

## COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/21/2227/0B1
2.	<b>Proposed Development:</b>	APPROVAL OF RESERVED MATTERS RELATING TO LAYOUT, SCALE, APPEARANCE AND LANDSCAPING FOR 44 DWELLINGS FOLLOWING OUTLINE APPROVAL - VARIATION OF CONDITION 2 OF RESERVED MATTERS APPLICATION 4/20/2074/0R1 - REVISION OF HOUSE DESIGNS ON PLOTS 15, 18, 19, 20 & 21 ONLY.
3.	<b>Location:</b>	KEEKLE MEADOWS, CLEATOR MOOR
4.	<b>Parish:</b>	Cleator Moor
5.	<b>Constraints:</b>	ASC; Adverts - ASC; Adverts, Coal - Standing Advice - Data Subject To Change
6.	<b>Publicity Representations &amp; Policy</b>	See report.
7.	<b>Report:</b>  <b>Site and Location:</b>  This application relates to part of the residential development of Keekle Meadows located to the western boundary of Cleator Moor.  The development is currently under construction.  <b>Proposal:</b>  This application seeks a variation of the approved reserved matters permission for Phase 3 of the development as approved under application reference 4/20/2074/0R1.  The proposed variations relate to Plots 15, 18, 19, 20 and 21 only.  The revisions comprise the following:  Plots 15 – Variation of housetype from Type A/2 to Type C  Plots 18 – Variation of housetype from Type C to Type A/2  Plots 19 – Variation of housetype from A/2 to A/2 with rear offshoot.  Plot 20 - Variation of garage design from single to double garage.	

Plot 21 - Variation of housetype from A/2 to A/2 with rear offshoot.

Consultee:	Nature of Response:
Town Council	None received.
Cumbria County Council – Highways and LLFA	<p>Cumbria County Council as the Highways Authority and the Lead Local Flood Authority (<b>LLFA</b>) has reviewed the above planning reference and our findings are detailed below.</p> <p>As highlighted in previous applications would encourage the applicant to make alterations to the footways at cul-de-sac turning heads so that they are in line with requirements for future adoption.</p> <p>Visitor parking which is highlighted within the carriageway is acceptable but it cannot be defined or designated within the highway through the use of markings.</p> <p>Tree/shrubs planted adjacent to driveways need to be positioned where they will not interrupt visibility splays from driveways but content that this can be dealt with at S38 stage.</p> <p>The Highway Authority and LLFA have no objections to the variation in condition 2 subject to previous conditions not approved being included in any notice of consent you may grant.</p>
<b>Neighbour Responses:</b>	
<p>The application has been advertised by way of a planning application site notice, press notice and neighbour notification letters issued to 17no. neighbouring dwellings.</p> <p>No written representations have been received in respect of the proposals.</p>	

**Development plan policies:**

Development Plan:

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

Core Strategy (CS):

- Policy ST1 – Strategic Development Principles
- Policy ST2 – Spatial Development Strategy
- Policy ST3 – Strategic Development Priorities
- Policy ST4 – Providing Infrastructure
- 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 SS4 – Community and Cultural Facilities and Services  
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  
Policy ENV6 – Access to the Countryside

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).  
Copeland Site Allocations and Policies Plan (SAPP).  
Interim Housing Policy (IHP).  
National Design Guide (NDG).  
The Conservation of Habitats and Species Regulations 2017 (CHSR).  
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*

Application reference 4/16/2409/001 and application reference 4/20/2074/0R1 remain extant.

A variation under Section 73 can therefore proceed.

*Design and Landscape Impact*

No material revisions are proposed to the approved layout and scheme of landscaping.

The revised housetypes proposed are consistent with the housetypes on other plots within the development.

The mix of housetypes proposed continue to include a number of larger detached dwelling reflecting the identified need for executive style dwellings as set out in the Strategic Housing Market Assessment and the Local Plan.

The proposed double garage is appropriate in scale to the Plot 20.

No revisions are proposed to the approved external finishes, which remain appropriate to the dwellings and wider site.

#### *Highways Impacts*

Off highway vehicle parking for 2no. or 3no. vehicles remains proposed to each dwelling.

A combination of dedicated visitor parking spaces and informal on highway parking spaces remain proposed.

Whilst the layout of the turning heads and pedestrian footways do not accord with the CDDG, as these details have previously been approved, it is not possible to require revision of these elements of the scheme.

#### *Drainage*

Planning Condition 7 attached to application reference 4/16/2409/001 requires that drainage be completed in accordance with the principles set out in the submitted Flood Risk Assessment & Drainage Strategy ref. 06/11/542-FRA/1.

The planning condition does not require approval of a detailed scheme in advance of the commencement of the development.

