

**COPELAND BOROUGH COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/21/2038/OF1	
2.	Proposed Development:	DEVELOPMENT OF TWO DWELLINGS	
3.	Location:	LAND ADJACENT TO 2 SILVERDALE STREET, HAVERIGG	
4.	Parish:	Millom	
5.	Constraints:	ASC;Adverts - ASC;Adverts, Flood Area - Flood Zone 2, Flood Area - Flood Zone 3, Coal - Off Coalfield - Data Subject To Change	
6.	Publicity Representations &Policy	Neighbour Notification Letter	Yes
		Site Notice	Yes
		Press Notice	No
		Consultation Responses	See Report
		Relevant Policies	See Report
7.	Report:	<p>Site and Location</p> <p>This application relates to a vacant plot of land, located on Silverdale Street within the centre of Haverigg. The site is 0.03ha and fronts directly onto Silverdale Street, and is bounded to the south by a garage parking site and on all other sides by residential dwellings. This site is located within Flood Zone 2 and has several historic outline planning permissions for two dwellings on the site.</p> <p>Proposal</p> <p>This application seeks planning permission to develop the site for two residential dwellings.</p> <p>The proposed semi-detached dwellings will each measure 8.3m x 5.7m, with an eaves height of 4.85m and a ridge height of 7.55m. The front door of the properties will include a canopy which will project from the front elevation by 0.9m. The properties will front directly onto Silverdale Street and</p>	

will benefit from a small area of decking to the rear of the site and a small side garden. The properties will also benefit from two onsite parking spaces within the side garden areas for each dwelling which will be finished with permeable paving.

Internally, the ground floor of the properties will incorporate an open plan kitchen/dining/living room, an entrance hall and a toilet. The first floor of the dwellings will accommodate a master bedroom with an ensuite bathroom, a double bedroom, a single bedroom and a family bathroom. Externally the proposed development will be finished with render, charcoal concrete roof tiles, and charcoal UPVC double glazing.

Relevant Planning History

4/08/2366/0 – Outline application for 2 No Dwellings - 22/08/2008 - Withdrawn

4/08/2478/0 – Outline application for 2 No Dwellings - 05/02/2009 - Approve in Outline

4/11/2560/001 – Application to replace an extant planning permission in order to extend time limit for implementation - 4/08/2478/001, Outline application for 2 No Dwellings - 12/01/2012 - Approve

4/15/2043/001 - Outline application for 2 No Dwellings - 01/04/2015 - Approve in Outline

Consultation Responses

Millom Town Council

No objections to this planning application, but it was mentioned that the plans say that they assume the drainage will be adequate. Can it be confirmed that the drainage, sewer system have been checked as the Town Council would not wish there to be any over usage of the current system.

Cumbria County Council – Cumbria Highways & Local Lead Flood Authority

The proposed dwellings intend to join the public Highway U4133 which operates a 30mph speed limit from the private site. The required visibility splay for a 30mph speed road should be 60m at the minimum in both directions back by 2.4m and at a height of 1.05m above the carriageway. Drivers need to be able to see obstructions 2m high down to a point 600mm above the carriageway. The latter dimension is used to ensure small children can be seen. Within the visibility splay or sight line envelope there should be no obstructions to vision such as walls or vegetation etc within the vertical profile. If any obstructions need to be reduced or removed within the visibility splay, it should be within the applicant's ownership.

If the required visibility splays cannot be achieved, the Highway Authority would strongly recommend the applicant carry out a speed survey or show speeds reflect the required visibility splays. Upon receipt of a plan showing visibility splays the Highway Authority will be better placed to respond to this application. Otherwise Cumbria Highways have no alternative to recommend refusal.

Environment Agency

In the absence of an acceptable Flood Risk Assessment (FRA) The Environment Agency object to this application and recommend that planning permission is refused.

