

Town and Country Planning Act 1990 (As amended).

4/19/2309/0B1

**NOTICE OF GRANT OF PLANNING PERMISSION
(Amended Decision Notice)**

Mr Christopher Kendall
61 Langdale Road
MARKET WEIGHTON
YO43 3DG

VARIATION OF PLANNING CONDITION 1 OF PLANNING PERMISSION 4/17/2152/0G1 TO
PERMIT CONTINUATION OF USE OF TEMPORARY CAR PARK.
SITE OF MARK HOUSE, STRAND STREET, WHITEHAVEN

I Park Smart Ltd

The above application dated 03/09/2019 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 use of the land as a car park hereby permitted shall be discontinued on the 6th June 2021. At the end of this period all materials and equipment brought onto the land in connection with the use as a car park shall be removed and the land restored in accordance with a scheme to be first submitted to and approved in writing by the Local Planning Authority.

Reason

The use hereby approved is not considered suitable as a permanent form of development in order to safeguard the future development of the land for alternative uses in accordance with the provisions of the adopted Local Plan.

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 Plan – Drawing No. 15-C-14273/4 received 27th April 2017;
Site Plan – Drawing No. 3457/2 received 10th September 2018; and,
Enclosure Specification received 23rd August 2018.

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.

Informative

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>](http://www.gov.uk/government/organisations/the-coal-authority)

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

23/10/2019

N.J. Hayman

Pat Graham
Chief Executive

P.P

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.

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Reason

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PLEASE CAN YOU
RE-GENERATE
WITH

'AMENDED DECISION
NOTICE'

BROW THE NOTICE
OF CHAM OF P. P.
TITLE

THANKS

CHALIS.

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.

Informative

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.

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www.gov.uk/government/organisations/the-coal-authority

[<http://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 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.

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23/10/2019

N. J. Hayman

Pat Graham
Chief Executive

P. P.

APPROVALS
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- 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

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- 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.

Town and Country Planning Act 1990 (As amended).

4/17/2152/OG1

NOTICE OF GRANT OF PLANNING PERMISSION

Bob Taylor Planning
Apartment 18
West Block,
Shaddonmill
Shaddongate
CARLISLE
Cumbria CA2 5WB

**VARIATION OF CONDITION 1 OF PLANNING PERMISSION REFERENCE 4/15/2526/0F1 TO
EXTEND THE TIME PERIOD FOR THE DEMOLITION OF THE MARK HOUSE BUILDING
MARK HOUSE, STRAND STREET, WHITEHAVEN
Magnus Homes Limited**

The above application dated 27/04/2017 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 demolition shall take place within 9 months from the date of this consent. The use of the land as a car park hereby permitted shall be for a limited period of 12 months from the date of the first use of the land as a car park. At the end of this period the use shall cease, all materials and equipment brought onto the land in connection with the use shall be removed and the land restored in accordance with a scheme previously submitted to and approved in writing by the Local Planning Authority.

Reason

Demolition is considered to represent an opportunity to preserve and enhance the character and appearance of the Conservation Area. The use as a car park hereby approved is not considered suitable as a permanent form of development in order to safeguard the future development of the land for alternative uses in accordance with the provisions of the adopted Local Plan.

2. No demolition of the building known as the Park (outlined in red on the attached plans) shall take place until a scheme has been submitted to and approved by the

Local Planning Authority indicating how the façade shall be stabilised, protected and maintained during demolition of the adjoining parts of the building

Reason

For the avoidance of doubt and to ensure that the former swimming baths entrance building is retained on the site in order to preserve and enhance the character and appearance of the Conservation Area

3. Notwithstanding the details submitted with the application none of the land shall be used as a car park until a fence, wall or means of enclosure has been erected around the perimeter of the site in accordance with a scheme that has been submitted to and approved in writing by the Local Planning Authority following demolition and prior to the first use of the land as a car park. Development shall be carried out in accordance with the approved details and the boundary treatment shall be retained at all times thereafter.

Reason

To ensure a satisfactory form of boundary treatment that preserves the character and appearance of this part of the Conservation Area.

4. Prior to the first use of the land as a car park the site shall be surfaced and laid out in accordance with a scheme that has been submitted to and approved in writing by the Local Planning Authority. The layout shall include provision for accessible users. Development shall be carried out in accordance with the approved details and the approved surface shall be maintained at all times thereafter.

Reason

For the avoidance of doubt and to ensure a satisfactory standard of external appearance that preserves the character of the Conservation Area.

Informative

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



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

30/05/2017

Pat Graham
Managing Director

APPROVALS
(OUTLINE, FULL RESERVED MATTERS & HOUSEHOLDER)

DEVELOPMENT MANAGEMENT PROCEDURE (ENGLAND) ORDER 2010

PART 2

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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.
- 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

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