



To: PLANNING PANEL

Development Control Section

Date of Meeting: 18/05/2022

<b>Application Number:</b>	4/21/2369/OR1
<b>Application Type:</b>	Reserved Matter : CBC
<b>Applicant:</b>	Sunshine Properties West Coast Ltd
<b>Application Address:</b>	LAND TO THE SOUTH OF SOUTHRIGG, NETHERTOWN ROAD, ST BEES
<b>Proposal</b>	APPLICATION FOR APPROVAL OF RESERVED MATTERS RELATING TO ACCESS, APPEARANCE, LANDSCAPING, LAYOUT AND SCALE FOLLOWING OUTLINE PLANNING APPROVAL 4/20/2491/001 - RESIDENTIAL DEVELOPMENT
<b>Parish:</b>	St. Bees
<b>Recommendation Summary:</b>	Approve Reserved Matters

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### Reason for Determination by Planning Panel

The application is brought for consideration by Members of the Planning Panel due to an objection from the Parish Council and due to the significant local interest in the application.

Members will also benefit from a site visit prior to the determination of the application following a request from the Parish Council.

### The Site

The application site relates to an area of agricultural land which fronts onto Nethertown Road on the southern edge of St Bees. The sloping site covers an area of 0.41 hectares, and adjoins the curtilage of the existing dwelling known as Southrigg immediately to the north.

The site is located adjacent to the existing settlement boundary for St Bees and is bound to the north and east by residential properties, to the south by open countryside and to the west by Nethertown Road. The properties located to the east of the application site are set at a higher level than the application site and the existing properties on Nethertown Road.

### **Relevant Planning History**

4/98/0656/0 – Outline for one residential unit – Refused

4/01/0841/0 – Outline for one residential unit – Refused

4/20/2491/001 – Outline application for residential development – Approved

### **Proposal**

This application seeks the Approval of Reserved Matters for three dwelling on this site, including details of access, appearance, landscaping, layout and scale. This application follows the approval of outline planning permission (ref: 4/20/2491/001) in March 2021 by Members of the Planning Panel for the residential development of the site with all matters reserved.

This application seeks permission to development the site for three detached dwellings. These are as follows:

- Plot 1: This proposed dwelling will measure 10.7m x 13.5m, with an eaves height of 5.35m and an overall height of 9.4m. The development will benefit from a rear facing gable which will project from the property by 2.45m and extend along this elevation by 6m, benefitting from an eaves height of 5.35m to match the main dwelling and an overall height of 8.5m. Internally the proposed dwelling will incorporate a large entrance hall, a wine cellar, utility room, a study, a double bedroom, two double bedrooms with a jack and jill ensuite bathroom, a cloak room, and a bathroom within the ground floor. The first floor of the development will accommodate an open plan kitchen/dining/living room, a utility room, a toilet, a snug, and a large master bedroom with an ensuite bathroom and a dressing room.
- Plot 2: This proposed dwelling will measure 11.1m x 11.9m, with an eaves height of 5.35m and an overall height of 8.95m. The development has been designed with two pitched roofed gables on the front elevation and will have an eaves height to match the main dwelling. One of the gables will extend to a ridge height of 7.8m and the other will be slightly lower at 7.3m. This proposed dwelling also benefits from a rear extension measuring 1.9m x 5.1m with an eaves height of 2.3m and an overall height of 3.7m. Internally the proposed dwelling will incorporate a large entrance hall, an open plan kitchen/dining/living room, a utility room, a study, a shower room and a double bedroom within the ground floor. The first floor of the development will accommodate a lounge, bathroom, three double bedrooms, and a master bedroom with an ensuite bathroom and dressing room.

- Plot 3: This proposed dwelling will measure 11.9m x 11.65m, with an eaves height of 5.1m and an overall height of 8.5m. This proposed dwelling also benefits from a rear extension measuring 6.8m x 4.4m with an eaves height of 2.35m and an overall height of 4m. Internally the proposed dwelling will incorporate a large entrance hall, a study, bathroom, a lounge, an open plan kitchen/dining/living room, and a utility room. The first floor of the development will accommodate a master bedroom with an ensuite bathroom and dressing room, a double bedroom with an ensuite bathroom, a bathroom, and three double bedrooms.

Externally each dwelling will be finished with St Bees sandstone to the feature elevations and quoins to the corners. This will be combined with render, natural slate roofs and grey coloured windows and facias. All windows within the proposed gable elevations will be fitted with obscure glazing.

Each dwelling will benefit from a front garden set back behind the shared access road, private rear gardens, and a driveway around the side of the dwellings to rear parking spaces and a detached garage. The proposed garages will measure 8.7m x 6m with an eaves height of 2.3m and an overall height of 4.2m. The proposed garages for plots 2 and 3 will provide a double garage, toilet, and a gym/summer house. The proposed garage for plot 1 will provide a toilet, sunroom, and a storage area.

The development will be accessed from Nethertown Road. The proposed access will be located along the western edge of the development and will provide visibility splays of 2.4m x 26.8m to the north of the site and 2.4m x 26.3m to the south. The access will also form a passing place for the existing road. Access to each plot will be from a shared private road which will be surfaced with tarmac which will lead to separate driveways finished with block paving. The site will also accommodate two visitor car parking spaces to the front of the site.

The frontage of the site onto Nethertown Road is currently bound by a stone wall. As part of this development this wall will be rebuilt to 900mm in height along the site frontage and around the proposed entrance. The boundary treatments to the front of each plot will be low hedgerows, with 1.8m close boarded fences to the rear. The existing party brick wall between the site and the adjacent property, Southrigg, will be retained and faced with timber panels.

## **Consultation Responses**

### St Bees Parish Council

*22<sup>nd</sup> September 2021*

The Parish Council has significant concerns about the details plans for the three properties approved in outline in March 2021. The applicant is proposed to construct the properties in Grey Lakeland Stone. Surrounding properties are constructed in rendered faced block work,

facing brick or St Bees sandstone. This development should be built in similar materials to be in keeping with neighbouring properties.

The topography of the site has a large undulation towards the centre of the field. This would indicate that a large amounts of material will need to be removed or imported to make up the ground. This will increase the movement of heavily loaded vehicles between the site and the junction with the B5345. This section of road has been the subject to subsidence in the past and we trust Cumbria Highways will consider how this can be handled to prevent a further collapse which would result in significant inconvenience to other residents.

