

**COPELAND BOROUGH COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/22/2386/DOC
2.	Proposed Development:	DISCHARGE OF CONDITION 4 OF PLANNING APPROVAL 4/21/2253/001
3.	Location:	HOLLOWDYKE FARM, FRIZINGTON ROAD, FRIZINGTON
4.	Parish:	Arlecdon and Frizington
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change
6.	Publicity Representations & Policy	Neighbour Notification Letter: NO Site Notice: NO Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report:	
	Site and Location:	
		<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 spans 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>Outline Planning Permission was approved for the demolition of the existing farm buildings and residential redevelopment of the site in October 2021 (application reference 4/21/2253/001 relates).</p> <p>Proposal:</p> <p>A Planning Condition imposed on application ref 4/21/2253/001 states the following:</p>

4. Prior to the commencement of development hereby approved, a full surface water drainage scheme, including attenuation measures, must be submitted to and approved in writing by the Local Planning Authority. The approved scheme must become operational before the development is brought into use and must be so maintained thereafter.

Reason

To ensure a satisfactory scheme of surface water disposal from the site and in accordance with Policies ENV1 and DM24 of the Copeland Local Plan.

Consultee:	Nature of Response:
Local Lead Flood Authority	It has now been confirmed that the residential development will be for one single dwelling. This is below the surface water threshold and therefore Building Control will decide if this condition can be discharged.
Flood and Coastal Defence Engineer	Based on the submitted information, Condition 4 can be discharged. However, the Applicant should be aware that Lingla Beck is “Main River” and as such consent will be required for the new surface water outfall and connection.
United Utilities	No response received.
Neighbour Responses:	
None received.	

Development plan policies:

Copeland Local Plan 2013-2028 (Adopted December 2013):

Core Strategy (CS):

- Policy ST1 – Strategic Development Principles
- Policy ENV1 – Flood Risk and Risk Management

Development Management Policies (DMP):

- Policy DM24 – Development Proposals and Flood Risk

Other Material Planning Considerations

National Planning Policy Framework 2021 (NPPF)

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 proposal are:

Strategic Policy DS1PU: Presumption in favour of Sustainable Development

Strategic Policy DS8PU: Reducing Flood Risk

Policy DS9PU: Sustainable Drainage

Assessment:

Information has been provided to show how the drainage for the site has been considered in accordance with the drainage hierarchy, including details of the controlled discharge rate and a table for implementation.

Due to a clay sub-strata, percolation is not possible as shown in the evidence within the submitted statement, therefore the chosen method is for disposal to a watercourse.

The proposal is for a piped connection from the dwelling to the existing watercourse that flows in a north to south direction along the field boundary to the west of the dwelling, along with other fields that are in the ownership of the applicant. The submitted details include an attenuation tank that will release water in accordance with the greenfield run-off rate.

Management will be undertaken by the building owner.

The information submitted is considered to be acceptable with the implementation of the scheme to be overseen during the Building Regulations stage. As Lingla Beck is a "Main River" consent will be required for the new surface water outfall and connection from. This can be included as an informative in the decision letter.

	<u>Conclusion</u> Conditions 4 can be discharged.
8.	Recommendation: Approve Discharge of Condition
Case Officer: Sarah Papaleo	Date : 23/11/2022
Authorising Officer: N.J. Hayhurst	Date : 24/11/2022
Dedicated responses to:-	