



COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/21/2278/OF1
2.	Proposed Development:	SEVEN NO. 2 BEDROOM TERRACED HOUSES
3.	Location:	FORMER CLINIC, ENNERDALE ROAD, CLEATOR MOOR
4.	Parish:	Cleator Moor
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change
6.	Publicity Representations & Policy	Neighbour Notification Letter: YES Site Notice: YES Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report: INTRODUCTION <p>This application relates to a rectangular parcel of land that fronts onto Ennerdale Road in Cleator Moor. It is surrounded by residential dwellings and is bound on its southern boundary by a small lane divides the land from the rear of the properties on Princes Street. The site was previously occupied by the Cleator Moor Health Centre which has since been demolished.</p> PROPOSAL <p>This application seeks full planning permission for the redevelopment of the site to form seven 2 bedroomed dwellings.</p> <p>The dwellings are proposed to be arranged in a terrace form with amenity space and parking to the rear.</p>	

Each dwelling will be two storey in height with a living room and dining/kitchen on the ground floor and two bedrooms and a bathroom on the first floor. There will be patio doors leading out onto space to the rear which will accommodate one parking space and a small back garden to include bin storage for each unit.

The dwellings are to be arranged in a terrace and will front directly onto the back of pavement which reflects the traditional form and appearance of the residential properties that front onto Ennerdale Road in this part of the town. The units are to be faced externally with render under a tiled pitched roof and each will feature a small flat roofed bay window on the front elevation to serve the main living room.

RELEVANT PLANNING APPLICATION HISTORY

Refurbishment and extension to health clinic, approved in November 1992, application reference 4/92/0688/3 relates;

Application for prior notification of proposed demolition, approved in July 2014, application reference 4/14/2237/0F1 relates;

Outline application for 8 no. two storey new dwellings, approved in July 2014, application reference 4/14/2238/001 relates.

CONSULTATION RESPONSES

Town Council

Cumbria Highways

The provision of a single space per property is below standards for new developments, however the previous use of the site was likely to have seen a more intensified use. Due to the situation within the town centre, the level of parking is acceptable. However, requested that the Applicant either increased the parking to allow for a 6m forecourt or a swept diagram to show that the parking is safe. On receipt of this information the Officer raised no further objections and confirmed that the development is considered to be acceptable, subject to conditions.

Local Lead Flood Authority

No objections provided that the Applicant has permission from the appropriate water management body.

United Utilities

No objections, subject to conditions to ensure that foul and surface water are drained on separate

systems and that a full scheme for drainage water be submitted and approved.

Flood and Coastal Defence Engineer

Initially requested information to show that the drainage hierarchy had been considered. Following receipt of the information, the Officer raised no further objections to the surface water being drained to the combined sewer.

Public Representation

The application has been advertised by way of a site notice and neighbour notification letters issued to 22 no. properties.

Comments have been received from 5 neighbouring properties.

Concerns relate to the parking on site being insufficient and this having a negative effect on Ennerdale Road.

PLANNING POLICIES

Planning law requires 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

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM12 – Standards for New Residential Developments

Policy DM22 – Accessible Developments

Policy DM26 – Landscaping

Other Material Planning Considerations

National Planning Policy 2019 (NPPF)

National Design Guide

Cumbria Development Design Guide (CDG)

Emerging Copeland Local Plan

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

The principle of new housing is supported in the Copeland Local Plan through strategic policies ST1 and ST2 along with policy SS1. 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.

This site comprises a portion of vacant brownfield land which is located within the settlement boundary for Cleator Moor. The town is classed under Policy ST2 as a Key Service Centre where new development is acceptable within the confines of the settlement boundary.

The site is well related to the physical form of the town, is located within an existing residential area and it is considered that development on this land, would “infill” an existing gap site on the main thoroughfare in the town.

A previous outline planning permission was granted in 2014 for the development of 8 dwellings. This has established the principle of developing the site and it is considered that the location within the settlement boundary complies with Policy ST2 of the Copeland Local Plan.

Housing Need and 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.