Perhaps the main concerns is the issue of drainage. The outline approval included a condition that foul water should be discharged into an adopted United Utilities sewer. However, there is no foul drainage connection in close proximity to the site. The nearest connection is 80, away at the entrance to the cul-de-sac. The proposed drainage system will require extensive excavation along Nethertown Road to reach the existing manhole. In addition, the sewer provided by United Utilities indicate that the manhole at the entrance to the cul-de-sac has not been adopted by UU. From the information provided in the application on the existing and proposed invert levels there is little margin and the installation will need to be carefully supervised. The applicant has provided a comprehensive drainage strategy report by A L Daines and Partners by this does not underpin the strategy in its entirety. The report is quite clear that further dye testing or CCTV inspections will be required prior to any connections being make into the existing system.

*8<sup>th</sup> March 2022*

Thank you for forwarding this amended application which was considered at some length at the Parish Council meeting on 21 February. The Parish Council continues to have significant concerns about plans for the three properties which were approved in outline in March 2021.

The application includes a comprehensive drainage strategy report by A L Daines and Partners but this does not conclude definitively that the proposed drainage system will be adequate. The report is quite clear that further dye testing or CCTV inspections will be required prior to any connections being made into the existing system. The Parish Council would wish to see these tests completed before development goes ahead. There seems to be an anomaly in the report in that it states that it is based upon an assumption that the remainder of the site will remain in its current state (ie grassland) but we are aware that a further outline application has already been submitted by the same applicant for further development on the site (Ref 4/21/2368/001). The report should be updated to take into account the situation if further development were to be approved for this site.

The Parish Council is also concerned about the flood risk and how the drainage system will deal with this. Over recent months there has been flooding on this site, creating a deep pool some 20m x 40m which has taken many days to drain away. It is evident that water is draining onto the development site from Egremont Road. The frequency of heavy and prolonged rain is increasing as the climate changes so this can no longer be regarded as a rare or occasional event. This would pose a flood risk not only to the new properties but it

would also add to the flood risk for other nearby properties on Nethertown Road and Sea Mill Lane.

Highway safety remains the Parish Council's main concern. Nethertown Road is very narrow at this point and is only 2.5m wide with no pavements. The road is popular with dog walkers and cyclists as it leads into open countryside and gives access to the newly opened England Coastal Path. The Design & Access statement states that the access to the site will provide space for two vehicles to pass but the plans show little detail of what is proposed. We have been told by CBC Waste Management staff that a refuse vehicle is 2.55m wide and requires a turning circle of 16.9m and we know that a fire appliance is 2.5m wide. It is unclear how such large vehicles will be able to reach the site safely and how lorries and large vehicles will be able to turn, The next road junction which provides an opportunity to turn is more than a mile to the south. There will inevitably be a temptation for drivers of large vehicles to attempt to reverse back along Nethertown Road to try to turn in the small residential cul de sac. This would pose a significant risk to pedestrians and cyclists using this road. The Parish Council believes that the plans should provide for sufficient space to allow large vehicles to turn within the public highway.

Access to the site during the construction phase is also a concern. The topography of the site has a large undulation towards the centre of the field. This would indicate that a large amount of material will need to be removed or imported to make up the ground. This will increase the movement of heavily loaded vehicles between the site and the junction with the B5345. This section of road has been the subject of subsidence in the past and consideration needs to be given to how this can be handled to prevent a further collapse which would result in significant inconvenience to other residents. The B5345 through the centre of the village is narrow and lined with parked cars. It is not suitable to cope with construction traffic and careful thought needs to be given to how heavily laden vehicles will be able to access the site.

*25<sup>th</sup> March 2022*

Thank you for allowing us the opportunity to comment on the response from the applicant to our letter of 8 March.

#### Drainage

The Parish Council agrees that a condition should be in place to ensure that the applicant's drainage proposals will be appropriate before the commencement of works on site. This should include details of how the drainage system will be installed, which regulatory bodies will approve the plans, and how the traffic disruptions and any road closures will be managed. The Parish Council would wish to see all foul drainage work off site to the first manhole to be installed and approved before work commences on site.

As the applicant states, the drainage report is specific to this application but it is clearly based on the premise that the remainder of the site will remain in its current state (ie grassland). We know that a further application has already been made for outline permission for further dwellings on the site, so further development is more than a

theoretical possibility. The remainder of the site is subject to extensive flooding and further development would change the dynamics of water disposal on which this report is based. The drainage report should take into account the impact of possible further development on the site.

The applicant's comments specific to climate change are noted. However, given the extensive ground water flooding which occurs on a regular basis on other sections of the field, our concerns about flood risk remain.

## Highways

We welcome the applicant's proposal of a traffic management plan to deal with the issues which would arise during the construction process. This would help to address the concerns of local residents about heavy vehicles travelling to/from the site. However, there are no details of what plan is proposed nor who will monitor compliance with the plan.

Highway safety remains the Parish Council's main concern. Nethertown Road is very narrow at this point and is only 2.5m wide with no pavements. The road is popular with walkers and cyclists, as it leads into open countryside and gives access to the newly opened England Coastal Path. The Parish Council would like to see some widening of the road along the frontage of the site by perhaps 0.75m to ensure that the impact on pedestrians and cyclists is kept to a minimum.

The applicant states that a wide access will be created with turning space for vehicles. However, it is impossible to gauge the adequacy of what is proposed from the drawings provided. The Parish Council remains concerned about whether large vehicles such as refuse lorries with a turning circle of 16.9m will be able to turn.

*14<sup>th</sup> April 2022*

Thank you for allowing us the opportunity to comment on the amended details for this application.

We have reviewed the amended information but this does not address the concerns which we expressed in our letter of 25 March. Our concerns about drainage and highways issues remain unchanged.

We note that the calculations in the drainage report have been revised but the report makes clear that they are still based on the assumption that the rest of the site will remain undeveloped. If there is further development on the site, this would invalidate the calculations. We know that there is already a further outline application for this site awaiting a decision so the Parish Council's view is that the drainage report should take into account the impact of any further development.

