

**COPELAND BOROUGH COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/22/2393/OR1
2.	Proposed Development:	APPLICATION FOR APPROVAL OF RESERVED MATTERS RELATING TO ACCESS, APPEARANCE, LANDSCAPING, LAYOUT & SCALE PURSUANT TO OUTLINE APPROVAL 4/19/2125/001 FOR A SINGLE DWELLING
3.	Location:	LAND ADJACENT TO 6 ROSE GARDENS, GILGARRAN
4.	Parish:	Distington
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change, Key Species - Bounds of Sensitive Area for Hen Harriers, Outer Consultation Zone - Cycliffe 3KM
6.	Publicity Representations &Policy	Neighbour Notification Letter: YES Site Notice: YES Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report:	<p>SITE AND LOCATION</p> <p>This application relates to the land to the south of 6 Rose Gardens, located on the southern edge of Gilgarran. The site is bound by a high stone wall to the south and east, with a residential dwelling to the north and open fields to the west. Access is achieved directly from the main road through Gilgarran to the east.</p> <p>The land has been subject to an outline approval approved in 2019 (application reference 4/19/2125/001 relates).</p>

PROPOSAL

This application seeks approval of the reserved matters relating to layout, scale, access, appearance and landscaping, further to the previously approved outline application.

The proposed detached dwelling is designed as a dormer bungalow, including an open plan kitchen/dining room, utility room, living room, two bedrooms, a bathroom and an integrated garage on the ground floor and two bedrooms, each with their own shower and dressing rooms on the first floor.

The dwelling will be 14 metres in overall length, 8.5 metres in width with a further rear projection of 6.7m, an eaves height of 3.2 metres and an overall ridge height of 7.1 metres.

The submitted plans indicate that the dwelling would be faced externally with stone on its front elevation and render on the side and rear elevations. No details have been supplied to confirm the details of these materials.

Access will be taken from the existing road through Gilgarran to the east, with parking and turning space to the south of the dwelling. There will be a path and grassed amenity space to the front and rear.

The existing wall will be retained to the east and south of the site with an opening made for access to the front of the property. A 1.9m high close boarded timber fence will be erected to the north of the site between the existing 6 Rose Gardens and new dwelling.

No details of landscaping have been submitted with the application.

The application is accompanied by the following documentation:-

- Site Location Plan;
- Site Block Plan;
- Elevations;
- Floor Plans;
- Sectional Drawing;
- Nutrient Neutrality Report;
- Drainage Report.

CONSULTATION RESPONSES

Distington Parish Council

1st response

Distington Parish Council wishes to object for the following reasons

1. Size of the building in relation to the plot
2. Problems with access with regards to visibility

3. Question as to whether drainage system is adequate.

2nd response

Concerns over the requested development of a house south of 6 Rose Gardens, Gilgarran, behind the historic stone boundary of the outbuildings of former Gilgarran House and the village former Pounding area.

Why is it necessary to cut further into to the historic stone walling when the proposed site can be accessed from a former gateway in the south wall that has access from the new gateway that has been put into the eastern wall further along from the plot. To cut a new opening in the high walling on the eastern side of the plot, would be close to the village boundary/identification sign, a streetlight and an established tree, with rooting under the wall (leading to the possibility of further high wall falling down), would cause the need for large buttresses to be required to support either side of the wall at the opening restricting what is already minimal access proposed for motor vehicles on the plans that have been submitted, this in turn would lead to motor vehicles being parked on the narrow roadway.

Any building built behind the walling is going to be deprived of natural light because of the high walling on two sides of the plot (east and south), the former quarry siding/cliff/cut away on the western boundary of the plot and the bungalow at 6 Rose Gardens to the north of the plot. The plot will also struggle for natural light due to the trees on the site and above the quarry siding on the western boundary, any culling of these trees would require further permission due to the Red Squirrel and wildlife population in the area and possible protection of individual trees.

