

**COPELAND BOROUGH COUNCIL  
DELEGATED PLANNING DECISION**

1.	<b>Reference No:</b>	4/22/2311/OR1
2.	<b>Proposed Development:</b>	APPLICATION FOR APPROVAL OF RESERVED MATTERS FOR 1 NO. DETACHED DWELLING WITH DETACHED GARAGE RELATING TO ACCESS, APPEARANCE, LANDSCAPING, LAYOUT & SCALE FOLLOWING OUTLINE APPROVAL 4/21/2253/001 FOR RESIDENTIAL DEVELOPMENT FOLLOWING DEMOLITION OF EXISTING FARMHOUSE
3.	<b>Location:</b>	HOLLOWDYKE FARM, FRZINGTON ROAD, FRIZINGTON
4.	<b>Parish:</b>	Arlecdon and Frizington
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change
6.	<b>Publicity Representations &amp;Policy</b>	<p>Neighbour Notification Letter: YES</p> <p>Site Notice: YES</p> <p>Press Notice: NO</p> <p>Consultation Responses: See report</p> <p>Relevant Planning Policies: See report</p>
7.	<b>Report:</b>	<p><b>SITE AND LOCATION</b></p> <p>This application relates to Hollowdyke Farm, situated off Frizington Road in Frizington. The site consists of farm buildings and the associated land to the frontage of the road and covers approximately 1800 square metres. There are residential properties to the north and south and open fields to the west.</p> <p>The site is accessed directly from Frizington Road to the east.</p> <p>The land has been subject to an outline approval for the demolition of the farm and erection of residential development in 2021 (application reference 4/21/2253/001 relates).</p> <p><b>PROPOSAL</b></p> <p>This application seeks Approval of the Reserved Matters relating to layout, scale, access, appearance</p>

and landscaping, further to the previously approved outline application, for a single detached dwelling.

The proposed detached dwelling is designed as a dormer bungalow with two storey element on its northern side. The dwelling includes a living room, sunroom, open plan kitchen/dining room, study, utility, bedroom, en-suite and dressing room on the ground floor and 3 further bedrooms each with en-suite and dressing room on the first floor.

The dwelling will be 18.6 metres in length with a further 5 metres for the sunroom and 15.4 metres in width. The eaves height will be 2.8 metres and the ridge height will be 7m on the single storey element whilst the two storey element will have an eaves height of 4.8 metres and a ridge height of 8m.

A single detached garage and garden store will be sited to the north of the dwelling measuring 12.4m x 10.8m with an eaves height of 3.4m and an overall height of 7.4m.

Access will be taken directly from Frizington Road, with parking and turning space to the side of the dwelling (north). There will be grassed amenity space to the front, side and rear with a paved walkway surrounding the property and patio to the rear.

The site will be fenced to the north, west and south with a 1m high St Bees red random/coursed sandstone wall to the eastern boundary and dwelling access.

The dwelling and garage will be constructed from a combination of St Bees sandstone and Weinerberger Hamlet Antique facing brickwork walls with anthracite grey UPVC windows and doors. The roof is to be covered with grey/green slates. The vehicle access and hard standing will be tarmacked.

The application is accompanied by the following documentation:-

- Site Location Plan;
- Site Layout Plan;
- Elevations;
- Floor Plans;
- Garage Plans;
- Schedule of Materials.

## **CONSULTATION RESPONSES**

### Parish Council

No response received

### Cumbria Highways

1<sup>st</sup> Response

Please could the applicant submit a plan showing they can achieve 60 metre visibility splays measured in both directions from a point of 2.4 metres into the site from the highway edge? The splays should not cross third party land.

2<sup>nd</sup> Response

The Proposed Site Plan 04b) shows a development of one dwelling with an access joining the public highway. 60m by 2.4m by 60m visibility splays have been demonstrated, the access and driveway has been shown to be surface with tarmac, and the boundary height at the access will not exceed 1m which will not obstruct visibility for the proposed dwelling or the neighbouring dwellings. This plan also demonstrates sufficient parking and turning within the site for a dwelling of this scale and that there will be an ACO drain installed at the access to prevent surface water discharging onto or off the highway.

Given that the development is for one dwelling, building control will be able to provide comments on appropriate surface water drainage for the site.

I can therefore confirm that in line with Proposed Site Plan 04b), The Local Highway Authority raise no objections to this proposal.

Natural England

No objections.

Flood and Coastal Defence Engineer

1<sup>st</sup> Response

Can you confirm that the above application should include drainage information?

If so, then I am objecting because of lack of any such information.

I have checked the decision notice for the outline application and it has standard conditions about drainage.

Therefore, should the drainage be dealt with by a discharge of conditions application, or in this, the reserved matters application?

2<sup>nd</sup> Response

As the drainage detail is to be dealt with by a discharge of condition application, as per comments below, I withdraw my objection and have no comments to make at this time.

Public Representations

The application has been advertised by way of a site notice and neighbour notification letters issued to 5 no. properties.

