

COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/20/2488/OR1
2.	Proposed Development:	APPROVAL OF RESERVED MATTERS FOR A DWELLING RELATING TO APPEARANCE, LANDSCAPING, LAYOUT AND SCALE FOLLOWING PREVIOUS APPROVAL OF OUTLINE APPLICATION REFERENCE 4/16/2315/001
3.	Location:	PLOT 21, BIRKS ROAD, CLEATOR MOOR
4.	Parish:	Cleator Moor
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change
6.	Publicity Representations & Policy	See Report.
7.	Report: Site and Location: <p>This application relates to an area of land extending to 3.15 hectares located to the east of Birks Road, Cleator Moor.</p> <p>The land comprises a former horticultural nursery and an area of agricultural land.</p> <p>Industrial uses associated with a quarry and a railway line have previously existed on the land.</p> <p>In 2018, Outline Planning Permission with some matters reserved was granted subject to planning conditions for residential development on the land (application ref. 4/16/2315/001).</p> <p>Again in 2018, Reserved Matters Approval was granted for Phase 1 of the development (9 units) subject to planning conditions (application ref. 4/18/2336/OR1).</p> <p>In 2019, Reserved Matters Approval was granted for Phase 2 of the development (9 units) subject to planning conditions (application ref. 4/19/2123/OR1).</p> <p>Again in 2019, Reserved Matters Approval was granted for Phase 3 of the development (9 units) subject to planning conditions (application ref. 4/19/2359/OR1).</p>	

In 2020, Reserved Matters Approval was granted for Phase 4 of the development (10 units) subject to planning conditions (application ref. 4/20/2155/OR1).

Again in 2020, Reserved Matters Approval was granted for Phase 5 of the development (23 units) subject to planning conditions (application ref. 4/20/2273/OR1).

Proposal:

This application seeks approval of reserved matters in respect of Plot 21 only.

The proposed dwelling comprises a substantial dormer bungalow incorporating an integral garage and dual pitched dormer windows to the front and rear roof slopes.

It is proposed to finish the dwelling externally with facing bricks complemented by stone surrounds and detailing to the elevations under smooth grey concrete tiled covered roof structures. Grey uPVC windows and doors are proposed.

Paved off highway parking areas including a turning area are proposed. A combination of close-boarded timber fences and post and wire fences with a native species hedging are proposed to the boundaries.

Consultee:	Nature of Response:
Town Council	None received.
Cumbria County Council – Highways and LLFA	<p>Thank you for your consultation on 9 December 2020 regarding the above Planning Application.</p> <p>Cumbria County Council as the Highways Authority and the Lead Local Flood Authority (LLFA) has reviewed the above planning reference and our findings are detailed below.</p> <p>Given the size of the driveway and how it slopes down towards the dwelling I would recommend that the driveway be of permeable construction and suitable drainage installed to prevent surface water entering the garage, the Local Planning Authority are advised to ensure any surface water drainage design complies with the Building Regulations process.</p> <p>There are no objections to the proposed development from a highways or LLFA perspective.</p>
Neighbour Responses:	
The application has been advertised by way of a planning application site notice and neighbour	

notification letters issued to 2no. neighbouring dwellings.

No written representations have been received in respect of the proposals.

Development plan policies:

Development Plan:

Copeland Local Plan 2013-2028 (Adopted December 2013):

Core Strategy (CS):

Policy ST1 – Strategic Development Principles

Policy ER9 – The Key Service Centres, Local Centres and other smaller centres

Policy SS1 – Improving the Housing Offer

Policy SS2 – Sustainable Housing Growth

Policy SS3 – Housing Needs, Mix and Affordability

Policy SS5 – Provision and Access to Open Space and Green Infrastructure

Policy T1 – Improving Accessibility and Transport

Policy ENV1 – Flood Risk and Risk Management

Policy ENV3 – Biodiversity and Geodiversity

Policy ENV5 – Protecting and Enhancing the Borough's Landscapes

Development Management Policies (DMP):

Policy DM10 – Achieving Quality of Place

Policy DM11 – Sustainable Development Standards

Policy DM12 – Standards for New Residential Developments

Policy DM22 – Accessible Developments

Policy DM24 – Development Proposals and Flood Risk

Policy DM25 – Protecting Nature Conservation Sites, Habitats and Species

Policy DM26 – Landscaping

Copeland Local Plan 2001-2016 (LP):

Saved Policy TSP8 - Parking Requirements

Other Material Planning Considerations

National Planning Policy Framework (NPPF).

National Design Guide (NDG).

National Planning Practice Guidance (NPPG).

Cumbria Development Design Guide (CDDG).

Emerging Copeland Local Plan (ECLP).

The emerging Copeland Local Plan 2017-2035 was recently the subject of a Preferred Options Consultation. The Preferred Options Consultation builds upon the completed Issues and Options Consultation, which finished in January 2020. Given the stage of preparation, the emerging Copeland Local Plan 2017-2035 has only limited weight in decision making, but provides an indication of the direction of travel of the emerging planning policies, which themselves have been developed in accordance with the provisions of the National Planning Policy Framework.

