

COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/22/2127/0F1
2.	Proposed Development:	HOUSING DEVELOPMENT 10 NO. DWELLINGS
3.	Location:	THE ROYAL BRITISH LEGION SITE, HILL TOP ROAD, WHITEHAVEN
4.	Parish:	Whitehaven
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Development Referral Area - Data Subject to Change, Coal - Standing Advice - Data Subject To Change
6.	Publicity Representations &Policy	Neighbour Notification Letter: YES Site Notice: YES Press Notice: YES Consultation Responses: See report Relevant Planning Policies: See report
7.	Report: Site and Location <p>This application relates to two separate parcels of land which front onto Hill Top Road. The western site previously contained the current Royal British Legion Club which has since been demolished. The site is now brownfield, unmade ground. The eastern site is located on the opposite side of Hill Top Road and is brownfield, unmade ground with garages to the far eastern boundary.</p> <p>The land previously occupied by the club has a significant change in levels across its width with the western most boundary being approximately 5 metres higher than the eastern boundary which fronts onto Hill Top Road. The land lies immediately adjacent to Monkway Court, a block of assisted living flats to the west. The land is surrounded by residential properties to the north, east and south with Monkway Road to the south.</p> <p>The land to the east of Hill Top Road also has a significant change in levels across its width. It is</p>	

currently used as an informal off-road parking area for local residents with six garages in private use on its lower eastern boundary. The site is bound to the north and south by residential dwellings.

Proposal

This application seeks full planning permission for the erection of 10 dwellings, with one pair of semi-detached dwellings and a detached dwelling proposed on the eastern side of Hill Top Road and 7 dwellings on the western side to be made up of 3 pairs of semi-detached dwellings and a detached dwelling.

The majority of the dwellings will be semi-detached, with two detached dwellings proposed in a similar style.

This application is accompanied by the following information:

- Application form;
- Site Location Plan;
- Proposed dwelling Plans and Elevations;
- Topographical Survey;
- Preliminary Ecological Appraisal;
- Drainage Strategy;
- Drainage Plan;
- Coal Mining Search;
- Planning Statement;
- Site Section.

Relevant Planning History

Demolition of existing club and the redevelopment of the site with 10 no. dwellings, approved in June 2018 (application reference 4/18/2045/OF1 relates).

Consultation Responses

Whitehaven Town Council

No objections.

United Utilities

1st Response

REQUEST FOR INFORMATION PRIOR TO DETERMINATION

We request that the applicant submits a plan outlining the proposed levels (including finished floor levels and ground levels) shown in metres above Ordnance Datum and an indicative foul and surface water drainage strategy (including cover and invert levels). It is our recommendation this information is submitted for our review PRIOR TO DETERMINATION so that any risk of sewer surcharge can be

further assessed. The applicant should note that it may be necessary to raise finished floor and ground levels and / or include mitigation measures to manage the risk of sewer surcharge.

We request the following drainage condition is attached to any subsequent approval:

Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
- (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
- (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
- (v) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

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

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

2nd response

Following our review of the submitted Drainage Strategy, we can confirm the proposals are acceptable in principle to United Utilities and therefore should planning permission be granted we request the following condition is attached to any subsequent Decision Notice:

CONDITION:

The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Foul & Surface Water Drainage Design Drawing Ref No. 7535 200, Dated Jun 22, Rev A - which was prepared by Tweddell and Slater. For the avoidance of doubt surface water must drain at the restricted rate of 1 l/s. Prior to occupation of the proposed

development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.

3rd Response

I do apologise, I believe my previous comment of restricted to 1l/s was in error.

I can confirm that United Utilities would accept a restricted pass forward flow, not exceeding 5l/s for the site in its entirety.

Flood and Coastal Drainage Engineer

1st response

As the area development site does not exceed 1.0 hectares, a Flood Risk Assessment (FRA) is not required.

The Planning Application states that surface water will be disposed of by means of a sustainable drainage system.

The Planning Statement merely states that the site is in Flood Zone 1 and that a drain diversion (shown on plans) will be included as part of the development.

The Drainage Strategy merely states that foul and surface water will be drained separately, with both connected to the combined sewer. Run off rates are to be calculated to determine the necessary attenuation for the surface water system. Due to site constraints soakaways have been discounted.

The Drainage Strategy also includes a proposed Condition relating to drainage. Realistically given the site constraints, discharge of surface water to the combined sewer is the only viable option for the site, which is presumably where the surface water from the Royal British legion went. In order to make this as sustainable as possible, discharge rates should be restricted to greenfield rates with an appropriate allowance for climate change and urban creep. This is effectively what the Condition states other than an allowance for urban creep.

