

Town and Country Planning Act 1990 (as amended)

4/13/2156/0F1

NOTICE OF GRANT OF PLANNING PERMISSION

Church Yard Studio  
St Marys Cottage  
MONK HESLEDEN  
Co Durham TS27 4QA  
FAO Mr A Atmore

PROPOSED CONVERSION OF EXISTING FARM STRUCTURE TO HOLIDAY LET RESIDENCE  
BARN AT HIGH LOWSCALES FARM, MILLOM  
Mr M Fletcher

The above application dated 25/04/2013 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:-
  - Location Map, scale 1:1250, received on 25 April 2013.
  - Proposed Site Plan, drawing no. SK11, received on 25 April 2013.
  - Existing Plans & Elevations, drawing no. 01, received on 25 April 2013.
  - Proposed Sketch Scheme, drawing no. SK10, received on 25 April 2013.

- Bat, Barn & Nesting Bird Survey, prepared by Andrew Gardner, Envirotech, Ref: BAT/12/1452 dated 24 April 2013, received on 25 April 2013.
- Structural Survey Report prepared by Arron Atmore, dated January 2013, received on 25 April 2013.
- Design & Access Statement, Ref: 13:01, dated January 2013, received on 25 April 2013.

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. The unit hereby permitted shall be used solely for the provision of holiday accommodation and shall not be occupied as permanent residential accommodation.

Reason

For the avoidance of doubt.

4. Prior to the carrying out of any construction works the existing historic building affected by the proposed development shall be recorded in accordance with a Level 2 survey as described by English Heritage's document "Understanding Historic Buildings - A Guide to Good Recording Practice", 2006 and, following its completion, 3 copies of that survey report shall be submitted to the Local Planning Authority and approved in writing in consultation with Cumbria County Council.

Reason

To ensure that a permanent record is made of the buildings of architectural and historic interest prior to their alteration / demolition.

5. The development shall implement all of the mitigation measures set out in the Bat, Bran Owl & Nesting Bird Survey Report (BAT/12/1452) prepared by Envirotech, dated 24 April 2013 and submitted as part of the planning application. These measures shall be maintained at all times following their implementation.

Reason

To protect the ecological interests evident on the site.

## Informative

- The applicant should ensure all public rights of way remain open for use during the development of the site.

## 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

03/07/2013

Director of Services

**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.