

Allerdale Borough Council

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

Grant of Outline Planning Permission

To: Mr Eric Telford
Telford Planning Associates
1 Whinbarrow Close
Aspatria
Cumbria
CA7 3HE

Reference: OUT/2019/0012

Proposal: Outline application for a single dwelling

Location: Field No 5392 Town Head Dearham Maryport Cumbria

Applicant: Mr W Carruthers

Date Valid: 22/03/2019

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:

- 1. Before any development commences details of the layout, scale, appearance, access and landscaping (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.
- 2. The development hereby permitted shall be carried out solely in accordance with the following plans:**
Location Plan
Geophysical Survey dated 20th June 2019
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.

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

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Conditions and reasons contd

3. 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.

4. The details required by the reserved matters details shall relate to the development of a single storey or 1.5 storey where any first floor accommodation is formed within the roof space.

Reason: It is considered this is the most appropriate in this location taking into account the site conditions / character of the surrounding area, in compliance with the National Planning Policy Framework and Policy DM14 of the Allerdale Local Plan (Part 1), Adopted July 2014

5. No development shall commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme must include:

(i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;

(ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it

is agreed that infiltration is discounted by the investigations); and

(iii) A timetable for its implementation.

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.

Surface water must not drain directly to the public combined sewer network

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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Conditions and reasons contd

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

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

7. No development approved by this permission shall commence until a desktop study has been submitted to and approved 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

8. Should land affected by contamination be identified under the desktop study condition 7 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 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.

9. Should a remediation scheme be required, under condition 8, 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 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

10. 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 work 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.

11. No development shall be carried out until a Coal Mining Risk Assessment has been submitted to and approved by the Local Planning Authority. The assessment should include intrusive site investigations and proposed mitigation measures to address any issues of land instability. The development shall be implemented in accordance with any approved mitigation works prior to the occupation of the dwelling.

Reason: In order to demonstrate to the satisfaction of the Local Planning Authority that the application site is safe, stable and suitable for development.

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Head of Place Development

Dated: 2 July 2019

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 assessing the proposal against, primarily, the development plan policies, any duties applicable and also all material considerations, including emerging Local Plan policy, the National Planning Policy Framework and any stakeholder representations that may have been received. It has subsequently determined to grant planning permission.

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.