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

## **PLANNING POLICIES**

Planning law requires 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 SS2 – Sustainable Housing Growth

Policy ENV1 – Flood Risk and Risk Management

Policy ENV3 – Biodiversity and Geodiversity

#### Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

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

### **Other Material Planning Considerations**

National Planning Policy 2021 (NPPF)

Copeland Borough Council Housing Strategy 2018-2023 (CBCHS)

Copeland Borough Council – Strategic Housing Market Assessment and Objectively Assessed Housing Need (SHMA)

National Design Guide (NDG)

Cumbria Development Design Guide (CDDG)

#### Emerging Copeland Local Plan (ELP):

The emerging Copeland Local Plan 2017-2035 has recently been the subject of a Publication Draft Consultation. The Publication Draft Consultation builds upon the previously completed Issues and Options and Preferred Options consultations. Given the stage of preparation of the Copeland Local Plan 2017-2035 some weight can be attached to policies within the Publication Draft where no objections have been received. The Publication Draft provides an indication of the direction of travel of the emerging planning policies, which themselves have been developed in accordance with the

provisions of the National Planning Policy Framework.

Policy DS6PU: Design and Development Standards

Policy DS7PU: Hard and Soft Landscaping

Strategic Policy DS8PU: Reducing Flood Risk

Policy DS9PU: Sustainable Drainage

Policy DS10PU: Soils, Contamination and Land Stability

Policy H6PU: New Housing Development

Strategic Policy N1PU: Conserving and Enhancing Biodiversity and Geodiversity

Policy CO7PU: Parking Standards and Electric Vehicle Charging Infrastructure

## **ASSESSMENT**

### Principle of Development

Outline planning permission was granted for the demolition of the existing farm buildings on the site and residential development in 2021 under reference 4/21/2253/001, which established the principle of residential development on the site. Layout, scale, access, appearance and landscaping were reserved for future approval and this application seeks to address these matters.

### Layout, Scale, Design and Appearance

Policy DM10 seeks to ensure that new development maintains high standards of design, with Policy ST1 ensuring that the design respects neighbouring amenity. DM12 sets out specific design standards for new residential development including the need to retain appropriate separation distances.

The dwelling will replace a variety of random farm buildings on the site and the plot of land provides a gap in the road frontage which is characterized by the terraces that line Frizington Road to the north and south. Whilst the dwelling does not correspond to the terraced form that is dominant in this part of the village, it is reflective of the farm buildings that are currently on site and therefore is unlikely to create an form of development that is inappropriate for this particular area, The set back behind the existing terraced frontage either side of the site will help to reduce its overall impact.

The dwelling has been designed with varying roof heights, which will help to break up its scale and massing. It is considered that the dwelling sits neatly in the plot, allowing space for amenity and maintenance of the property.

Whilst the dwelling includes windows on both the north and south elevations facing 177 and 178 Frizington Road, separation distances exceeding the required 12m and 21m as stated within Policy DM12 have been achieved. Furthermore, the dwelling sits back in the plot which results in the windows being at an angle and so are not directly facing these properties. The amenity of the neighbouring properties is therefore protected and there are unlikely to be any issues with overlooking.

A schedule of materials has been provided which shows the use of local sandstone and red mix bricks.

These materials will blend in with the surroundings and are considered to be acceptable in this location.

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

#### Access and Parking

Policy DM22 of the Copeland Local Plan requires that the layout of development responds positively to the existing movement pattern in the area and incorporates off street parking where possible.

The plans show a single access point onto Frizington Road to the east. Cumbria Highways initially requested that sufficient visibility splays of 2.4m x 60m in either direction be demonstrated, without the use of 3<sup>rd</sup> party land. Due to the substantial frontage on the plot, this was achievable and the boundary wall was restricted to 1m in height in order to ensure that the splays were protected. The access was considered to be acceptable.

Parking and turning space provision has been provided within the plot, with ample space for off road parking and further space within the proposed detached garage. Vehicles are able to exit the site in a forward gear, therefore ensuring that there will be no adverse impact on highway safety. The Applicant has stated that the driveway will be covered with tarmac, which is considered to be acceptable.

Provided the access is constructed in accordance with the submitted plans, the proposal complies with Policy DM22 of the Copeland Local Plan.

#### Landscaping

Policy DM26 of the Copeland Local Plan requires that proposals are assessed according to whether the landscaping relates well in terms of visual impact, scale, character, amenity value and local distinctiveness.

Full landscaping for the site has not been provided, with limited information submitted to show permeable block paving and grass to the front and rear of the property. The Agent for the application has stated that a site specific soft landscaping scheme is considered to be unnecessary as the private garden will be landscaped by the Applicant. Although the boundary treatments have been specified no specifications have been submitted. The proposed landscaping is likely to be acceptable for a single residential property in this location, however, in order to ensure that the proposal complies with Policy DM26 of the Copeland Local Plan, a suitably worded planning condition should be added to any approval to ensure that the boundary treatment information is received and an appropriate form of development is secured.

