



**Cumberland Council**  
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[cumberland.gov.uk](http://cumberland.gov.uk)

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED).**

**NOTICE OF GRANT OF PLANNING PERMISSION**

Calva Design Studio  
Waters Edge  
2A Church Road  
Harrington  
Workington  
CA14 5QP  
FAO: Mr Richard Lindsay

**APPLICATION No: 4/25/2220/0F1**

**PROPOSED ERECTION OF BALCONY/DECK TO REAR ELEVATION AND  
INSTALLATION OF BIFOLD DOOR TO ACCESS DECK FROM FIRST FLOOR  
LIVING ROOM**

**BLUE MOUNTAINS, BIRKS ROAD, CLEATOR MOOR**

**Mr Paul Burns**

The above application dated 24/06/2025 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 must commence 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 must be carried out in accordance with them: -

Application Form, received 24 June 2025;

Site Location Plan, scale 1:1250, drawing reference 612 01001 Rev 01, received 24 June 2025;

Proposed Floor Plans, scale 1:100, drawing reference 612 01003 Rev 3, amended plan received 3 November 2025.

Proposed Elevations, Scale 1:100, drawing reference 612 02001 Rev 4, amended plan received 15 December 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.

3. Prior to the balcony being brought into use the 1.8m high, solid timber screen panels outlined on amended plan ref: 612 02001 Rev 4 received 15 December 2025 shall be fully implemented and shall be retained at all times thereafter unless agreed in writing with the Local Planning Authority.

#### Reason

To safeguard the residential amenity of the occupiers of the neighbouring dwellinghouses, in compliance with the National Planning Policy Framework and Policy H14 of the Copeland Local Plan Adopted November 2024

### **Informative Notes**

#### **Coal Mining Legacy**

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: <https://www.gov.uk/government/organisations/mining-remediation-authority>

#### **Biodiversity Net Gain**

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be Cumberland Council.

There are statutory exemptions which mean that the biodiversity gain condition does not always apply.

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 of the statutory exemptions is considered to apply.

Applicable exemption: Householder development

### **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

12th January 2026

  
Nick Hayhurst  
Head of Planning and Place  
Thriving Places

## **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 12 weeks 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.