Whilst Cleator Moor has a wide range of small scale units the site lends itself to this form of development and overall it will provide an additional seven units that will boost housing supply and

also provide opportunities at the lower end of the housing market.

Design and Appearance

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.

The proposed dwellings are to be arranged in a terrace which reflects the built form of this part of the settlement along Ennerdale Road. The housing in the immediate vicinity to the rear of the site on Princes Street and Towerson Street also comprises small terraced units. On this basis the seven units proposed are likely to complement the existing built form of this part of the town. .

The dwellings have been designed to be in keeping with the existing character and will front directly onto the pavement and contain bay windows on the front elevation. This will reflect the form and appearance of the dwellings on the opposite side of Ennerdale Road. The roof configuration has been designed to step up the hill in a similar fashion to the adjacent terrace to the south east which reflects the minor change in levels across the site.

Visual street scenes and material descriptions have been provided for the proposal to include rendered walls, grey flat profile roofing tiles and dark grey uPVC windows and doors. These materials are considered to be acceptable in this location where the majority of properties have a rendered finish. The dark windows and doors will provide a modern twist for the new dwellings.

Impact on the Neighbouring Properties

Policy ST1, Policy DM12 and section 12 of the NPPF seek to safeguard good levels of residential amenity of the parent property or adjacent dwellings.

There are no windows proposed on the gable ends, therefore mitigating any overlooking issues to the east and west. The separation distances between the facing elevations of the proposed terrace and the existing properties to both the front and rear of the site are approximately 13 metres. Whilst this falls short of the recommended separation distances set out in Policy DM12 of the Local Plan, it is considered to be acceptable in this case as it follows the existing built form and relationship of the surrounding terraces that are separated by narrow roads.

Access and Highway Safety

Access to the properties is to be gained via a small lane that lies between the dwellings to the rear on Princes Street and the development site. On request from the Highways Department, a swept diagram was submitted by the Applicant to show how cars would be able to access and egress the site safely using this lane.

On receipt of this information the Highways Officer raised no objections to the proposal and considered that the location of the development within the town centre would allow occupants to utilize sustainable transport methods such as public transport, walking and cycling.

Concerns have been raised from some local residents with regards to the intensification of parking on Ennerdale Road that is likely to result from the development. Whilst these comments are noted, it is considered that the previous use of the site as a medical centre would have been likely to produce a higher level of traffic in and around the site than the seven dwellings proposed. On this basis there is unlikely to be a material increase from the previous situation which would raise highway safety issues.

Overall, it is considered that the proposal complies with Policy DM22 of the Copeland Local Plan and will provide an accessible development.

Landscaping

Each individual plot has very little space for any landscaping due to the positioning of the dwellings directly up to the pavement and the restricted size of the back gardens. The Applicant has shown space for a small patio area and bin storage to the rear and each plot will be bound with a dividing brick wall to be 1.8m in order to allow the small garden area to remain private. This provides some opportunity for minor landscaping, although the character of this part of the town is urban and contains very little greenery.

On the basis that the landscaping has been designed in a functional way for these restricted plots, it is considered to comply with Policy DM26 of the Copeland Local Plan.

Drainage

The Applicant has not provided details of the drainage system for the site, but has indicated that foul and surface water will be drained to the mains sewer. United Utilities have raised no objections to the proposal, but requested that foul and surface water be drained on separate systems and that a full surface water plan be submitted and approved, prior to the commencement of development. It is unlikely that a connection to the mains sewer will be acceptable and more sustainable options should be explored.

It is proposed that conditions are attached to ensure that adequate drainage can be provided to serve the dwellings.

