



**COPELAND BOROUGH COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/21/2243/0B1
2.	Proposed Development:	VARIATION OF PLANNING CONDITION 1 ATTACHED TO APPLICATION REF. 4/20/2417/0B1 – VARIATION OF HOUSE DESIGNS TO PLOTS 39, 43, 50 AND 54.
3.	Location:	LAND AT NORTH PARK, RHEDA, FRIZINGTON
4.	Parish:	Arlecdon and Frizington
5.	Constraints:	ASC;Adverts - ASC;Adverts, TPO - TPO, Coal - Standing Advice - Data Subject To Change
6.	Publicity Representations &Policy	See Report.
7.	Report: Site and Location: <p>The Application Site comprises 3.75 hectares of land located to the southwest of Frizington.</p> <p>The Application Site is bounded by the existing residential developments of Rheda Park to the west and Rheda Close to the east, the B5294 highway to the south and a farmhouse and agricultural land to the north.</p> <p>The Application Site comprises an area of greenfield land which is currently used for agricultural grazing purposes.</p> <p>Two existing bands of mature trees are located adjacent to the south and east boundaries and two significant mature trees are located within the central area of the Application Site.</p> Direct Planning Application History <p>Application Ref. 4/18/2426/001 – Outline Planning Application for residential development with full details of access and all other matters reserved – Approved subject to Planning Conditions.</p> <p>Application Ref. 4/19/2261/0R1 - Reserved Matters Application Seeking Approval Of Appearance,</p>	

Landscaping, Layout and Scale. Approved subject to Planning Conditions.

Application Ref. 4/20/2417/0B1 - Variation of planning condition 16 – site drainage layout of planning application 4/18/2426/0o1 (outline for residential development) – Approved subject to Planning Conditions.

Proposal:

This application seeks to vary Planning Condition 2 attached to Outline Planning Permission ref. 4/20/2417/0B1.

The proposed revisions comprise the following:

- The substitution of house types from single storey to two storey dwellings on Plots 39, 43, 50 and 54.

No other revisions are proposed.

Consultee:	Nature of Response:
Parish Council	None received.
Cumbria County Council – Highways and LLFA	<p><i>8th June 2021</i></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>The following issue requires further clarification and amendment:</p> <p>The submitted plans 1843.001 Planning Layout Revised & 1843.002 Hard Surfaces Revised do not detail a footway from plot 13 - 19 as per agreed Document 19046-08-B Surface Finishes as part of application 4/21/2085/DOC.</p> <p>A footway is required from plot 13 - 19, please amend the plan accordingly.</p> <p>Upon receipt of the above information i will be able to form my final response.</p> <p><i>19th August 2021</i></p> <p>Cumbria County Council as the Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) can confirm as follows:</p> <p>Issue highlighted in previous response has now been resolved, the relevant</p>

		<p>1843.001 Planning Layout Revised & 1843.002 Hard Surfaces Plan have been amended to include the required footway from plot 13 - 19.</p> <p>There are no further objections for a Highway perspective.</p>
	<p>Neighbour Responses:</p>	
	<p>The application has been advertised by way of a planning application site notice, press notice and neighbour notification letters issued to 15no. neighbouring dwellings.</p> <p>Representations in objection have been received from two parties. The material planning issues raised comprise the following:</p> <ul style="list-style-type: none"> - Residents were promised that properties along the Northern boundary would be bungalows. The proposed change to plot 39 is not in that spirit. The change of plot 39 to a two story house will result in Rheda Park houses being overlooked as Plot 39 is at or near the top of the hill. A two storey dwelling will also stick out like a sore thumb and be completely visible from the Lake District fells. - Boundary fence/planting - When is the planting/screening starting? There still isn't any info on the plan and no evidence of this happening. The development is right up to edge pf the boundary line without any planting indicated? - Plots 34-39 were supposed to be bungalows. Can you confirm this is still the case? If not where are the overlooking windows. - Plot 39 – The new proposal is for an "Eden' style house which has an upper floor window which will overlook our property and invade privacy. These houses were supposed to be bungalows in keeping with neighbouring properties on Rheda on which they will impact due to elevation. It is requested that this plot remains as a bungalow. - Between Plots 46-49 - Why is there still a tarmac road leading straight to the field? There is an obvious cul-de-sac between Plots 34 & 35. There needs to be further assurance that no more houses will be built in the remaining field. Is there information on the total number of houses that Highways Authority agreed to for safety? We would like some more re-assurance that this development will not expand and would like the road layout to reflect this. - Farm access road - This again seems odd and like a gateway to further development. There is access to the left of a plot and is a farmer really going to move sheep/heavy vehicles through the middle of a newly developed housing estate? Just wondered if this has been queried? Again seems like an access road for further development. 	

- Plot 43 - Is this less elevated and therefore will 2nd floor windows over look / not overlook.
- We wish to ensure that this development does not expand into a mass of houses as per Keele and as per what was initially rejected by planning. We are concerned that the developers are at liberty to change their plans.
- This development was supposed to encourage wildlife and include tree planting. This really hasn't happened has it?

Development plan policies:

Development Plan:

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

Core Strategy (CS):

Policy ST1 – Strategic Development Principles

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

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 Development

Policy DM24 – Development Proposals and Flood Risk

Policy DM25 – Protecting Nature Conservation Sites, Habitats and Species

Policy DM26 – Landscaping

Other Material Planning Considerations

National Planning Policy Framework (NPPF).