The drain diversion would appear to be the existing combined sewer, so the diversion must be designed and constructed to United Utilities' satisfaction.

2nd response

As the area development site does not exceed 1.0 hectares, a Flood Risk Assessment (FRA) is not required.

An updated Drainage Strategy has now been submitted, which does confirm the flood risk as Flood Zone 1 and very low surface water flood risk.

Due to lack of available space on site surface water disposal by means of infiltration has been discounted. [\[Ground conditions would almost certainly rule this method out also.\]](#) Due to the distance to the nearest watercourse, it is not considered a viable option to discharge surface water to a watercourse.

Consequently, it is proposed to connect the surface water from the impermeable surfaces and discharge to the combined sewer to the north of the site.

In order to achieve a discharge rate in line with Qbar, three attenuation tanks are proposed on site. Design is such that there will be no surcharging in the one in thirty year event and no flooding in the 1 in 100 year event with 40% allowance for climate change.

It is proposed to connect the foul drainage from the site to the combined sewer to the north of the site.

The Outline Drainage Strategy Drawing 7535 200 Rev A shows a single connection point to the existing 150mm diameter United Utilities combined sewer to the north of the site. In addition, an existing 150mm diameter United Utilities combined sewer at the south of the site is to be diverted.

GENERAL COMMENTS

At this stage it does not appear that connection point into the existing United Utilities combined sewer has been approved. This should be confirmed at the earliest opportunity, as an alternative connection location would require the proposed drainage design and layout to be amended.

As the site is effectively a brownfield site, the proposed surface water drainage strategy is a betterment in terms of flood risk.

SUGGESTED CONDITIONS

It should be a Pre Commencement Condition that the connection point into the existing United Utilities combined sewer is agreed.

SUMMARY

Provided an appropriate Condition is included, as suggested above, I would have no objection to the proposed development.

GENERAL COMMENTS

No additional comments.

SUGGESTED CONDITIONS

The comment suggested in Drainage Strategy is appropriate, other than I would suggest an additional consideration of 10% of plot size for urban creep.

The sewer diversion should be conditioned as having to meet United Utilities standards.

SUMMARY

Provided appropriate Conditions are included, as suggested above, I would have no objection to the proposed development.

Cumbria Highways

It is understood approval was granted in 2018 under 4/2018/2045/0F1 for the site to be developed into 10 dwellings. Having reviewed the current plans against the previously approved plans I can confirm that the LHA continue to raise no objections to this proposal. It was agreed following a speed survey that visibility splays of 23.5m (east) by 2.4m by 21.2m (west) would be acceptable.

The applicants have provided sufficient parking provisions for each of the dwelling accompanied by a 6m forecourt to allow vehicles to manoeuvre in and out of the spaces and enabling them to enter and leave the highway in a forward gear.

We recommend the following conditions are included in any permission you may grant:

1) The frontage footway extension shall be constructed and drained to a standard suitable for adoption, further details will need to be submitted for approval and the approved works constructed in all respects before the last dwelling is completed. These works will include the relocation of the existing street lighting column to the rear of the new footway.

2) The parking court shall be designed, constructed and drained to the satisfaction of the Local Planning Authority and in this respect further details, including longitudinal/cross sections, shall be submitted to the Local Planning Authority for approval before work commences on site. No work shall be commenced until a full specification has been approved. Any works so approved shall be constructed before the development is complete.

Reason: To ensure a minimum standard of construction in the interests of highway safety
To support Local Transport Plan Policies: LD5, LD7, LD8

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

Reason: In the interests of highway safety.

To support Local Transport Plan Policies: LD7, LD8

The Local Lead Flood Authority

1st response

There have been no formal details submitted outlining the proposed surface water management strategy that will be implemented. We therefore recommend the following conditions are included in any permission you may grant.

3) Details of all measures to be taken by the applicant/developer 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 approved works shall be implemented prior to the development being completed and shall be maintained operational thereafter.

Reason: In the interests of highway safety and environmental management. To support Local Transport Plan Policies: LD7, LD8

2nd response

The applicants have proposed to discharge surface water into the combined system which would need to be agreed by United Utilities.

The applicant has not however fully demonstrated that they have followed the drainage hierarchy suitably allowing them to connect to the combined system. They should fully complete and submit results of infiltration tests in accordance with BRE365 guidance. Should these provide evidence infiltration is not suitable, they should show on a plan the location of the watercourse they mention in their drainage strategy as 540m away from the site. It might also be necessary to investigate the highway drainage system as whether or not that connects to the watercourse and if it does seek permission from Highways to connect into their network. Should these options prove unsuccessful, the hierarchy would have been fully considered and connecting to the combined system will be the only viable option.

