

AMENDED DECISION NOTICE THIS SUPERSEDES THE PREVIOUS DECISION NOTICE FOR THIS APPLICATION

Town and Country Planning Act 1990 (As amended).

4/20/2516/0F1

NOTICE OF GRANT OF PLANNING PERMISSION

Geoffrey Wallace Ltd
11 St Bridgets Close
Brigham
COCKERMOUTH
Cumbria CA13 0DJ

**THREE BEDROOMED DWELLING
PLOT 1, FLEATHAM FARM, HIGH HOUSE ROAD, ST BEES**

Mr Michael Scholfield

The above application dated 22/12/2020 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:

Standard Conditions

1. The development hereby permitted must 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. This permission relates to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them:-
 - Block Plan with Ground Floor Plan (Amended), Scale 1:200, Dwg No. 20/0267/5D, Rev D, received by the Local Planning Authority on the 9th March 2021.

- Ground Floor Plan General Arrangements, Scale 1:50, Dwg No. 20/0267/1, received by the Local Planning Authority on the 22nd December 2020.
- First Floor Plan General Arrangement (Amended), Scale 1:50, Dwg No. 20/0267/2A, Rev A, received by the Local Planning Authority on the 12th February 2021.
- Proposed Elevations, Scale 1:100, Dwg No. 20/0267/3, received by the Local Planning Authority on the 22nd December 2020.
- Proposed Elevations with Original Approved Profiles Shaded, Scale 1:100, Dwg No. 20/0267/3, received by the Local Planning Authority on the 22nd December 2020.
- Design and Access Statement, received by the Local Planning Authority on the 15th January 2021.

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.

Pre Commencement Conditions

3. No development shall commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme must include:
 - i. An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;
 - ii. A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations); and
 - iii. A timetable for its implementation.

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.

Reason

To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

4. Details of all measures to be taken by the applicant/developer to prevent surface water discharging onto or off the highway must be submitted to and approved in writing by the Local Planning Authority for prior to development being commenced at this site. Any approved works must be implemented prior to the development being completed and shall be maintained operational thereafter.

Reason

In the interests of highway safety and environmental management.

5. Notwithstanding the information already submitted, full details of the proposed boundary treatment along the frontage of the site (south and south west boundary), including any reprofiling of the land, must be submitted to and approved in writing by the Local Planning Authority before works commence on site. The proposed development must be carried out in accordance with the approved details and must be maintained as such at all times thereafter.

Reason

To ensure a satisfactory appearance of the development in the interests of visual amenity.

Prior to Use/Occupation Conditions

6. The access drive must be surfaced in bituminous or cement bound materials, or otherwise bound and must be constructed and completed before the development is occupied/brought into use.

Reason

In the interests of highway safety.

7. Prior to their first use on the development hereby permitted representative samples of the materials to be used on the external surfaces of the development hereby permitted must be submitted to and approved in writing by the Local Planning Authority. Development must be carried out in accordance with the approved details and so maintained thereafter.

Reason

To ensure a satisfactory appearance of the development in the interests of visual amenity.

8. Any existing highway fence/wall boundary must be reduced to a height not exceeding 1.05m above the carriageway level of the adjacent highway in accordance with details submitted to the Local Planning Authority and which have subsequently been approved before the development is brought into use and must not be raised to a height exceeding 1.05m thereafter.

Reason

In the interests of highway safety.

9. Prior to occupation of the dwelling hereby approved a 2m close board timber fence shall be erected along the northern boundary of the site in accordance with approved plan 'Block Plan with Ground Floor Plan (Amended), Scale 1:200, Dwg No. 20/0267/5D, Rev D, received by the Local Planning Authority on the 9th March 2021'. Development shall be carried out in accordance with the approved details and shall be maintained as such at all times thereafter.

Reason

To safeguard the amenities of occupiers of adjoining properties and to ensure a sympathetic boundary treatment which is appropriate to this part of the Conservation Area.

Other Conditions

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that order with or without modification) no external alterations (including replacement windows and doors) or extensions, conservatories, dormer, or enlargement shall be carried out to the dwelling, nor shall any detached building, enclosure, domestic fuel containers, pool or hardstandings be constructed within the curtilage other than those expressly authorised by this permission.

Reason

To safeguard the character and appearance of the development in the interests of the visual amenity of the Conservation Area.

11. Access gates, if provided, shall be hung to open inwards only away from the highway.

Reason

In the interests of highway safety.

12. Foul and surface water shall be drained on separate systems.

Reason

To secure proper drainage and to manage the risk of flooding and pollution.

Informatives:

1. Public Footpath 423003 follows an alignment to the south side of the development and must not be altered or obstructed before or after the development has been completed. If the footpath is to be temporarily obstructed then a formal temporary closure will be required there is a 12 week lead in time for this process, for further information please contact Sandra.smith@cumbria.gov.uk.
2. If the application is approved the applicant must not commence works, or allow any person to perform works, on any part of the highway until in receipt of an appropriate permit allowing such works. They will need to contact Streetworks Central streetworks.central@cumbria.gov.uk for the appropriate permit.

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

11th March 2021

A handwritten signature in black ink, appearing to read "N. S. Hayman". The signature is fluid and cursive, with a long, sweeping tail on the final letter.

PP Pat Graham
Chief Executive

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 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) 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.