

**COPELAND BOROUGH COUNCIL
DELEGATED PLANNING DECISION**

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| 1. | Reference No: | 4/21/2283/OR1 |
| 2. | Proposed Development: | RESERVED MATTERS APPLICATION FOR DETACHED DWELLING (FOLLOWING OUTLINE APPROVAL 4/19/2141/001) |
| 3. | Location: | LAND ADJACENT TO THORN BANK, ARLECDON ROAD, ARLECDON |
| 4. | Parish: | Arlecdon and Frizington |
| 5. | Constraints: | ASC;Adverts - ASC;Adverts, Coal - Off Coalfield - Data Subject To Change, 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: Site and Location: The Application Site comprises a c.0.1ha parcel of agricultural land located to the west of Arlecdon Road. The Site is bounded by an existing dwelling to the north; agricultural land to the east and south; and Arlecdon Road to the east. The Site is enclosed by open boundaries to the north, south, east and west. Direct Planning Application History: 4/16/2108/0F1 - Development of a water supply connection comprising of a new service reservoir, valve house and pumping station, fencing and landscaping; underground pipelines (approx. 15 km in length); incorporating the development of valve chambers, excavation and landscaping, temporary | |

vehicular accesses, working areas, compounds, hard standings and other associated development – Approved subject to planning conditions.

4/19/2141/001 – Outline Application For Residential Development Of Two Dwellings – Approved subject to planning conditions.

Proposal:

This application seeks approval of Reserved Matters following outline approval for the southern most of the dwellings approved under Outline Planning Application reference 4/19/2141/001. The Reserved Matters for consideration under this application are scale, layout, appearance, landscaping and access.

The proposed dwelling comprises a bungalow incorporating a dual pitched cross gable design on the front and rear elevation.

The proposed measures 17 metres in width and 16.8 metres in depth at its widest point with eaves and ridge heights of 2.4 metres and 4.9 metres respectively.

It is proposed to finish the building with red facing brick to the elevation, dark grey Marley Modern concrete tiles to the roof and grey uPVC windows and doors with yellow Scotch Buff Sandstone window headers and cills.

The proposal also includes an access off Arlecdon Road and parking and a turning area are to be provided within the site.

Consultation Responses:

Consultees

Parish Council

No comments received.

Cumbria County Council – Highways and LLFA

Initial Response - 8th July 2021

More detailed information and plans needed to be submitted in terms of the access layout and on-site parking and turning before the Highway Authority can make a positive recommendation.

Inadequate information has been submitted to satisfy the Local Planning Authority that the proposal is acceptable in terms of: access, visibility splays, off-street parking, access layout, access construction, on site turning facilities.

Secondary Response – 5th August 2021

The amended plan submitted following comments from the Highway Authority (Drawing Number 001 Rev A) does not reflect the access arrangements that were agreed in the outline application

4/19/2141/001. The outline application proposed a single shared access from the highway to the two proposed dwellings. The amended site plan provided with this application does not clearly show the access layout and therefore cannot support the practicality of the on-site turning and parking of vehicles.

It is noted that there has been an additional vehicle shown on the amended plans however if the proposed access layout is the same as what was previously agreed it is likely each of the vehicles demonstrated on the plan will have difficulty entering and leaving the site. Please could the applicant submit a plan that clearly shows the proposed access arrangements and layout?

Inadequate information has been submitted to satisfy the Local Planning Authority that the proposal is acceptable in terms of: access, visibility splays, off-street parking, access layout, access construction, on site turning facilities.

Final Response – 1st September 2021

Further to the submission of a more detailed site layout plan (Drawing Number 001 Rev B), the Highway Authority do not consider the proposed turning head as practical however it can be assumed that vehicles will reverse from the road onto the parking area enabling them to leave the site in forward gear.

I can confirm that the Highway Authority have no objections to this proposal subject to the following conditions being included with any permission you might grant:

1. The development shall not commence until visibility splays providing clear visibility of 60m by 2.4m by 60m down the centre of the access road and the nearside channel line of the carriageway edge have been provided at the junction of the access with the county highway. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind shall be erected, parking or placed and no trees, bushes or other plants shall be planted or be permitted to grow within the visibility splay which obstruct the visibility. The visibility splays shall be constructed before general development of the site commences so that construction traffic is safeguarded.