3rd response

As they are connecting to UU's system who asked for 1l/s it would be for UU to confirm whether or not the 3.6l/s is acceptable.

The Coal Authority

1st response

I have reviewed the site location plans, the proposals and the supporting information submitted and available to view on the LPA website. I can confirm that the site falls within the defined Development High Risk Area and that a Coal Mining Risk Assessment is required to be submitted to support this application.

The Coal Authority records indicate that a coal outcrop runs through the eastern area of the eastern portion of the application site and this may have been subject to unrecorded workings at shallow depth. If workings are present within the outcrop these may pose a potential risk to surface stability and public safety.

The applicant has submitted some coal mining information to accompany the planning application; in this case a Regulated Coal Mining Search. However, this is a factual report only and this information does not provide any assessment of the potential risks posed to the development proposal by past coal mining activity. The Coal Authority therefore objects to this planning application.

We note that this submission proposes a rear terrace area with associated banked area continuing to a sloped area. It would appear that these elements of the proposed development would fall within the Development High Risk area.

In accordance with the agreed risk-based approach to development management in the defined Development High Risk Areas, the applicant should be informed that they need to submit a Coal Mining Risk Assessment Report to support this planning application. This assessment should be prepared by a suitably qualified person. Without such a risk assessment, the Coal Authority does not consider that the LPA has sufficient information to determine this planning application. We would expect the CMRA to be proportionate to the nature of the development proposed

2nd response

I can confirm that the above planning application has been sent to us incorrectly for consultation.

The application site does not fall within the defined Development High Risk Area and is located instead within the defined Development Low Risk Area. This means that there is no requirement under the risk-based approach that has been agreed with the LPA for a Coal Mining Risk Assessment to be submitted or for The Coal Authority to be consulted.

Public Representation

The application has been advertised by way of a press and site notice and also neighbour notification letters issued to 61 no. properties.

No responses have been received as a result of these advertisements.

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 DM26 – Landscaping

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 Conservation of Habitats and Species Regulations 2017 (CHSR).

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.

The policies relevant to this application are:

- 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
- 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
- Strategic Policy N1PU: Conserving and Enhancing Biodiversity and Geodiversity
- Strategic Policy N3PU: Biodiversity Net Gain
- Policy CO7PU: Parking Standards and Electric Vehicle Charging Infrastructure

Assessment

Principle of the development

This proposal would involve the redevelopment of a brownfield site within the settlement boundary of Whitehaven. Whitehaven is identified as the Principal town within the Borough under Policy ST2 where the majority of major development should be focussed. On this basis the principle of development is considered to be acceptable and meets the requirements of Policies ST1 and ST2 of the adopted Local Plan.

Housing Need and Mix

Policy SS3 of the CS states that applications for housing development should demonstrate how the proposals help to deliver a range of good quality and affordable homes for everyone. It is confirmed that development proposals will be assessed according to how well they meet the identified need and aspirations of the Borough's individual Housing Market Areas as set out in the Strategic Housing Market Assessment including: creating a more balanced mix of housing types and tenures within the housing market area; including a proportion of affordable housing that makes the maximum contribution to meeting the identified needs in the housing market areas; and, establishing a supply of sites suitable for executive and high quality family housing, focussing on Whitehaven and its fringes as a priority.

Policy H7PU of the ELP states that: developments should make the most effective use of land. When determining appropriate densities development proposals should clearly demonstrate that consideration has been given to the shape and size of the site, the requirement for public open space and landscaping, whether the density would help achieve appropriate housing mix and help regeneration aims, the character of the surrounding area and the setting of the site. Applicants must also demonstrate, to the satisfaction of the Council, how their proposals meet local housing needs and aspirations identified in the latest Strategic Housing Market Assessment (SHMA) and Housing Needs Assessment in terms of house type, size and tenure.

The Application Site is located within the Whitehaven Housing Market Area (HMA) in the Copeland Strategic Housing Market Assessment 2019 (SHMA). The SHMA suggests a particular focus on the delivery of two and three bedroom (75-85%) and some 4+ bedroom houses (15-20%) semi-detached and detached houses.

The proposal includes a mix of 2 and 3 bedroomed semi-detached and detached properties. The site provides a mix of the most needed house type for Whitehaven and is therefore supported.