United Utilities

Further to our review of the submitted drainage documents; Sustainable Drainage Strategy dated January 2021, ref: 21000-FCE-XX-XX-RP-C-0001, the plans are not acceptable to United Utilities. It is because the strategy showed that the ground is made of light fine sand with the soil infiltration rate is 2.4×10^{-6} m/s that meet the criteria of the SuDS Manual. UU have not seen robust evidence that the drainage hierarchy has been thoroughly investigated and the proposals are not in line with the Non-Statutory Technical Standards for Sustainable Drainage Systems.

Copeland Borough Council – Flood and Coastal Defence Engineer

The site is located in Flood Zone 3, so the first question is has the sequential test been passed? Having tried to understand the levels from the flood modelling within the FRA, there is some confusion as to undefended / defended flood levels. The Officer has stated that the FRA needs to be amended to remove confusion.

Public Representation

This application has been advertised by way of a site notice and neighbour notification letters issued to eight properties. Two letters of objection have been received in relation to this application, raising the following concerns:

- The incorrect elevation has been used to measure separation distances. The nearer elevation contains windows of habitable rooms, therefore the separation distance is only 12m.
- The proposal does not meet the required separation distances.
- There should be no habitable windows overlooking the rear of the site.
- A single storey bungalow with obscure glazed windows would overcome this issue.
- The proposed building does not appear to fit into the plot with the measurements shown on the plan.
- The proposed footpath would encroach on the highway.
- The current boundary wall between the proposed building and the house to the rear is 2m high on the side of the adjacent property and only 1.8 on the applicant's side, given that the proposed development will be raised on the plot to cope with flood risk. Will this create overlooking from ground floor windows and the proposed decking?
- The site is not obscured by outbuildings as stated within the application.
- Concerns that the development would add/exacerbate the reappearance of sink holes and subsidence on the adjacent roads. Addition structures and use of infrastructure will only make this worse.
- Concern that the size of the properties has been misjudged for the area and the need of local housing. None of the proposed three bedrooms meet the minimum size recommendation.

- The property would not be habitable for a family due to its size.
- A bungalow would meet the needs of an ageing population.
- There has never been antisocial behaviour on this site.
- Concerns that the red line for the application was not within the applicant's ownership.
- The development will create increased traffic on Silverdale Street which is already difficult to manoeuvre due to the width of the road and parked cars.
- The increased traffic will create safety issues for pedestrians.

Two letters of support have also been received in relation to this application which raise the following comments:

- The land has been a mess since it was blocked off with scrap cars.
- The land has recently been tidied by the current owner.
- We would be in support of any building work that takes place.
- It would be great to see this piece of land developed.

Consultation on Amended Plans

Following concerns raised with the application amended plans were submitted including amended elevations and a plan showing adequate visibility splays. The submitted FRA was also updated and a sequential test was also completed.

Millom Town Council

No objections.

Cumbria County Council – Cumbria Highways & Local Lead Flood Authority

As you are aware this Authority recommended refusal in February 2021. We have however become aware of the approval (by the Local Highway Authority and the Local Planning Authority) of an almost identical scheme in 2008.

The splays from the accesses are substandard but on this occasion acceptable. This is due to the history, good forward visibility of approaching vehicles as well as similar arrangements on this road, and then lastly due to the fact that the piece of land could currently allow parking as shown on the drawing.

In light of the above it is confirmed that the Highway Authority and Lead Local Flood Authority has no objections to the proposal subject to the inclusion of conditions relating to surface water discharge, surfacing of access drives, and access gates being attached to any Notice of Consent which may be issued.

Environment Agency

The revised Flood Risk Assessment (FRA) satisfies EA concerns set out in their previous

correspondence NO/2021/113286/01 dated 17 February 2021, and they now withdraw their previous objection.