No provisions exist within Flood Risk Assessment & Drainage Strategy ref. 06/11/542-FRA/1 in relation to the permeability of external surfacing etc. As such, no conflict and no control reasonably exists in respect of the proposed external finishes.

No revised details are therefore required in respect of the proposed scheme of drainage.

#### *Residential Amenity*

The proposed revisions achieve the interface separation distances required by Policy DM12 of the CS and will not result in addition unacceptable impacts through loss of light, overbearing or overshadowing on existing or approved dwellings.

Revised Planning Conditions

	<b>Approved</b>	<b>Revision Required.</b>	
	<p><i>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.</i></p>	<p>Retain – No revision required.</p>	
	<p><i>2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:</i></p> <p><i>Site Location Plan – Drawing No. 06/11/542-100 received 24th February 2020</i></p> <p><i>Site Plan – 3rd Reserved Matters – 44 Dwellings – Drawing No. 06/11/542-172 c) received 6th July 2020</i></p> <p><i>Landscape Layout – Drawing No. 06/11/542-174d) received 13th July 2020</i></p> <p><i>Double Shared Garage – Plan and Elevations – Drawing No. 06/11/542-55 received 24th February 2020</i></p> <p><i>Single Detached Garage – Plan and Elevations – Drawing No. 06/11/542-36 d) received 24th February 2020</i></p> <p><i>Dwelling Type A – Plans and Elevations – Drawing No. 06/11/542-32d) received 24th February 2020</i></p> <p><i>Dwelling Type A1 – Plans and Elevations – Drawing No. 06/11/542-141 received 24th February 2020</i></p> <p><i>Dwelling Type A/2 – Plans and Elevations – Drawing No. 06/11/542-153a) received 24th February 2020</i></p> <p><i>Dwelling Type A/2 Handed (No Garage) – Plans and Elevations – Drawing No. 06/11/542-155 received 24th February 2020</i></p> <p><i>Dwelling Type B (Handed) – Plans and Elevations – Drawing No. 06/11/542-175 received 8th July 2020</i></p> <p><i>Dwelling Type C – Plans and Elevations – Drawing No. 06/11/542-16c) received 24th February 2020</i></p> <p><i>Dwelling Type D – Plans and Elevations – Drawing No. 06/11/542-06a) received 24th February 2020</i></p> <p><i>Dwelling Type E – Plans and Elevations – Drawing No. 06/11/542-33 received 24th February 2020</i></p> <p><i>Dwelling Type F – Plans and Elevations – Drawing No. 06/11/542-31d) received 24th February 2020</i></p> <p><i>Dwelling Type G – Plans and Elevations – Drawing No. 06/11/542-07 received 24th February 2020</i></p> <p><i>Dwelling Type H – Plans and Elevations – Drawing No. 06/11/542-171 received 24th February 2020</i></p> <p><i>Dwelling Type J – Plans and Elevations – Drawing</i></p>	<p>Retain - Amend to reflect revised plans.</p>	

	<p>No. 06/11/542-134 received 24th February 2020  Dwelling Type K – Plans and Elevations – Drawing  No. 06/11/542-152 received 24th February 2020  Design and Access Statement – Ref. 06/11/542-  DAS/15 received 24th February 2020</p>	
	<p>3. None of the dwellings hereby approved shall 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 provisions shall be retained and capable of use at all times thereafter and shall not be removed or altered without the prior written consent of the Local Planning Authority.</p>	<p>Retain – No revision required.</p>
	<p>4. All hard and soft landscape works shall be carried out in accordance with the approved details. The hard and soft landscape works to the dwellings shall be carried out in the first planting season following the first occupation of the dwellings. The hard and soft landscape works to the open spaces shall be carried out in the first planting season following the first occupation of the dwellings sharing a boundary with that open space. 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.</p>	<p>Retain – No revision required.</p>
	<p>5. The hedgerows to the western boundaries of the application site as identified on Landscape Layout – Drawing No. 06/11/542-174d) received 13th July 2020 shall be allowed to grow to a height exceeding 1m metre and shall be retained thereafter at or above the stated height for the lifetime of the development.</p>	<p>Retain – Revise to refer to amended Landscape Layout Plan.</p>
	<p><i>Conclusion</i></p> <p>The development is acceptable in respect of the principle, design, landscaping, residential amenity and highway safety subject to the planning conditions proposed.</p>	

