

COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/22/2032/OR1
2.	Proposed Development:	RESERVED MATTERS APPROVAL FOR 52 DWELLINGS INCLUDING ASSOCIATED INFRASTRUCTURE AND LANDSCAPING – PURSUANT TO OUTLINE PLANNING PERMISSION REF. 4/21/2335/OB1 - AMENDMENT OF CONDITION 5 OF PLANNING APPROVAL 4/18/2472/001 - OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT OF 65 DWELLINGS INCLUDING FULL DETAILS OF ACCESS AND ASSOCIATED INFRASTRUCTURE
3.	Location:	KEEKLE MEADOWS, CLEATOR MOOR
4.	Parish:	Cleator Moor
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change
6.	Publicity Representations &Policy	See report.
7.	Report: Site and Location: <p>This application relates to part of the residential development of Keekle Meadows located to the western boundary of Cleator Moor. The development is currently under construction.</p> <p>Outline Planning Permission was approved for this element of the development was approved on the 23rd January 2019 under application reference 4/18/2472/001.</p> Proposal: <p>This application seeks approval of reserved matters in respect of the development approved under application reference 4/18/2472/001.</p> <p>This application seeks approval of 52no. dwellings and associated infrastructure.</p> <p>The development comprises a continuation/extension of the development for which Outline Planning</p>	

Permission was approved under application reference 4/16/2409/001.

The proposed dwellings comprise a combination of two storey detached and semi-detached dwellings and detached dormer bungalows.

It is proposed to finish the dwellings externally with a combination of facing bricks and sandstone complemented by stone details under smooth grey concrete tiled covered roof structures. A combination of white and grey uPVC windows and doors are proposed.

Private garden areas are proposed to each dwelling. Paved off highway driveways are proposed. Close-boarded timber fences, brick walls and hedgerows are proposed to delineate the site boundaries.

The proposed layout has been amended during the course of the application in response to the comments of the Council and relevant statutory consultees.

Consultee:	Nature of Response:
Town Council	No comments
Cumbria County Council – Highways and LLFA	<p><i>24th February 2022</i></p> <p>Cumbria County Council as the Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) can confirm as follows:</p> <p>Unfortunately due to ongoing discussion regarding condition 7 of application 4/21/2416/DOC to discharge conditions which deal with the surface water discharge aspect of this application, we are unable provide further comment on this application as presented, as a final design cannot be established until details within condition 7 are resolved.</p> <p>Although the point above still needs resolved, looking through the application details/information we would suggest the following points would need addressed.</p> <p>☐ Refuse collections points are needed if the shared surfaces are to remain at 4.1m in width. An increase in width to 4.8 will allow safe passage of vehicles.</p> <p>☐ As phase 4 of the development is proposed to have over 50 units constructed an Emergency Vehicle Access is required this may have already been constructed in earlier phases. if so this should be demonstrated and submitted on a full site including phase 4.</p> <p>☐ Although Visitor parking is welcomed within site plan (drawing number 06/11/542-193) what is proposed does not meet Cumbria Development Design</p>

