

COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/22/2239/OF1	
2.	Proposed Development:	CONSTRUCTION OF A FOUR BEDROOM DETACHED DWELLING WITH ASSOCIATED LANDSCAPING	
3.	Location:	LAND ADJACENT TO 93 MARKET STREET, MILLOM	
4.	Parish:	Millom	
5.	Constraints:	ASC;Adverts - ASC;Adverts, Flood Area - Flood Zone 2, Coal - Off Coalfield - Data Subject To Change, Key Species - Potential areas for Natterjack Toads	
6.	Publicity Representations &Policy	Neighbour Notification Letter	Yes
		Site Notice	Yes
		Press Notice	No
		Consultation Responses	See Report
		Relevant Policies	See Report
7.	Report:		
	Site and Location		
	This application relates to land adjacent to 93 Market Street, located within the east of Millom. The site is accessed from Market Street via an access road, which provides access to a commercial property, and three other detached dwellings. It is set back behind the existing properties on King Street.		
	Relevant Planning History		
	4/95/0076/0 – Two dwellings – Refused		
	4/95/0520/0 – Dwelling – Approved		
	4/06/2683/0 – Change of use from builders yard to a residential curtilage – Approved		

Proposal

This application seeks planning permission for the construction of a detached dwelling with associated landscaping.

The proposed dwelling will measure 7.8m x 13.2m, with an eaves height of 4.8m and an overall height of 7.3m. The proposed development will benefit from a single storey front extension which will project 8.8m along this elevation and will project by 2.3m. This element of the proposal will benefit from an eaves height of 2.2m and an overall height of 3.3m. A single storey rear extension is also proposed which measures 2.3m x 7.6m with an eaves height of 2.2m and an overall height of 3.3m. The development will also incorporate a chimney stack upon the north elevation of the dwelling, which will extend 0.8m from this elevation and 0.6m above the ridge height of the dwelling.

Internally, the proposal will incorporate a hall, wc, living room, family room, open plan kitchen/dining room, a utility room and a pantry within the ground floor. The proposed first floor of the dwelling will incorporate a master bedroom with ensuite bathroom, three double bedrooms and a family bathroom. Externally, the development will be finished with stone and white render, plain concrete tiles, dark grey UPVC windows, doors and rooflights, and dark grey UPVC rainwater goods.

The site will be accessed from the south of the site via the shared access road with no.93 Market Street. An asphalt driveway will be constructed to the south of the dwelling to provide three off-street car parking spaces. The existing commercial premises and stone wall to the rear of the site will be retained to provide some boundary treatment to the west and south of the application site. A new 1.8m close boarded fence is also proposed along the west and north of the site, and a 0.9m black metal ball top garden fence with access gate will be provided along the frontage of the dwelling.

Consultation Responses

Millom Town Council

No objections in principle to this application.

Cumbria Highways & LLFA

24th June 2022

As this falls under our Service Level Agreement (SLA) with your Council, this application does not need to be submitted to the Local Highway Authority or Lead Local Flood Authority; subject to the highway and drainage aspects of such applications being considered in accordance with the Agreement.

The highway and drainage implications of this application would therefore have to be decided by the Local Planning Authority.

If you have a particular aspect of this application you wish us to consider, please feel free to contact me direct.

The Environment Agency (EA) surface water maps indicate that the site is in flood zone 2. The applicant should consult with the Environment Agency regarding a flood risk assessment.

28th October 2022

As this falls under our Service Level Agreement (SLA) with your Council, this application does not need to be submitted to the Local Highway Authority or Lead Local Flood Authority; subject to the highway and drainage aspects of such applications being considered in accordance with the Agreement.

The highway and drainage implications of this application would therefore have to be decided by the Local Planning Authority.

If you have a particular aspect of this application you wish us to consider, please feel free to contact me direct.

The Environment Agency (EA) surface water maps indicate that the site is in flood zone 2. The applicant should consult with the Environment Agency regarding a flood risk assessment.

Environment Agency

15th June 2022

We have received consultation on the above application. We will not be providing bespoke comment. The site is located in Flood Zone 2 and Flood Risk Standing Advice should be applied.

United Utilities

20th June 2022

National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) advise that surface water from new developments should be investigated and delivered 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.

We recommend the applicant considers their drainage plans in accordance with the drainage hierarchy outlined above.

22nd November 2022

National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) advise that surface water from new developments should be investigated and delivered 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.

We recommend the applicant considers their drainage plans in accordance with the drainage hierarchy outlined above.

