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Application for Removal or Variation of a Condition following Grant of Planning Permission or Listed Building Consent

Town and Country Planning Act 1990 (as amended); Planning (Listed Buildings and Conservation Areas Act) 1990 (as amended)

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number

Suffix

Property Name

Address Line 1

Address Line 2

Address Line 3

Town/city

Postcode

Description of site location must be completed if postcode is not known:

Easting (x)	Northing (y)
<input type="text" value="297426"/>	<input type="text" value="516757"/>

Description

Informal green space, within an existing residential development, left undeveloped from the previous planning application.

Applicant Details

Name/Company

Title

Miss

First name

Rosie

Surname

Edge

Company Name

Home Group

Address

Address line 1

Anthorne House

Address line 2

Irish Street

Address line 3

Town/City

Maryport

County

Country

England

Postcode

CA15 8AD

Are you an agent acting on behalf of the applicant?

☒ Yes

☐ No

Contact Details

Primary number

***** REDACTED *****

Secondary number

Fax number

Email address

***** REDACTED *****

Agent Details

Name/Company

Title

Mr

First name

David

Surname

Mitchell

Company Name

Home Group

Address

Address line 1

1

Address line 2

Strawberry Lane

Address line 3

Town/City

Newcastle Upon Tyne

County

Country

Postcode

NE1 4BX

Contact Details

Primary number

***** REDACTED *****

Secondary number

Fax number

Email address

***** REDACTED *****

Description of the Proposal

Please provide a description of the approved development as shown on the decision letter

CONSTRUCTION OF 14 DWELLINGS FOR AFFORDABLE RENT AND ASSOCIATED INFRASTRUCTURE, PARKING AND LANDSCAPING
JEFFERSON PARK, WHITEHAVEN

Reference number

4/21/2339/0F1

Date of decision (date must be pre-application submission)

25/11/2021

Please state the condition number(s) to which this application relates

Condition number(s)

Condition 8 - Prior to the commencement of development, a construction management plan must be submitted to and approved in writing by the Local Planning Authority.

This must include the following as a minimum:

- All HGV deliveries to the site must be carried out solely between the hours of 09:00 and 17:00 Monday to Friday. There must be no HGV deliveries on Saturdays, Sundays and Bank Holidays;
- No idling or waiting by deliveries to prevent noise nuisance;
- Construction operating hours must not exceed 08:00 – 18:00 Monday to Friday, 08:00 – 13:00 Saturdays and no operation on Sunday or Bank Holidays;
- Dust emissions, noise and vibration levels and remedial action to prevent nuisance from dust, noise and vibration;
- A contact telephone number for members of the public to report any concerns or complaints.

Condition 13 - The drainage for the development hereby approved, must be carried out in accordance with principles set out in the submitted Foul & Surface Water Drainage Design Drawing K38379 - 100, Rev 0 - Dated 02.07.2021 which was prepared by RGPARKNS. For the avoidance of doubt and unless otherwise agreed in writing by the Local Planning Authority. No surface water will be permitted to drain directly or indirectly into the public sewer. The development must be completed in accordance with the approved details.

Has the development already started?

- ☒ Yes
☐ No

If Yes, please state when the development was started (date must be pre-application submission)

27/06/2022

Has the development been completed?

- ☐ Yes
☒ No

Condition(s) - Variation/Removal

Please state why you wish the condition(s) to be removed or changed

Condition 8 -

We were advised to apply for a change in delivery times as construction work can begin at 8 am but the site can't accept deliveries until after 9 am. We are still struggling with material shortages on site and often the delivery companies are not providing delivery timings but it can be anything from 8 am onwards. To avoid delays on site caused by deliveries unable to be accepted due to the restrictions of the condition we are applying for a variation to change the delivery time to 8:00 am. In addition, we have been advised by Highways to update the site setup plan as indicated in the original CEMP (Please see Appendix 2). We are proposing to move contractor/visitor parking off the main road to minimise disruption for residents as a result of a lack of space as the development progresses. Additionally, due to material shortages, we have had to bulk order and store materials onsite, further reducing parking availability. Highways advised the applicant on the layout of the site set-up to avoid any overspill onto the main road working within the boundary of the site, affecting the visibility of the junction and minimise disruption. Please see the plan "CEMP Appendix 2 - Site Set-up Rev A 230223".