Reason: *In the interests of highway safety.*

To support Local Transport Plan Policies: LD7, LD8

2. 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 brought into use. This surfacing shall extend for a distance of at least 5 metres inside the site, as measured from the carriageway edge of the adjacent highway.

Reason: *In the interests of highway safety.*

To support Local Transport Plan Policies: LD7, LD8

3. Any existing highway fence/wall boundary shall be reduced to a height not exceeding 1.05m above the carriageway level of the adjacent highway in accordance with details submitted to the Local Planning Authority and which have subsequently been approved before the development is brought into use and shall not be raised to a height exceeding 1.05m thereafter.
Reason: *In the interests of highway safety.*
To support Local Transport Plan Policies: LD7, LD8
4. The gradient of the access drive shall be no steeper than 12.5% (1 in 8) for a distance not less than 5m as measured from the carriageway edge of the adjacent highway.
Reason: *In the interests of highway safety.*
To support Local Transport Plan Policies: LD7, LD8
5. Access gates, if provided, shall be hung to open inwards away from the highway.
Reason: *In the interests of highway safety.*
To support Local Transport Plan Policies: LD7, LD8
6. Details of all measures to be taken by the applicant/development to prevent surface water discharging onto or off the highway shall be submitted to the Local Planning Authority for approval prior to development being commenced. Any approval works shall be implemented prior to the development being completed and shall be maintained operational thereafter.
Reason: *In the interests of highway safety.*
To support Local Transport Plan Policies: LD7, LD8
7. The use shall not be commenced until the access and parking requirements have been constructed in accordance with the approved plan. Any such access and or parking provision shall be retained and be capable of use when the development is completed and shall not be removed or altered without the prior consent of the Local Planning Authority.
Reason: *In the interests of highway safety.*
To support Local Transport Plan Policies: LD7, LD8

NOTE: If the application is approved the applicant must not commence works, or allow any person to perform works, on any part of the highway until in receipt of an appropriate permit allowing such works. They will need to contact Streetworks Central streetworks.central@cumbria.gov.uk for the appropriate permit.

United Utilities

No comments received.

Copeland Borough Council – Planning Policy

No comments received.

Public Representation

The application has been advertised by way of neighbour notification letters issued to 7 no. properties.

No objections have been received as a result of this consultation.

Development Plan Policies:

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

Core Strategy (CS):

Policy ST1 – Strategic Development Principles

Policy ST2 – Spatial Development Strategy

Policy SS1 – Improving the Housing Offer

Policy SS2 – Sustainable Housing Growth

Policy SS3 – Housing Needs, Mix and Affordability

Policy 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 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

Proposals Map including settlement boundaries.

Other Material Planning Considerations

National Planning Policy Framework (NPPF).

Strategic Housing Market Assessment 2019 (SHMA)

The Conservation of Habitats and Species Regulations 2017 (CHSR).

Copeland Borough Council Housing Strategy 2018 – 2023 (CBCHS)

Cumbria Landscape Character Guidance and Toolkit (CLCGT).

National Design Guide (NDG).

Cumbria Development Design Guide.

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:

The key issues raised by this proposal are the principle of development, its scale, design and appearance, the potential impacts on the landscape and settlement character, residential amenity, access and highway conditions, ecology and drainage.

Principle of Development

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

The principle for developing this site for the residential dwelling was established in 2019 when outline planning permission was granted under application reference 4/19/2141/001.

This application seeks approval of scale, layout, appearance, landscaping and access.

Scale, Design and Appearance

Policies ST1, DM10, DM11, and DM12 of the Local Plan, and section 12 of the NPPF seek to secure high standards of design for new residential properties. These policies seek to create and maintain a reasonable standard of amenity, and set out detailed requirements with regard to standard of residential amenity, including the provision of parking spaces, separation distances and open space.

The proposed dwelling follows the contours of the site, which is slightly elevated above the adjacent property. On this basis, the bungalow design is considered to be well related to the adjacent dwelling to the north and the lower overall height is considered to be suitable within this location. The proposed dwelling is comparable in scale and appearance to the existing dwellings to the north and it will not be excessively prominent within the street scene.