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 2017-2035 (ELP).

The emerging Copeland Local Plan 2017-2035 has recently been 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

The development approved under Application Ref. 4/20/2417/0B1 remains extant.

Design and Landscape Impact

The design of the proposed replacement dwellings is consistent with the design of the dwellings on the remainder of the development.

Plots 43, 50 and 54 are located between approved two storey dwellings and are therefore appropriate to the wider character of the development and street scene. Given their location within the development, adverse landscape and visual impacts will not result from the development.

Plot 39 is located adjacent to the northern boundary of the development. Part of the design justification for the proposed development was minimising the height of dwellings within the more elevated locations, particularly to the northern boundary. The proposed revision of Plot 39 to a two storey dwelling would be in conflict with this principle.

The Applicant has prepared a cross section through Plot 39-41 to illustrate the relationship between these dwellings.



The cross section demonstrates that the ridgeline of Plot 39 would be located below the ridgelines of approved Plot 40 and 41.

The erection of a two storey dwelling on Plot 39 would result in a two storey gable presenting to the

boundary. This will reasonably be more prominent than the approved arrangement due to the single storey gable being located adjacent to the boundary and the two storey gable of Plot 40 being set further into the development.

The proposed dwelling will be more prominent in visual term than the approved arrangement; however, it is necessary to consider if the arrangement will result in a level of harm that is sufficient to warrant refusal. Any two storey dwelling would be at an overall level consistent with the approved two storey dwellings in this area of the site and would be viewed in their context. As such, whilst the gable of a two storey dwelling on Plot 30 would be visually more prominent than the approved single storey dwelling, which it must be accepted is preferable, given the visual context, the impacts would not be reasonably so additionally harmful as to reasonably sustain refusal.

Residential Amenity

Given their scale, form and relationship to the existing and proposed dwellings, unacceptable adverse impacts will not result in respect of overlooking, loss of light, overbearing or overshadowing.

Objections are raised in relation to the potential for overlooking of the existing dwellings on Rheda Park from Plot 39. In this respect, a distance of c.135m exists between the Plot 39 and the dwellings on Rheda Park. This significantly exceeds the minimum distance requirements outlined in Policy DM12 of 21m; therefore, the resulting impacts are not so harmful as to reasonably sustain refusal.

Highways

The proposed revisions will not result in alterations to the proposed highway layout or a reduction in parking provision.

Cumbria County Council initially objected to the proposed layout on the basis that the plans did not detail a footway from Plot 13 - 19 as per the previous approval. The Applicant has subsequently revised the proposed plans to include footway and Cumbria County Council has withdrawn their objection.

Planning Condition Revisions/Reconciliation

Outline Planning Permission

Planning Condition	Comments
1. Permission shall relate to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them: -	Revise to include submitted plans: Boundary Treatments Layout – Drawing No. 1843.003 Rev Q Planning Layout – Drawing No. 1843.001 Rev

