

CUMBERLAND COUNTY COUNCIL.

TOWN AND COUNTRY PLANNING ACT, 1947.

To:- Messrs Thomas Armstrong, Ltd.,  
South Street,  
COCKERMOUTH.

In pursuance of the powers under Part III of the above Act, the Cumberland County Council as local planning authority hereby permit the development described in your application and on the plans and drawings attached thereto received on the 25th October, 1948, viz:-

The continued working of High Close Quarry, Parsonby, Aspatria subject to due compliance with the conditions specified hereunder.

1. Excavations shall be limited to the area edged green on the attached plan.
2. Permission is given in principle for quarrying to be carried out within the area edged blue on the attached plan, but quarrying shall not commence until full details have been submitted to and approved by the Local Planning Authority, who reserves the right to impose reasonable conditions, with approval.
3. No future waste material shall be tipped to a height exceeding the original ground level.
4. No tipping of waste material shall take place outside the excavated area.
5. Permission shall be required under the Act for the erection of buildings for use in connection with the winning and working of minerals under this permission, and the Local Planning Authority in dealing with applications for such permission, shall not be bound by the limitations imposed in the proviso to Paragraph 2. of Class KIX of the First Schedule to Part I of the Town and Country Planning General Development Order 1950.
6. Any further fixed plant which may be required in connection with the undertaking shall be sited on the floor of the quarry.
7. At the conclusion of operations and before the site is vacated, it shall be cleared of all pieces of plant and building material, and left clean and tidy.
8. All the conditions shall be implemented to the satisfaction of the Local Planning Authority.

The reason for the Council's decision to grant permission for the development subject to compliance with the conditions hereinbefore specified is:-

to preserve the existing amenities of the locality.

Dated the Eighth day of December 1954.

[Redacted Signature] Clerk to the Cumberland County Council.

NOTE.

- (a) Where permission is refused or granted subject to conditions, attention is directed to the notification endorsed on the reverse of this form.
- (b) Development Charge - see notes (a) (b) and (c) on the reverse of this form.

Where planning permission is refused or  
is granted subject to conditions

attention is directed to the following:-

- (1) If the Applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may by notice served within one month of receipt of this notice, appeal to the Minister of Housing and Local Government in accordance with Section 16 of the Town and Country Planning Act, 1947. The Minister has power to allow a longer period for the giving of a notice of appeal and he will exercise his power in cases where he is satisfied that the applicant has deferred the giving of notice because negotiations with the local planning authority in regard to the proposed development are in progress. The Minister is not, however, required to entertain such an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the provisions of Section 14 of the Act and of the Development Order and to any directions given under the Order.

If an aggrieved applicant wishes to exercise his right of appeal under Section 16 of the Town and Country Planning Act, 1947, he should do so on the appropriate form obtainable from:-

The Principal Regional Controller,  
Ministry of Housing and Local Government,  
Government Buildings,  
Kenton Bar,  
Newcastle-on-Tyne, 3.

- (2) If permission to develop land is refused, or granted subject to conditions, whether by the local planning authority or by the Minister of Housing and Local Government, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council of the county borough or county district in which the land is situated a purchase notice requiring that Council to purchase his interest in the land in accordance with Section 19 of the Town and Country Planning Act, 1947.
- (3) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused, or granted subject to conditions by the Minister on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in sections 20 and 79 of the Town and Country Planning Act, 1947.

Development Charge.

- (a) Where permission is refused the application to the Central Land Board is returned to the applicant; in all other cases a copy of this notice is sent with the application to the Board.
- (b) This notice is concerned only with planning permission, the determination of any development charge will be dealt with separately by the Central Land Board.
- (c) Under Section 69 of the Town and Country Planning Act, 1947, unless the development is in a class exempted from payment of a development charge, the development MUST NOT be carried out, except with consent in writing from the Central Land Board, until the amount of the charge (if any) has been determined by the Board, and the Board have certified that the amount so determined has been paid or secured to their satisfaction.