

COPELAND BOROUGH COUNCIL

Copeland Centre, Catherine Street, Whitehaven, Cumbria, CA28 7SJ

THIS CONSENT IS SUBJECT TO AN AGREEMENT UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990

App No 4/05/2550/0

Town and Country Planning Act 1990.

NOTICE OF GRANT OF PLANNING PERMISSION

SPEAKMAN ARCHITECTS
CROOK POOL STUDIO
ULPHA
BROUGHTON IN FURNESS
LA20 6DZ.

CONVERT GARDEN BUILDING TO DWELLING FOR LOCAL
OCCUPANCY
GREYSIDE, THE HILL, MILLOM, CUMBRIA.
MARK BUTCHER

The above application dated 15/08/05 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 within FIVE years from the date hereof.
2. The access drive shall be surfaced in bituminous or cement bound materials, or otherwise bound, and shall be constructed and completed before the dwelling is brought into use.
3. Details of all measures to be taken by the applicant to prevent surface water discharging onto or off the highway shall be submitted to the Local Planning Authority for approval prior to development being commenced. Any approved works shall be implemented prior to the dwelling being completed and shall be maintained operational thereafter.
4. Details of proposed crossings of the highway verge and/or footway shall be submitted to the Local Planning Authority for approval. The development shall not be commenced until the crossings have been constructed.

Reasons for the above conditions:-

In the interests of highway safety.

To ensure a suitable standard of crossing for pedestrian safety.

Reason for decision:-

COPELAND BOROUGH COUNCIL

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accordance with Policies HSG 5 and HSG 17 of the Copeland Local
Plan 2001-2016 2nd Deposit Version.

Please read the accompanying notice

08 Feb 06

J. A. Pomfret
Development Services Manager

DATED _____ 2006

COPELAND BOROUGH COUNCIL

-AND-

MARK BUTCHER

S106 AGREEMENT

Relating to

Greyside, The Hill, Millom, Cumbria

THIS AGREEMENT is made as a Deed the day of 2006
BETWEEN COPELAND BOROUGH COUNCIL of The Council Offices,
Catherine Street, Whitehaven, Cumbria (hereinafter called "the Council") of the one
part and **MARK BUTCHER of 1 Beckbank Cottages, Thwaites Mill, Broadgate,**
Millom, Cumbria (hereinafter called "the Applicant") of the other part

WHEREAS

1. The Council is a Local Planning Authority for the purpose of the Town and Country Planning Act 1990 for the area within which the property described in the First Schedule hereto is situated (hereinafter called "the Property") which Property is shown edged red on the plan attached hereto (hereinafter called "the Plan")
2. The Applicant has by an application registered on the 15th August 2005 applied to the Council for planning permission to develop the property in accordance with the plans specifications and particulars deposited with the Council and set out in the Second Schedule hereto (hereinafter called "the Development")
3. The Council is satisfied that the Development is such as may be approved subject to conditions and the provisions of this Agreement

NOW THIS DEED WITNESSETH

1. This Agreement is made as a planning obligation in pursuance of Section 106 of the Town and Country Planning Act 1990 (as amended) and in consideration of the covenants by the Owner hereinafter contained
2. The Council hereby approves the Development and grants planning permission in accordance with the Grant of Planning Permission ("the Grant") annexed hereto but subject to the conditions set out in the Grant
3. The Applicant hereby covenants with the Council that the Property shall be subject to the restrictions and provisions specified in the Third Schedule hereto

4. The Applicant hereby covenants to carry out the Development in strict conformity with the said plans specifications and particulars (save for such minor modifications and variations thereof as shall be approved by the Council in writing)
5. The expressions "the Council" and "the Applicant" shall include their respective successors in title and assigns
6. The parties hereto intend this Agreement to take effect as a Deed

FIRST SCHEDULE

All that piece or parcel of land at Greyside, The Hill, Millom, Cumbria as shown edged red on the plan attached hereto

SECOND SCHEDULE

The conversion of an existing 'garden building' into a three-bedroomed dwelling on land within the curtilage of Greyside, The Hill, Millom, Cumbria

THIRD SCHEDULE

That the three-bedroomed dwelling to be erected on the land shown edged red on the attached plan shall not be occupied by any other persons other than by members of the local community of Millom Without together with their dependants. This definition includes those who: -

- (i) have at least 5 years residency in the locality, or
- (ii) have strong connections with the locality through previous residency of at least 5 years duration within the last 10 years or close family association – which could include the need to give care – with an existing resident of at least 5 years residency or
- (iii) having permanent employment in the locality or having accepted the offer of such employment.

The definition of locality is the Parish of Millom Without

IN WITNESS whereof the Common Seal of the Council has hereunto been affixed
and the Applicant has hereunto set his hand the day and year first before written

THE COMMON SEAL OF COPELAND

BOROUGH COUNCIL was hereunto

affixed in the presence of:

HEAD OF LEGAL AND DEMOCRATIC SERVICES

SIGNED AND DELIVERED

as a DEED by the said

MARK BUTCHER in the

presence of:

WITNESS SIGNATURE:

ADDRESS:



This copy has been produced specifically for Planning and Building Control purposes only. No further copies may be made