

COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/21/2081/OR1
2.	Proposed Development:	RESERVED MATTERS APPROVAL FOR 1 PAIR OF SEMI DETACHED DWELLINGS (APPEARANCE, LAYOUT, LANDSCAPING & SCALE) FOLLOWING OUTLINE APPLICATION 4/16//2315/001)
3.	Location:	PLOTS 56 & 57, ENNERDALE VIEW, 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> Relevant Planning Application History <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>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>	

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).

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).

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).

In 2020, Reserved Matters Approval was granted for Plot 21 of the development subject to planning conditions (application ref. 4/20/2488/OR1).

In 2020, a Section 73 Planning Application was granted for the variation of Planning Condition 2 of Application Ref. 4/20/2155/OR1 to amend the dwelling type for Plot 49 to a single storey dwelling subject to planning conditions (application ref. 4/20/2473/OB1).

Proposal:

This application seeks approval of reserved matters in respect of Plot 56 and Plot 57 of the development.

The dwellings comprise semi-detached two storey dwellings located between the existing play space and the dwelling known as Ennerdale View and face onto the entrance road to the Ellis Park development.

It is proposed to finish the dwellings 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.

Private garden areas are proposed to each dwelling.

Paved off highway parking areas are proposed.

Close-boarded timber fences are proposed to delineate the boundaries.

The proposals have been revised during the course of the planning application. The revision increases the distance between the front elevation and the entrance road to the development.

The impacts of the revision are such that it is not considered that re-consultation is required.

Consultee:	Nature of Response:
Town Council	No comments.
Cumbria County Council – Highways and LLFA	No consultation response received.
Neighbour Responses:	
The application has been advertised by way of a planning application site notice and neighbour notification letters issued to 5no. 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).

Planning Practice Guidance (PPG).

Cumbria Development Design Guide (CDDG).

Strategic Housing Market Assessment and Objectively Assessed Housing Need 2019 (SHMA).

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 (application ref. 4/16/2315/001).

The relevant pre-commencement planning conditions have 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 22nd February 2021.

Design and Landscape Impact

Policy SS1 seeks to make Copeland a more attractive place to build homes and to live through

requiring new development to be designed and built to a high standard.

Policy DM10 expects high standards of design and the fostering of quality places. It is required that development responds positively to the character of the site and the immediate and wider setting and enhance local distinctiveness. It is required that development incorporate existing features and address vulnerability to and fear of crime and antisocial behaviour.

This application seeks the approval of reserved matters for 2no. dwellings only.

The dwellings are consistent in design and external finishes to the approved dwellings on Ellis Park.

The proposed dwellings are detached from the remainder of the Ellis Park development as previously approved being contained between the existing play space and dwelling known as Ennerdale View.

The proposed dwellings will be visually read as part of the wider Ellis Park given their location and design, albeit being separated from the main of the development by the dwelling known as Ennerdale View which is of contrasting design, form and finish etc.. The proposed dwellings are set closer to the highway than the remainder of the dwellings within the wider Ellis Park, this forming a transition type arrangement between the terraced dwellings on Birks Road which front the highway and the arrangement on wider Ellis Park. The setback reduces the prominence of the dwellings on entrance to the development.

Housing Mix

Policy SS3 of the LP states that applications for housing development should demonstrate how the proposals help to deliver a range of good quality and affordable homes for everyone. It is confirmed that development proposals will be assessed according to how well they meet the identified need and aspirations of the Borough's individual Housing Market Areas as set out in the Strategic Housing Market Assessment including: creating a more balanced mix of housing types and tenures within the housing market area; including a proportion of affordable housing that makes the maximum contribution to meeting the identified needs in the housing market areas; and, establishing a supply of sites suitable for executive and high quality family housing, focussing on Whitehaven and its fringes as a priority.

The Application Site is located within the Whitehaven Housing Market Area (HMA) in the Copeland Strategic Housing Market Assessment 2019 Update (SHMA).

In terms of housing mix, the SHMA concludes that the analysis broadly suggests a need for 70% of market homes to have 3 or more bedrooms and 30% of market homes to have 1-2 bedrooms.

The proposed comprising 3no. bedroom dwellings accords with the provisions of the SHMA.

	<p><u>Highways Impacts</u></p> <p>Access was approved at outline stage under application ref. 4/16/2315/001.</p> <p>The layout of this area of the development was established via the approval of application ref. 4/19/2123/0R1 and application ref. 4/19/2359/0R1.</p> <p>Off highway vehicle parking for 2no. vehicles is proposed to each dwelling with visitor parking existing within the wider development. This accords with the requirements of the CDDG for 3no. bedroom dwellings.</p> <p><u>Drainage</u></p> <p>Details of foul water and surface water disposal have been approved under the provisions of Planning Condition 10 and Planning Condition 14 attached to application ref. 4/16/2315/001.</p> <p><u>Residential Amenity</u></p> <p>The interface separation distances between existing and proposed dwellings required by Policy DM12 are achieved.</p> <p>Given the scale, form and layout of the proposed development adverse impacts will not result through loss of light, overbearing, overshadowing and overbearing effects as required by Policy ST1.</p> <p><u>Conclusion</u></p> <p>The principle of the development has previously been established under application ref. 4/16/2315/001.</p> <p>The design and layout of the proposed development is appropriate to the location.</p> <p>No issues are arising in respect of residential amenity.</p> <p>The development is acceptable subject to the planning conditions proposed.</p>
8.	<p>Recommendation:</p> <p>Approve Reserved Matters</p>
9.	<p>Conditions:</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>

Reason

To comply with Section 92 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Planning Application Form received 22nd February 2021

Site Location Plan – Drawing No. 15/11/869-01 received 22nd February 2021

Plots 56 and 57 – Site Plan – Drawing No. 15/11/869-69 b) received 16th April 2021

The Derwent (Plots 56 & 57) – Plans & Elevations – Drawing No. 15/11/869-68 received 22nd February 2021

External Material Schedule – Ref. 15/11/869-EM received 22nd February 2021

Reason

For the avoidance of doubt and in the interests of proper planning.

3. None of the dwellings hereby approved shall be occupied until the vehicular access 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.

Reason

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.

Informative

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.

Further information is also available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

	<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 : 19.04.2021</p>
<p>Authorising Officer: N.J. Hayhurst</p>	<p>Date : 19/04/2021</p>
<p>Dedicated responses to:- N/A</p>	