Design and Impact on Residential Amenity

Policies ST1, DM10, DM11, and DM12 of the Local Plan, Policy DS6PU of the ELP 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 dwellings are proposed to reflect the existing building line on Hill Top Road – being set back from the road with modest front gardens. The configuration of semi-detached properties will reflect the existing arrangement to the north of the site. The one exception to this layout is the dwelling on the corner of Hill Top Road and Monkway Road. It has been sited at a higher level to the other dwellings in this row due to the sloping nature of the site. The Agent for the application justified the position due to a retaining wall that needs to be left for the stability of the land. Whilst this dwelling may have looked more in keeping if it had been in line with the others, it is likely to be seen in context with 33 and 34 Hill Top Road, situated on the opposite side of Monkway Road which sit at a higher

level.

The dwellings have been designed without windows for habitable rooms on the side elevations, therefore mitigating any overlooking concerns. It is unlikely that the new development will create a loss of amenity for the existing properties on Hill Top Road and there will be no loss of privacy.

Whilst the development will be similar to the existing dwellings in this area of town, a more modern material palette is proposed with K-Rend and clad finishes. Full details of the materials have not been provided, therefore it is considered prudent to add a suitably worded planning condition to any approval to ensure that these are submitted and approved, prior to their use on the development.

The dwellings include suitable amenity spaces, private to each property. There will be a modest front garden to include a grassed area and steps to the dwelling, with a small rear yard backing onto the communal car park. The external space for each property is sufficient, however given the restrictions for each property, it is considered to be prudent to remove permitted development rights in order that the use of the external space can be kept free from clutter such as garden sheds.

On this basis, 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.

Drainage and Flood Risk

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 and DS8PU and DS9PU of the ELP reinforces the focus of protecting development against flood risk.

The application site is located within Flood Zone 1, therefore a Flood Risk Assessment has not been submitted. A drainage plan and strategy was submitted as part of this application to conclude that discharge to the combined sewer would be the most suitable method of site drainage, following the drainage hierarchy. The drainage solution will include on site attenuation with a controlled release of 3.6l/s. The information was considered to be acceptable by United Utilities, the Council's Flood and Coastal Defence Engineer and the Local Lead Flood Authority.

The implementation of the scheme submitted will ensure that proper drainage is secured within the site and will manage the risk of flooding and pollution, ensuring that the development complies with Policy ENV1 and Policy DM24 of the CS, the ELP and the provisions of the NPPF.

Access, Parking and Highway Safety

Policy T1 of the Core Strategy requires mitigation measures to be secured to address the impact of new housing on the Boroughs transportation system. Policy DM22 of the CS and CO7PU of the ELP requires developments to be accessible to all users and to meet adopted car parking standards, which reflect the needs of the Borough.

The development will have an off street parking area to the rear of the dwellings on the west of Hill Top Road and to the front of the dwellings on the east of Hill Top Road. Each dwelling will have two parking spaces, with a paved road on the west and turning space so that cars can enter and egress in

a forward gear.

A bin collection point has been identified close to the access point with Monkway Road to avoid refuse vehicles having to enter the site at the rear.

Cumbria Highways raised no objections to the application and it is considered that the development complies with The Cumbria Design Guide. Conditions were suggested relating to the provision of a frontage pavement, the provision of the parking court prior to the commencement of other works and access gates being hung so as not to overhang the highway.

On this basis the proposal is considered to be compliant with the Policy DM22 of the CS and CO7PU of the ELP.

Coal Mining/Ground Conditions

Policy ST1 of the CS includes provisions requiring that new development addresses land contamination and potential historic mining areas with appropriate remediation measures.

Policy DS6PU and Policy DS10PU of the ELP includes provisions requiring that development addresses land contamination and land stability issues with appropriate remediation measures.

The original red line area submitted included the land to the far east of the site that is highlighted as Coal Mining Referral area. Due to the lack of a coal report, The Coal Authority initially objected to the development requiring suitable information to assess any potential issues with this land. The Applicant removed this land from the application, reducing the scale of the amenity space for the dwellings to the east and therefore taking the application out of the Coal Referral Area. The Coal Authority responded to a further consultation request with no objections but standing advice should be given should approval be granted.

Ecology

Policy ENV3 of the CS and N1PU and N3PU protects and enhances the Boroughs ecology. Development must respect the local environment and provide habitats for any species that may be displaced.

An ecological appraisal was submitted as part of the application which concluded that the land offered limited resources to the local wildlife. The preliminary ecological appraisal has highlighted potential issues with breeding birds and trees as ecological receptors on or adjacent to site. Provided that these issues are addressed in accordance with the recommendations detailed within the report, the development is unlikely to adversely impact on any ecological receptors. As a result, it is considered to be prudent to include a planning condition to any approval to require that the findings of the ecological appraisal be complied with.