	<p>Outline Site Location Plan – Drawing No. Rheda 13 Rev 01 received 28th September 2018 Access Plan A103335 C001- Drawing No. C001, received 28th September 2018 Phase 1 Desktop Study Report - Geo Environmental - Reference No. 2017-2566 dated 31st May 2017 Planning Statement – Reference - A109666 Design and Access Statement dated September 2018 Transport Assessment Report – WYG - Reference A103335 dated November 2017 Interim Travel Plan Report – WYG - Reference A103335 dated November 2017 Flood Risk and Drainage Statement - Reference A109666 Landscape and Visual Amenity Issues Brief Report - Eden Environment Ltd dated September 2018 Preliminary Ecological Appraisal – WYG - Reference A103720 dated November 2017 Archaeological Assessment – Reference A107463 Bat Survey – Reference - A103720 Tree Survey – Reference - EES17-082 V2</p> <p>Reserved Matters Existing Site – Drawing No. 1843 000 received 23rd July 2019; Car Parking Spaces Layout - Drawing No. 1843 013 Rev. J received 13th March 2020; Planting Plan – Drawing No. 01 R12</p>	<p>R Hard Surfaces Layout – Drawing No. 1843 002 Rev. M</p> <p>Demark other plans not updated by submission with: <i>** The dwelling layout of all referenced drawings being amended as per Planning Layout – Drawing No. 1843.001 Rev R**</i> for clarity and avoidance of doubt.</p> <p>1. Permission shall relate to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them: -</p> <p>Outline Site Location Plan – Drawing No. Rheda 13 Rev 01 received 28th September 2018 Access Plan A103335 C001- Drawing No. C001, received 28th September 2018 Phase 1 Desktop Study Report - Geo Environmental - Reference No. 2017-2566 dated 31st May 2017 Planning Statement – Reference - A109666 Design and Access Statement dated September 2018 Transport Assessment Report – WYG - Reference A103335 dated November 2017 Interim Travel Plan Report – WYG - Reference A103335 dated November 2017 Flood Risk and Drainage Statement - Reference A109666 Landscape and Visual Amenity Issues Brief Report - Eden Environment Ltd dated September 2018 Preliminary Ecological Appraisal –</p>	
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	<p>received 11th February 2020; Plant Specification and Schedules – Drawing No. 02 Rev. 03 received 2nd January 2020;</p> <p>Discharge of Planning Conditions Outline</p> <p>Tree Survey For Proposed Development – Project No. EES17-082 received 28th August 2019 Construction Environmental Management Plan (Ecology) Version R3 received 28th August 2019 Arboricultural Method Statement & Tree Protection Plan V3 received 17th June 2020 Construction Phase Plan – Land at North Park received 8th April 2020 Construction Method Statement – Land at North Park received 8th April 2020 Plant Specification and Schedules – Drawing No. 02 Revision 03 received 8th April 2020 Planting Plan – Drawing No. 01 R11 received 8th April 2020 Phase 2 Ground Investigation Report – Report Ref. 2018-3719 received 8th April 2020 Exceedance Plan – Drawing No. 91 Issue P2 received 8th April 2020 Long Sections Sheet 1 – Drawing No. 61 Issue P4 received 8th April 2020 Long Sections Sheet 2 – Drawing No. 62 Issue P4 received 8th April 2020 Long Sections Sheet 3 – Drawing No. 05 Issue P2 received 8th April 2020 Highway Construction Details – Drawing No. 41 Issue P4 received 8th April 2020 Drainage Construction Details – Drawing No. 31 Issue P2 received 8th</p>	<p>WYG - Reference A103720 dated November 2017 Archaeological Assessment – Reference A107463 Bat Survey – Reference - A103720 Tree Survey – Reference - EES17-082 V2</p> <p>Reserved Matters</p> <p>Existing Site – Drawing No. 1843 000 received 23rd July 2019; Car Parking Spaces Layout - Drawing No. 1843 013 Rev. J received 13th March 2020 Planting Plan – Drawing No. 01 R12 received 11th February 2020 Plant Specification and Schedules – Drawing No. 02 Rev. 03 received 2nd January 2020; <i>** The dwelling layout of all referenced drawings being amended as per Planning Layout – Drawing No. 1843.001 Rev R**</i></p> <p>Discharge of Planning Conditions Outline</p> <p>Tree Survey For Proposed Development – Project No. EES17- 082 received 28th August 2019 Construction Environmental Management Plan (Ecology) Version R3 received 28th August 2019 Arboricultural Method Statement & Tree Protection Plan V3 received 17th June 2020 Construction Phase Plan – Land at North Park received 8th April 2020 Construction Method Statement – Land at North Park received 8th April 2020 Phase 2 Ground Investigation Report – Report Ref. 2018-3719 received 8th</p>	
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	<p>April 2020 SUDS Maintenance Plan – Report Number 19046-SMP1 received 27th April 2020 Street Lighting – Drawing No. 014 received 28th April 2020</p> <p>Discharge of Planning Conditions RM Proposed Finished Floor Levels – Sheet 1 – Drawing No. 101 P1 received 22nd June 2020 Proposed Finished Floor Levels – Sheet 2 – Drawing No. 102 P1 received 22nd June 2020</p> <p>Revisions – Non-Material Amendment Boundary Treatments Layout – Drawing No. 1843.003 Rev M received 28th January 2021 Boundary Details – Drawing No. 1843 008 Rev. A received 28th January 2021 Planning Layout – Drawing No. 1843.001 Rev M received 17th October 2020 Elevation Treatments Layout – Drawing No. 1843.004 Rev M received 17th October 2020 The Dee – House type Specification Rev L received 17th October 2020 The Derwent – House type Specification SG2 Rev L received 17th October 2020 The Eden – House type Specification Rev L received 17th October 2020 The Ellen – House type Specification V1 DG1 Rev L received 17th October 2020 The Ellen – House type Specification Ellen V1 SG1 Rev L received 17th October 2020 The Esk Bungalow – House type</p>	<p>April 2020 Exceedance Plan – Drawing No. 91 Issue P2 received 8th April 2020 Long Sections Sheet 1 – Drawing No. 61 Issue P4 received 8th April 2020 Long Sections Sheet 2 – Drawing No. 62 Issue P4 received 8th April 2020 Long Sections Sheet 3 – Drawing No. 05 Issue P2 received 8th April 2020 Highway Construction Details – Drawing No. 41 Issue P4 received 8th April 2020 Drainage Construction Details – Drawing No. 31 Issue P2 received 8th April 2020 SUDS Maintenance Plan – Report Number 19046-SMP1 received 27th April 2020 Street Lighting – Drawing No. 014 received 28th April 2020 <i>** The dwelling layout of all referenced drawings being amended as per Planning Layout – Drawing No. 1843.001 Rev R**</i></p> <p>Discharge of Planning Conditions RM Proposed Finished Floor Levels – Sheet 1 – Drawing No. 101 P1 received 22nd June 2020 Proposed Finished Floor Levels – Sheet 2 – Drawing No. 102 P1 received 22nd June 2020 <i>** The dwelling layout of all referenced drawings being amended as per Planning Layout – Drawing No. 1843.001 Rev R**</i></p> <p>Revisions – Non-Material Amendment Boundary Treatments Layout – Drawing No. 1843.003 Rev Q Boundary Details – Drawing No. 1843</p>	
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	<p>Specification Rev L received 17th October 2020</p> <p>The Gelt – House type Specification SG2 Rev L received 17th October 2020</p> <p>The Lowther – House type Specification Rev L received 17th October 2020</p> <p>The Lowther – House type Specification 1.5G1 Rev L received 17th October 2020</p> <p>The Tunstall – House type – Specification DG1 Rev L received 17th October 2020</p> <p>The Tunstall – House type Specification SG1 Rev L received 17th October 2020</p> <p>The Whillan – House type Specification DG2 Rev L received 17th October 2020</p> <p>The Wreay – House type Specification Rev L received 17th October 2020</p> <p>Materials Schedule Rev A received 17th October 2020</p> <p>Hard Surfaces Layout – Drawing No. 1843 002 Rev. J received 28th January 2021</p> <p>Revision Section 73</p> <p>Engineering Layout Sheet 1 – Drawing No 01 - Rev C received 17th October 2020</p> <p>Engineering Layout Sheet 2 – Drawing No 02 - Rev D received 17th October 2020</p> <p>Engineering Layout Sheet 3 – Drawing No 03 - Rev E received 17th October 2020</p> <p>Section 104 – Drawing No. 71 Rev B received 17th October 2020</p> <p>Microdrainage Calculations received 17th October 2020 as amended by email from Coast Engineering dated 17th November 2020</p>	<p>008 Rev. A received 28th January 2021</p> <p>Elevation Treatments Layout – Drawing No. 1843.004 Rev M received 17th October 2020</p> <p>The Dee – House type Specification Rev L received 17th October 2020</p> <p>The Derwent – House type Specification SG2 Rev L received 17th October 2020</p> <p>The Eden – House type Specification Rev L received 17th October 2020</p> <p>The Ellen – House type Specification V1 DG1 Rev L received 17th October 2020</p> <p>The Ellen – House type Specification Ellen V1 SG1 Rev L received 17th October 2020</p> <p>The Esk Bungalow – House type Specification Rev L received 17th October 2020</p> <p>The Gelt – House type Specification SG2 Rev L received 17th October 2020</p> <p>The Lowther – House type Specification Rev L received 17th October 2020</p> <p>The Lowther – House type Specification 1.5G1 Rev L received 17th October 2020</p> <p>The Tunstall – House type – Specification DG1 Rev L received 17th October 2020</p> <p>The Tunstall – House type Specification SG1 Rev L received 17th October 2020</p> <p>The Whillan – House type Specification DG2 Rev L received 17th October 2020</p> <p>The Wreay – House type Specification Rev L received 17th October 2020</p> <p>Materials Schedule Rev A received 17th October 2020</p> <p>Hard Surfaces Layout – Drawing No.</p>	
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	<p>Reason</p> <p>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.</p>	<p>1843 002 Rev. M <i>** The dwelling layout of all referenced drawings being amended as per Planning Layout – Drawing No. 1843.001 Rev R**</i></p> <p>Revision Section 73 Engineering Layout Sheet 1 – Drawing No 01 - Rev C received 17th October 2020 Engineering Layout Sheet 2 – Drawing No 02 - Rev D received 17th October 2020 Engineering Layout Sheet 3 – Drawing No 03 - Rev E received 17th October 2020 Section 104 – Drawing No. 71 Rev B received 17th October 2020 Microdrainage Calculations received 17th October 2020 as amended by email from Coast Engineering dated 17th November 2020 <i>** The dwelling layout of all referenced drawings being amended as per Planning Layout – Drawing No. 1843.001 Rev R**</i></p> <p>DOC Highway Signage - Planning Layout – Drawing No. 1843 001 Rev. J Proposed Surface Finishes Drawing No. 19046 08 Rev. B S278 Highway Construction Details – Drawing No. 19046 132 Rev. D Highway Construction Details – Drawing No. 19046 41 Rev. C Refuse Collection Areas- Car Parking Spaces Layout – Drawing No. 1843 013 Rev. L Landscape Maintenance Plan - Plant Specification and Schedules Drawing No. 02</p>	
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		<p>Play Space Location - Planning Layout – Drawing No. 1843 001 Rev. M</p> <p>Play Space Specification - Komplan Lets Play - £10K Nature & Grass Mat Play Area</p> <p><i>** The dwelling layout of all referenced drawings being amended as per Planning Layout – Drawing No. 1843.001 Rev R**</i></p> <p>Revision Section 73</p> <p>Boundary Treatments Layout – Drawing No. 1843.003 Rev Q</p> <p>Planning Layout – Drawing No. 1843.001 Rev R</p> <p>Hard Surfaces Layout – Drawing No. 1843 002 Rev. M</p> <p>Reason</p> <p>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.</p>	
	<p><u>Pre-Occupation</u></p> <p>2. A detailed scheme for any road signage associated with the development shall be submitted to the Local Planning Authority for approval prior to the first occupation of any dwelling hereby approved. These details shall be in accordance with the standards laid down in the Cumbria Design Guide. Any works approved shall be constructed before the development is complete.</p> <p>Reason</p>	<p>Approved under 4/21/2085/DOC - Planning Layout – Drawing No. 1843 001 Rev. J</p> <p>Revise Planning Condition 2 to secure.</p>	

