

Town and Country Planning Act 1990 (As amended).

4/17/2143/001

NOTICE OF GRANT OF OUTLINE PLANNING PERMISSION

PFK Planning
The Auction Mart
Skirsgill Business Park North
Skirsgill
PENRITH
Cumbria CA11 0DN
FAO Miss Rachel Lightfoot

12 JUL 2017

**DEMOLITION OF FACTORY AND OUTLINE PLANNING FOR ERECTION OF DWELLINGS
IVY MILL, MAIN STREET, HENSINGHAM, WHITEHAVEN
Mr J Rowlands**

The above application dated 12/04/2017 has been considered by the Council in pursuance of its powers under the above mentioned Act and OUTLINE PLANNING PERMISSION HAS BEEN GRANTED subject to the following conditions:

1. The layout scale, appearance, means of access thereto and landscaping shall be as may be approved by the Local Planning Authority.

Reason

To comply with Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. Detailed plans and drawings with respect to the matters reserved for subsequent approval shall be submitted to the Local Planning Authority within three years of the date of this permission and the development hereby permitted shall be commenced not later than the later of the following dates:-

- a) The expiration of THREE years from the date of this permission

Or

- b) The expiration of TWO years from the final approval of the reserved matters

or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason

To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

3. 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, Scale 1:1250, Drawing No: 16061-00, received by the Local Planning Authority on the 12th April 2017.

Existing Plans and Elevations, Scale 1:200, Drawing No: 16061-01, received by the Local Planning Authority on the 12th April 2017.

Design and Access Statement, prepared by PFK dated April 2017, received by the Local Planning Authority on the 12th April 2017.

Preliminary Environmental Risk Assessment, Part 1 of 5, prepared by Elliott Environmental Surveyors Ltd on the 7th March 2017, received by the Local Planning Authority on the 12th April 2017.

Preliminary Environmental Risk Assessment, Part 2 of 5, prepared by Elliott Environmental Surveyors Ltd dated March 2017, received by the Local Planning Authority on the 12th April 2017.

Preliminary Environmental Risk Assessment, Part 3 of 5, prepared by Elliott Environmental Surveyors Ltd dated March 2017, received by the Local Planning Authority on the 12th April 2017.

Preliminary Environmental Risk Assessment, Part 4 of 5, prepared by Elliott Environmental Surveyors Ltd dated March 2017, received by the Local Planning Authority on the 12th April 2017.

Preliminary Environmental Risk Assessment, Part 5 of 5, prepared by Elliott Environmental Surveyors Ltd dated March 2017, received by the Local Planning Authority on the 12th April 2017.

Flood Risk Assessment and Outline Drainage Strategy, prepared by R.G.Parkins & Partners Ltd on the 16th March 2017, received by the Local Planning Authority on the 12th April 2017.

Ecological Appraisal, prepared by Envirotech on the 28th September 2016, received by the Local Planning Authority on the 12th April 2017.

Transport Statement, prepared by Moda Group Ltd dated October 2016, received by the Local Planning Authority on the 12th April 2017.

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.

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

Reason

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

5. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

The development shall be completed in accordance with the approved details.

Reason

To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG.

6. Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:
 1. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
 2. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason

To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

7. Full details of the highway surface water drainage system shall be submitted to the Local Planning Authority for approval prior to development being commenced. Any approved works shall be implemented prior to the development being completed and shall be maintained operational thereafter.

Reason

In the interests of highway safety and environmental management.

8. No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:
 1. A preliminary risk assessment which has identified:
 - a. all previous uses;
 - b. potential contaminants associated with those uses;
 - c. a conceptual model of the site indicating sources, pathways and receptors; and
 - d. potentially unacceptable risks arising from contamination at the site.
 2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reason

To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution in line with paragraph 109 of the National Planning Policy Framework.

9. Prior to the commencement of development or demolition on site, an asbestos survey shall be submitted to and approved in writing by the local planning authority. Development shall not be carried out other than in accordance with the approved details. Where required a validation report shall be provided to confirm the absence of asbestos on the finished surface of the site.

Reason

In order to ensure that risks from asbestos to the environment, future users of the land and neighbouring land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with policy ST1 of the Copeland Local Plan.

10. Details showing the provision within the site for the parking, turning and loading and unloading of vehicles visiting the site, including the provision of parking spaces for visitors, shall be submitted to the Local Planning Authority for approval. The development shall not be brought into use until any such details have been approved and the parking, loading, unloading and manoeuvring areas shall be kept available for those purposes at all times and shall not be used for any other purpose.

Reason

To ensure a minimum standard of parking provision is made within the site for vehicles visiting the site.

11. Full details of a pedestrian facility on the B5295, including any highway widening must be submitted to this authority for this approval. Any works so approved shall be fully implemented before any dwelling hereby permitted is occupied.

Reason

In the interests of highway safety

12. The carriageway, footways, footpaths etc. shall be designed, constructed, drained and lit to a standard suitable for adoption and in this respect further details, including longitudinal/cross sections, shall be submitted to the Local Planning Authority for approval before work commences on site. No work shall be commenced until a full specification has been approved. These details shall be in accordance with the standards laid down in the current Cumbria Design Guide. Any works so approved shall be constructed before the development is complete.

Reason

To ensure a minimum standard of construction in the interests of highway safety.

13. No dwellings shall be occupied until the estate road, including the footways to serve such dwellings has been constructed in all respects to base course level and street lighting where it is to form part of the estate road has been provided and brought into full operational use.

Reason

In the interests of highway safety

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.

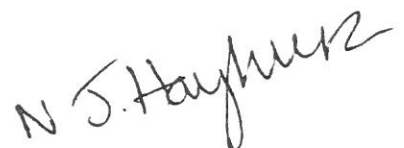
Further information is also available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority
<<http://www.gov.uk/government/organisations/the-coal-authority>>

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



Pat Graham
Managing Director

P: P

5 July 2017

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.
- 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.