

Allerdale Borough Council

**Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) Order 2015**

Grant of Outline Planning Permission

To: Daniel Addis
Addis Town Planning Ltd
Greengage House
Little Salkeld
Penrith CA10 1NN

Reference: OUT/2020/0013

Proposal: Outline application for the erection of a dwelling with access and landscaping

Location: Land Southwest Of 47 High Seaton WorkingtonCumbria

Applicant: MrJ Alford

Date Valid: 26/06/2020

In pursuance of the powers under the above Act and Order Allerdale Borough Council **grant outline planning permission** for this application subject to compliance with the following conditions and reasons:

Time Limit

1. **Before any development commences details of the layout, scale and appearance, (hereinafter called 'reserved matters') shall be submitted to and approved by the Local Planning Authority.**
Reason: The application has been submitted as an outline application, in accordance with the provisions of the details of the Town and Country Planning (Development Management Procedure) Order 2015 as amended

2. **The submission of all reserved matters applications shall be made no later than the expiration of 3 years beginning with the date of this permission and the development shall begin no later than whichever is the later of the following dates:**
 - (a) **The expiration of 3 years from the date of the grant of this permission, or**
 - (b) **The expiration of 2 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: In order to comply with Sections 91 and 92 of the Town and Country Planning Act 1990.

All correspondence to: Head of Development Services
Allerdale House
Workington
Cumbria CA14 3YJ

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Conditions and reasons contd

3. **All planting, seeding or turfing comprised within the approved landscaping scheme Landscaping Plan A04 received 08.09.20 shall be carried out in the first planting season following completion of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with other similar size and species, unless otherwise agreed in writing by the Local Planning Authority.**
Reason: In order to enhance the appearance of the development and minimise the impact of the development in the locality and to accord with policies S4, S5 and S33 of the Allerdale Local Plan Part 1 (2014).

In Accordance

4. **The development hereby permitted shall be carried out solely in accordance with the following plans:**
47 HS Location Plan A01
47 HS Block Plan A02
Amended Access Plan A3a 19.08.20
Landscaping Plan A04 received 08.09.20
Reason: In order to ensure that the development is carried out in complete accordance with the approved plans and any material and non-material alterations to the scheme are properly considered.

Pre-commencement conditions

5. **No development approved by this permission shall commence until a desktop study has been submitted to and approved in writing by the Local Planning Authority. Should the preliminary risk assessment identify any potential contamination which may affect human health, controlled waters or the wider environment, all necessary site investigation works within the site boundary must be carried out to establish the degree and nature of the contamination and its potential to pollute the environment or cause harm to human health. The scope of works for the site investigations should be agreed with the Local Planning Authority prior to their commencement.**
Reason: To minimise any risk during or post construction works arising from any possible contamination from the development to the local environment in compliance with the National Planning Policy Framework and Policy S30 of the Allerdale Local Plan (Part 1), Adopted July 2014.

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Conditions and reasons contd

6. **Should land affected by contamination be identified under the desktop study condition 5 following site investigations which poses unacceptable risks to human health, controlled waters or the wider environment, no development shall take place until a detailed remediation scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme must include an appraisal of remediation options, identification of the preferred option(s), the proposed remediation objectives and remediation criteria, and a description and programme of the works to be undertaken including the verification plan.**

Reason: To minimise any risk during or post construction works arising from any possible contamination from the development to the local environment in compliance with the National Planning Policy Framework and Policy S30 of the Allerdale Local Plan (Part 1), Adopted July 2014.

7. **The development shall not commence until visibility splays providing clear visibility of 60 metres measured 2.4 metres down the centre of the access and the nearside channel line of the carriageway edge have been provided at the junction of the access with the county highway. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind shall be erected and no trees, bushes or other plants shall be planted or be permitted to grown within the visibility splay which obstruct the visibility splays. The visibility splays shall be constructed before general development of the site commences so that construction traffic is safeguarded.**

Reason: To ensure a satisfactory means of access for the development during the construction and operational use of the site, in compliance with the National Planning Policy Framework and Policy S2 of the Allerdale Local Plan (Part 1), Adopted July 2014.

Reference: OUT/2020/0013

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Conditions and reasons contd

8. **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 (inclusive of how the scheme shall be managed after completion) 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 scheme shall include details to prevent surface water discharging onto the highway. The development shall be completed, maintained and managed in accordance with the approved details.**

Reason: To ensure a satisfactory means of surface water drainage and minimise the risk of flooding from the development in comparison to an assessment of its existing undeveloped state, in compliance with the National Planning Policy Framework, Policies S29 and S2 of the Allerdale Local Plan (Part 1), Adopted July 2014.