The planning application is accompanied by a Flood Risk Assessment (FRA) (ref 5927, amended March 2021, compiled by Sophie Isaacs on behalf of Ambiental Environmental Assessment). The EA have reviewed the FRA so far as it relates to their remit and are satisfied that the development would be safe without exacerbating flood risk elsewhere if the proposed flood risk mitigation measures listed under Section 7.5 are implemented. The proposed development must proceed in strict accordance with this FRA and the mitigation measures identified as it will form part of any subsequent planning approval. Any proposed changes to the approved FRA and / or the mitigation measures identified will require the submission of a revised FRA.

United Utilities

Further to a review of the submitted drainage documents; the plans from the Flood Risk Assessment, ref: 5927 dated 17/12/2020 of proposing surface water runoff to be discharged via the same drainage infrastructure as that used by the neighbouring dwellings are not acceptable to United Utilities. It is because the Sustainable Drainage Strategy dated January 2021, ref: 21000-FCE-XX-XX-RP-C-0001 showed that and the ground is made of light fine sand with the soil infiltration rate is 2.4×10^{-6} m/s that meet the criteria of the SuDS Manual. UU have not seen robust evidence that the drainage hierarchy has been thoroughly investigated and the proposals are not in line with the Non-Statutory Technical Standards for Sustainable Drainage Systems. On this basis UU therefore request the inclusion of conditions relating to surface and foul water drainage are attached to any subsequent approval to reflect the above approach

Copeland Borough Council – Flood and Coastal Defence Engineer

Based on the fact the site is at a high risk of tidal flooding, with modelled flood depths of up to 2.08m for the site, for a 1 in 200 year event plus climate change the Officer is objecting to the proposed development.

Public Representation

The applicant was reconsulted upon with neighbour letters issued to the eight original properties and to those who commented on the original application. Three letters of objection have been received to this proposal, raising the following concerns:

- Access to existing drives will be impeded due to additional pavement which will narrow the road.
- This will create safety issues.
- The incorrect elevation has been used to measure separation distances. The nearer elevation contains windows of habitable rooms, therefore the separation distance is only 9.5m with the boundary wall.
- The proposed building does not appear to fit into the plot with the measurements shown on

the plan.

- The current boundary wall between the proposed building and the house to the rear is 2m high on the side of the adjacent property and only 1.8 on the applicant's side, given that the proposed development will be raised on the plot to cope with flood risk. Will this create overlooking from ground floor windows and the proposed decking?
- The site is not obscured by outbuildings as stated within the application.
- Concerns that the development would add/exacerbate the reappearance of sink holes and subsidence on the adjacent roads. Addition structures and use of infrastructure will only make this worse.
- Concern that the size of the properties has been misjudged for the area and the need of local housing. None of the proposed three bedrooms meet the minimum size recommendation.
- The property would not be habitable for a family due to its size.
- A bungalow would meet the needs of an ageing population.
- There has never been antisocial behaviour on this site.
- Concerns relating to the scale of the front windows, future use for Juliette balconies and overlooking.

Planning Policy

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Development Plan

Copeland Local Plan 2013 – 2028 (Adopted December 2013)

Core Strategy

Policy ST1 – Strategic Development Principles

Policy ST2 – Spatial Development Strategy

Policy SS1 – Improving the Housing Offer

Policy SS2 – Sustainable Housing Growth

Policy SS3 – Housing Needs, Mix and Affordability

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 of New Residential Developments

Policy DM22 – Accessible Developments

Policy DM24 – Development Proposal and Flood Risk

Policy DM25 – Protecting Nature Conservation Sites, Habitats and Species

Policy DM26 - Landscaping

Other Material Planning Considerations

National Planning Policy Framework (2019)

National Design Guide (NDG).

Cumbria Development Design Guide (CDG)

Strategic Housing Market Assessment 2019 (SHMA)

Copeland Borough Council Housing Strategy 2018 – 2023 (CBCHS)

Emerging Copeland Local Plan (ELP):

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 of Development

This application relates to a vacant site, which lies within the designated settlement boundary for Haverigg, which is classified within the Copeland Local Plan as a Local Centre where new development within the defined physical limits of the settlement are appropriate.

