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TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) – SECTION 73

**NOTICE OF APPROVAL OF RESERVED MATTERS**

Green Swallow North Ltd  
Swallow Barn  
Blindcrake  
CA13 0QP  
FAO: Mr Stuart Woodall

**APPLICATION REFERENCE 4/26/2062/0G1**

**REMOVAL OF CONDITION 3 (6M BALL STOP FENCE) OF PLANNING  
APPLICATION 4/24/2050/0R1 APPLICATION FOR RESERVED MATTERS  
RELATING TO APPEARANCE, LANDSCAPING, LAYOUT & SCALE PURSUANT  
TO OUTLINE APPLICATION 4/21/2360/0O1  
LAND AT SCALEGILL ROAD, WHITEHAVEN, MOOR ROW  
Washington Homes**

The above application dated 05/03/2026 has been considered by the Council in pursuance of its powers under the above Act and APPROVAL OF RESERVED MATTERS HAS BEEN GRANTED subject to the following conditions:

Standard Conditions

1. The development must be carried out in accordance with the plans submitted and in accordance with the conditions attached to the outline planning permission.

Reason

To comply with Section 92 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:-

- Location Plan, Scale 1:1250, received by the Local Planning Authority on the 8<sup>th</sup> February 2024.
- As Proposed Site Plan (Amended), Scale 1:200, Dwg No: 01, Rev: L, received by the Local Planning Authority on the 18<sup>th</sup> December 2024.
- As Proposed House Type (Amended), Scale 1:100, Dwg No: 02, Rev: A, received by the Local Planning Authority on the 7<sup>th</sup> March 2024.
- As Proposed House Type (Amended), Scale 1:100, Dwg No: 03, Rev: A, received by the Local Planning Authority on the 7<sup>th</sup> March 2024.
- Highways & External Levels Plan Sheet 1 of 2 (Amended), Scale: 1:200, Drawing No: 01, Rev: A, received by the Local Planning Authority on the 30<sup>th</sup> April 2024.
- Highways & External Levels Plan Sheet 2 of 2 (Amended), Scale: 1:200, Drawing No: 02, Rev: A, received by the Local Planning Authority on the 30<sup>th</sup> April 2024.
- Highways Longitudinal Section (Amended), Scale: 1:200, Drawing No: 03, Rev: A, received by the Local Planning Authority on the 30<sup>th</sup> April 2024.
- External Works Plan Sheet 1 of 2 (Amended), Scale: 1:200, Drawing No: 04, Rev: A, received by the Local Planning Authority on the 30<sup>th</sup> April 2024.
- External Works Plan Sheet 2 of 2 (Amended), Scale: 1:200, Drawing No: 05, Rev: A, received by the Local Planning Authority on the 30<sup>th</sup> April 2024.
- External Works Construction Details (Amended), Scale: 1:200, Drawing No: 06, Rev: A, received by the Local Planning Authority on the 30<sup>th</sup> April 2024.
- Foul & Surface Water Drainage Plan Sheet 1 of 2 (Amended), Scale: 1:200, Drawing No: 20, Rev: B, received by the Local Planning Authority on the 26<sup>th</sup> July 2024.
- Foul & Surface Water Drainage Plan Sheet 2 of 2 (Amended), Scale: 1:200, Drawing No: 21, Rev: B, received by the Local Planning Authority on the 26<sup>th</sup> July 2024.
- Section Through SuDS Detention Basin and Headwall Details (Amended), Scale: 1:20 & 1:200, Drawing No: 22, Rev: A, received by the Local Planning Authority on the 30<sup>th</sup> April 2024.
- General Drainage Construction Details, Scale 1:20, Drawing No: 23, Rev: -, received by the Local Planning Authority on the 8<sup>th</sup> February 2024.
- Surface Water Drainage Catchment Plan (Amended), Scale: 1:500, Drawing No: 24, Rev: A, received by the Local Planning Authority on the 30<sup>th</sup> April 2024.
- Drainage Strategy (Amended), Prepared by R G Parkins April 2024, Ref: K40461.DS/001A, received by the Local Planning Authority on the 30<sup>th</sup> April 2024.
- Operation & Maintenance Plan for Sustainable Drainage Systems, Prepared by R G Parkins January 2024, Ref: K40461.ON/002, received by the Local Planning Authority on the 8<sup>th</sup> February 2024.
- Landscape Plan (Amended), Scale: 1:250, Drawing No: WW/LO1 D, received by the Local Planning Authority on the 20<sup>th</sup> September 2024.

- Design and Access Statement (Amended), received by the Local Planning Authority on the 4<sup>th</sup> March 2024.
- Arboricultural Method Statement, received by the Local Planning Authority on the 16<sup>th</sup> October 2024.
- Solar PV Schedule, received by the Local Planning Authority on the 11<sup>th</sup> December 2024.
- Solar PV Panel Details, received by the Local Planning Authority on the 18<sup>th</sup> December 2024.
- Materials Schedule, received by the Local Planning Authority on the 18<sup>th</sup> December 2024.

