

# THE PLANNING ACTS 1990

## GRANT OF PLANNING PERMISSION

### Full planning permission

Ken Thompson  
2 Coniston Close  
Workington  
CA14 3PL



**APPLICATION NO: FUL/2021/0324**

**Applicant:** J Walker

**Proposal:** Provision of new highway access and associated access road

**Location:** Fieldside Farm, Dovenby, Cockermouth CA13 0PW

As authorised by the above legislation Allerdale Borough Council **grant planning permission** for this application subject to compliance with the following conditions and reasons:

- 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

Reason: In order to comply with Section 91 of the Town and Country Planning Act 1990.

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

**JW/KT/ 21/02 Location Plan (amendment received 14 February 2022)**

**JW/KT/21/01 Block Plan (amendment received 7 April 2022)**

**Email 29.03.2022 Amended description**

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.

- 3. The development shall not be brought into use until the approved visibility splays as outlined on amended drawing JW-KT-21-01 have been provided at the junction of the access road with the county highway. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, or object of any kind shall be erected or placed and no trees, bushes or other plants which exceed 1.05m in height shall be planted or be permitted to grow within the visibility splay which obstruct the visibility splays.**

Reason: To ensure an acceptable standard of highway access 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.



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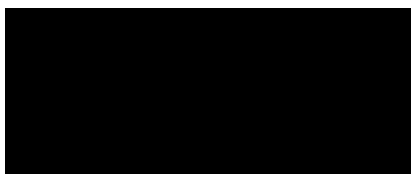
Allerdale Borough Council  
Allerdale House  
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Cumbria CA14 3YJ  
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[www.allerdale.gov.uk](http://www.allerdale.gov.uk)

- 4. The hedge shall be replanted behind the visibility splays as shown on drawing number JW/KT/21/01 received 7 April 2022 before the access is brought into use and shall be maintained at all times thereafter.**

Reason: In the interests of highway safety and visual amenity.

- 5. The access drive shall be surfaced in bituminous or cement bound materials, or otherwise bound and shall be constructed and completed before the development is brought into use. This surfacing shall extend for a distance of at least 5 metres inside the site, as measured from the carriageway edge of the adjacent highway.**

Reason: In the interests of highway safety.



Chief Officer Place & Governance, Monitoring Officer

Dated: 27 April 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. 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.

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.