The principle of new housing is supported in the Copeland Local Plan through strategic policies ST1 and ST2 along with policies SS1, SS2 and SS3. These policies seek to promote sustainable development to meet the needs and aspirations of the Boroughs housing market, as well as having consideration for the requirements of smaller settlements within the Borough, which respect their scale and function.

The principle of developing this site for a two dwellings has already been established by the previous

outline planning approvals at this site. It is therefore considered that the development would be in accordance with the relevant policies of the adopted Copeland Local Plan, as well as the aims and objectives of the NPPF which set a presumption in favour of sustainable development.

The principle of residential development is supported subject to the consideration of site specific matters.

Scale, Design and Impact of Development

Within the Copeland Local Plan, Policies DM10, DM11, and DM12, and section 12 of the NPPF, seek to secure high standards of design for new residential properties. These policies seek to create and maintain a reasonable standard of amenity, and set out detailed requirements with regard to standard of residential amenity, including the provision of parking spaces, separation distances and open space.

This application seeks permission for the erection of a pair of semi-detached properties at this site. Although the previous permissions at this site were in outline form only, the approvals related to two dwellings therefore establishing the principle for developing the site for a pair of semi-detached properties.

Concerns were initially raised with regard to the proposals ability to meet the required separation distances set out within DM12 of the Copeland Local Plan. Originally the proposed rear elevation of the two properties include a number of windows relating to habitable rooms. As the proposal cannot meet the separation distances the applicant has agreed to reconfigure the dwelling so that the only upper floor window on the rear of the properties relates to a bathroom and therefore will be obscure glazed. The ground floor windows are not considered to create overlooking issues due to the existing high boundary wall located to the rear of the site measuring 2m which will mitigate any overlooking concerns. The neighbour to the rear of the site has raised concerns that they have habitable windows within their closest elevation however these appear to only be at ground floor level and therefore existing mitigation would prevent overlooking. Based on these alterations the proposal can now achieve the required separation distances.

The reconfiguration of the internal layout has resulted in two windows within the gables of the properties relating to first floor bedrooms. The land to the south of the site is occupied by garages and parking areas, therefore this does not result in any overlooking concerns. However, as an existing dwelling is located to the north the applicant has agreed to have these windows fitted with obscure glazing as a separation distance of only 9m can be achieved. This has therefore mitigated against any overlooking or loss of privacy. In order to safeguard the amenity of the neighbouring properties an appropriately worded planning condition will be attached to any decision notice to ensure the obscure glazing is retained at this site, and also to remove permitted development rights from these elevations so no additional windows can be inserted without the consent of the Local Planning Authority.

Concerns have also been raised with regard to the large openings within the proposed front elevations, however adequate separation distances are retained between these properties. A condition has also been attached to this decision notice to remove permitted development rights

from the site, therefore these openings cannot be altered without consent from the Local Planning Authority.

The proposal also includes the provision for a raised decking area to serve both dwellings to the rear of the site. Concerns have been raised that the proposed decking will create overlooking issues, however this will only be raised by 0.15m therefore the existing boundary wall is considered to mitigate any overlooking concerns. Finally, concerns have been raised that the applicant does not own all of the land edged in red subject to this application. The applicant's solicitor has submitted evidence from the land registry regarding the applicant's ownership, therefore the Local Planning Authority is satisfied that this matter has been dealt with.

On this basis, it is considered that the development would be in accordance with the aims and objectives of both the adopted Copeland Local Plan and the NPPF.

Landscape and Visual Impact

Policy ENV5 states that the Borough's landscapes will be protected and enhanced by: protecting all landscapes from inappropriate change by ensuring that the development does not threaten or detract from the distinctive characteristics of that particular area; that where the benefits of the development outweigh the potential harm, ensuring that the impact of the development on the landscape is minimised through adequate mitigation, preferably on-site; and, supporting proposals which enhance the value of the Borough's landscapes.

