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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: 4/25/2165/0B1**

**VARIATION OF CONDITION 2 (PLANS) FOR SUBSTITUTION OF DWELLING  
TYPES TO MEET CUSTOMER DEMANDS ON PLOTS 50, 51 & 52 OF PLANNING  
APPROVAL 4/23/2360/0F1  
PLOTS 50, 51 & 52, KEEKLE MEADOWS, CLEATOR MOOR**

**High Grange Developments Ltd**

The above application dated 13/05/2025 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 be carried out in accordance with the following approved plans:

Application Form

Site Location Plan – DWG No. 06/11/542-100

Site Plan – Phase 7 – Drawing No. 06/11/542 – 127 f)

Dwelling Type A/1 – Plans & Elevations – Drawing No. 06/11/542 – 212

Dwelling Type A/2 – Plans & Elevations – Drawing No. 06/11/542 – 151

Dwelling Type A/2 Handed (No garage) – Plans & Elevations – Drawing No. 06/11/542 – 155

Single Detached Garage – Plans & Elevations – Plans & Elevations – Drawing No. 06/11/542 – 36 d)

Dwelling Type K – Plans & Elevations (Handed) – Drawing No. 06/11/542 – 213

Detached Paired Garage – Plans and Elevations – Drawing No. 06/11/542-220  
Ground Gas Risk Assessment – Ref. 2015-1559  
Capping of Hope Pit Shaft at Mill Hill, Cleator Moor, Cumbria – Project No. 15-108

#### Reason

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

2. Each dwelling hereby approved shall not be occupied until the vehicular access and turning requirements to serve that dwelling have been constructed in accordance with the approved plan and brought into use. The vehicular access/turning 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 CO4 and Policy C07 of the Copeland Local Plan 2021-2039.

3. 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.

4. No work for the construction of these developments, including demolition, shall take place on the site, except between the hours:  
07:30 - 18.00 Monday to Friday; and  
08.00 - 13.00 on Saturdays.

No work should be carried out on Sundays or officially recognised public holidays.

#### Reason

To safeguard the amenity of neighbouring occupiers in accordance with the provisions of the National Planning Policy Framework.

#### 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.

#### 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 as the original permission to which the Section 73 planning application relates to was made before 12 February 2024.

Please read the accompanying notice



Nick Hayhurst  
Head of Planning and Place  
Thriving Places

24th July 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.