*14<sup>th</sup> September 2021*

Local Highway Authority (LHA) response :

- Your authority should consider the visibility splays within the development as presented there are issues were visibility could be compromised when exiting driveways due to location of walls and hedges, you should ensure that walls and hedgerows are set to an appropriate height".
- Although the access road is to be private we would expect a 6m width for each parking bay, as on the presented drawing the parking and reversing maybe impractical.

Lead Local Flood Authority (LLFA) response:

- Lead Local Flood Authority welcome the proposed surface water soakaway system, the calculations submitted shows the site will drain fine through infiltration. Soakaways can be a great solution to surface water drainage if maintained correctly but if not maintained can cause problems in the future, with this in mind can a plan showing exceedance routes from the development be submitted incase soakaways fail.

*4<sup>th</sup> March 2022*

Thank you for your email stating that the agent for application 4/21/2369/OR1 is seeking approval of conditions 3, 4 and 5 set out in the outline planning approval 4/20/2491/001.

New information submitted in February 2022 shows the site to have changed in appearance, road layout and parking areas, unfortunately a new drainage plan to accommodate these changes has not been received. Without this updated plan I cannot approve conditions 3,4 and 5 of application 4/20/2491/001.

Our previous response dated 15/09/21 also requested exceedance routes to be included within the drainage plan should the soakaways become blocked. This information is still required.

*25<sup>th</sup> April 2022*

Cumbria County Council as the Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) has reviewed the above planning reference including pre commencement conditions numbers 3 and 4 and other condition number 5 which have been included within this proposal our findings are detailed below.

I can confirm that we have no objections to the proposal, subject to the inclusion of conditions relating to a construction traffic management plan, visibility splays, and existing highway boundary reduction on any decision notice for this application.

## United Utilities

*13<sup>th</sup> September 2021*

In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

The NPPG clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. We would ask the developer to consider the following drainage options in the following order of priority:

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

Following our review of the submitted Proposed Drainage Plan, ref: 21-C-16279/01 revision A, dated 17/08/2021 proposing surface water discharging into the soakaways, we can confirm the proposals are acceptable in principle to United Utilities. However, we do not have sufficient information on the detail of the drainage design. With this in mind, we request the inclusion of conditions relating to surface water drainage and foul water be attached to any subsequent Decision Notice.

*1<sup>st</sup> March 2022*

In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the surface water should drain in the most sustainable way.

Further to our review of the submitted documents, Drawing 21-C-16279/01, Rev A, Dated 17/08/21, we can confirm the proposals are acceptable in principle. We would have no objection to the conditions relating to drainage being discharged following a discharge of conditions application.

United Utilities will request evidence that the drainage hierarchy has been fully investigated and why more sustainable options are not achievable before a surface water connection to the public sewer is acceptable.

*10<sup>th</sup> March 2022*



Our response confirmed we would be happy for the drainage conditions to be discharged under a discharge of conditions application, if you intend to discharge conditions under a reserved matters application this sounds like outside of the norm and would be your decision to make.

But ultimately, we are happy with the drainage proposals, as per our response.

*28<sup>th</sup> April 2022*

In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the surface water should drain in the most sustainable way.

Further to our review of the submitted documents, Drawing 21-C-16279/01, Rev B, Dated 31/03/22, we can confirm the proposals are acceptable in principle. We would have no objection to the conditions relating to drainage being discharged following a discharge of conditions application.

Copeland Borough Council – Flood and Coastal Defence Engineer

*13<sup>th</sup> September 2021*

Having looked through the submissions, I have no concerns about the proposed development.

*1<sup>st</sup> March 2022*

In relation to the Additional and Amended Information submitted for the above Application, it appears that none of this relates to drainage.

As, such I have no comments to add at this stage.

*1<sup>st</sup> March 2022*

With regards to Discharge of Conditions of Planning Permission 4/20/2491/001, as part of above, please see comments below.

Condition 3:

A plan showing the foul and surface water drainage scheme has been submitted.

This shows the routing of the foul system, which includes the extension of existing public sewer and information of pipes, manholes, etc. of this section.

The routing of the private site foul system is also shown, but not with detail of pipes or manholes.

The routing of the private surface water system and location of soakaways and sumps serving the permeable paving is show.

Details of the permeable paving is also provided.

Condition 4:

The surface water drainage scheme has followed the hierarchy of drainage options set out in NPPG.

A number of SUDS options were assessed, with soakaways and permeable paving being identified as suitable for the site and incorporated into the development.

Operation and maintenance of both soakaways and permeable paving has been provided.

Condition 5:

Foul and surface water are drained on separate systems.

Foul sewage is to be drained to the public sewer.

Surface water is drained to soakaways.

*6<sup>th</sup> April 2022*

With regards to the additional and amended information provided with regards to the above application, I have no further comments to make.

### Public Representation

This application has been advertised by way of a site notice, press notice, and neighbour notification letters issued to thirty-seven properties.

Eight letters of objection were received in relation to this application which raise the following comments:

- Ugly and hard design which is more fitting to a brownfield site rather than a greenfield site.
- Not sympathetic to a village of such historical stature of St Bees.
- Materials and large windows not in keeping.
- Modern executive style houses not in keeping with the local aesthetic.
- The development could not be less in keeping with the surrounding woodlands and open fields, there is hardly any green left.
- Not sympathetic to landscape.
- They subtract from the ethos of a village, signalling of yet another Legoland sprawl eroding the sense of community St Bees has.
- Little or no measures that are friendly to the environment.
- Carbon footprint of the development is large and detrimental to the environment,
- Drainage of sewage will be difficult to achieve.

- Drainage infrastructure no adequate.
- Proposed sewage connection looks to impact the access arrangements to several local properties. Concerns for access of residents, emergency services and agricultural vehicles.
- No consideration has been given to the vulnerable state of Nethertown Road between the proposed development and the main village road.
- There is history of slippage on this road.
- The road is not fit for the purpose of carrying lorries with heavy loads.
- Road too narrow and already struggle with increase in traffic.
- Increase in traffic.
- Additional hazards of pedestrians and other road users.
- No pavements.
- Poor access visibility.
- Travel plan carried out during Covid so not a normal representation.
- Increase in noise and light pollution impairing the beauty of the stars.
- Disruption of quality of life of existing residents.
- Existing woodland to rear of site not mentioned. The development will block access to the woodland and will disturb habitats for wildlife.
- No assessment has been made on the effects on wildlife.
- The development site together with the steep bank to the east is a unique glacial feature which has been undisturbed since the last ice age. It has been recognised as unique landscape with scientific value.
- Deep Gyll Bank is located to the rear of the site and is designated as an area of great landscape and scientific value. The environmental survey does not acknowledge the surrounding landscape value of this site and adjacent woodland.
- Wildlife in this woodland has also been ignored.
- Deep Gyll Banks was previously known as Deepkilm Banks, this suggests that there was some historical industrial activity so if the application is approved it should be subject to an appropriate preliminary archaeology survey.