Copeland Borough Council – Flood and Coastal Defence Engineer

16th June 2022

I have some queries on this application:

- The FRA states that the EA have confirmed that the site is protected by fluvial and tidal formal flood defences. This is not supported by the flood mapping supplied, or that on our GIS. Which defences are being referred to? (The former railway embankment to the north has not been designated as a formal flood defence, although it does act as one.)
- It is stated that even with attenuation on site to accommodate a 1 in 100 year event including 40% climate change allowance, due to practical reasons it is not possible to reduce discharge rates to below 2.00l/s, when Qbar is calculated as 0.16l/s. Therefore the discharge would effectively not be restricted. There will be rainfall events that are below Qbar, so will the water be stored and discharged at 2.00l/s?
- How would the proposed surface water discharge from the proposed development into the combined sewer compare to the theoretical discharge rate into the combined sewer for the same site for the September 2017 event?

8th July 2022

With regards to the below:

- The info from the EA that CBC manages defences in this area is news to me, although that can't be put down to the applicant!
- I understand the argument about pipe sizes, but it is still more than greenfield.
- Based on these figures, then the proposed restriction would have been beneficial during the 2017 event.

Until work is undertaken to reduce the flood risk to Millom from surface water and sewer flooding, no development should be undertaken that increase the flood risk. Realistically it will be a number of

years before this happens, if at all. Whereas a small development itself may not be identified as being at flood risk and the additional surface water created by the development may be very small, it is the accumulative effect of such developments that poses a risk. Consequently, until flood risk to Millom from surface water and sewer flooding is reduced, all developments that will contribute to an increase in flooding should be refused.

The current project has currently stalled, as the works need to be re-tendered, so nothing will happen for quite a while yet.

1st November 2022

With regards to the additional and amended information, this has highlighted something I had previously missed:

- It appears that the proposal is to treat the foul sewage using a package treatment plant, yet it appears that the property is within 30m of an existing mains sewer. As this would be in breach of the “General Binding Rules”, if correct, why is this proposed?

My previous comments still stand:

Until work is undertaken to reduce the flood risk to Millom from surface water and sewer flooding, no development should be undertaken that increase the flood risk. Realistically it will be a number of years before this happens, if at all. Where a small development itself may not be identified as being at flood risk and the additional surface water created by the development may be very small, it is the accumulative effect of such developments that poses a risk. Consequently, until flood risk to Millom from surface water and sewer flooding is reduced, all developments that will contribute to an increase in flooding should be refused.

17th November 2022

With regards to the additional and amended information, the package treatment plant shown on the previous version has been removed and foul sewage is now shown going to the mains sewer.

The surface water is shown going to as soakaway, which will be subject to percolation testing.

This would be the preferred method of surface water disposal should a soakaway be feasible.

However the soakaway is shown adjacent to a commercial property, which would fail Building Regulations to my knowledge.

Should a soakaway not be feasible, then the only realistic alternative would be discharge to the combined sewer, so my earlier comments from 08.07.2022 would apply at this time.

29th November 2022

As I understand that where it is a boundary, that is not adjacent to a building or structure the

minimum distance is 2.5m, so it looks like the soakaway will fit OK.

Of course, that is subject to percolation testing.

Natural England

22nd June 2022

If the foul drainage is to go to mains then Natural England has no concerns. Please consult us again if non-mains drainage is proposed.

14th November 2022

NO OBJECTION

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

Public Representation

This application has been advertised by way of a site notice, and neighbour notification letters issued to ten properties. One letter has been received from a neighbouring property to confirm that they have no objections to the proposal.

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

Other Material Planning Considerations

National Planning Policy Framework (2021)

National Design Guide (NDG).

Cumbria Development Design Guide (CDG)

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

Strategic Housing Market Assessment 2021 (SHMA)

Copeland Borough Council Housing Strategy 2018 – 2023 (CBCHS)

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.

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 key issues raised by this application relate to the principle of the development; the scale, design, and impact of the development; impact on landscape and settlement character; access, parking, and highway safety; ecology; and drainage and flood risk.

Principle of Development

The site lies within the defined settlement boundary for Millom, which is classified as a Key Service

Centre under Policy ST2 of the Copeland Local Plan. This policy allows for infill housing sites and moderate allocations to form extensions to the town to meet general needs, with larger sites required to offer a proportion of affordable housing. The application seeks to develop an existing brownfield site. The NPPF and Policy ST1 of the Copeland Local Plan promote the reuse of existing buildings and previously developed land with the aim of directing development away from greenfield sites.

Policies ST1 and ST2 along with Policies SS1, SS2, and SS3, seek to promote sustainable development to meet the need and aspirations of the Borough's housing market. These policies further concentrate development within the defined settlement boundaries in accordance with the Borough's settlement hierarchy. The NPPF also seeks to support the Government's objective of significantly boosting the supply of housing through sustainable development.

