no obstruction to the footpath occurs during, or after the completion of the site works.

#### **2. 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.



**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. S. Hayhurst'.

Nick Hayhurst  
Head of Planning and Place  
Inclusive Growth and Placemaking

06th June 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](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.