#### Drainage

Policies ENV1 and DM24 require a flood risk assessment to be submitted where a proposed development is likely to increase the risk of flooding onsite or elsewhere or where there is an existing

flood risk.

The site is located within Flood Zone 1, therefore having a low risk of flooding and the proposal will not be more than 1 hectare. A flood risk assessment is therefore not required to be submitted.

No information has been submitted in relation to drainage, however a condition was attached to the outline consent to require full drainage details to be agreed prior to the commencement of the development. As this information is yet to be received, the condition is still valid.

On approval of this information, the proposal is likely to comply with Policies ENV1 and DM24 of the Copeland Local Plan.

#### Ecology

Policies ENV3 and DM25 protect international, national and locally designated sites and ensure that any development incorporates measures to protect and enhance any biodiversity interest.

The proposed site currently contains disused farm buildings and a bat and bird survey was provided during the demolition and outline application in order to assess any impact on potential species in the area. There are no designations on the land at international, national or local level with regards to ecology.

The approved bat and bird survey outlined the surveyor's opinion that bats are not using the site. With regards to birds, there were numerous barn owl pellets throughout the byres although none were recent and were estimated to be over two months old. There were also scattered, adult moulted feathers and whitewash in this area. There was a dead, decomposing adult barn owl on the floor in the middle section of the byres. There were old pellets and some old, barn owl down feathers in the chimney of the house 4-5 years old which would indicate historic use of this area as a nest site for barn owls. There was no evidence of recent (within the last 4-5 years) use of the site by barn owls as a nest site.

it has been recommended that great care must be taken when work commences and any evidence of bats or birds must be reported.

#### Planning Balance and Conclusion

The principle of the development was established by the granting of outline planning permission in 2021.

The submitted details show an appropriately designed dwelling which is to be faced with appropriate materials. The dwelling is to be constructed in an appropriate part of the plot and will cover a similar footprint to the farm buildings that are to be demolished. Further details with regards to drainage and landscaping are required, prior to the commencement of the development in order to ensure the dwelling will be suitable in this location.

The proposed access point is appropriately sited, and it has been demonstrated that a safe and

	<p>convenient entrance to the plot can be achieved. An adequate provision of parking and turning can be accommodated within the site to serve a single dwelling.</p> <p>Overall, the proposal is deemed to be acceptable and, based on the information submitted, will result in an acceptable form of development which will be consistent with the policy requirements set out in the Local Plan and the guidance contained with the NPPF.</p>
8.	<p><b>Recommendation:</b> Approve Reserved Matters</p>
9.	<p><b>Conditions:</b></p> <p><u>Standard Conditions</u></p> <ol style="list-style-type: none"> <li> <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> </li> <li> <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>Site Location Plan, scale 1:2500, drawing number 22/06/1025-01, received 22nd July 2022; Proposed Site Plan, scale 1:200, drawing number 22/06/1025-04b), received 26th August 2022; Proposed Plans, scale 1:100, drawing number 22/06/1025-05, received 22nd July 2022; Detached Garage - Proposed Plans and Elevations, scale 1:100, drawing number 22/06/1025-06, received 22nd July 2022; Schedule of Proposed Materials, received 22nd July 2022; Design and Access Statement, document reference 22/06/1025-DAS, received 15th September 2022.</p> <p>Reason</p> <p>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.</p> </li> </ol>



Prior to Occupation Conditions

3. Prior to the first occupation of the dwelling hereby approved, the site boundary treatments must be constructed in accordance with the details set out in the approved Materials Schedule. Once constructed the boundary treatment must be retained in accordance with the approved details thereafter.

Reason

To enhance the appearance of the development in the interest of visual amenities of the area and to ensure the safeguarding of the neighbouring properties amenity. In accordance with Policies ST1 and DM12 of the Copeland Local Plan.

4. The new access hereby approved as detailed on the approved plan 'Proposed Site Plan, scale 1:200, drawing number 22/06/1025-04b), received 26th August 2022', must be constructed, completed and brought into use prior to the occupation of the dwelling hereby permitted. The access must remain operational as approved at all times thereafter.

Reason

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

Other Conditions

5. The development must be built in accordance with the submitted Materials Schedule 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 in accordance with Policy DM10 of the Copeland Local Plan.

6. The detached garage hereby approved must only be used in association with and ancillary to the residential property at Hollowdyke Farm and must not be used for any commercial or business purposes or as a separate residential unit whatsoever.

Reason

To ensure that non-conforming uses are not introduced into the area in accordance with

Policies ST1 and DM18 of the Copeland Local Plan.

**Informatives**

- 1) The development hereby approved must be carried out in accordance with conditions 4 and 6 of Outline Planning Approval Ref: 4/21/2253/001.
- 2) 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](http://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 :16/09/2022**

**Authorising Officer: N.J. Hayhurst**

**Date : 16/09/2022**

**Dedicated responses to:- N/A**