Copeland borough council
Proud of our past. Energised for our future.

Copeland Borough Council
The Copeland Centre,
Catherine Street, Whitehaven,
Cumbria CA28 7SJ

tel: 01946 59 83 00
email: info@copeland.gov.uk
web: www.copeland.gov.uk
twitter: @copelandbc

Town and Country Planning Act 1990 (As amended).

4/18/2472/0O1

NOTICE OF GRANT OF OUTLINE PLANNING PERMISSION

Alpha Design
7 Europe Way
COCKERMOUTH
Cumbria CA13 0RJ
FAO Mr G Beattie

OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT OF UP TO 65 DWELLINGS WITH FULL DETAILS OF ACCESS AND ASSOCIATED INFRASTRUCTURE
KEEKLE MEADOWS, CLEATOR MOOR

High Grange Developments Ltd

The above application dated 24/10/2018 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 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: -

- Site Location Plan, scale 1:2500, drawing number 06/11/542-100, received on 24th October 2018
- Outline Site Plan (4th major phase), scale 1:1000, drawing number 06/11/542-148, received on 24th October 2018
- Flood Risk Assessment and Drainage Strategy, prepared by Alpha Design, dated 16th October 2018
- Supporting Planning Statement received on 24th October 2018
- Design and Access Statement, received on 24th October 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.

4. The carriageway, footways, footpaths and cycleways 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.

Reason

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

5. The junction of the access road and the B5295 shall be modified strictly in accordance with the details approved on WYG drawing no. A 085136 – C001 to the satisfaction of the Local Planning Authority in consultation with the Local Highway Authority. The modification works shall be completed and made fully operational before the 100th dwelling on the estate served by the access road is occupied.

Reason

For the avoidance of doubt and to ensure that a safe junction can be provided to serve the site in the interests of highway safety.

6. The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Flood Risk Assessment & Drainage Strategy, dated 16th October 2018 which was prepared by Alpha Design proposing surface water discharging into the River Keekle. No surface water will be permitted to drain directly or indirectly into the public sewer.
Any variation to the discharge of foul shall be agreed in writing by the Local Planning Authority prior to the commencement of the development. The development shall be completed in accordance with the approved details.

Reason

To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.

7. Prior to the commencement of development full details of the proposed surface water drainage arrangements to serve the proposed residential development shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and shall be maintained as such at all times thereafter,

Reason

To ensure a satisfactory form of development which prevents an undue risk in surface water run-off and to reduce the risk of flooding.

8. 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:

   a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
   b. 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.

Informatives

1. 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

2. A water main/trunk main crosses the site and the development may affect existing United Utility easements. The easement dated 17/04/1964 UU Ref:N358 (water) and easement dated 18/11/2013 UU ref:Z4620 (sewer) has restrictive covenants that must be adhered to. It is the responsibility of the developer to obtain a copy of the document, available from United Utilities Legal Services or Land Registry and to comply to the provisions stated within the document. Under no circumstances will UU allow anything to be stored, planted or erected on the easement width. Nor should anything occur that may affect the integrity of the pipe or United Utilities legal right to 24 hour access.

   The applicant should contact United Utilities Property Services team to discuss how the proposals may interact with the easement at PropertyGeneralEnquiries@uuplc.co.uk

3. The applicant should contact United Utilities regarding a potential water supply or connection to public sewers. Additional information is available at the following website: www.unitedutilities.com/builders-developers.aspx

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

23/01/2019

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 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.