One letter of support has been received in relation to this application which raises the following comments:

- Having previously built my own home in St Bees in 2014 I fully endorse this planning application.
- The village needs more developments like this to enhance the property portfolio of St Bees.

Further to the submission of amended plans all neighbours, objectors and supporters of the application were reconsulted on this application.

Two letters of objection were received in relation to this application which raise the following comments:

- Whilst it is nice to see that the updated design is a lot more in keeping with the village. The updated plans do not address the increase in traffic that the development will bring to the narrow road.
- This is a narrow road without pavements and is only safe if all users conduct themselves with a degree of care and caution.
- As the site is on a stretch of more open road leaving St Bees there is a risk that drivers might think to accelerate which would be dangerous.
- I welcome that a traffic management scheme is proposed but this will need to be implemented and enforced. If the application is approved suitable condition or a S106 agreement should be in place to ensure this can happen.
- If the road could be widened along the front of the site this would significant mitigate the risks. This would be inexpensive and would not cost a lot of money.
- Concerns regarding how construction traffic will reach the application site and turn given the road narrowness. Guidance on this should be in the transport plan or in conditions.
- Access for large vehicles is already an issue and should be addressed by this application. If not it should not be made worse by this application.
- Concerns that the driveway of plot 3 leads to an empty field which is the first step to a much larger development.
- There is significant flooding and drainage issues in the area of the application site.
- Concerned with potential effects of both existing flooding and drainage issues on the proposed development and that care is taken to make space for water and ensure that the development does not add to flood and drainage in the area.
- It would be unfortunate if these issues were not carefully considered as part of this application.
- There are discrepancies between the previous approved plans and details and this current application.

One letters of support has been received in relation to this application which raise the following comments:

- I am interested in building a self-build property and this seems the ideal location.
- Would love the opportunity to build a home in this area.

### **Planning Policy**

Planning law requires that 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

Policy T1 – Improving Accessibility and Transport

Policy ENV1 – Flood Risk and Risk Management

Policy ENV3 – Biodiversity and Geodiversity

Policy ENV5 – Protecting and Enhancing the Borough’s Landscapes

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM11 – Sustainable Development Standards

Policy DM12 – Standards of New Residential Developments

Policy DM22 – Accessible Developments

Policy DM24 – Development Proposal 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 (2021)

National Design Guide (NDG).

Cumbria Development Design Guide (CDG)

Strategic Housing Market Assessment 2021 (SHMA)

Copeland Borough Council Housing Strategy 2018 – 2023 (CBCHS)

The Cumbria Landscape Character Guidance and Toolkit (CLGC)

Copeland Borough-Wide Housing Needs Survey (2020)

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

Emerging Copeland Local Plan (ELP):

The emerging Copeland Local Plan 2017-2035 has recently been the subject of a Publication Draft Consultation. The Publication Draft Consultation builds upon the previously completed Issues and Options and Preferred Options consultations. Given the stage of preparation of the Copeland Local Plan 2017-2035 some weight can be attached to policies within the Publication Draft where no objections have been received. The Publication Draft 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.

Strategic Policy DS1PU: Presumption in favour of Sustainable Development

Strategic Policy DS2PU: Reducing the impacts of development on Climate Change

Strategic Policy DS3PU: Settlement Hierarchy

Strategic Policy DS4PU: Settlement Boundaries

Strategic Policy DS5PU: Planning Obligations

Policy DS6PU: Design and Development Standards

Policy DS7PU: Hard and Soft Landscaping

Strategic Policy DS8PU: Reducing Flood Risk Policy DS9PU: Sustainable Drainage

Strategic Policy H1PU: Improving the Housing Offer

Strategic Policy H2PU: Housing Requirement

Strategic Policy H3PU: Housing delivery

Strategic Policy H4PU: Distribution of Housing

Strategic Policy H5PU: Housing Allocations

Policy H6PU: New Housing Development

Policy H7PU: Housing Density and Mix Strategic

Policy H8PU: Affordable Housing

Strategic Policy N1PU: Conserving and Enhancing Biodiversity and Geodiversity

Strategic Policy N2PU: Local Nature Recovery Networks

Strategic Policy N3PU: Biodiversity Net Gain

Strategic Policy N6PU: Landscape Protection

## **Assessment**

The primary issues relevant to the determination of this application are:

- The principle of the development;
- Housing need;
- Scale, design & impact of development on residential amenity;
- Settlement character, landscape impact and visual impact;

- Flood risk and the achievement of satisfactory drainage;
- Access & highway safety;
- Ecology.

### 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 the wider site for up to three residential dwellings was established in March 2021 when outline planning permission was granted by Members of the Planning Panel. This decision was made in the context that the Council's settlement boundaries are considered out of date as required by paragraph 11 of the NPPF.

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

### Housing Need

Policy SS3 of the Local Plan requires housing development to demonstrate how proposals will deliver an appropriate mix of housing as set out in the SHMA.

St Bees falls within the Whitehaven Housing Market Area (HMA) of Copeland Strategic Housing Market Assessment (SHMA).

The SMHA suggest a particular focus on the delivery of three bedroom houses, semidetached and detached houses with four or more bedrooms, and bungalows, and is identified as having a high need for new affordable housing.

This application seeks permission for three large modern detached dwellings, all benefitting from four bedrooms. The proposed development is for market dwellings with no requirements for affordable dwellings at this site due to the scale of the application. On this basis the proposed development is considered to help contribute towards a greater balance of market housing stock in St Bees, which meets the requirements of the SHMA in accordance with the provision of Policy SS3 of the CS and Paragraph 61 of the NPPF.

### Scale, Design & Impact of Development on Residential Amenity

Within the Copeland Local Plan, 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.