Planning Balance and Conclusion

The site lies within the settlement boundary for Cleator Moor. The provision of housing within the

	<p>town is consistent with Policy ST2 and would also increase the housing supply in accordance with Policy SS3.</p> <p>The site can comfortably accommodate the number and type of dwellings proposed. The development has been designed to reflect the character and form of the residential properties within the immediate vicinity and also achieves comparable separation distances and amenity space.</p> <p>The parking provision that can be achieved is considered to be acceptable for the town centre location.</p> <p>All objections have been considered as part of the assessment and additional mitigation has been secured by amendments to the scheme.</p> <p>On balance this is considered to be an acceptable form of sustainable development which will be consistent with the details set out in national and local policy.</p>
8.	<p>Recommendation: Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <ol style="list-style-type: none"> <p>The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.</p> <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> <p>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>Existing Block Plan and Location Plan, scales 1:200 and 1:1250, drawing number 20/0303/01B, received 6th August 2021; Proposed Block Plan and Location Plan, scale 1:200, drawing number 20/0303/02B, received 6th August 2021; Proposed Ground Floor Plans, scale 1:100, drawing number 20/0303/03B, received 6th August 2021; Proposed First Floor Plans, scale 1:100, drawing number 20/0303/04B, received 6th August 2021; Proposed Elevations, scale 1:100, drawing number 20/0303/05B, received 6th August 2021; Proposed Elevations, scale 1:100, drawing number 20/0303/06B, received 6th August 2021; Proposed Section, scale 1:50, drawing number 20/0303/09B, received 6th August 2021; Proposed Section, scale 1:50, drawing number 20/0303/10B, received 6th August 2021;</p>

Proposed Site Compound, scale 1:200, drawing number 20/0303/11B, received 6th August 2021;
3D Visual Street scenes, received 6th August 2021;
Design and Access Statement, written by Geoffrey Wallace, received 15th June 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. Prior to the commencement of the development, full details of the surface water drainage scheme, including attenuation measures, must be submitted to and approved in writing by the Local Planning Authority. The approved scheme must become operational before the development is brought into use and must be so maintained thereafter.

Reason

To ensure a satisfactory scheme of surface water disposal from the site in accordance with Policies ENV1 and DM24 of the Copeland Local Plan.

4. Prior to the commencement of development on site, 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 and approved in writing by the Local Planning Authority. Any approved works must be implemented prior to occupation of the dwellings and must be maintained as operational thereafter at all times.

Reason

To ensure a minimum standard of highway safety and in accordance with Policies ENV1, DM22 and DM24 of the Copeland Local Plan.

5. Development shall not commence until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the local planning authority. The CTMP shall include details of:
- pre-construction road condition established by a detailed survey for accommodation works within the highways boundary conducted with a Highway Authority representative;
 - with all post repairs carried out to the satisfaction of the Local Highway Authority at the applicants expense;
 - details of proposed crossings of the highway verge;

- retained areas for vehicle parking, manoeuvring, loading and unloading for their specific purpose during the development;
- cleaning of site entrances and the adjacent public highway;
- details of proposed wheel washing facilities;
- the sheeting of all HGVs taking spoil to/from the site to prevent spillage or deposit of any materials on the highway;
- construction vehicle routing;
- the management of junctions to and crossings of the public highway and other public rights of way/footway;
- Details of any proposed temporary access points (vehicular / pedestrian)
- surface water management details during the construction phase

Reason

To ensure the undertaking of the development does not adversely impact upon the fabric or operation of the local highway network and in the interests of highway and pedestrian safety and in accordance with Policy DM22 of the Copeland Local Plan.

Pre-occupation condition

6. The access drive shall be surfaced in bituminous or cement bound materials, or otherwise bound and shall be constructed and completed before the development is occupied/brought into use.

Reason

In the interests of highway safety and in accordance with Policy DM22 of the Copeland Local Plan.

Other planning conditions

7. 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 Policy ENV1 and DM24 of the Copeland Local Plan.

8. 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 Classes A, B, C, D, E, F, G of Part 1 and Class A of Part 2 of Schedule 2 of that Order shall be undertaken without the

express permission of the Local Planning Authority.

Reason

To ensure a satisfactory appearance of the development in the interests of visual amenity in accordance with the provisions of Policy DM10 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

Statement

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.

Case Officer: Sarah Papaleo

Date : 19/08/2021

Authorising Officer: N.J. Hayhurst

Date : 20/08/2021

Dedicated responses to:-