		<p>Guide requirements. Visitor parking should not be within the live lane of the carriageway. The creation of Laybys or designated visitor parking areas need to be considered.</p> <p>☐ Footway crossing points need identified and clearly demonstrated on a plan.</p> <p>☐ The alignment of the carriageway proposed from the junction opposite plot 31 down to plot 116 is straight and may encourage speeding, as this carriageway cannot be altered due to existing underground pipe work we would recommend a raised table or some other speed reduction strategy.</p> <p>☐ Within the site plan (drawing number 06/11/542-193) outside plot 115 the colour of the carriageway changes, details are required on what this change is.</p> <p>☐ Drawing number 06/11/542-193 shows changes in colour within the carriageway network can these be identified on the site plan.</p> <p>☐ As Phase 4 is to be the final phase for the development, a full site plan including all drainage would be welcomed at this time so we as LHA and LLFA can look at the site as a whole.</p> <p>☐ Maintenance/service strips need to be clearly identified within the site plan (drawing number 06/11/542 - 207)</p> <p>As stated earlier in my response the above points are recommendations based on information submitted with application 4/22/2032/OR1 these recommendations may change following the outcome of condition 7 of application 4/21/2416/DOC being resolved.</p> <p><i>13th December 2022</i></p> <p>Cumbria County Council as the Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) has reviewed the above planning reference and our findings are detailed below.</p> <p>The LHA and LLFA welcome the additional/amended information submitted to support this application, the points raised on our previous consultation are listed below with current status being highlighted in bold.</p> <p>☐ Refuse collections points are needed if the shared surfaces are to remain at 4.1m in width. An increase in width to 4.8 will allow safe passage of vehicles. <i>Shared surface carriageway widths have been increased to 4.8m, therefore the above point has been addressed.</i></p> <p>☐ As phase 4 of the development is proposed to have over 50 units constructed an Emergency Vehicle Access is required this may have already been constructed in earlier phases. if so this should be demonstrated and submitted on a full site including phase 4.</p> <p><i>As stated in your supporting email this is a large development and to not have</i></p>
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		<p>☐ As Phase 4 is to be the final phase for the development, a full site plan including all drainage would be welcomed at this time so we as LHA and LLFA can look at the site as a whole.</p> <p><i>The LHA and LLFA would still welcome the above point, as within the latest information submitted the above point has not been addressed.</i></p> <p>☐ Maintenance/service strips need to be clearly identified within the site plan (drawing number 06/11/542 - 207)</p> <p><i>The above point has been addressed within the latest site plan drawing number (06/11/542-193a) the coloured areas have been removed and supporting detail has been provided within these areas.</i></p> <p>In addition to the points raised previously the LHA would like to add the following point</p> <p>☐ Within the Cumbria Development Design Guide it promotes the reduction of cul de sac's in new development sites and encourages applicants to design linked carriageways/footways and cycleways within their development, within phase 4 of keekle Meadows we as the LHA would recommend the carriageway outside plot 4/08 connects to the carriageway outside plot 4/36 as one link road to promote connectivity and reduce the need for cul de sacs and turning heads.</p> <p>In light to the above comments additional details are required from the applicant.</p> <p>Upon receipt of the amended plans I shall be better placed to provide full response.</p> <p>As stated in my previous response the above points are recommendations based on information submitted with application 4/22/2032/OR1 these recommendations may change following the outcome of condition 7 of application 4/21/2416/DOC being resolved.</p>
	Cumbria Fire and Rescue	<p><i>1st February 2022</i></p> <p>Following examination of plans in connection with the above application with regard to access of the site and water supplies, I have to inform you that the Fire Authority has no objections to this application. However, it should be noted that access for firefighting and water supplies must comply with ADB Volume 1, Dwellings, Section B5.</p> <p>Cumbria Fire and Rescue Service is committed to reducing the impact of fire on people, property and the environment. For this reason, it is recommended that the applicant should give consideration to the inclusion of a sprinkler system within the design of the premises.</p>

		<p>There is clear evidence that sprinklers and other forms of automatic fire suppression systems can be effective in the rapid suppression of fires and therefore play an important role in achieving a range of benefits for both individuals and the community in general.</p>
	Arboriculturist	<p><i>13th September 2023</i></p> <p>DISCUSSION</p> <p>Following our site visit, we have the following comment/observation to make on the proposed development.</p> <p>There are currently some field boundary hedgerows growing around the agricultural site.</p> <p>The applicant has not submitted a landscaping plan with the application.</p> <p>RECOMMENDATION</p> <p>We recommend attaching a condition to planning permission requesting the submission of a detailed landscaping plan prior to any construction activity on site. This should include tree and shrub specifications, planting details, and a five-year maintenance program.</p>
	Neighbour Responses:	
	<p>The application has been advertised by way of a planning application site notice.</p> <p>No written representations have been received in respect of the proposals.</p>	
	<p>Development plan policies:</p> <p>Development Plan:</p> <p><u>Copeland Local Plan 2013-2028 (Adopted December 2013):</u></p> <p><u>Core Strategy (CS):</u></p> <p>Policy ST1 – Strategic Development Principles</p> <p>Policy ST2 – Spatial Development Strategy</p> <p>Policy ST3 – Strategic Development Priorities</p> <p>Policy ST4 – Providing Infrastructure</p>	

Policy ER9 – The Key Service Centres, Local Centres and other smaller centres
Policy SS1 – Improving the Housing Offer
Policy SS2 – Sustainable Housing Growth
Policy SS3 – Housing Needs, Mix and Affordability
Policy SS4 – Community and Cultural Facilities and Services
Policy SS5 – Provision and Access to Open Space and Green Infrastructure
Policy T1 – Improving Accessibility and Transport
Policy ENV1 – Flood Risk and Risk Management
Policy ENV3 – Biodiversity and Geodiversity
Policy ENV5 – Protecting and Enhancing the Borough’s Landscapes
Policy ENV6 – Access to the Countryside

Development Management Policies (DMP):

Policy DM10 – Achieving Quality of Place
Policy DM11 – Sustainable Development Standards
Policy DM12 – Standards for New Residential Developments
Policy DM22 – Accessible Developments
Policy DM24 – Development Proposals and Flood Risk
Policy DM25 – Protecting Nature Conservation Sites, Habitats and Species
Policy DM26 – Landscaping

Copeland Local Plan 2001-2016 (LP):

Saved Policy TSP8 - Parking Requirements

Emerging Copeland Local Plan (ELP):

The emerging Copeland Local Plan 2017-2038 comprising the Publication Draft (January 2022) and Addendum (July 2022) have recently been submitted for examination by the Planning Inspector.