Concerns were raised regarding the original siting of the proposal within the site. An amended plan was submitted which shows the dwelling relocated further back within the site, to ensure the front elevation will be in line with the existing building line along the west of Arlecdon Road. The proposal is therefore considered to be suitably located which responds to the character of the area. The proposal will also provide suitable outdoor amenity space and the layout of the site will be appropriate.

The proposed materials are considered to be appropriate to the dwelling and correspond to materials used elsewhere within the locality.

Overall, it is considered that the dwelling is of an appropriate scale, design and appearance and therefore the proposal complies with Policies ST1, DM10, DM11, and DM12 and the NPPF guidance.

Impact on Landscape and Settlement Character

The Site is located in an area of Sub Type 5a Ridge and Valley landscape as defined in the Cumbria Landscape Character Guidance and Toolkit (CLCGT).

The Site comprises an area of undeveloped agricultural land located to the west of Arlecdon Road.

The settlement of Arlecdon is centred around Arlecdon Road, which runs approximately north-south and connects to Arlecdon Parks Road, which runs approximately east-west and transitions into the settlement of Rowrah.

Arlecdon Road is principally characterised by linear frontage development on both sides of the highway, with some nucleated estate type development to the north and south, which is at odds with the general overall form.

The proposed development comprises a continuation of the linear developed form of Arlecdon Road and so respects the developed form and character of the settlement.

The development would have an impact upon localised views into and out of the settlement; however, the proposal will be viewed in the context of the existing dwellings and therefore these impacts would not result in a significant intrusion into the open countryside or significant and demonstrable harm to the local landscape character.

Overall, the landscape impact is considered to be acceptable and therefore the proposal will comply with Policies DM10.

Residential Amenity;

Policy ST1, DM10 and section 12 of the NPPF seek to safeguard good levels of residential amenity of the parent property or adjacent dwellings. Policy DM12 requires a separation distance between directly facing habitable room windows of 21 metres to maintain privacy and overlooking standards.

The interface separation distance achievable between the existing dwellings to the east of Arlecdon Road and proposed dwelling falls below the 21 metres standard specified in Policy DM12; however, this is consistent with the relationship between other existing dwellings along this part of Arlecdon Road. Given the single storey height of the dwelling and the arrangement of the openings and existence of the highway, the resulting amenity impacts are considered to be acceptable in overall terms.

In addition, given the overall scale and relationship to the dwelling to the north, adverse impacts though overbearing, loss of light or overshadowing will not result. The windows proposed in the north elevations by virtue of their arrangement and the rooms served will not result in unacceptable impacts through overlooking.

On this basis, the proposal will not adversely harm the neighbouring amenity and therefore it is considered to satisfy Policy DM10 and the NPPF guidance.

Access and Highways Impacts

Policy DM22 requires developments to be accessible to all users and encourages innovative approaches to manage vehicular access and parking.

The proposal will provide adequate space for two off-street parking spaces, a garage and a turning head. The amended driveway is considered to provide an appropriate means of access to the public highway, although Highway requested visibility splays to be provided and maintained. This can be secured by the use of a planning condition. In addition, a planning condition is proposed requiring any boundary treatment being no greater than 1 metre in height to achieve appropriate visibility splays to the access.

A planning condition is also proposed requiring the completion of the access and parking areas prior to the first occupation of the dwelling and retention thereafter. This will ensure a suitable access and off-street parking provision is provided.

Details of all measures to be taken by the applicant/development to prevent surface water discharging onto or off the highway have been included within the amended plan. An aco drain will be included at the bottom of the driveway to collect surface water run-off and it will discharge into a soakaway situated within the front garden. This can be condition to ensure the development is carried out in accordance with these details.

On this basis, the proposal is considered to meet Policy DM22 and standards set out in the Cumbria Development Design Guide.

Ecology

The Site comprises an existing area of agricultural land, which is of limited ecological interest and as the current boundary is open.

The development is unlikely to adversely impact upon protected or local important species and therefore a European Protected Species Licence will not reasonably be required.

Drainage, United Utilities Infrastructure and Flood Risk;

No drainage details have been provided as part of this application and therefore it is appropriate to attach an informative note referring to the previous pre-commencement condition included within the outline planning application.