	<p>To ensure a minimum standard of construction in the interests of highway safety in accordance with Policies T1 and DM22 of the Copeland Local Plan 2013-2028.</p>		
3.	<p>Ramps shall be provided on each side of every junction to enable wheelchairs and pushchairs to be safely manoeuvred at kerb lines. Details of all such ramps shall be submitted to, and approved in writing, by the local planning authority prior to the first occupation of any dwelling hereby approved. Development shall be carried out in accordance with the approved details and shall be constructed before the development is complete.</p> <p>Reason</p> <p>To ensure that pedestrians and people with impaired mobility can negotiate road junctions safely in accordance with Policy DM22 of the Copeland Local Plan 2013-2028.</p>	<p>Approved under 4/21/2085/DOC - Proposed Surface Finishes Drawing No. 19046 08 Rev. B S278 Highway Construction Details – Drawing No. 19046 132 Rev. D Highway Construction Details – Drawing No. 19046 41 Rev. C</p> <p>Revise Planning Condition 2 to secure.</p>	
4.	<p>No dwelling hereby approved shall be occupied until details of proposed refuse collection arrangements have been submitted to and approved in writing by the Local Planning Authority. Following occupation of the first dwelling on the site, refuse collection shall be commenced and maintained in accordance with the approved management and maintenance details approved by the local planning authority.</p> <p>Reason</p>	<p>Approved under 4/21/2085/DOC - Refuse Collection Areas- Car Parking Spaces Layout – Drawing No. 1843 013 Rev. L</p> <p>Revise Planning Condition 2 to secure.</p>	