As set out at Paragraph 48 of the National Planning Policy Framework (NPPF), Local Planning Authorities may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan; the extent to which objections to relevant policies have been resolved; and the degree to which emerging policies are consistent with the NPPF.

Given the stage of preparation of the emerging Copeland Local Plan 2017-2038 some weight can be attached to policies where no objections have been received or objections have been resolved. The Publication Draft (January 2022) and Addendum (July 2022) 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 NPPF.

Policy DS1PU - Presumption in favour of Sustainable Development
Policy DS2PU - Reducing the impacts of development on Climate Change

Policy DS6PU - Design and Development Standards
Policy DS7PU - Hard and Soft Landscaping
Policy DS10PU - Soils, Contamination and Land Stability
Policy H1PU - Improving the Housing Offer
Policy H6PU - New Housing Development
Policy H7PU - Housing Density and Mix
Policy SC1PU - Health and Wellbeing
Policy N1PU - Conserving and Enhancing Biodiversity and Geodiversity Strategic
Policy N3PU - Biodiversity Net Gain
Policy N5PU - Protection of Water Resources
Policy N6PU - Landscape Protection
Policy N9PU - Green Infrastructure
Policy CO4PU - Sustainable Travel
Policy CO5PU - Transport Hierarchy
Policy CO7PU - Parking Standards and Electric Vehicle Charging Infrastructure

Other Material Planning Considerations

National Planning Policy Framework (NPPF).
Planning Practice Guidance (PPG).
National Design Guide (NDG).
The Conservation of Habitats and Species Regulations 2017 (CHSR).
Cumbria Development Design Guide (CDDG).
Copeland Borough Council Housing Strategy 2018-2023 (CBCHS).

Assessment:

Principle

The Outline Planning Permission approved under application reference 4/18/2472/001 remains extant.

Housing Mix

Although a mix of housing types are proposed there are a number of larger detached properties included in this phase of the development. The SHMA 2021 identifies that the focus for new market housing over the plan period should be 2-3 bed properties. The SHMA 2021 and HNS also identify a need for more specialised types of housing such as executive homes and key worker and student accommodation. The HNS notes that “there is a case for continuing to invest in high-end, larger, market homes to appeal to both the highly paid sector mainly involved in the Sellafield supply chain and as a suitable offer for those the authority wants to attract as part of its strategy to develop new high value technical and innovative industries.”

There is a higher level of smaller and social rented accommodation within Cleator Moor and the higher level of larger executive housing would assist in rebalancing the overall housing mix within the settlement.

In the context of the above, the proposed housing mix including the higher level of executive style houses is considered acceptable.

Design

The layout of this element of the development is partially influenced by the previously approved phases of this development of which the proposed layout comprises a continuation and extension and is influenced by the routing of the existing mains services which prevent development along the southern boundary.

The layout effectively comprises two cul-de-sac's accessed via a single primary access connecting to the previously approved phases. A clear highway hierarchy is proposed from secondary road to shared private driveway. This arrangement echoes the arrangement and layout of the previous phases.

The proposed finished floor levels are appropriate to the landform and adjacent dwellings.

The proposed external finishes are appropriate to the dwellings and are consistent with the previously approved and developed dwellings on the wider site.

Limited landscaping information has been submitted; therefore, a planning condition is proposed to secure these details in advance of the commencement of development.

Highways Impacts

Access was approved as part of the Outline Planning Permission under application reference 4/18/2472/001.

A clear highway hierarchy is proposed from secondary road to shared private driveway. This arrangement echoes the arrangement and layout of the previous phases.

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

Cumbria County Council – Highways have been consulted and have confirmed that they would wish to see the provision of an emergency vehicle access to serve the development and the provision of defined off highway vehicle parking spaces.

In respect of the provision of an emergency vehicle access, access was approved under application reference 4/18/2472/001; therefore, such a requirement should have been raised/requested at that stage. In this context, an emergency vehicle access cannot be required/secured under the current application. The Applicant has confirmed that they are not willing to volunteer to the provision of an emergency vehicle access given the provisions of application reference 4/18/2472/001.