9. **Notwithstanding the approved landscaping plan insofar as it relates to the northwestern and southwestern boundaries of the site, no development shall commence and no trees on those boundaries shall be felled until details of those boundary treatments have been submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall include natural planting and such planting shall take place within the first planting season (March to September) following first occupation of the dwelling hereby approved).**

Reason: In the interests of the balance between the natural and built environment and to accord with Policy S33 of the Allerdale Local Plan Part 1 2014.

Post-commencement/Pre-use commencing conditions

10. **Should a remediation scheme be required under condition 6, the approved strategy shall be implemented and a verification report submitted to and approved in writing by the Local Planning Authority, prior to the development (or relevant phase of development) being brought into use.**

Reason: To minimise any risk during or post construction works arising from any possible contamination from the development to the local environment in compliance with the National Planning Policy Framework and Policy S30 of the Allerdale Local Plan (Part 1), Adopted July 2014.

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Conditions and reasons contd

11. **Details of the provisions of a vehicle turning space within the site which enables vehicles to access and egress from the site onto the highway in forward gear shall be submitted within any reserved matters application to the Local Planning Authority for approval. The development shall not be brought into use until any such details have been approved and the turning space fully implemented. The turning space shall thereafter be retained at all times and shall not be used for any other purpose.**

Reason: To ensure that the provision is made for off street vehicle turning space to enable access and egress from the site in forward gear in the interests of highway safety both during the construction works and following the completion of the development, in compliance with the National Planning Policy Framework and Policy S22 of the Allerdale Local Plan (Part 1), Adopted July 2014.

12. **The surfacing of the access road shall extend for at least 5.0 m inside the site, as measured from the highway boundary prior to the buildings being occupied and shall be carried out in accordance with details of construction which have been approved by the Local Planning Authority The access road shall be constructed in accordance with a specification approved by the Local Planning Authority.**

Reason: In the interests of highway safety and to accord with policy S22 of the Allerdale Local Plan Part 1, 2014.

Other

13. **In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported immediately to the Local Planning Authority. Development on the part of the site affected must be halted and a risk assessment carried out and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These shall be implemented prior to the development (or relevant phase of development) being brought into use. All works shall be undertaken in accordance with current UK guidance, particularly CLR11.**

Reason: To minimise any risk arising from any possible contamination from the development to the local environment in compliance with the National Planning Policy Framework and Policy S30 of the Allerdale Local Plan (Part 1), Adopted July 2014.

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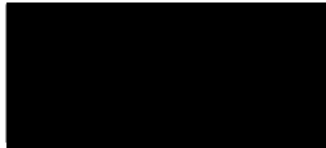
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Conditions and reasons contd

14. **Access gates, if provided, shall be hung to open inwards only away from the highway, be recessed no less than 4.5m as measured from the carriageway edge of the adjacent highway and shall incorporate 45 degree splays to each side.**

Reason: In the interests of highway safetyand to accord with policy S22 of the Allerdale Local Plan Part 1, 2014.



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Head of Governance and Regulatory Services

Dated: 23 October 2020

NB Your attention is drawn to the notes overleaf regarding appeals.

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Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by, primarily identifying relevant development plan policies, any duties applicable as well as other material considerations that have been afforded weight, including emerging Local Plan policy, stakeholder representations and the National Planning Policy Framework. In this context, having identified matters of concern with the application as originally submitted and, if applicable, following negotiations with the applicant, acceptable amendments and solutions to the proposal have been received. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal.

Advisory Note

Any works within the Highway must be agreed with the Highway Authority. No works and/ or any person performing works on any part of the Highway, including verges, will be permitted, until in receipt of an appropriate permit allowing such works. Enquiries should be made to Cumbria County Councils Street works team.

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 for the Environment under Section 78 of the Town and Country Planning Act 1990.
- If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from The Planning Inspectorate, Customer Support Team, Room 3/13, Temple Quay House, 2 The Square, Bristol, BS1 6PN or on line via the website www.planningportal.gov.uk
Email: enquiries@planning-inspectorate.gsi.gov.uk Tel: 0303 444 5000
- 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 for the Environment 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 VI of the Town and Country Planning Act 1990.

Note to Applicant

- This planning permission is in response to your application submitted under the Town and Country Planning Act 1990.
- You are advised however that a separate consent under the Building Regulations might also be required. If that is the case the development should not be commenced unless such approval has first been obtained.
- If as a result of meeting Building Regulations requirements or for any other reason it is necessary to revise the plans that have been approved, you will need to seek to either amend your planning permission, or to submit a new application if the changes are significant. You should seek advice from the Planning Office as to what may be required.