Extensive discussions have been undertaken with the agent for this application in relation to the proposed scale and appearance of the development. Whilst the overall layout of the proposed development meets the required separation distances set out in Policy DM12 with

adjacent residential properties and was consistent with the general built form of the area, concerns were raised with the agent regarding the design of the development.

The development is set back from Nethertown Road to allow a shared access drive serving all three proposed dwellings which create the site frontage. Originally, the development comprised of a mix of dwelling styles with a mix of gables and roof slopes fronting the highway. Concerns were raised that the development failed to reflect the character of the overall area and failed to create a harmonious development between the proposed dwellings. Based on these concerns the proposed house type were amended to ensure the main roof slope of each dwelling faces onto Nethertown Road, and although gables are utilised these have been significantly reduced in number and scale to ensure the development reflects the character of the existing dwellings. Whilst the development will be modern in appearance and will utilise large openings, the solid void relationship within the development has been altered, and the proposed materials have been amended to reflect those traditionally used within the locality. Chimneys have also been added to each dwelling and the properties have been set further back within the development site to reflect the build line of the existing built form of the area. The existing stone wall to the front of the application site is also to be retained, although reduced in height, ensuring that the existing traditional boundary which contributes to the character of the area is maintained as part of this development. This retention will also be secured by an appropriately worded planning condition.

Concerns were also originally raised with regard to the impact of the development upon the directly adjoining dwelling, Southrigg, in particular the proximity of the dwelling to the access drive for plot 1. The agent for this application has confirmed that the existing site constraints, mainly the presence of a 11kV HV cable along the north of the development site, has dictated the layout of the development meaning this area can only be used to serve a driveway for the development. Whilst this brings vehicle movements closer to Southrigg, additional boundary treatment is proposed along the northern boundary of the site which will be mitigate this impact. The existing dwelling is also set back from this boundary with the application site with a large attached garage being located nearest the adjacent site, again limiting the impacts of the development upon this property. The proposed boundary treatment will also be secured by an appropriately worded planning condition.

On the basis of the amended detail for this application and the proposed conditions, it is considered that the development would be in accordance with the aims and objectives of both the adopted Copeland Local Plan and the NPPF.

#### Settlement Character, Landscape Impact and Visual Impact

Policy ENV5 states that the Borough's landscapes will be protected and enhanced by: protecting all landscapes from inappropriate change by ensuring that the development does not threaten or detract from the distinctive characteristics of that particular area; that where the benefits of the development outweigh the potential harm, ensuring that the impact of the development on the landscape is minimised through adequate mitigation, preferably on-site; and, supporting proposals which enhance the value of the Borough's landscapes.



Policy DM10 seeks that development responds positively to the character of the site and the immediate and wider setting and enhances local distinctiveness including: an appropriate size and arrangement of development plots; the appropriate provision, orientation, proportion, scale and massing of buildings; and, careful attention to the design of spaces between buildings.

The application site comprises of undeveloped land that lies on the edge of the built up area of St Bees, adjacent to a number of existing dwellings. The land contributes positively to the character of St Bees with particular regard to the approach to the settlement from the east.

The Cumbria Landscape Character Guidance and Toolkit (CLCGT) identifies the site as being within Sub Type 4 'Coastal Sandstone'. The Key Characteristics of the land comprise: coastal sandstone cliffs, sandstone rolling hills and plateaus, large open fields, prominent hedge banks bound pastoral fields, small woodland blocks along valley sides, and exposed coastal edge moving to intimate and enclosed farmland inland.

The Guidelines for development include: strengthen definition between town and country by using extensive buffer planting to screen the built up areas and reduce the impact of industry, improve visual containment of caravan parks close to the coast with landscape works and discourage further large scale developments, such as wind energy, in prominent coastal locations, conserve and enhance the traditional farm buildings and features within their own setting, and reduce the impact of any new buildings by careful siting and design.

The site comprises an area of agricultural land located to the south of St Bees, directly adjoining the existing settlement boundary and adjacent to a number of existing residential dwellings. This area of St Bees is characterised by detached dwellings fronting onto Nethertown Road. The proposed development would comprise an extension of the existing developed form of the settlement to the south, which would reflect the existing character of the area and would extend the linear form of the settlement. The development would be considered a small edge of settlement extension, however the proposed site does not extend beyond the dwelling located at a higher level on Egremont Road, therefore the development can be considered to round off this part of the settlement. The application is supported by sectional drawings which show that the development would sit within the context of the existing settlement and would be viewed against the backdrop of these existing properties, therefore the impacts are considered to be lessened.

The application is also supported by a landscaping scheme. This plan shows that the existing stone wall to the front of the application site is to be retained, although reduced in height, ensuring that the existing traditional boundary which contributes to the character of the area is maintained as part of this development. Whilst timber boarded fences will be utilised between properties and to the rear gardens of the site the front of the site will benefit from post and rail fencing and hedge boundary treatment which will ensure the development retains a rural feel and will reflect the boundary treatments used within the surrounding area. The proposed boundary treatment will be secured by an appropriately worded planning condition.

The development is therefore not considered to result in major intrusion into the open countryside, and landscape features the development is not considered to have significant harm on the overall landscape. The sloping nature of the site and the natural dip along its southern edge will also help screen the development and also give a defined edge.

The proposal is therefore considered to comply with policies ST1, ENV5 and DM26 of the Copeland Local Plan and provision of the NPPF.

#### Flood Risk and the Achievement of Satisfactory Drainage

Policy ST1B(ii) and paragraph 163 of the NPPF seek to focus development on sites that are at least risk of flooding and where development in flood risk is unavoidable, ensure that the risk is minimised or mitigated through appropriate design. Policy ENV1 and DM24 of the Copeland Local Plan reinforces the focus of protecting development against flood risk.

The application site is located within Flood Zone 1, however the Council's Flood and Coastal Defence Engineer, Lead Local Flood Authority and United Utilities have been consulted upon this application.

As part of the outline application conditions were placed upon the decision notice to ensure that full details of foul and surface water drainage are submitted to the Local Planning Authority. The agent has confirmed that they wish to deal with these conditions as part of this reserved matters application, therefore a drainage plan and strategy has been submitted to support this application. Following initial concerns from statutory consultees the drainage strategy has been updated to show exceedance routes from the development.