Assessment:

Principle

In 2018, Outline Planning Permission with some matters reserved was approved subject to planning conditions for residential development on the land under application ref. 4/16/2315/001.

The relevant pre-commencement planning conditions have subsequently been discharged.

The development has commenced.

Application ref. 4/16/2315/001 remains lawfully extant.

Application ref. 4/16/2315/001 was approved on the 2nd March 2018. Planning Condition 2 requires the submission of reserved matters before the 2nd March 2021.

The current planning application was submitted on the 4th December 2020.

Design and Landscape Impact

This application seeks the approval of reserved matters for Plot 21 only.

The proposed layout comprises a continuation of and is consistent in design with those dwellings approved under the previous applications for approval of reserved matters following outline approval.

The proposed dwelling comprises a substantial detached property reflecting the identified need for executive style houses as set out in the SHMA and the LP.

Whilst the proposed dwelling is larger in scale and larger than other dwellings on the development, the frontage width of the dwelling is limited with the main mass of the dwelling set to the rear, which will largely not be visible or prominent and so relates to the development character of the development from public vantage points.

The wider site slopes from southeast to northwest. The application site includes one of the highest

	<p>points within the wider site to the southeast boundary.</p> <p>Efforts have been made to reduce the finished floor levels and overall height of the dwelling relative to the existing ground conditions consistent with surrounding dwellings previously approved. In overall terms, the proposed is appropriate in level to those dwellings approved under the previous applications for approval of reserved matters following outline approval.</p> <p><i>Highways Impacts and Parking</i></p> <p>Access was approved at outline stage under application ref. 4/16/2315/001.</p> <p>Off highway vehicle parking for 3no. plus vehicles and an integral garage is proposed.</p> <p>Provision for informal visitor parking along the highway was secured under the previous applications for approval of reserved matters following outline approval.</p> <p><i>Drainage</i></p> <p>Condition 10 and Condition 14 attached to application ref. 4/16/2315/001 control foul and surface water drainage.</p> <p><i>Residential Amenity</i></p> <p>The proposed dwelling by virtue of its scale, form and location would not result in adverse impacts upon adjacent dwellings through loss of light, overshadowing, overbearing effects or overlooking.</p> <p>The interface separation distances between the approved and proposed dwelling accord with the requirements of Policy DM12 of the CS.</p> <p><i>Conclusion</i></p> <p>The principle of the development has previously been established under application ref. 4/16/2315/001.</p> <p>The proposed dwelling whilst large is consistent in design and layout to those dwellings approved under the previous applications for approval of reserved matters following outline approval.</p> <p>The development is acceptable subject to the planning conditions proposed.</p>
8.	<p>Recommendation:</p> <p>Approve Reserved Matters</p>

9.	<p>Condition(s):</p> <p>1. The development shall be carried out in accordance with the plans submitted and in accordance with the conditions attached to the outline planning permission.</p> <p>Reason</p> <p>To comply with Section 92 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.</p> <p>2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:</p> <p>Location Plan – Drawing No. 15/11/869-01 received 4th December 2020; Plot 21 – Site Plan – Drawing No. 15/11/869-65 received 4th December 2020; Plot 21 – Loweswater (2) – Plans & Elevations – Drawing No. 15/11/869-64 received 4th December 2020; and, External Materials Schedule – Ref. 15/11/869-EM/1 received 4th December 2020.</p> <p>Reason</p> <p>For the avoidance of doubt and in the interests of proper planning.</p> <p>3. The dwelling hereby approved shall not be occupied until the vehicular access, turning and parking requirements have been constructed in accordance with the approved plan and brought into use. The vehicular access, turning and parking requirements shall be retained and capable of use at all times at all times thereafter and shall not be removed or altered without the prior written consent of the Local Planning Authority.</p> <p>Reason</p> <p>To ensure a minimum standard of access provision when the development is brought into use in accordance with Policy DM22 – Accessible Developments of the Copeland Local Plan 2013-2028.</p> <p>4. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out before any part of the development is occupied or in accordance with a programme to be agreed in writing with the Local Planning Authority prior to any development commencing. Any trees / shrubs which are removed, die, become severely damaged or diseased within five years of their planting shall be replaced in the next planting season with trees / shrubs of similar size and species to those originally required to be planted unless the Local Planning Authority gives written consent to any variation.</p>
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	<p>Reason</p> <p>To safeguard and enhance the character of the area and secure high quality landscaping in accordance with saved Policy DM26 of the Copeland Local Plan 2013-2028.</p> <p>Informative</p> <p>The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.</p> <p>Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority</p> <p>Statement</p> <p>The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.</p>
<p>Case Officer: Chris Harrison</p>	<p>Date : 11/02/2021</p>
<p>Authorising Officer: N.J. Hayhurst</p>	<p>Date : 15/02/2021</p>
<p>Dedicated responses to:- N/A</p>	