#### 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.

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

3. –
4. Prior to the first occupation of each dwelling hereby approved, the boundary treatment on that occupied plot must be installed in accordance with the following approved plans:
  - As Proposed Site Plan (Amended), Scale 1:200, Dwg No: 01, Rev: K, received by the Local Planning Authority on the 19<sup>th</sup> September 2024.

The development must be retained in accordance with this approved detail at all times thereafter unless agreed in writing with the Local Planning Authority.

#### Reason

To enhance the appearance of the development in the interest of visual amenities of the area and to ensure a satisfactory landscaping scheme in accordance with Policies DS4 of the Copeland Local Plan 2021-2039.

5. Prior to the first occupation of any dwelling hereby approved the gable windows of the occupied dwelling must be fitted with obscure glazing in line with the approved documents:
  - As Proposed House Type (Amended), Scale 1:100, Dwg No: 02, Rev: A, received by the Local Planning Authority on the 7<sup>th</sup> March 2024.
  - As Proposed House Type (Amended), Scale 1:100, Dwg No: 03, Rev: A, received by the Local Planning Authority on the 7<sup>th</sup> March 2024.

The obscure glazing must be permanently retained at all times thereafter.

## Reason

To safeguard the amenities of occupiers of adjoining properties in accordance with DS4 of the Copeland Local Plan 2021-2039.

## Other Conditions:

6. All hard and soft landscape works must be carried out in accordance with the details illustrated on the following approved documents:

- Landscape Plan (Amended), Scale: 1:250, Drawing No: WW/LO1 D, received by the Local Planning Authority on the 20<sup>th</sup> September 2024.

The approved works must be implemented in full during the first planting season following completion of the development. Any trees or shrubs which are removed, die or become severely damaged or diseased within ten years of their first planting must be replaced in the next planting season with a similar species and in a similar location within one growing season. Any alterations to the agreed Landscape Plan should be approved in writing by the Local Planning Authority.

## Reason

To enhance the appearance of the development in the interest of visual amenities of the area and to ensure a satisfactory landscaping scheme in accordance with Policy N6 of the Copeland Local Plan 2021-2039.

7. The development must be carried out in accordance with and implement all of the mitigation and compensation measures set out in the approved documents:

- Arboricultural Method Statement, received by the Local Planning Authority on the 16<sup>th</sup> October 2024.

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

## Reason

To enhance the appearance of the development in the interest of visual amenities of the area and to ensure a satisfactory landscaping scheme in accordance with Policy N6 of the Copeland Local Plan 2021-2039.

8. The development hereby approved must be completed in accordance with the approved materials detailed within the approved documents:

- As Proposed Site Plan (Amended), Scale 1:200, Dwg No: 01, Rev: L, received by the Local Planning Authority on the 18<sup>th</sup> December 2024.
- Solar PV Panel Details, received by the Local Planning Authority on the 18<sup>th</sup> December 2024.
- Materials Schedule, received by the Local Planning Authority on the 18<sup>th</sup> December 2024.

The development must be retained in accordance with these approved details for the lifetime of the development.

#### Reason

To ensure a satisfactory appearance of the development in the interests of visual amenity in accordance with Policy DS4 of the Copeland Local Plan 2021-2039.

#### **Informative Notes:**

1. Prior to the commencement of this development, the requirements of Planning Conditions 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14 of Outline Planning Approval Ref: 4/21/2360/001 are required to be submitted and approved in writing by the Local Planning Authority.
2. Prior to the occupation/use of this development, the requirements of Planning Conditions 16, 17, and 18 of Outline Planning Approval Ref: 4/21/2360/001 are required to be submitted and approved in writing by the Local Planning Authority.
3. The development hereby approved must be carried out in accordance with conditions 1, 2, 3, 7, 19, 20, 21, 22, 23, 24, and 25 of Outline Planning Approval Ref: 4/21/2360/001.
4. The granting of planning permission would not give the applicant the right to divert, block or obstruct Public Right of Way FP 406016.
5. Public Right of Way FP 406016 must be kept open and unaltered for public use until an order made to divert or to temporarily close it has been confirmed.
6. The proposed development appears to be within very close proximity to Electricity North West's high and low voltage electricity distribution assets. The applicant should also be advised that, should there be a requirement to divert the apparatus because of the proposed works, the cost of such a diversion is usually borne by the applicant. The applicant should be aware of Electricity North West's requirements for access to inspect, maintain, adjust, repair, or alter any of their distribution equipment.

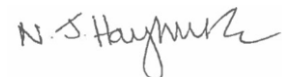
7. All external lighting must meet the guidelines and obtrusive limits details in the institute of lighting professionals Guidance Notes for the Reduction of Obtrusive light (GN01:2011).
8. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at: [www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

### **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

15<sup>th</sup> April 2026



Nick Hayhurst  
Head of Planning and Place  
Thriving Places

**APPROVALS**  
**(OUTLINE, FULL RESERVED MATTERS & HOUSEHOLDER)**

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/planning-inspectorate>. 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.