On this basis, it is therefore considered that the development would be in accordance with the aims and objectives of the NPPF which set a presumption in favour of sustainable development as well as the relevant policies of the adopted Copeland Local Plan. The principle of residential development is supported subject to site-specific matters.

Scale, Design and Impact of Development

Within the Copeland Local Plan, Policies DM10, DM11, and DM12, 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.

Originally, concerns were raised with regard to the overall scale and design of the proposed dwelling, within the constrained site. It was therefore requested that consideration be given to reducing the overall size/footprint of the development and the design of the dwelling as the original proposal did not reflect the properties to which it most closely relates (i.e. 91 & 93 Market Street) which are of a more simple character.

Based on these concerns the agent for this application submitted amended plans which included a smaller dwelling without any dormer windows or front/rear facing gables. Based on this amended information, it is considered that the proposed development is of a suitable scale and design in the context of the surrounding area. The simplified design and reduced scale of the proposed development is considered to reflect the existing character and massing of the surrounding groups of dwellings and will not be overbearing or dominant within the streetscene.

Although the application makes some reference to the proposed materials which appear to reflect those used within the surrounding area, specific details have not been provided, therefore a condition is proposed to secure these details prior to their use within the development.

Although the development is located within a constrained site, the agent has submitted a site plan to show that the proposal can meet the required separate distances set out within the Local Plan. The installation of additional boundary treatment, in particular the additional 1.8m close boarded fence to the rear of the site, will ensure the development does not result in overlooking and will ensure the amenity of neighbouring properties is preserved. The proposed boundary treatment can be secured by condition. It is also reasonable to remove Permitted Development rights in order to ensure that the constrained site isn't overdeveloped to be detriment of the neighbouring dwellings by future extensions and alterations.

No objections have been received from any neighbouring properties.

On the basis of the submitted amended plans for this proposal the design and layout of the proposed dwelling is therefore considered to be acceptable for this location, in accordance with the aims and objectives of both the adopted Copeland Local Plan and the NPPF.

Impact on Landscape and Settlement Character

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.

The application site is a brownfield site which lies within a residential area to the east of Millom and is directly adjacent to a number of existing residential properties. As the development is surrounded by existing development the proposal is not considered to have an impact on the overall landscape. The site represents an infill plot and the development is complementary to the existing built form of this part of the settlement.

The proposal is therefore considered to comply with policies ST1, ENV5 and DM26 of the Copeland Local Plan and provision 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 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 proposed development will be accessed from the south of the site via the shared driveway with no.93. This driveway is accessed from the shared access which leads from Market Street and currently serves an existing commercial property and three other detached residential dwellings. The

proposed dwelling will front onto the shared access drive and will benefit from three off-street parking spaces to the south of the application site.

Cumbria Highways have been consulted on this application and have offered no comments. However, the development is considered to comply with the parking standards identified within the Cumbria Design Guide. As the access to this site is via a private access road the development is not considered to adversely impact upon the existing highway. A condition is proposed to ensure that the development does not impact on the other users of the shared access.

On this basis the development is considered to comply with policies T1 and DM22 of the Copeland Local Plan and provisions of the NPPF.

Ecology

Policies ST1, ENV3 and DM25 of the Copeland Local Plan and section 15 of the NPPF outline how the Council will protect and enhance the biodiversity and geodiversity within the Borough. These policies set out the approach towards managing development proposal that are likely to have an effect on nature conservation sites, habitats and protected species.

The application site is identified as a potential area for natterjack toads, therefore a Preliminary Ecological Appraisal has been submitted to support this application. This survey concludes that the features of ecological interest which could be affected by the proposed works include nesting birds, which highly likely to breed in scrubs and trees on the site, and terrestrial amphibians and foraging reptiles as there is a slight change of encountering these around the property. However this is reduced due to the free-ranging birds and geese using the site. The appraisal recommends mitigation measures including pre work checks for nesting birds and the turning off of lights. Biodiversity net gain recommendations are also made which include the installation of at least three bird/bat boxes, and the creation of access and suitable habitat for hedgehogs. An appropriately worded planning condition can be included on this decision notice to secure both the mitigation measure and net gains as part of this development.

It is therefore considered that the development complies with policies ST1, ENV3 and DM25 of the Copeland Local Plan and 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 reinforces the focus of protecting development against flood risk.

This application site is located within Flood Zone 2, therefore a Flood Risk Assessment has been produced to support this scheme. This assessment also includes a sequential and exception test for

this development.