	<p>To ensure that adequate provision is made with the development for refuse collection arrangements in the interests of residential amenity and highway safety and in accordance with the National Planning Policy Framework and Policy DM22 of the Copeland Local Plan 2013-2028.</p>		
5.	<p>No dwelling hereby approved shall be occupied unless and until a scheme detailing the layout and design of a children's play space measuring 100sqm has been submitted to and approved in writing by the Local Planning Authority. The approved scheme is to be completed prior to the occupation of the 30th dwelling hereby approved. The area shall not thereafter be used for any purpose other than a children's play space.</p> <p>Reason</p> <p>To ensure sufficient open space and children's plays space is provided within the site for use by future occupants in accordance with the requirements of Policy SS5 and Policy DM12 of the Copeland Local Plan 2013 – 2028.</p>	<p>Approved under 4/21/2085/DOC - Play Space Location - Planning Layout – Drawing No. 1843 001 Rev. M Play Space Specification - Komplan Lets Play - £10K Nature & Grass Mat Play Area</p> <p>Revise Planning Condition 2 to secure.</p>	
6.	<p>a) A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas is to be submitted to and approved in writing by the Local Planning Authority prior to first occupation of any dwelling.</p>	<p>Approved under 4/21/2085/DOC - Landscape Maintenance Plan - Plant Specification and Schedules Drawing No. 02</p> <p>Revise Planning Condition 2 to secure.</p>	

	<p>b) The landscape management plan is to be implemented as approved before the development is occupied.</p> <p>Reason</p> <p>To safeguard and enhance the character of the area and secure high quality landscaping in accordance with the requirements of Policy DM26 of the Copeland Local Plan 2013 – 2028.</p>		
	<p><u>Other Planning Conditions</u></p> <p>7. No dwellings shall be occupied until the approved estate roads including footways and cycleways to serve such dwellings have been constructed in all respects to base course level and street lighting where it is to form part of the estate road has been provided and brought in to full operational use.</p> <p>Reason</p> <p>In the interests of highway safety, in accordance with the National Planning Policy Framework and to support Local Transport Plan policies LD5, LD7, LD8 and policies T1 and DM22 of the Copland Local Plan.</p>	Retain.	
	<p>8. There shall be no vehicular access to, or egress from the site other than via the approved access, unless otherwise agreed by the Local Planning Authority.</p> <p>Reason</p> <p>To avoid vehicles entering or leaving</p>	Retain.	

	the site by an unsatisfactory access or route, in the interests of road safety in accordance with the National Planning Policy Framework and Policies T1 and DM22 of the Copeland Local Plan 2013-2028.		
9.	<p>Approved Construction Method Statement – Land at North Park received 8th April 2020 shall be implemented for the duration of the construction period.</p> <p>Reason</p> <p>To ensure that construction vehicles can be safely accommodated within the development site to prevent obstruction of the highway in accordance Policy DM22 of the Copeland Local Plan 2013-2028.</p>	Retain.	
10.	<p>The approved foul water and surface water drainage systems shall be implemented in full in accordance with the approved details and retained for the lifetime of the development. No surface water shall discharge to the public sewerage system either directly or indirectly.</p> <p>Reason</p> <p>In the interests of highway safety and surface water management and in accordance with policies DM22 and ENV1 of the Copeland Local Plan 2013-2028.</p>	Retain.	
11.	Foul and Surface water shall be drained on separate systems	Retain.	

	<p>Reason</p> <p>To secure proper drainage and to manage the risk of flooding and pollution in accordance with the National Planning Policy Framework and in accordance with Policies ST1 and ENV1 of the Copeland Local Plan 2013-2028.</p>		
	<p>12. The approved drainage scheme shall be managed and maintained in accordance with SUDS Maintenance Plan – Report Number 19046-SMP1 received 27th April 2020 for the lifetime of the development.</p> <p>Reason</p> <p>To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development in accordance with the National Planning Policy Framework and Policies ST1 and ENV1 of the Copeland Local Plan 2013-2028.</p>	Retain.	
	<p>13. No construction work associated with the development hereby approved shall be carried out outside of the hours of 07.30 hours-18.00 hours Monday-Saturday, nor at any time on Sundays and bank holidays, unless otherwise agreed in writing by the local planning authority.</p> <p>Reason</p>	Retain.	

