

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/26/2219/DOC
2.	Proposed Development:	DISCHARGE OF CONDITIONS 3 AND 4 OF PLANNING APPLICATION 4/26/2019/0F1
3.	Location:	37 HIGH STREET, CLEATOR MOOR
4.	Parish:	Cleator Moor
5.	Constraints:	ASC Adverts - ASC;Adverts, Conservation Area - Conservation Area, Coal - Standing Advice - Data Subject To Change
6.	Publicity Representations & Policy	Neighbour Notification Letter: NO Site Notice: NO Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report: Site and Location This application relates to 37 High Street, a detached property situated within central Cleator Moor. According to the Applicant, the previous use of the property was as a guest house (use class C1), however the property has been vacant since 2005. The property is accessed from High Street to the north and does not benefit from any off street parking.	

Directly Relevant Planning History

Change of use from a guest house (C1) to 4 x flats (C3) and erection of a 5m x 2.2m single storey rear extension, approved in June 2026 (application reference 4/26/2019/OF1 relates).

Proposal

This current application seeks to discharge conditions 3 and 4 of planning permission 4/26/2019/OF1 relates).

The conditions consist of the following:

3. No development must commence, other than demolition or site clearance works, until details of the foul drainage arrangements have been submitted to and approved in writing by the Local Planning Authority. The details must include confirmation of the existing drainage route and connection point, together with any survey/CCTV findings and details of any remedial works required. The approved arrangements must be implemented prior to occupation and retained at all times thereafter.

Reason

To ensure a satisfactory scheme of water disposal from the site in accordance with Policies DS6 and DS7 of the Copeland Local Plan 2021-2039.

4. No development must take place until a detailed scheme of noise insulation measures for all residential accommodation has been submitted to and approved in writing by the Local Planning Authority. The scheme must demonstrate that the following criteria will be achieved:

- Minimum airborne sound insulation (walls and floors between each dwelling) – 56 dB DnT, w
- Impact Sound transmission (between floors) – 56 db L'nt w.

Reason

In order to safeguard the amenities of the occupiers and the details are needed prior to the start of work so that measures can be incorporated into the build and in accordance with Policy DS4 of the Copeland Local Plan 2021- 2039.

Consultation Responses

Cleator Moor Town Council



Cumberland Council

No objections.

Environmental Health

Thank you for the above planning consultation and the submitted information therein. This is acceptable and Environmental Health are satisfied that conditions 3 and 4 may be suitably discharged.

Highways and Local Lead Flood Authority

The Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) can confirm as follows:

Condition 3 - Details of the foul drainage arrangements should be submitted to and approved in writing by the Local Planning Authority. The details must include confirmation of the existing drainage route and connection point, together with any survey/CCTV findings and details of any remedial works required. The approved arrangements must be implemented prior to occupation and retained at all times thereafter.

Cumberland Council would have no comments in relation to condition 3.

Condition 4 - A detailed scheme of noise insulation. Cumberland Council would have no comments in relation to condition 4.

Planning Policy

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Development Plan

On 1st April 2023, Copeland Borough Council ceased to exist and was replaced by Cumberland Council as part of the Local Government Reorganisation of Cumbria.

Cumberland Council inherited the local development plan documents of each of the sovereign Councils including Copeland Borough Council, which combine to form a Consolidated Planning Policy Framework for Cumberland.

The inherited the local development plan documents continue to apply to the geographic area of their sovereign Councils only.

The Consolidated Planning Policy Framework for Cumberland comprises the Development Plan for Cumberland Council until replaced by a new Cumberland Local Plan.

Copeland Local Plan 2021 - 2039 (LP):

Cumberland Council continued the preparation of the LP as commenced by Copeland

Borough Council.

The policies that are relevant to this application are:

Strategic Policy DS1: Settlement Hierarchy

Strategic Policy DS2: Settlement Boundaries

Policy DS4: Design and Development Standards

Strategic Policy DS6: Reducing Flood Risk

Policy DS7: Sustainable Drainage

Other Material Planning Considerations

National Planning Policy Framework (NPPF)

Cumbria Development Design Guide

Assessment

Condition 3:

Condition 3 required the submission of drainage details to include CCTV of the existing drains.

The Applicant submitted the following information:

- A visual and structural inspection;
- Drain and sewer codes;
- Final plans.

The information was assessed by Environmental Health and the Highways and Local Lead Flood Authority and deemed to be acceptable.

This condition can be discharged.

Condition 4:

Condition 4 required the submission of details of noise insulation.

Acoustic design advice was provided and approved by Environmental Health.

This condition can be discharged.



Cumberland Council

	<u>Conclusion:</u> Discharge conditions 3 and 4 of planning approval 4/26/2019/0F1.	
8.	Recommendation: Approve	
Case Officer: Sarah Papaleo		Date : 13/08/2026
Authorising Officer: N.J. Hayhurst		Date : 13/08/2026
Dedicated responses to:- N/A		