

Town and Country Planning Act 1990 (As amended).

4/14/2242/0F1

NOTICE OF GRANT OF PLANNING PERMISSION

Alan B Freeman Ltd  
63 Elizabeth Crescent  
WHITEHAVEN  
Cumbria CA28 6JQ

**This Consent is Subject to an Agreement Under Section 106 of the Town & Country Planning Act 1990**

**ERECTION OF FIVE AFFORDABLE DWELLINGS WITH TWO OPEN MARKET DWELLINGS, SITE LAYOUT AND AMENDED ACCESS ARRANGEMENTS  
LAND AT TARN BANK, BRAYSTONES, BECKERMET  
Mr P Lockhart**

The above application dated 11/06/2014 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 commenced 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. Permission shall relate to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them:-

Design and Access Statement, by Alan Freeman Ltd, ref 2014.622.AD, received 11 June 2014.

Additional Information, by Alan Freeman Ltd, received 11 June 2014.

Proposed Dwellings, Elevations and Plans, Block A (Affordable Dwellings) scale 1:50, dwg no. 2014.622.02, received 11 June 2014

Proposed Dwellings, Elevations and Plans, Block C (Affordable Dwellings) scale 1:50 & 1:100, dwg no. 2014.622.03, received 11 June 2014

Proposed Dwelling, Elevations and Plans, Dwelling B1, scale 1:50 & 1:100, dwg no. 2014.622.04, received 11 June 2014.

Proposed Dwelling, Elevations and Plans, Dwelling B2, scale 1:50 & 1:100, dwg no. 2014.622.05, received 11 June 2014.

Site Location Plan, scale 1:1250, received 11 June 2014.

Amended Site Layout Plan, scale 1:200, dwg no. 2014.622.01A, received 6 August 2014.

Topographical Survey, received 11 June 2014.

Housing Viability Statement and Spreadsheet, by R.S. Hayward RICS MACostE of Hayward Associates, received 24 November 2014.

#### 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. Before development commences full details of the surface water drainage scheme, including any attenuation measures, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall become operational before the development is brought into use and shall be so maintained thereafter.

#### Reason

To ensure a satisfactory scheme of surface water disposal from the site.

4. The whole of the vehicular access area bounded by the carriageway edge and the prospective highway boundary shall be constructed and drained to the specification of the Local Highways Authority.

#### Reason

In the interests of highway safety.

5. No development shall commence until the access and parking/turning requirements have been substantially met so that constructional traffic can park and turn clear of the highway. On completion the vehicular access and parking / turning areas shall be retained capable of use thereafter and shall not be altered without the prior written consent of the Local Planning Authority.

Reason

The carrying out of building works without the provision of these facilities is likely to lead to inconvenience and danger to road users. Retention of the facilities ensures an appropriate standard of parking and access for as long as the use continues.

6. No dwelling shall be occupied until its access and parking facilities have been constructed in accordance with the approved plan. These facilities shall be retained capable of use at all times thereafter and shall not be removed or altered without the prior written consent of the Local Planning Authority.

Reason

To ensure a minimum standard of access provision when the development is brought into use.

#### INFORMATIVE FROM THE HIGHWAY AUTHORITY

The applicant / developer should ensure that measures are taken to prevent surface water discharging onto or off the highway to the satisfaction of the Highway Authority.

No works can be undertaken within the Highway (including verge area) until the developer has obtained a Highways Act 1980, Section 184 Streetworks licence; this refers to the shaded area on Alan B. Freeman Drawing 2014.622-01A which forms the access to the drives to Plots A1-A3 and the bellmouth/turning area to the Private Shared Drive that will serve the remainder of the development.

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 policies and the presumption in favour of sustainable development as set out in the National Planning Policy Framework.

Please read the accompanying notice

14/04/2015

John Groves  
Strategic Nuclear and Planning Manager

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

DEVELOPMENT MANAGEMENT PROCEDURE (ENGLAND) ORDER 2010

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 must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs).
- The Secretary of State can allow a longer period for giving notice of an appeal, but he 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 him 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.
- In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

**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.