	In the interests of neighbouring residential amenity and in accordance with Policy ST1 of the Copeland Local Plan 2013-2028.		
14.	<p>Approved Construction Environmental Management Plan (Ecology) Version R3 received 28th August 2019 shall be adhered to for the duration of the construction period.</p> <p>Reason</p> <p>To ensure that adequate protection is given to protected species, in the interests of the environmental protection and in accordance with Policy DM25 of the Copeland Local Plan 2013-2028.</p>	Retain	
15.	<p>The development hereby approved shall be completed in accordance with the provisions and recommendations of Phase 2 Ground Investigation Report – Report Ref. 2018-3719 received 8th April 2020.</p> <p>Reason</p> <p>To prevent development from contributing to or being put at acceptable risk from, or being adversely affected by unacceptable levels of pollution in accordance with Policy ST1 of the Copeland Local Plan 2013-2028.</p>	Retain.	
16.	<p>a) No lighting is to be installed unless and until a scheme for the provision of external lighting has been submitted to and approved in writing by the</p>	Retain.	

	<p>Local Planning Authority. The scheme shall include full details of the location, design, luminance levels, light spillage and hours of use of all external lighting within the site.</p> <p>b) The approved lighting scheme is to be implemented in full prior to first occupation of the development hereby approved.</p> <p>Reason</p> <p>These details are required to be approved before the commencement of development to safeguard ecology in accordance with the requirements of Policy ENV3 and Policy DM25 of the Copeland Local Plan 2013 – 2028.</p>		
	<p>17. All hard and soft landscape works is to be carried out in accordance with the approved details. 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>Reason</p> <p>To safeguard and enhance the character of the area and secure high quality landscaping in accordance with the requirements of Policy DM26 of the Copeland Local Plan 2013 – 2028.</p>	Retain.	
	<p>18 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and</p>	Retain.	

	<p>re-enacting that Order with or without modification) no extension to the rear elevation or rear roof planes of Plot Nos. 16, 17, 18, 19, 29, 30, 31, 32, 33 and 34 as identified on Planning Layout – Drawing No. 1843.001 Rev M received 17th October 2020 shall be undertaken without the express permission of the Local Planning Authority.</p> <p>Reason</p> <p>To safeguard the residential amenity of the residents of Rheda Park in accordance with the provisions of Policy ST1 of the Copeland Local Plan 2013-2028.</p>		
	<p>19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development of the type described in Class E, Part 1 of Schedule 2 of that Order shall be undertaken Plot Nos. 16, 17, 18, 19, 29, 30, 31, 32, 33 and 34 as identified on Planning Layout – Drawing No. 1843.001 Rev M received 17th October 2020 without the express permission of the Local Planning Authority.</p> <p>Reason</p> <p>To safeguard the residential amenity of the residents of Rheda Park in accordance with the requirements of Policy DM12 of the Copeland Local Plan 2013 – 2028 and Paragraph 127 of the National Planning Policy</p>	Retain.	

	Framework 2019.	
	<p><i>Conclusion</i></p> <p>The principle of the development has previously been established.</p> <p>Plots 43, 50 and 54 are located between approved two storey dwellings and are therefore appropriate to the wider character of the development and street scene. Given their location within the development, adverse landscape and visual impacts will not result..</p> <p>In relation to Plot 39, whilst it must be accepted that the approved arrangement is preferable, given the visual context, the impacts of the proposed arrangement would not reasonably so additionally harmful as to reasonably sustain refusal.</p> <p>Given their scale, form and relationship to the existing and proposed dwellings, unacceptable adverse impacts will not result in respect of overlooking, loss of light, overbearing or overshadowing.</p>	
8.	<p>Recommendation:</p> <p>Approve amendment of condition.</p>	
9.	<p>Conditions:</p> <ol style="list-style-type: none"> 1. Permission shall relate to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them: - <p>Outline</p> <p>Site Location Plan – Drawing No. Rheda 13 Rev 01 received 28th September 2018</p> <p>Access Plan A103335 C001- Drawing No. C001, received 28th September 2018</p> <p>Phase 1 Desktop Study Report - Geo Environmental - Reference No. 2017-2566 dated 31st May 2017</p> <p>Planning Statement – Reference - A109666</p> <p>Design and Access Statement dated September 2018</p> <p>Transport Assessment Report – WYG - Reference A103335 dated November 2017</p> <p>Interim Travel Plan Report – WYG - Reference A103335 dated November 2017</p> <p>Flood Risk and Drainage Statement - Reference A109666</p> <p>Landscape and Visual Amenity Issues Brief Report - Eden Environment Ltd dated September 2018</p> <p>Preliminary Ecological Appraisal – WYG - Reference A103720 dated November 2017</p> <p>Archaeological Assessment – Reference A107463</p>	