The submitted sequential test for this development concludes that there are no other 'reasonably available' sites for residential use identified within this area as the sites are already developed, are not available, and are not within the client's ownership. The proposed development is therefore deemed to pass the Sequential Test and should be subject to the Exception Test. The Exception Test for this site is supported by the submitted FRA which demonstrates that the development will be safe, without increasing flood risk elsewhere. The FRA also demonstrates that the proposed development would be operated with minimal risk from flooding and includes risk management measures which will be accommodated within the development including, finished floor levels, flood resilience and resistance measures, the creation of a flood plan, and access and egress routes.

As the application site is located within Flood Zone 2, the EA have offered no comments on this application and have advised that the Flood Risk Standing Advice should be applied to this development. From a review of this standing advice the submitted FRA is considered to be acceptable and includes acceptable mitigation measure to limit the flood risk at this site. An appropriately worded planning condition will be included on this decision notice to secure the mitigation measures outlined within this report.

As part of the original application limited details were provided with regard to the proposed drainage to serve this site. Following these concerns details were submitted to show surface water being dealt with by soakaway and foul water by a treatment plant. It was questioned by the Council's Flood and Coastal Defence Engineer whether this met the 'General Binding Rules' as the property is within 30m of an existing mains sewer and whether the proposed soakaway met the building control regulations in terms of separation distances from properties. The application was therefore amended to include foul water draining to the main sewer and a relocated soakaway. UU have confirmed that the drainage plans for this development should be in accordance with the drainage hierarchy. As the development proposed the use of infiltration to deal with surface water the development is considered to comply with these comments. A condition is proposed to require the submission of a full surface water scheme to ensure the drainage hierarchy is complied with as the use of soakaways will be subject to percolation testing and is yet to be finalised. The proposed foul drainage will be conditioned in line with the submitted documents in order to ensure an adequate drainage scheme for the development.

An objection to this application has been received from the Council's Flood and Coastal Defence Engineer as he believes that no new development that increases flood risk in Millom from surface water and sewer flooding should be undertaken until a solution for the whole town has been found. He states that realistically it will be a number of years before this happens, if at all. The Council's Constitution states that for applications where there are substantive objections from one or more statutory consultees as defined by the Town and Country Planning (Development Management Procedure) (England) Order 2015 raising material planning considerations contrary to Officer recommendation, a decision should be taken by Members of the Planning Panel. The Council's Flood

	<p>and Coastal Defence Engineer is not listed under the Development management Procedure Order as a Statutory Consultee. On this basis, and because the Statutory consultees have raised no objections, this application can be determined under delegated powers.</p> <p>Whilst comments from the Council's Flood and Coastal Defence Engineer are noted the applicant has submitted an acceptable sequential test, exception test and Flood Risk Assessment which have confirmed that the development would be safe without exacerbating flood risk elsewhere if the proposed flood risk mitigation measures are implemented which can be secured by condition. On this basis, the imposition of these conditions will secure proper drainage 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 Copeland Local Plan 2013 – 2028 and the provisions of the NPPF.</p> <p><u>Planning Balance and Conclusions</u></p> <p>This application relates to a vacant brownfield site, which lies within the designated settlement boundary for Millom, which is identified as a Key Service Centre in the Local Plan where new housing is supported.</p> <p>The amended plans for the development show a development which is of a scale and design which reflects the surrounding properties and is not considered to have a detrimental impact on the nearby residential properties. The site is accessed via a shared driveway and access road therefore the development is not considered to have any adverse impacts on highways conditions. It is supported by the relevant parking standards for a four bedroomed dwelling.</p> <p>As part of the application additional drainage details were submitted to support the application. Although an objection is still outstanding from the Council's Flood and Coastal Defence Engineer the applicant has provided an acceptable sequential test, exception test and Flood Risk Assessment which meets the requirements of the standing advice from the Environment Agency and confirms that the development would be safe without exacerbating flood risk elsewhere if the proposed flood risk mitigation measures are implemented. These can be secured by condition. The proposed drainage for the site is also considered acceptable as it follows the drainage hierarchy outlined by UU. This can also be secured by condition.</p> <p>On balance, the proposal is considered to be an acceptable form of sustainable development which is compliant with policies of the Copeland Local Plan and the provisions of the NPPF.</p>
8.	<p>Recommendation:</p> <p>Approve (commence within 3 years)</p>

9. **Conditions:**

Standard Conditions

1. The development hereby permitted must be commenced before the expiration of three years from the date of this permission.