Planning Balance and Conclusion

This application seeks approval of matters following outline approval for the southern most of the dwellings approved under Outline Planning Application reference 4/19/2141/001.

The proposed dwelling is of an appropriate scale, design and appearance and it will not have any significantly detrimental impact upon the landscape or settlement character, residential amenity, highway safety or ecology. Although, in the interest of highway safety, the Highway Authority have requested that visibility splays be provided and this can be secured by the use of a planning condition.

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| | <p>No drainage details have been provided as part of this application and therefore it is appropriate to attach an informative note referring to the previous pre-commencement condition included within the outline planning application which requires the submission of full drainage details.</p> <p>Overall, it therefore represents an acceptable form of development which accords with the policies set out within the adopted Local Plan and the guidance in the NPPF.</p> |
| 8. | <p>Recommendation: Approve Reserved Matters</p> |
| 9. | <p>Conditions:</p> <p><u>Standard Conditions</u></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> <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> <p>2. 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>Location Plan, scale 1:1250, received 17th June 2021; Site Plan, scale 1:500, drawing no. 001 Rev B, received 18th August 2021; Floor Plan, scale 1:100, drawing no. 001 Rev B, received 18th August 2021; Elevations, scale 1:500, drawing no. 001 Rev B, received 18th August 2021.</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> <p><u>Prior to Commencement</u></p> <p>3. The development shall not commence until visibility splays providing clear visibility of 60m by 2.4m by 60m down the centre of the access road and the nearside channel line of the carriageway edge have been provided at the junction of the access with the county highway. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order)</p> |

relating to permitted development, no structure, vehicle or object of any kind shall be erected, parking or placed and no trees, bushes or other plants shall be planted or be permitted to grow within the visibility splay which obstruct the visibility. The visibility splays shall be constructed before general development of the site commences so that construction traffic is safeguarded.

Reason

In the interests of highway safety.

Prior to Occupation/First Use Conditions

4. The dwelling hereby approved shall not be occupied until the vehicular access and turning 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.

5. The dwelling hereby approved shall not be occupied until the drainage measures to prevent surface water discharging onto or off the highway have been implemented in accordance with the approved plan. The driveway drainage measures shall be maintained operational thereafter.

Reason

In the interests of highway safety.

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 brought into use. This surfacing shall extend for a distance of at least 5 metres inside the site, as measured from the carriageway edge of the adjacent highway.

Reason

In the interests of highway safety.

7. The gradient of the access drive shall be no steeper than 12.5% (1 in 8) for a distance not less

than 5m as measured from the carriageway edge of the adjacent highway.

Reason

In the interests of highway safety.

Boundary Treatments

8. The proposed front wall to the east boundary with of the site with Arlecdon Road - U4017 must not exceed 1 metre above the carriageway of Arlecdon Road - U4017.

Reason

In the interests of highway safety and in the interests of the amenity of the area.

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

Reason

In the interests of highway safety.

External Finishes

10. The external materials for use on the external surfaces of the development must have be carried out in accordance with the approved plan received by the Local Planning Authority on 18th August 2021 and the email received on 23rd August 2021 . The materials shall be maintained thereafter.

Reason

To ensure a satisfactory appearance of the development in the interests of visual amenities.

Informative Notes

1. Prior to the commencement of this development, the requirements of Planning Condition 4 of Outline Planning Approval Ref: 4/19/2141/001 are required to be submitted to and approved in writing by the Local Planning Authority.
2. The development hereby approved must be carried out in accordance with condition 5 of Outline Planning Approval Ref: 4/19/2141/001.

3. The applicant must not commence works, or allow any person to perform works, on any part of the highway until in receipt of an appropriate permit allowing such works. They will need to contact Streetworks Central streetworks.central@cumbria.gov.uk for the appropriate permit.
4. 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 identifying matters of concern with the proposal and negotiating with the applicants acceptable amendments to address them. As a result the Local Planning Authority has been able to grant planning permission for an acceptable proposal in accordance with Copeland Local Plan policies and the presumption in favour of sustainable development as set out in the National Planning Policy Framework.

Case Officer: C. Unsworth

Date : 08/09/2021

Authorising Officer: N. Hayhurst

Date : 08/09/2021

Dedicated responses to:- N/A