Bat Survey – Reference - A103720
Tree Survey – Reference - EES17-082 V2

Reserved Matters

Existing Site – Drawing No. 1843 000 received 23rd July 2019;
Car Parking Spaces Layout - Drawing No. 1843 013 Rev. J received 13th March 2020
Planting Plan – Drawing No. 01 R12 received 11th February 2020
Plant Specification and Schedules – Drawing No. 02 Rev. 03 received 2nd January 2020;
*** The dwelling layout of all referenced drawings being amended as per Planning Layout – Drawing No. 1843.001 Rev R***

Discharge of Planning Conditions Outline

Tree Survey For Proposed Development – Project No. EES17-082 received 28th August 2019
Construction Environmental Management Plan (Ecology) Version R3 received 28th August 2019
Arboricultural Method Statement & Tree Protection Plan V3 received 17th June 2020
Construction Phase Plan – Land at North Park received 8th April 2020
Construction Method Statement – Land at North Park received 8th April 2020
Phase 2 Ground Investigation Report – Report Ref. 2018-3719 received 8th April 2020
Exceedance Plan – Drawing No. 91 Issue P2 received 8th April 2020
Long Sections Sheet 1 – Drawing No. 61 Issue P4 received 8th April 2020
Long Sections Sheet 2 – Drawing No. 62 Issue P4 received 8th April 2020
Long Sections Sheet 3 – Drawing No. 05 Issue P2 received 8th April 2020
Highway Construction Details – Drawing No. 41 Issue P4 received 8th April 2020
Drainage Construction Details – Drawing No. 31 Issue P2 received 8th April 2020
SUDS Maintenance Plan – Report Number 19046-SMP1 received 27th April 2020
Street Lighting – Drawing No. 014 received 28th April 2020
*** The dwelling layout of all referenced drawings being amended as per Planning Layout – Drawing No. 1843.001 Rev R***

Discharge of Planning Conditions RM

Proposed Finished Floor Levels – Sheet 1 – Drawing No. 101 P1 received 22nd June 2020
Proposed Finished Floor Levels – Sheet 2 – Drawing No. 102 P1 received 22nd June 2020
*** The dwelling layout of all referenced drawings being amended as per Planning Layout – Drawing No. 1843.001 Rev R***

Revisions – Non-Material Amendment

Boundary Treatments Layout – Drawing No. 1843.003 Rev Q
Boundary Details – Drawing No. 1843 008 Rev. A received 28th January 2021
Elevation Treatments Layout – Drawing No. 1843.004 Rev M received 17th October 2020
The Dee – House type Specification Rev L received 17th October 2020
The Derwent – House type Specification SG2 Rev L received 17th October 2020
The Eden – House type Specification Rev L received 17th October 2020

The Ellen – House type Specification V1 DG1 Rev L received 17th October 2020
The Ellen – House type Specification Ellen V1 SG1 Rev L received 17th October 2020
The Esk Bungalow – House type Specification Rev L received 17th October 2020
The Gelt – House type Specification SG2 Rev L received 17th October 2020
The Lowther – House type Specification Rev L received 17th October 2020
The Lowther – House type Specification 1.5G1 Rev L received 17th October 2020
The Tunstall – House type – Specification DG1 Rev L received 17th October 2020
The Tunstall – House type Specification SG1 Rev L received 17th October 2020
The Whillan – House type Specification DG2 Rev L received 17th October 2020
The Wreay – House type Specification Rev L received 17th October 2020
Materials Schedule Rev A received 17th October 2020
Hard Surfaces Layout – Drawing No. 1843 002 Rev. M
*** The dwelling layout of all referenced drawings being amended as per Planning Layout – Drawing No. 1843.001 Rev R***

Revision Section 73

Engineering Layout Sheet 1 – Drawing No 01 - Rev C received 17th October 2020
Engineering Layout Sheet 2 – Drawing No 02 - Rev D received 17th October 2020
Engineering Layout Sheet 3 – Drawing No 03 - Rev E received 17th October 2020
Section 104 – Drawing No. 71 Rev B received 17th October 2020
Microdrainage Calculations received 17th October 2020 as amended by email from Coast Engineering dated 17th November 2020
*** The dwelling layout of all referenced drawings being amended as per Planning Layout – Drawing No. 1843.001 Rev R***

DOC

Highway Signage - Planning Layout – Drawing No. 1843 001 Rev. J
Proposed Surface Finishes Drawing No. 19046 08 Rev. B
S278 Highway Construction Details – Drawing No. 19046 132 Rev. D
Highway Construction Details – Drawing No. 19046 41 Rev. C
Refuse Collection Areas- Car Parking Spaces Layout – Drawing No. 1843 013 Rev. L
Landscape Maintenance Plan - Plant Specification and Schedules Drawing No. 02
Play Space Location - Planning Layout – Drawing No. 1843 001 Rev. M
Play Space Specification - Komplan Lets Play - £10K Nature & Grass Mat Play Area
*** The dwelling layout of all referenced drawings being amended as per Planning Layout – Drawing No. 1843.001 Rev R***

Revision Section 73

Boundary Treatments Layout – Drawing No. 1843.003 Rev Q
Planning Layout – Drawing No. 1843.001 Rev R
Hard Surfaces Layout – Drawing No. 1843 002 Rev. M