Condition 13 -

The mains services have been found to be in the way impacting the original proposal. As a result, RG Parkins have redesigned the foul and surface water drainage plan. The proposed change to the plan means that the previously proposed L-shaped attenuation tank will now be split into 2 tanks with an approximate gap of 1500mm. This means the section of tank running adjacent to Plot 14 will move by 1500mm and the 2 attenuation tanks will be joined at a low level by connecting drainage pipes, allowing services to run through the gap between the 2 tanks. We are proposing to change the condition to refer to the updated drainage layout.

If you wish the existing condition to be changed, please state how you wish the condition to be varied

Condition 8 -

Prior to the commencement of development, a construction management plan must be submitted to and approved in writing by the Local Planning Authority. This must include the following as a minimum:

- All HGV deliveries to the site must be carried out solely between the hours of 08:00 and 17:00 Monday to Friday. There must be no HGV deliveries on Saturdays, Sundays and Bank Holidays;
- No idling or waiting by deliveries to prevent noise nuisance;
- Construction operating hours must not exceed 08:00 – 18:00 Monday to Friday, 08:00 – 13:00 Saturdays and no operation on Sunday or Bank Holidays;
- Dust emissions, noise and vibration levels and remedial action to prevent nuisance from dust, noise and vibration;
- A contact telephone number for members of the public to report any concerns or complaints.

Condition 13 -

The drainage for the development hereby approved, must be carried out in accordance with principles set out in the submitted Foul & Surface Water Drainage Design Drawing K38379-20G PROPOSED FOUL AND SURFACE WATER DRAINAGE PLAN-A1-L, Dated 10.12.2021 which was prepared by RGPARKNS. For the avoidance of doubt and unless otherwise agreed in writing by the Local Planning Authority. No surface water will be permitted to drain directly or indirectly into the public sewer. The development must be completed in accordance with the approved details.

Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

- ☒ Yes
☐ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- ☐ The agent
☒ The applicant
☐ Other person

Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

- ☒ Yes
☐ No

If Yes, please complete the following information about the advice you were given (this will help the authority to deal with this application more efficiently):

Officer name:

Title

***** REDACTED *****

First Name

***** REDACTED *****

Surname

***** REDACTED *****

Reference

Date (must be pre-application submission)

19/12/2022

Details of the pre-application advice received

The applicant met with Sarah Papaleo and Demi Crawford in response to complaints about site delivery times, parking, and waste. The planning officer suggested that alterations to the planning conditions would allow residents to be consulted and allow us to update the site set-up plan from the original CEMP. It was additionally advised to consult with Highways regarding the site set-up. The applicant then consulted with highways on the 11th of January who suggested a new layout for the site set up to prevent any overspill onto the main road, which would affect the visibility of the junction.

Ownership Certificates and Agricultural Land Declaration

Certificates under Article 14 - Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)

Please answer the following questions to determine which Certificate of Ownership you need to complete: A, B, C or D.

Is the applicant the sole owner of all the land to which this application relates; and has the applicant been the sole owner for more than 21 days?

- ☒ Yes
☐ No

Is any of the land to which the application relates part of an Agricultural Holding?

- ☐ Yes
☒ No

Certificate Of Ownership - Certificate A

I certify/The applicant certifies that on the day 21 days before the date of this application nobody except myself/ the applicant was the owner* of any part of the land or building to which the application relates, and that none of the land to which the application relates is, or is part of, an agricultural holding**

*** "owner" is a person with a freehold interest or leasehold interest with at least 7 years left to run.**

**** "agricultural holding" has the meaning given by reference to the definition of "agricultural tenant" in section 65(8) of the Act.**

NOTE: You should sign Certificate B, C or D, as appropriate, if you are the sole owner of the land or building to which the application relates but the land is, or is part of, an agricultural holding.

Person Role

- ☐ The Applicant
☒ The Agent

Title

Mr

First Name

David

Surname

Mitchell

Declaration Date

28/02/2023

☒ Declaration made

Declaration

I / We hereby apply for Removal/Variation of a condition as described in this form and accompanying plans/drawings and additional information. I / We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine options of the persons giving them. I / We also accept that: Once submitted, this information will be transmitted to the Local Planning Authority and, once validated by them, be made available as part of a public register and on the authority's website; our system will automatically generate and send you emails in regard to the submission of this application.

☒ I / We agree to the outlined declaration

Signed

David Mitchell

Date

28/02/2023