The application site is a vacant plot which lies adjacent to a number of existing modern residential properties. The development would therefore be viewed against the backdrop of these existing properties, therefore the proposal is not considered to result in intrusion into open countryside or any significant impact on the surrounding area.

The proposal is therefore considered to comply with policies ST1, ENV5 and DM26 of the Copeland Local Plan and provision of the NPPF.

Drainage and Flood Risk

Policy ST1B(ii) and paragraph 163 of the NPPF seek to focus development on sites that are at least risk of flooding and where development in flood risk is unavoidable, ensure that the risk is minimised or mitigated through appropriate design. Policy ENV1 and DM24 of the Copeland Local Plan reinforces the focus of protecting development against flood risk.

The application site is located within Flood Zones 2 and 3, therefore a Flood Risk Assessment has been produced to support this scheme. Based on the initial information submitted to support this application several objections were received from Statutory Consultees. In response to this the applicant has submitted an amended FRA and a sequential test for this application.

The submitted sequential test for this development has considered and compared 7 sites of a similar size within Haverigg. The sequential test concluded that there are not any reasonably available and suitable alternative sites within an area of lower flood risk that could support the applicant's proposed development. The proposed development is therefore deemed to pass the Sequential Test and should be subject to the Exception Test. The applicant has therefore submitted an amended FRA

as part of their exceptions test for this site, which concludes that following the guidelines contained within the NPPF, the proposed development is considered to be suitable assuming appropriate mitigation (including adequate warning procedures) can be maintained for the lifetime of the development.

In response to this amended information the Environment Agency have withdrawn their objections and are satisfied that the development would be safe without exacerbating flood risk elsewhere if the proposed flood risk mitigation measures listed under Section 7.5 are implemented. In order to ensure that the proposed development proceeds in strict accordance with the submitted FRA and mitigation measures, an appropriately worded planning condition can be attached to this decision notice.

United Utilities have also not objected to this development, however they have stated that the proposed method to discharge surface water via the same drainage infrastructure as that used by the neighbouring dwellings are not acceptable. UU have therefore requested the inclusion of conditions relating to surface and foul water drainage which can be attached to this decision notice to ensure the drainage hierarchy has been thoroughly investigated and the proposal is in line with the Non-Statutory Technical Standards for Sustainable Drainage Systems.

Although an objection has been received from the Council's Flood and Coastal Defence Engineer, based on the fact the site is at a high risk of tidal flooding, with modelled flood depths of up to 2.08m for the site. Extensive discussions have been undertaken which the Council's Officer, with the only solutions to overcome the objection being to raise the floor level and overall height of the dwellings to a level not acceptable in planning terms, or removing living accommodation from the ground floor of the dwelling which would render the scheme unviable.

The Council's Constitution states that for applications where there are substantive objections from one or more statutory consultees as defined by the Town and Country Planning (Development Management Procedure) (England) Order 2015 raising material planning considerations contrary to officer recommendation, a decision should be taken by Members of the Planning Panel. The Council's Flood and Coastal Defence Engineer is not listed under the Development management Procedure Order as a Statutory Consultee for this application. On this basis, and because the Statutory consultees have raised no objections, this application can be determined under delegated powers.

The application site has previously been granted outline planning permission on four separate occasions which has established the principle for developing the site for residential purposes. Whilst comments from the Council's Flood and Coastal Defence Engineer have been considered the suggested options to overcome their concerns are not suitable for this scheme. The applicant has provided an acceptable sequential test, exception test and Flood Risk Assessment to which EA have offered no objections and have confirmed that the development would be safe without exacerbating flood risk elsewhere if the proposed flood risk mitigation measures are implemented which can be secured by condition. Concerns from UU regarding drainage can also be secured by condition.

On this basis, the imposition of these conditions will secure proper drainage within the site and will manage the risk of flooding and pollution, ensuring that the development complies with Policy ENV1

and Policy DM24 of the Copeland Local Plan 2013 – 2028 and the provisions of the NPPF.