	<p>Reason</p> <p>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.</p> <p>2. -</p> <p>3. -</p> <p>4. -</p> <p>5. -</p> <p>6. -</p> <p>7. No dwellings shall be occupied until the approved estate roads including footways and cycleways to serve such dwellings have been constructed in all respects to base course level and street lighting where it is to form part of the estate road has been provided and brought in to full operational use.</p> <p>Reason</p> <p>In the interests of highway safety, in accordance with the National Planning Policy Framework and to support Local Transport Plan policies LD5, LD7, LD8 and policies T1 and DM22 of the Copland Local Plan.</p> <p>8. There shall be no vehicular access to, or egress from the site other than via the approved access, unless otherwise agreed by the Local Planning Authority.</p> <p>Reason</p> <p>To avoid vehicles entering or leaving the site by an unsatisfactory access or route, in the interests of road safety in accordance with the National Planning Policy Framework and Policies T1 and DM22 of the Copeland Local Plan 2013-2028.</p>
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9. Approved Construction Method Statement – Land at North Park received 8th April 2020 shall be implemented for the duration of the construction period.

Reason

To ensure that construction vehicles can be safely accommodated within the development site to prevent obstruction of the highway in accordance Policy DM22 of the Copeland Local Plan 2013-2028.

10. The approved foul water and surface water drainage systems shall be implemented in full in accordance with the approved details and retained for the lifetime of the development. No surface water shall discharge to the public sewerage system either directly or indirectly.

Reason

In the interests of highway safety and surface water management and in accordance with policies DM22 and ENV1 of the Copeland Local Plan 2013-2028.

11. Foul and Surface water shall be drained on separate systems

Reason

To secure proper drainage and to manage the risk of flooding and pollution in accordance with the National Planning Policy Framework and in accordance with Policies ST1 and ENV1 of the Copeland Local Plan 2013-2028.

12. The approved drainage scheme shall be managed and maintained in accordance with SUDS Maintenance Plan – Report Number 19046-SMP1 received 27th April 2020 for the lifetime of the development.

Reason

To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development in accordance with the National Planning Policy Framework and Policies ST1 and ENV1 of the Copeland Local Plan 2013--2028.

	<p>13. No construction work associated with the development hereby approved shall be carried out outside of the hours of 07.30 hours-18.00 hours Monday-Saturday, nor at any time on Sundays and bank holidays, unless otherwise agreed in writing by the local planning authority.</p> <p>Reason</p> <p>In the interests of neighbouring residential amenity and in accordance with Policy ST1 of the Copeland Local Plan 2013-2028.</p> <p>14. Approved Construction Environmental Management Plan (Ecology) Version R3 received 28th August 2019 shall be adhered to for the duration of the construction period.</p> <p>Reason</p> <p>To ensure that adequate protection is given to protected species, in the interests of the environmental protection and in accordance with Policy DM25 of the Copeland Local Plan 2013-2028.</p> <p>15. The development hereby approved shall be completed in accordance with the provisions and recommendations of Phase 2 Ground Investigation Report – Report Ref. 2018-3719 received 8th April 2020.</p> <p>Reason</p> <p>To prevent development from contributing to or being put at acceptable risk from, or being adversely affected by unacceptable levels of pollution in accordance with Policy ST1 of the Copeland Local Plan 2013-2028.</p> <p>16.</p> <ul style="list-style-type: none"> c) No lighting is to be installed unless and until a scheme for the provision of external lighting has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include full details of the location, design, luminance levels, light spillage and hours of use of all external lighting within the site. d) The approved lighting scheme is to be implemented in full prior to first occupation of the development hereby approved. <p>Reason</p> <p>These details are required to be approved before the commencement of development to</p>
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	<p>safeguard ecology in accordance with the requirements of Policy ENV3 and Policy DM25 of the Copeland Local Plan 2013 – 2028.</p>
17.	<p>All hard and soft landscape works is to be carried out in accordance with the approved details. 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>Reason</p> <p>To safeguard and enhance the character of the area and secure high quality landscaping in accordance with the requirements of Policy DM26 of the Copeland Local Plan 2013 – 2028.</p>
18	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no extension to the rear elevation or rear roof planes of Plot Nos. 16, 17, 18, 19, 29, 30, 31, 32, 33 and 34 as identified on Planning Layout – Drawing No. 1843.001 Rev M received 17th October 2020 shall be undertaken without the express permission of the Local Planning Authority.</p> <p>Reason</p> <p>To safeguard the residential amenity of the residents of Rheda Park in accordance with the provisions of Policy ST1 of the Copeland Local Plan 2013-2028.</p>
19.	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development of the type described in Class E, Part 1 of Schedule 2 of that Order shall be undertaken Plot Nos. 16, 17, 18, 19, 29, 30, 31, 32, 33 and 34 as identified on Planning Layout – Drawing No. 1843.001 Rev M received 17th October 2020 without the express permission of the Local Planning Authority.</p> <p>Reason</p> <p>To safeguard the residential amenity of the residents of Rheda Park in accordance with the requirements of Policy DM12 of the Copeland Local Plan 2013 – 2028 and Paragraph 127 of the National Planning Policy Framework 2019.</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>
Case Officer: Chris Harrison	Date : 02.11.2021
Authorising Officer: N.J. Hayhurst	Date : 08.11.2021
Dedicated responses to:-	