This amended strategy for the development therefore indicates that surface water discharge from the development will be dealt with by a combination of permeable paving and below ground infiltration soakaways. This will ensure that drainage will be achieved as close to the source as possible, therefore limiting any change to on-site flow paths and that there is no increase risk of flooding beyond the site boundaries. In line with the drainage hierarchy the proposed surface water drainage system has been designed to utilise infiltration based SuDs components. In this case the infiltration rates of the ground will allow for the storage systems to be sized to store the full 1:100 year event without any overland flow or above ground storage.

The amended drainage strategy also indicated that all foul water from the plots will be positively drained by a new system and is proposed to discharge into the existing public sewer to the north of the site along Nethertown Road. It is proposed to connect into the existing identified foul sewer and form a new adopted foul drainage pipe running up Nethertown Road to the proposed development site. The strategy states that further dye testing or CCTV inspections will be required prior to construction in accordance with UU policies.

No objections have been received from any statutory consultees on this proposal, therefore the submitted drainage scheme will be secured by an appropriately worded planning condition as part of any approval at this site.

Concerns have however been raised by the Parish Council in relation to this proposed drainage strategy, with particular regard to the requirement for additional investigation for the proposed foul drainage. The agent for the application has confirmed that this recommended dye testing/cctv is relevant to the proposed foul drainage and the existing foul sewer as there is no United Utilities map record of one in close proximity to the site, however the UU rep for Copeland has confirmed that there is one, and physically one is already in place on the ground. The recommended dye testing is therefore required only to confirm where this joins to the mapped assets. The agent has agreed that it would be suitable to condition this requirement prior to the commencement of works to overcome the Parish Council's concerns. The inclusion of this condition will ensure that the development can be carried out in accordance with the submitted drainage strategy.

Concerns have also been raised from the Parish Council as the submitted drainage strategy only relates to the proposed three properties and states that the adjacent site is to remain greenfield land ignoring the outline application currently submitted for this site (ref: 4/21/2368/001). This outline application on the adjacent site is currently ongoing and has yet to be determined. The agent however has confirmed that should this application be approved the extended to include the adjacent site.

On the basis of the above the drainage conditions attached to the previous outline permission are considered to be discharged. The proposed drainage strategy for this application will be conditioned to secure proper drainage within the site to manage the risk of flooding and pollution, ensuring that the development complies with Policy ENV1 and Policy DM24 of the Copeland Local Plan 2013 – 2028 and the provisions of the NPPF.

#### Access & Highways Safety

Policy T1 of the Core Strategy requires mitigation measures to be secured to address the impact of major housing schemes on the Boroughs transportation system. Policy DM22 of the Copeland Local Plan requires developments to be accessible to all users and to meet adopted car parking standards, which reflect the needs of the Borough in its rural context.

The development for three dwellings will be accessed from Nethertown Road. The proposed access will be located along the western edge of the development and will provide visibility splays of 2.4m x 26.8m to the north of the site and 2.4m x 26.3m to the south. The access will also form a passing place for the existing road. Access to each plot will be from a shared private road which will be surfaced with tarmac which will lead to separate driveways finished with block paving. The site will also accommodate two visitor car parking spaces to the front of the site.

Although concerns have been raised by residents and the Parish Council, Cumbria Highways have offered no objection to the proposal subject to the inclusion of conditions relating to the requirement for the submission of a construction traffic management plan, creation of visibility splays, and the reduction in the existing highway boundary wall. The inclusion of appropriately worded planning conditions to secure these details will overcome concerns relating to the safety of the proposed access as adequate visibility splays can be secured and

retained, and the submission of the CTMP will address concern of heavy/large vehicles accessing and using Nethertown Road.

On the basis of the amended detail for this application and the inclusion of these proposed conditions, it is considered that the development would be in accordance with the aims and objectives of both the adopted Copeland Local Plan and the NPPF.

### Ecology

Policies ST1, ENV3, and DM25 seeks to ensure that new development will protect and enhance biodiversity and geodiversity.

Although an Ecology Survey was not required as part of the original outline application for this site following concerns received from residents following this approval a Preliminary Ecological Survey has been submitted in support of this planning application which provides an assessment of the ecological impacts of the development. The report concludes:

- No internationally designated sites exist within a 2km radius of the site and therefore no potential impacts to any internationally designated sites are anticipated.
- No potential impacts to any domestically designated sites are anticipated.
- Due to the proximity of locally designated sites, it is concluded that the proposed development will not impact upon any locally designated site.
- The risk of bat roosts occurring within the works area is 'nil'. The site is unlikely to be of significance to foraging or commuting bats in the wider area and the risk to bats is therefore considered to be 'nil'.
- Great crested newts have been confirmed as 'absent' from the pond via an eDNA test. The risk of great crested newts being affected by the proposed works is therefore 'nil'.
- The risk of otters, badgers, red squirrels and other mammals being affected by the proposed works is considered to be 'nil'.
- The risk of reptiles being affected by the proposed works is considered to be 'nil'.
- The risk of breeding birds being affected by the proposed works is considered to be 'negligible'.
- The risk of invasive non-native species currently growing on site being spread within or beyond the site boundary is currently considered to be 'nil'. The generic risk of invasive non-native species being introduced to the site and then spread within or beyond the site boundary is considered to be 'low'.

Based on these conclusions the following impacts have been identified:

- Breeding Birds - Disturbance/destruction of active nest sites and harm to nesting birds.
- 'Other Mammals' - Harm to burrow dwelling mammals
- Invasive Non-Native Species - Spread of invasive non-native species on/off site.

The following mitigation measures/recommendations are therefore made as part of this survey:

- Vegetation clearance and/or demolition of the western boundary wall to create access should occur outside of the bird nesting season.
- If any vegetation clearance and/or demolition of the western boundary wall must occur during the bird breeding season, a breeding bird survey must be conducted immediately prior to vegetation clearance commencing. Should evidence of active nest sites (or dependant young) be identified, no work will be possible until the nest can be confirmed as no longer active or the young have fledged and/or moved out of the works area.
- All plant operatives will be vigilant for mammal burrows. If burrows are discovered, no plant will operate within 5m of any burrow entrance until an experienced ecologist can confirm if the burrow is active. If burrows are found to be active, measures will be taken to exclude mammals before works in the area may proceed.
- Any plant or equipment used on site during the construction phase must be washed so as to remove any mud or debris (which may contain viable vegetative material or seeds) before being delivered to the site.
- All materials delivered to site will be clean and free from contamination with seeds or vegetative material from invasive non-native species.