In respect of off highway parking provision, in previous phases of this development and in applying the CDDG, Cumbria County Council has confirmed that: *"Visitor parking which is highlighted on the carriageway is acceptable however this cannot be designated or delineated physically through the use of white lines on the public highway."* In this context, it is not reasonable to adopt a differing approach in relation to this phase of the development. It has been demonstrated that the required level of visitor parking provision is achievable within the public highway to serve dwellings where parking provision in excess of the CDDG is delivered and would meet the visitor parking needs of those dwellings.

Drainage

Foul water and surface water drainage is secured via planning conditions attached to the Outline Planning Permission approved under application reference 4/18/2472/001.

A separate Full Planning Application has been submitted under application reference 4/22/2016/0F1 for the creation of a surface water attenuation basin which will serve both this phase and the previous phase of the development.

The planning conditions attached to the Outline Planning Permission approved under application reference 4/18/2472/001 and the Full Planning Application submitted under application reference 4/22/2016/0F1 will secure the detailed design of the proposed drainage scheme. These will ensure that the design of the proposed scheme and surface water attenuation basin are appropriate to serve the development and will not result in increased levels of flood risk.

Residential Amenity

The proposed dwellings achieve the interface separation distances required by Policy DM12 of the CS.

Given the scale, form and layout of the proposed dwellings no adverse impacts upon existing, approved or proposed dwellings would result through loss of light, overshadowing or overbearing.

Planning Balance

The Outline Planning Permission approved under application reference 4/18/2472/001 remains extant.

	<p>The layout of this element of the development is appropriate to the site and its constraints.</p> <p>The development is acceptable in respect of the design, residential amenity and highway safety subject to the planning conditions proposed.</p>
8.	<p>Recommendation: Approve Reserved Matters</p>
9.	<p>Conditions:</p> <ol style="list-style-type: none"> <p>The development shall be carried out in accordance with the plans submitted and in accordance with the conditions attached to the outline planning permission.</p> <p>Reason</p> <p>To comply with Section 92 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.</p> <p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>Location Plan – Drawing No. 06/11/542-100a received 15th September 2022 Reserved Matters Site Plan (incorporating landscaping) (4th major phase) – Drawing No. 06/11/542-193b) received 30th January 2023 Dwelling Type D+ – Plans & Elevations – Drawing No. 06/11/542-201 received 10th January 2022 Dwelling Type K – Plans & Elevations – Drawing No. 06/11/542-152 received 10th January 2022 Dwelling Type A1 – Plans & Elevations – Drawing No. 06/11/542-124 received 10th January 2022 Dwelling Type A2 – Plans & Elevations – Drawing No. 06/11/542-151 received 10th January 2022 Dwelling Type A+ – Plans & Elevations – Drawing No. 06/11/542-200 received 10th January 2022 Dwelling Type B+ – Plans & Elevations – Drawing No. 06/11/542-204 received 10th January 2022 Dwelling Type C/1 – Plans & Elevations – Drawing No. 06/11/542-205 received 10th January 2022 Dwelling Type L – Plans & Elevations – Drawing No. 06/11/542-203 received 10th January 2022 Dwelling Type E+ – Plans & Elevations – Drawing No. 06/11/542-202 received 10th January 2022</p>

Dwelling Type J – Plans & Elevations – Drawing No. 06/11/542-134 received 10th January 2022
External Material Schedule – Ref: 06/11/542-EMS received 10th January 2022

Reason

For the avoidance of doubt and in the interests of proper planning.

3. Notwithstanding the submitted details, no development shall commence until full details of the soft landscape works have been submitted to and approved in writing by the Local Planning Authority.

The soft landscape details shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers / densities; and an implementation programme.

The agreed scheme shall be carried out as approved to the agreed timetable. Any trees / shrubs which are removed, die, become severely damaged or diseased within five years of their planting shall be replaced in the next planting season with trees / shrubs of similar size and species to those originally required to be planted.

Reason

These details are required to be approved before the commencement of development to safeguard and enhance the character of the area and secure high quality landscaping in accordance with saved Policy ENV3, Policy DM25 and Policy DM26 of the Copeland Local Plan 2013-2028.

4. None of the dwellings hereby approved shall 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.

	<p>Informative</p> <p>The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.</p> <p>Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority</p> <p>Statement</p> <p>The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.</p>
Case Officer: Chris Harrison	Date : 09.02.2023
Authorising Officer: N.J. Hayhurst	Date : 13.02.2023
Dedicated responses to:- N/A	