

# THE PLANNING ACTS 1990

## GRANT OF OUTLINE PLANNING PERMISSION

### Outline planning consent - some matters reserved

Glen Beattie  
Alpha Design  
7 Europe Way  
Cockermouth  
CA13 0RJ



#### APPLICATION NO: OUT/2022/0009

**Applicant:** John Alford

**Proposal:** Outline application including access, landscaping, layout and scale for the erection of two dwellings

**Location:** 47 High Seaton, Workington, CA14 1LN

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 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.

- 3 All planting, seeding or turfing comprised within the approved landscaping scheme Landscaping Plan Dwg WW-L01 Landscape Plan and Landscape Statement and 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).

- 4 The development hereby permitted shall be carried out solely in accordance with the following plans:**

**Dwg 21-10-1008-01 Location Plan**

**Dwg 21-10-1008-03 Proposed site plan (plot 2 single storey only)**

**Dwg WW-L01 Landscape Plan**

**Landscape Statement**

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.

- 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.

- 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** 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.
- 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** 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.
- 10** 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 safety.

- 11 Details of all measures to be taken by the applicant/developer 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 development being completed and shall be maintained operational thereafter.**  
Reason: In the interests of highway safety and environmental management.
- 12 The use of the development shall not be commenced until the access has been formed to give a minimum carriageway width of 4.1 metres, and that part of the shared access road extending 10 metres into the site from the existing highway has been constructed in accordance with details approved by the Local Planning Authority and shall be retained for that purpose thereafter.**  
Reason: In the interests of highway safety
- 13 Plot 1 shall accommodate a two storey dwelling and plot 2 a single storey dwelling only.**  
Reason: In the interests of residential amenity, in accordance with policy HS32 Allerdale Local Plan, Part 1, adopted July 2014.

Chief Officer Place & Governance, Monitoring Officer

Dated: 23 May 2022

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

## Notes to Applicant

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 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.

Building regulations approval may still be required for the proposed development and you can contact a Building Inspector at these offices on 01900 702520 for clarification or further details on Building Regulations these can be accessed via <https://www.allerdale.gov.uk/en/planning-building-control/building-control/do-i-need-building-control/>

Prior to any building work or development you are advised to check the location of any Electricity Northwest cables, overhead lines or any other electrical equipment that may be located near to where you will be working using their self-service Know Before You Dig. Please use following link <https://www.enwl.co.uk/advice-and-services/know-before-you-dig/>

## 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 against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.  
If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal but 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 the Secretary of State 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.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal.  
[Further details are on GOV.UK.](#)

## 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.