Access, Parking and Highway Safety

Policy T1 of the Core Strategy requires mitigation measures to be secured to address the impact of major housing schemes on the Boroughs transportation system. Policy DM22 of the Copeland Local Plan requires developments to be accessible to all users and to meet adopted car parking standards, which reflect the needs of the Borough in its rural context.

The proposed development will front onto Silverdale Road, with two off street parking spaces located to the side of each dwelling. Initially, Cumbria Highway raised concerns with regard to the achievable separation distances at this site, therefore they requested that a plan is submitted showing the required visibility splays and if these cannot be achieved a speed survey be submitted. Based on these comments an amended plan was submitted indicating the visibility splays which could be achieved at this site. Further to a review of the submitted information, Cumbria Highways confirmed that the splays from the accesses are substandard but on this occasion are acceptable due to the previous planning history, good forward visibility of approaching vehicles as well as similar arrangements on this road, and as the site currently allowed for parking. On this basis, it is confirmed that the Highway Authority and Lead Local Flood Authority has no objections to the proposal subject to the inclusion of conditions relating to surface water discharge, surfacing of access drives, and access gates being attached to any Notice of Consent which may be issued.

On the basis of the comments received by Cumbria County Council, overall it is considered that the submitted details demonstrate that the site can be developed in a way that complies with Policies T1 and DM22 of the Copeland Local Plan and will provide an accessible development with an acceptable parking provision.

Planning Balance & Conclusions

This application relates to a vacant site, which lies within the designated settlement boundary for Haverigg, which is classified as a Local Centre where new development within the defined physical limits of the settlement are appropriate. The principle for developing the site for residential purposes has been established by the previous four outline planning approvals at this site. Concerns have been raised from local residents with regard to overlooking, however the plans have now been amended to ensure the development complies with the required separation distances as set out in Policy DM12 of the Copeland Local Plan. Concerns with regard to access and visibility splays have also been resolved with Cumbria Highways offering no objections to the proposal.

Initially concerns were raised by Statutory Consultees with regard to flood risk, therefore the applicant submitted an amended FRA and a sequential test to overcome these concerns. Although an objection is still outstanding from the Council's Flood and Coastal Defence Engineer the applicant has provided an acceptable sequential test, exception test and Flood Risk Assessment to which the Environment Agency, who are the statutory consultee, have offered no objections and have confirmed that the development would be safe without exacerbating flood risk elsewhere if the proposed flood risk mitigation measures, which can be secured by condition. Concerns from UU

	<p>regarding drainage can also be secured by condition.</p> <p>On balance, the proposal is considered to be an acceptable form of sustainable development which is compliant with policies of the Copeland Local Plan and the provisions of the NPPF.</p>
8.	<p>Recommendation:</p> <p>Approve (commence within 3 years)</p>
9.	<p>Condition(s):</p> <p><u>Standard Conditions</u></p> <ol style="list-style-type: none"> 1. The development hereby permitted must be commenced before the expiration of three years from the date of this permission. <p>Reason</p> <p>To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.</p> <ol style="list-style-type: none"> 2. This permission relates to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them:- <ul style="list-style-type: none"> - Red Line Boundary, Scale 1:1250, Drawing No 2021 05 02, received by the Local Planning Authority on the 27th January 2021. - Site Plan (Amended), Scale 1:200, Drawing No 2021 05, Rev 1, received by the Local Planning Authority on the 5th March 2021. - Planning Drawings: Site Plan, Elevations & Floor Plans (Amended), Scale 1:50 & 1:200, Drawing No 2021 05, Rev 1, received by the Local Planning Authority on the 29th March 2021. - Visibility Splays, Scale 1:200, Drawing No 2021 06, received by the Local Planning Authority on the 10th March 2021. - Flood Risk Assessment (Amended), Prepared by Ambient Environmental Assessment, received by the Local Planning Authority on the 4th March 2021. - Sequential Test, Prepared by Ambient Environmental Assessment, received by the Local Planning Authority on the 15th March 2021. - Sustainable Drainage Strategy, Prepared by Fernbrook Consulting Engineers, received by the Local Planning Authority on the 27th January 2021. - Planning Statement, received by the Local Planning Authority on the 27th January 2021. - Design and Access Statement, received by the Local Planning Authority on the 27th January 2021.