Appropriately worded planning conditions will be attached to any decision notice to ensure the development is carried out in accordance with the ecological appraisal and identified mitigation measures.

Concerns have been raised with regard to the submitted information for this application and the detrimental impact the development will have upon ecology. Although Natural England have not been directly consulted upon this application they have been consulted on the same report for the ongoing outline planning application (ref: 4/21/2368/001) on the adjoining site and have confirmed that they have no objections to the submitted information.

Subject to the planning conditions set out above the proposal is considered to achieve the requirement of Policies ST1, ENV3 and DM25 of the Copeland Local Plan.

#### Planning Balance

The application site is located outside of the settlement boundary for St Bees as defined in Policy ST2 of the Copeland Local Plan. The principle for developing the wider site for up to three residential dwellings was established in March 2021 when outline planning permission was granted by Members of the Planning Panel. This decision was made in the context that the Council's settlement boundaries are considered out for date as required by paragraph 11 of the NPPF.

Amendments have been sought to the overall design of the dwelling to ensure the development is designed to reduce the impact of the development upon the surrounding area and the scale, layout and design is considered acceptable in this location. Whilst the

development by virtue of its location would have some impacts on the existing character of the south of the village, the small scale proposal has been designed to respect the character and built form of this area of the settlement. The development is considered an extension to the settlement, rounding off this southern part of the village, and would be viewed against the existing built form of St Bees, limiting its impacts. The proposed housing mix is consistent with the SHMA and satisfies the requirement of Policy SS3 of the Local Plan.

There have been no objections to the development from any statutory consultees, and details of access and landscaping requirements will be secured by condition. The amended drainage strategy for this development ensures that conditions attached to the previous outline planning permission have been dealt with and it is considered that an adequate drainage system is in place for the application site.

### Conclusion

On balance, whilst conflicts are identified it is considered that these are collectively not significantly harmful to significantly and demonstrably outweigh the identified benefits of the development, which would include: the provision of housing in a sustainable location, and supporting local services when assessed against the policies in the NPPF taken as a whole.

### **Recommendation:-**

Approve reserved matters subject to the following conditions.

### **Conditions**

#### Standard Conditions

1. The development must be carried out in accordance with the plans submitted and in accordance with the conditions attached to the outline planning permission.

#### Reason

To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

2. This permission relates to the following plans and documents as received on the respective dates and development must be carried out in accordance with them:-
  - Site Location Plan, Scale 1:1250, received by the Local Planning Authority on the 18<sup>th</sup> August 2021.

- Block Plan (Amended), Scale 1:100, Drawing No: 021, Rev: D, received by the Local Planning Authority on the 15<sup>th</sup> February 2022.
- Site Plan (Amended), Scale 1:100, Drawing No: 022, Rev: D, received by the Local Planning Authority on the 15<sup>th</sup> February 2022.
- Plot 1 Elevations (Amended), Scale 1:100, Drawing No: 041, Rev: A, received by the Local Planning Authority on the 15<sup>th</sup> February 2022.
- Proposed Plot 1 Floor Plans (Amended), Scale 1:100, Drawing No: 023, Rev: F, received by the Local Planning Authority on the 15<sup>th</sup> February 2022.
- Proposed Plot 1 Elevations Garage (Amended), Scale 1:100, Drawing No: 030, Rev: C, received by the Local Planning Authority on the 15<sup>th</sup> February 2022.
- Proposed Plot 2 Elevations (Amended), Scale 1:100, Drawing No: 028, Rev: G, received by the Local Planning Authority on the 15<sup>th</sup> February 2022.
- Proposed Plot 2 Floor Plans (Amended), Scale 1:100, Drawing No: 032, Rev: C, received by the Local Planning Authority on the 15<sup>th</sup> February 2022.
- Proposed Plot 2 Elevations Garage (Amended), Scale 1:100, Drawing No 031, Rev C, received by the Local Planning Authority on the 8<sup>th</sup> November 2021.
- Proposed Plot 3 Elevations (Amended), Scale 1:100, Drawing No: 024, Rev: G, received by the Local Planning Authority on the 15<sup>th</sup> February 2022.
- Proposed Plot 3 Floor Plans (Amended), Scale 1:100, Drawing No: 025, Rev: G, received by the Local Planning Authority on the 15<sup>th</sup> February 2022.
- Proposed Plot 3 Elevations Garage (Amended), Scale 1:100, Drawing No: 032, Rev: C, received by the Local Planning Authority on the 15<sup>th</sup> February 2022.
- Surface Finishes Site Plan (Amended), Scale 1:500, Drawing No 038, Rev B, received by the Local Planning Authority on the 15<sup>th</sup> February 2022.
- Fencing Types Site Plan (Amended), Scale 1:500, Drawing No 037, Rev B, received by the Local Planning Authority on the 8<sup>th</sup> November 2021.
- Section Through Site (Amended), Scale 1:200, Drawing No: 036, Rev: A, received by the Local Planning Authority on the 15<sup>th</sup> February 2022.
- Section Through Plots (Amended), Scale 1:200, Drawing No: 036, received by the Local Planning Authority on the 15<sup>th</sup> February 2022.
- Proposed Site Section 02 (Amended), Scale 1:200, Drawing No: 035, Rev: E, received by the Local Planning Authority on the 15<sup>th</sup> February 2022.
- Proposed Site Section 03 (Amended), Scale 1:500, Drawing No: 036, Rev: A, received by the Local Planning Authority on the 15<sup>th</sup> February 2022.
- Design and Access Statement (Amended), received by the Local Planning Authority on the 8<sup>th</sup> February 2022.
- Preliminary Ecological Appraisal, Prepared by Hesketh Ecology July 2021, received by the Local Planning Authority on the 7<sup>th</sup> February 2022.
- Drainage Strategy Report (Amended), received by the Local Planning Authority on the 31<sup>st</sup> March 2022.