8.	<b>Recommendation:</b> Approve
9.	<p><b>Conditions:</b></p> <ol style="list-style-type: none"> <li> <p>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> </li> <li> <p>The development hereby permitted shall be carried out in accordance with the following approved plans and documents:</p> <p>Site Location Plan – Drawing No. 06/11/542-100 received 24th February 2020</p> <p>Site Plan – 3rd Reserved Matters – 44 Dwellings – Drawing No. 06/11/542-172 d) received 6<sup>th</sup> May 2021</p> <p>Landscape Layout – Drawing No. 06/11/542-174e) received 6<sup>th</sup> May 2021</p> <p>Double Shared Garage – Plan and Elevations – Drawing No. 06/11/542-55 received 24th February 2020</p> <p>Single Detached Garage – Plan and Elevations – Drawing No. 06/11/542-36 d) received 24th February 2020</p> <p>Plot 36 Double Garage – Plan and Elevations – Drawing No. 06/11/542-104 received 6<sup>th</sup> May 2021</p> <p>Dwelling Type A – Plans and Elevations – Drawing No. 06/11/542-32d) received 24th February 2020</p> <p>Dwelling Type A (With Rear Offshoot) Working Elevations – Drawing No. 06/11/542-183 received 6<sup>th</sup> May 2021</p> <p>Dwelling Type A (With Rear Offshoot) Working Elevations – Drawing No. 06/11/542-181a) received 6<sup>th</sup> May 2021</p> <p>Dwelling Type A (With Rear Offshoot) SF Plan and Section – Drawing No. 06/11/542-182a) received 6<sup>th</sup> May 2021</p> <p>Dwelling Type A1 – Plans and Elevations – Drawing No. 06/11/542-141 received 24th February 2020</p> <p>Dwelling Type A/2 – Plans and Elevations – Drawing No. 06/11/542-153a) received 24th February 2020</p> <p>Dwelling Type A/2 Handed (No Garage) – Plans and Elevations – Drawing No. 06/11/542-155 received 24th February 2020</p> <p>Dwelling Type B (Handed) – Plans and Elevations – Drawing No. 06/11/542-175 received 8th July 2020</p> <p>Dwelling Type C – Plans and Elevations – Drawing No. 06/11/542-16c) received 24th February 2020</p> <p>Dwelling Type C – Elevations (Plot 15) – Drawing No. 06/11/542-192 received 6<sup>th</sup> May 2021</p> <p>Dwelling Type C – Elevations (Plot 15) – Drawing No. 06/11/542-191 received 6<sup>th</sup> May 2021</p> <p>Dwelling Type D – Plans and Elevations – Drawing No. 06/11/542-06a) received 24th February 2020</p> <p>Dwelling Type E – Plans and Elevations – Drawing No. 06/11/542-33 received 24th February 2020</p> <p>Dwelling Type F – Plans and Elevations – Drawing No. 06/11/542-31d) received 24th February 2020</p> <p>Dwelling Type G – Plans and Elevations – Drawing No. 06/11/542-07 received 24th February 2020</p> <p>Dwelling Type H – Plans and Elevations – Drawing No. 06/11/542-171 received 24th February 2020</p> <p>Dwelling Type J – Plans and Elevations – Drawing No. 06/11/542-134 received 24th February 2020</p> <p>Dwelling Type K – Plans and Elevations – Drawing No. 06/11/542-152 received 24th February 2020</p> </li> </ol>

Design and Access Statement – Ref. 06/11/542-DAS/15 received 24th February 2020

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, turning and parking requirements have been constructed in accordance with the approved plan and brought into use. The vehicular access/turning provisions shall be retained and capable of use 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 the requirements of Policy T1 of the Copeland Local Plan 2013-2028.

4. All hard and soft landscape works shall be carried out in accordance with the approved details.

The hard and soft landscape works to the dwellings shall be carried out in the first planting season following the first occupation of the dwellings.

The hard and soft landscape works to the open spaces shall be carried out in the first planting season following the first occupation of the dwellings sharing a boundary with that open space.

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.

Reason

To ensure the implementation of a satisfactory landscaping scheme in accordance with Policy ENV5 and Policy DM26 of the Copeland Local Plan 2013-2028.

5. The hedgerows to the western boundaries of the application site as identified on Landscape Layout – Drawing No. 06/11/542-174e) received 6<sup>th</sup> May 2021 shall be allowed to grow to a height exceeding 1m metre and shall be retained thereafter at or above the stated height for the lifetime of the development.

Reason:

To ensure that the character of the area is not adversely affected in accordance with Policy DM26 of the Copeland Local Plan 2013-2028.

**Informative**

The proposed development lies within a coal mining area which may contain unrecorded coal mining related



	<p>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:  <a href="http://www.gov.uk/government/organisations/the-coal-authority">www.gov.uk/government/organisations/the-coal-authority</a></p> <p><b>Statement</b></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><b>Case Officer:</b> Chris Harrison</p>	<p><b>Date :</b> 08.07.2021</p>
<p><b>Authorising Officer:</b> N.J. Hayhurst</p>	<p><b>Date :</b> 08/07/2021</p>
<p><b>Dedicated responses to:-</b> N/A</p>	