Planning Balance and Conclusion

The redevelopment of this brownfield site within the Principal Town of Whitehaven is welcomed and complies with Policy ST 2 of the Local Plan. The proposal will bring the site back into use, tidying up

	<p>cleared land and boosting the housing supply for Whitehaven.</p> <p>No objections have been received from statutory consultees of the local community and it is likely that the residents will benefit from the development.</p> <p>Potential issues have been considered throughout the planning application and suitably worded conditions will ensure that all details are submitted and approved prior to the occupation of the dwellings.</p> <p>On balance, the proposal is considered to be compliant with policies within the Copeland Local Plan, emerging Local Plan and the guidance within the NPPF.</p>
8.	<p>Recommendation:</p> <p>Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <ol style="list-style-type: none"> <p>The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.</p> <p>Reason</p> <p>To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.</p> <p>Permission shall relate to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them: -</p> <p>Application form, received 16th March 2022; Site Location Plan, scale 1:1250, drawing number 1A A, received 27th July 2022; Section, scale 1:1250, drawing number 7A, received 27th July 2022; Site Plan, scale 1:1250, drawing number 2A, received 13th June 2022; Proposed Floor Plans, scale 1:100, drawing number 6A, received 16th March 2022; Proposed Elevations, scale 1:250, drawing number 4B, received 8th February 2023; Topographical Survey, scale 1:200, drawing number 1A, received 16th March 2022; Preliminary Ecological Appraisal, written by UES, received 16th March 2022; Drainage Strategy, written by Tweddell and Slater, received 8th July 2022; Outline Drainage Strategy, scale 1:200, drawing number 7535 200, received 8th July 2022; Planning Statement, written by Summit Planning, received 16th March 2022.</p> <p>Reason</p> <p>To conform with the requirement of Section 91 of the Town and Country Planning Act 1990,</p>

as amended by the Planning and Compulsory Purchase Act 2004.

Prior commencement Condition

3. The parking court must be designed, constructed and drained to the satisfaction of the Local Planning Authority and in this respect further details, including longitudinal/cross sections, must be submitted to and approved in writing by the Local Planning Authority before work commences on site. No work must be commenced until a full specification has been approved. Any works so approved must be constructed before the development is complete and retained as such at all times thereafter.

Reason

To ensure a minimum standard of construction in the interests of highway safety and in accordance with Policy DM22 of the Copeland Local Plan.

Prior occupation Conditions

4. The frontage footway extension must be constructed and drained to a standard suitable for adoption, further details must be submitted to and approved in writing by the Local Planning Authority. The approved works must be constructed in all respects before the last dwelling is completed. These works will include the relocation of the existing street lighting column to the rear of the new footway.

Reason

To ensure a minimum standard of construction in the interests of highway safety and in accordance with Policy DM22 of the Copeland Local Plan.

5. Details of all measures to be taken by the applicant/developer to prevent surface water discharging onto or off the highway must be submitted to and approved in writing by the Local Planning Authority. Any approved works shall be implemented prior to the development being completed and must be maintained operational thereafter.

Reason

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

6. 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 and in accordance with Policy DM10 of the Copeland Local Plan.

7. The drainage for the development hereby approved, must be carried out in accordance with principles set out in the submitted Foul & Surface Water Drainage Design Drawing Ref No. 7535 200, Dated Jun 22, Rev A - which was prepared by Tweddell and Slater. For the avoidance of doubt surface water must drain at the restricted rate of no more than 5 l/s. 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 a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding and in accordance with Policies ENV1 and DM27 of the Copeland Local Plan.

8. Prior to the first occupation of the dwellings hereby approved, full details of the proposed boundary treatments must be submitted to and approved in writing by the Local Planning Authority. Development must be carried out in accordance with these approved details and retained as such at all times thereafter.

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 of the Copeland Local Plan.

Other Conditions

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

Reason

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

10. Development must be carried out in accordance with the recommendations within the Preliminary Ecological Appraisal, written by UES and submitted as part of the planning application on 16th March 2022.

Reason

To protect the sensitive ecological receptors on the site and in accordance with Policy ENV3 of the Copeland Local Plan.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that order with or without modification) no external alterations or extensions, conservatories, dormer, or enlargement shall be carried out to the dwellings, nor will any detached building, enclosure, domestic fuel containers, pool or hardstandings be constructed within the curtilage other than those expressly authorised by this permission.

Reason

To safeguard the character and appearance of the development in the interests of visual amenity and in accordance with Policy DM10 of the Copeland Local Plan.

Informative

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any

	representations that may have been received, and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.	
Case Officer: Sarah Papaleo		Date : 17/02/2023
Authorising Officer: N.J. Hayhurst		Date : 17/02/2023
Dedicated responses to:- N/A		