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TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).

**NOTICE OF GRANT OF PLANNING PERMISSION**

Sam Greig Planning  
Sunnyside  
Moorhouse Road  
Moorhouse  
Carlisle  
CA5 6EJ  
FAO: Mr Sam Greig

**APPLICATION No: 4/25/2019/0F1**

**INSTALLATION OF FOUL AND SURFACE WATER INFRASTRUCTURE TO  
SERVE 22 DWELLINGS APPROVED UNDER APPLICATION 4/21/2519/0R1  
LAND AT NORTH PARK, RHEDA, FRIZINGTON**

**KCS Agriculture**

The above application dated 20/01/2025 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 Planning 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:

Application Form

Location Plan – Drawing No. AA7281/EW/18 Rev. A

Existing Layout And Services – Drawing No. AA7281/EW/01 Rev. A

Overall Drainage Layout – Drawing No. AA7281/EW/03 Rev. J

Drainage Layout 1/3 – Drawing No. AA7281/EW/04 Rev. G

Drainage Layout 2/3 – Drawing No. AA7281/EW/05 Rev. G

Drainage Layout 3/3 – Drawing No. AA7281/E/06 Rev. E

Surface Water Manhole Schedules – Drawing No. AA7281/EW/07 Rev. D

Foul Manhole Schedule – Drawing No. AA7281/EW/08 Rev. B

Drainage Details – Drawing No. AA7281/EW/10

Rising Main Pressure Break Chamber Details – Drawing No. AA7281/EW/12

North Park Rheda, Phase 2. Operation & Maintenance Plan for Sustainable

Drainage Systems - Document No: AA7281/8.4/DMP Rev. A

Off Site Drainage Profiles – Drawing No. AA7281/EW/20 Rev. A

Land Drain & Ditch – Drawing No. AA7281/EW/19

Vertical Profiles – Drawing No. AA7281/EW/14 Rev. A

Off-Site Drainage Boundaries – Drawing No. AA7281/EW/17 Rev. D

Technical Note – Arboricultural Method Statement - Installation of a kest and drain at North Rheda Park, Frizington

Reason

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

*Delivery*

3. The development to which this planning permission relates shall not commence unless or until any part of the development for which planning permission was granted under planning application ref. 4/18/2426/001 and application ref. 4/21/2519/0R1.0F1 has already commenced.

Reason

To ensure that the development is delivered in conjunction with the development approved under application ref. 4/18/2426/001 and application ref. 4/21/2519/0R1 and is not delivered in isolation.

### *Arboriculture*

4. Technical Note – Arboricultural Method Statement - Installation of a kest and drain at North Rheda Park, Frizington shall be implemented as approved for the duration of the construction period.

#### **Reason**

To ensure the protection and retention of important landscape features in accordance with the provisions of Policy N14 of the Copeland Local Plan 2021-2039.

5. No excavation shall commence until a scheme for the protection of the retained trees and hedgerows (the tree protection plan) has been submitted to and approved in writing by the Local Planning Authority.

The tree protection measures shall be carried out as described and approved and shall be maintained until the development is completed.

#### **Reason**

To ensure the protection and retention of important landscape features in accordance with the provisions of Policy N14 of the Copeland Local Plan 2021-2039.

### *Working Hours*

6. 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*

7. 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.

#### 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:

**Development below threshold.**

#### 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' with a stylized flourish at the end.

Nick Hayhurst  
Head of Planning and Place  
Inclusive Growth and Placemaking

16th May 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.