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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: 4/25/2063/0F1**

**PROPOSED DOMESTIC SELF-BUILD DWELLING  
PLOT 17, BONNY MEADOWS, MORESBY PARKS**

**Yasmin and Craig McLean**

The above application dated 20/02/2025 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 received 20<sup>th</sup> February 2025

Ground Floor Plan – Drawing No. 25/0427/01 Rev. 00 received 10<sup>th</sup> April 2025  
First Floor Plan – Drawing No. 25/0427/02 Rev. 00 received 10<sup>th</sup> April 2025  
Sectional Elevation AA – Drawing No. 25/0427/03 Rev. 00 received 10<sup>th</sup> April 2025  
Front Elevation – Drawing No. 25/0427/04 Rev. 00 received 10<sup>th</sup> April 2025  
Rear Elevation – Drawing No. 25/0427/05 Rev. 00 received 10<sup>th</sup> April 2025  
End Elevation – Drawing No. 25/0427/06 Rev. 00 received 10<sup>th</sup> April 2025  
End Elevation – Drawing No. 25/0427/07 Rev. 00 received 10<sup>th</sup> April 2025  
Foundations – Drawing No. 25/0427/08 Rev. 00 received 10<sup>th</sup> April 2025  
Block Plan – Drawing No. 25/0437/09 Rev. 00 received 10<sup>th</sup> April 2025  
Plot 17 Block and Location Plan – Drawing No. 25/0427/09 Rev. 00 received 10<sup>th</sup> April 2025  
Design and Access Statement - Self Build Plot 17, Bonny Meadows received 9<sup>th</sup> April 2025

#### Reason

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

#### *Pre-Occupation Planning Condition – Access/Parking*

3. The dwelling hereby approved shall not be occupied until the vehicular access and parking provision 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.

#### *Ground Conditions*

4. 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*

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.

6. The construction management details outlined in Design and Access Statement - Self Build Plot 17, Bonny Meadows received 9<sup>th</sup> April 2025 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.

#### *Landscaping*

7. All hard and soft landscape works are to be carried out in accordance with the approved details in the first planting season following completion of the development.

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.

#### Reason

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

## **Informative Notes**

### **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.

### **Development Low Risk Area - Standing Advice – Mining Remediation Authority**

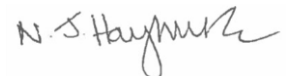
The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242.

Further information is also available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK

## Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and negotiating with the applicants acceptable amendments to address them. As a result the Local Planning Authority has been able to grant planning permission for an acceptable proposal in accordance with Copeland Local Plan 2021 – 2039 policies and 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

11th April 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.