Reason

To conform with the requirement of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

Pre Commencement Conditions

3. No development must commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme must include:
 - i. An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;
 - ii. A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations); and
 - iii. A timetable for its implementation.

The approved scheme must also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

The development hereby permitted must be carried out only in accordance with the approved drainage scheme.

Reason

To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with the provision of Policy ENV1 and Policy DM24 of the Copeland Local Plan 2013 – 2028.

4. Details of all measures to be taken by the applicant/developer to prevent surface water discharging onto or off the highway must be submitted to the Local Planning Authority for approval prior to development being commenced. Any approved works must be implemented prior to the development being completed and must be maintained operational thereafter.

Reason

In the interests of highway safety and environmental management

Prior to Occupation Conditions

5. Prior to the first occupation of any dwellings hereby permitted the first floor windows within the rear North East elevation of the dwellings must be fitted with obscure glazing, and must be retained as such at all times thereafter.

Reason

To safeguard the amenities of occupiers of adjoining properties.

6. Prior to the first occupation of any of the dwellings hereby permitted the windows within the North gable elevation of the dwellings must be fitted with obscure glazing in accordance with the approved plan Planning Drawings: Site Plan, Elevations & Floor Plans (Amended), Scale 1:50 & 1:200, Drawing No 2021 05, Rev 1, received by the Local Planning Authority on the 29th March 2021, and must be retained as such at all times thereafter.

Reason

To safeguard the amenities of occupiers of adjoining properties.

7. The access drives must be surfaced in bituminous or cement bound materials, or otherwise bound and must be constructed and completed before the development is occupied.

Reason

In the interests of highway safety.

Other Conditions:

8. The development must be carried out in accordance with and implement all of the details and mitigation measures specified within the following approved documents:
- Flood Risk Assessment (Amended), Prepared by Ambient Environmental Assessment, received by the Local Planning Authority on the 4th March 2021.
 - Sequential Test, Prepared by Ambient Environmental Assessment, received by the Local Planning Authority on the 15th March 2021.
 - Sustainable Drainage Strategy, Prepared by Fernbrook Consulting Engineers, received by the Local Planning Authority on the 27th January 2021.

The development must be maintained in accordance with this approved detail at all times thereafter unless agreed in writing with the Local Planning Authority.

Reason

To secure proper drainage and to manage the risk of flooding and pollution in accordance with the provision of Policy ENV1 and Policy DM24 of the Copeland Local Plan 2013 – 2028.

9. Foul and surface water must be drained on separate systems.

Reason

To secure proper drainage and to manage the risk of flooding and pollution in accordance with the provision of Policy ENV1 and Policy DM24 of the Copeland Local Plan 2013 – 2028.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that order with or without modification), no additional windows can be installed within the north, north east or south elevations of the dwellings hereby approved without the prior written approval of the Local Planning Authority.

Reason

To safeguard the character and appearance of the development in the interests of visual amenity.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that order with or without modification) no external alterations (including replacement windows and doors) or extensions, conservatories, dormer, or enlargement shall be carried out to the dwelling, nor shall any detached building, enclosure, domestic fuel containers, pool or hardstandings be constructed within the curtilage other than those expressly authorised by this permission.

Reason

To safeguard the character and appearance of the development in the interests of the visual amenity.

12. Access gates, if provided, shall be hung to open inwards only away from the highway.

Reason

In the interests of highway safety.

	<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: C. Burns</p>	<p>Date : 06.05.2021</p>
<p>Authorising Officer: N.J. Hayhurst</p>	<p>Date : 07/05/2021</p>
<p>Dedicated responses to:-</p>	