#### 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. The development hereby approved must not commence until visibility splays providing clear visibility as shown on the approved plan 'Site Plan (Amended), Scale 1:100, Drawing No: 022, Rev: D, received by the Local Planning Authority on the 15<sup>th</sup> February 2022', has been provided. 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, parked 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 splays. 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 in accordance with Policy T1 and DM22 of the Copeland Local Plan.

4. Prior to the commencement of any development at this site, the existing front boundary wall along Nethertown Road must be lowered in accordance with the approved plans 'Fencing Types Site Plan (Amended), Scale 1:500, Drawing No 037, Rev B, received by the Local Planning Authority on the 8<sup>th</sup> November 2021'. The boundary wall must be retained at this approved height at all times thereafter.

Reason

In the interests of highway safety in accordance with Policy T1 and DM22 of the Copeland Local Plan.

5. Prior to the commencement of any development at this site, a Construction Management Plan must be submitted to and approved in writing by the Local Planning Authority. This plan must include the following details:
  - 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

The development must be carried out in accordance with the approved details at all times thereafter.

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 in accordance with Policy T1 and DM22 of the Copeland Local Plan.

6. Prior to the commencement of any development at this site, the required dye testing or CCTV inspections must be carried out as detailed within the approved document 'Drainage Strategy Report (Amended), received by the Local Planning Authority on the 31<sup>st</sup> March 2022'. The findings from these investigations must be submitted in writing and approved by the Local Planning Authority prior to the commencement of any development at this site.

Reason

To ensure the provision of a satisfactory drainage scheme in accordance with the provision of Policy ENV1 and Policy DM24 of the Copeland Local Plan 2013 – 2028.

#### Prior to Erection of External Walling Conditions

7. No superstructure must be erected until samples and details of the materials to be used in the construction of the external surfaces of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. Development must be completed in accordance with the approved details of materials and must be retained for the lifetime of the development.

Reason

To ensure a satisfactory appearance of the development in the interests of visual amenity in accordance with DM10 of the Copeland Local Plan.

#### Prior to Occupation Conditions:

8. Prior to the first occupation of any dwelling hereby approved, the boundary treatment and landscaping at this site must be installed in accordance with the following approved plans:

- Fencing Types Site Plan (Amended), Scale 1:500, Drawing No 037, Rev B, received by the Local Planning Authority on the 8<sup>th</sup> November 2021.

The landscaping scheme must be implemented within the first available planting season from the date of this permission. The development must be retained in accordance with this approved detail at all times thereafter unless agreed in writing with the Local Planning Authority. Following completion of the development should any of the planting be uprooted, destroyed or die, replacement planting must be planted at the same place. The replacement planting will be of a size, species and be planted at such a time as agreed in writing by the Local Planning Authority.

#### Reason

To enhance the appearance of the development in the interest of visual amenities of the area and to ensure a satisfactory landscaping scheme in accordance with Policy DM26 and ENV5 of the Copeland Local Plan 2013-2028.

9. The drainage of the development hereby approved, must be carried out in accordance with the following approved documents:

- Drainage Strategy Report (Amended), received by the Local Planning Authority on the 31<sup>st</sup> March 2022.

Prior to occupation of the proposed development, the drainage schemes must be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

#### Reason

To ensure the provision of a satisfactory drainage scheme in accordance with the provision of Policy ENV1 and Policy DM24 of the Copeland Local Plan 2013 – 2028.

10. The new access and access road hereby approved as detailed on the approved plan 'Site Plan (Amended), Scale 1:100, Drawing No: 022, Rev: D, received by the Local Planning Authority on the 15<sup>th</sup> February 2022', must be constructed, completed and brought into use prior to the occupation of any dwelling hereby permitted. The access road must remain operational as approved at all times thereafter.

#### Reason

To ensure that the proposed new access road is constructed within a reasonable timescale, in the interests of highway safety (and general amenity) in accordance with Policy T1 and DM22 of the Copeland Local Plan.

11. Prior to the first occupation of any of the dwellings hereby approved the gable windows must be fitted with obscure glazing in line with the approved documents:

- Plot 1 Elevations (Amended), Scale 1:100, Drawing No: 041, Rev: A, received by the Local Planning Authority on the 15<sup>th</sup> February 2022.
- Proposed Plot 1 Floor Plans (Amended), Scale 1:100, Drawing No: 023, Rev: F, received by the Local Planning Authority on the 15<sup>th</sup> February 2022.
- Proposed Plot 2 Elevations (Amended), Scale 1:100, Drawing No: 028, Rev: G, received by the Local Planning Authority on the 15<sup>th</sup> February 2022.
- Proposed Plot 2 Floor Plans (Amended), Scale 1:100, Drawing No: 032, Rev: C, received by the Local Planning Authority on the 15<sup>th</sup> February 2022.
- Proposed Plot 3 Elevations (Amended), Scale 1:100, Drawing No: 024, Rev: G, received by the Local Planning Authority on the 15<sup>th</sup> February 2022.
- Proposed Plot 3 Floor Plans (Amended), Scale 1:100, Drawing No: 025, Rev: G, received by the Local Planning Authority on the 15<sup>th</sup> February 2022.

The obscure glazing must be permanently retained at all times thereafter.

Reason

To safeguard the amenities of occupiers of adjoining properties in accordance with DM10 of the Copeland Local Plan.

Other Conditions:

12. The development must implement all of the mitigation and compensation measures set out in the approved document 'Preliminary Ecological Appraisal, Prepared by Hesketh Ecology July 2021, received by the Local Planning Authority on the 7th February 2022'. The development must be carried out in accordance with the approved document at all times thereafter.

Reasons

To protect the ecological interests evident on the site in accordance with Policies ST1, ENV3, and DM25 of the Copeland Local Plan.

**Informatives:**

2. The development hereby approved must be carried out in accordance with conditions 3, 4, 5, and 6 of Outline Planning Approval Ref: 4/20/2491/001.

3. Any works within or near the Highway must be authorised by Cumbria County Council and no works shall be permitted or carried out on any part of the Highway including footways and verges, until you are in receipt of an appropriate permit allowing such works. This also applies to erecting scaffolding or placing traffic management or skips on the highway and the creation of vehicle cross-overs from the highway to a private driveway. Enquires should be made to Cumbria County Councils Street Work's team - [streetworks.west@cumbria.gov.uk](mailto:streetworks.west@cumbria.gov.uk).

**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.