

## **GRANT OF PLANNING PERMISSION**

### **Householder planning permission**

### **The Planning Acts 1990**

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**APPLICATION NO: HOU/2024/0156**

**Applicant:** J Masters  
**Proposal:** New access drive from existing dwelling onto existing highway  
**Location:** Middle Croft, Tallentire, Cockermouth CA13 0PR

As authorised by the above legislation Cumberland 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:**  
**Location Plan**  
**Amended Plan Dwg 125:2: 1 Rev D Proposed Site Plan with vision lines 04.03.25**  
**Amended 59367 Middle Croft Traffic and Speed Survey Analysis 11.02.25**  
**Amended Plan Dwg 125:1: 3 Rev C Typical Details & Section of proposed driveway 11.02.25**  
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 commence until visibility splays providing clear visibility of (NE) 38.7 metres & (SW) 32.6 metres measured down the centre of the access road and the nearside channel line of the carriageway edge have been provided at the junction of the access road with the highway in line with Amended Plan Dwg 125:2: 1 Rev D Proposed Site Plan with vision lines 04.03.25

**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 shall be planted or be permitted to grow within the visibility splays which exceed 1 metre in height and obstruct the visibility splays. The visibility splays shall be constructed before general development of the site commences so that construction traffic is safeguarded.**

Reason: In the interests of highway safety and 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.

- 4** Before the use of the access commences, any existing highway fence/wall boundary shall be reduced to a height not exceeding 600mm above the carriageway level of the adjacent highway in accordance with details submitted to the Local Planning Authority and which have been subsequently approved. These shall not be raised to a height exceeding 600mm thereafter.

Reason: In the interests of highway safety and 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.

- 5** The gradient of the access drive shall be no steeper than 1:12.5 for a distance not less than 5m as measured from the carriageway edge of the adjacent highway.

Reason: In the interests of highway safety

- 6** Access gates, if provided, shall be hung to open inwards only away from the highway, be recessed no less than 5m as measured from the carriageway edge of the adjacent highway.

Reason: In the interests of highway safety.



Iain Fairlamb

Senior Manager – Planning and Development

Dated: 18 March 2025

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

## Notes to Applicant

Any works within or near the Highway must be authorised by the Council and no works shall be permitted or carried out on any part of the Highway including verges, until you are in receipt of an appropriate permit from the LHA Streetworks team.

Street works permits | Cumberland Council

Please be advised that the Highway outside and or adjacent to the proposal must be kept clear and accessible at all times.

## Application Approved Following Revisions

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 12 weeks of the date of this notice.
- Appeals can be made online at: <https://www.gov.uk/appeal-householder-planning-decision>.

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 (<https://www.gov.uk/appeal-householder-planning-decision>) 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.