Reason

To comply with Section 91 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 shall be carried out in accordance with them:-
 - Location/Block Plan (Amended), Scale 1:500 & 1:1250, Drawing Reference: 21-55-P-L, Revision: B, received by the Local Planning Authority on the 26th October 2022.
 - Proposed Site Plan (Amended), Scale 1:250, Drawing Reference: 21-55-P-01, Revision: E, received by the Local Planning Authority on the 21st November 2022.
 - Plans As Proposed (Amended), Scale 1:100, Drawing Reference: 21-55-P-02, Revision: B, received by the Local Planning Authority on the 26th October 2022.
 - Elevations As Proposed 01 (Amended), Scale 1:100, Drawing Reference: 21-55-P-03, Revision: B, received by the Local Planning Authority on the 26th October 2022.
 - Elevations As Proposed 02 (Amended), Scale 1:100, Drawing Reference: 21-55-P-04, Revision: A, received by the Local Planning Authority on the 26th October 2022.
 - Proposed 3D Sketches 01 (Amended), Drawing Reference: 21-55-P-05, Revision: B, received by the Local Planning Authority on the 26th October 2022.
 - Proposed 3D Sketches 02 (Amended), Drawing Reference: 21-55-P-06, Revision: B, received by the Local Planning Authority on the 26th October 2022.
 - Design, Access & Energy Statement, Revision A, received by the Local Planning Authority on the 30th May 2022.
 - Preliminary Ecological Appraisal, Prepared by South Lakes Ecology February 2022, received by the Local Planning Authority on the 30th May 2022.
 - Flood Risk Assessment, Prepared by KRS Environmental May 2022, received by the Local Planning Authority on the 30th May 2022.
 - Flood Map, received by the Local Planning Authority on the 30th May 2022.
 - Cumbria ABDs Model Development Report Final, received by the Local Planning Authority on the 30th May 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. No development must commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme 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;
 - 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); and
 - iii. A timetable for its implementation.

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

The development hereby permitted must be carried out only in accordance with the approved drainage scheme.

Reason

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

4. 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.

Prior to Use/Occupation Conditions:

5. The foul drainage for the development hereby approved, must be carried out in accordance with the following approved documents:

- Proposed Site Plan (Amended), Scale 1:250, Drawing Reference: 21-55-P01, Revision: E, received by the Local Planning Authority on the 21st November 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 a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.

6. The development hereby approved must not be occupied until the parking requirements have been constructed in accordance with the approved plan 'Proposed Site Plan (Amended), Scale 1:250, Drawing Reference: 21-55-P01, Revision: E, received by the Local Planning Authority on the 21st November 2022'. The approved parking provision must be retained at all times thereafter and must not be removed or altered without the prior consent of the Local Planning Authority.

Reason

In the interests of highway safety.

7. Prior to the first occupation of the dwelling hereby approved the proposed boundary treatment must be installed in accordance with the approved plan 'Proposed Site Plan (Amended), Scale 1:250, Drawing Reference: 21-55-P01, Revision: E, received by the Local Planning Authority on the 21st November 2022'. Once installed the boundary treatment must be retained in accordance with these approved details at all times thereafter.

Reason

In the interest of residential amenity.

8. Prior to the first occupation of the development hereby approved the biodiversity enhancement measure set out in the approved document 'Protected Species Survey: Bats and Barn Owls, Prepared by John Temple July 2019, received by the Local Planning Authority on the 20th July 2020' must be installed. The enhancement measure must be retained at all times thereafter.

Reasons

To protect the ecological interests evident on the site.

Other Conditions

9. The development must be carried out in accordance with and implement all of the mitigation measure and biodiversity enhancements set out in the approved document 'Protected Species Survey: Bats and Barn Owls, Prepared by John Temple July 2019, received by the Local Planning Authority on the 20th July 2020'.

Reasons

To protect the ecological interests evident on the site.

10. The development must be carried out in accordance with and implement all of the details and mitigation measures specified within approved document 'Flood Risk Assessment, Prepared by KRS Environmental May 2022, received by the Local Planning Authority on the 30th May 2022', and must be maintained as such at all times thereafter.

Reason

For the avoidance of doubt and to ensure that adequate measures are incorporated to protect the occupiers from flooding.

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 (including replacement windows and doors) or extensions, conservatories, dormer, or enlargement shall be carried out to the dwelling, nor shall 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 the visual amenity of the area.

12. Any access gates installed within the property must be of a style which do not open onto the shared access and must be retained as such at all times thereafter.

Reason

	<p>In the interest of highway safety.</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: C. Burns	Date : 05.12.2022
Authorising Officer: N.J. Hayhurst	Date : 09.12.2022
Dedicated responses to:- N/A	