Approximately one third of the site is a former quarry with a steep drop down, and a high straight unsupported cliff face the other side leading to potential landslide/accident risk when working on the site and if the area was to become garden. If the quarry area was to be filled, would further permission be required for this due to the wildlife in the area, the type of filling to be used and would there be a requirement to allow the land to settle to prevent any subsidence at a later date.

Has it been taken into consideration when developing this site that the area used to be a quarry and is close to local ponds and water ways, increasing the risk of land subsidence and damage to other properties close by.

The old map that was included within the report, unfortunately is only in black and white (sepia) so does not clearly show the old but still used existing drainage and waterways within the village and their approximation to other established homes within the village.

Has it been taken into consideration how this development is going to affect the already strained drainage and water system within that area of the village?

The wildlife on the site has been briefly mentioned but I feel needs further consideration as the proposed site is home to bats, newts, frogs, toads, shrews, dragon flies and many other smaller species of wildlife that support the larger wildlife in the adjoining woods including Barn and Screech owls, red squirrels, rabbits and many more species.

If the site must be developed surely a more considerate individual ecological style of development that is more compatible with the features of the site (eg built into the former quarry, wildlife permitting) could be proposed, rather than the modern estate style development that has been proposed. To allow the development of the site in this manner in its current proposed form would set a precedent for further similar style developments into the adjoining woodlands that are full of natural wildlife, form a natural barrier protecting much of the village from the worst of the elements and hiding the village in the landscape when viewed from the south and west.

Considering the complexity of the site of the proposed development, the natural vegetation and wildlife on the location, the relationship of the boundary walls to the site, other properties adjoining the site, the former quarry that forms part of the site, would a site visit not be valuable before making a final decision on this application.

3rd response

Distington Parish Council wish to withdraw their objections to the above development. This decision was made following a meeting of the Complaints Committee on 20th February when it was agreed the comments made could not be substantiated.

Cumbria Highways and the LLFA

Thank you for your consultation on 4 October 2022 regarding the above Planning Application.

Cumbria County Council as the Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) has reviewed the above planning reference and our findings are detailed below.

I can confirm that we have no objections to the proposal, subject to the following recommended conditions being included in any Notice of Consent which may be issued:

The development shall not commence until visibility splays providing clear visibility of 2.4 metres measured 46.7 metres south and 44.6 meters north down the centre of the access road and the nearside channel line of the carriageway edge have been provided at the junction of the access road with the county highway. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure or object of any kind shall be erected or placed and no trees, bushes or other plants shall be planted or be permitted to grown within the visibility splay which obstruct the visibility splays. The visibility splays shall be constructed before general

development of the site commences so that construction traffic is safeguarded.

Reason: In the interests of highway safety.

To support Local Transport Plan Policies: LD7, LD8

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

Any existing highway fence/wall boundary shall be reduced to a height not exceeding 1.05m above the carriageway level of the adjacent highway in accordance with details submitted to the Local Planning Authority and which have subsequently been approved (before development commences) (before the development is brought into use) and shall not be raised to a height exceeding 1.05m thereafter. NB. Use in conjunction with Condition 4 if seeking to achieve visibility splays.

Reason: In the interests of highway safety.

To support Local Transport Plan Policies: LD7, LD8

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

Please note any works within or near the Highway must be authorised by Cumbria County Council and no works shall be permitted or carried out on any part of the Highway including Verges, until you are in receipt of an appropriate permit (I.E Section 184 Agreement) allowing such works. Enquires should be made to Cumbria County Councils Street Work's team -

streetworks.central@cumbria.gov.uk

Coastal Defence and Flood Drainage Engineer

1st response

I've had a flick through this and have come across a major issue.

I may have missed it at the outline stage, but the property is to be built over an existing stone culvert.

Have the LLFA or Building Control had any involvement with this application previously?

2nd response

Again a quick flick through raises questions:

- Apart from the revision to the drainage layout (Rev B rather than Rev A), there is no obvious change to the Drainage Report, not even a document revision schedule.
- The revised drainage plan now shows the culverted diverted around the proposed development.
- Is the culvert diversion existing or proposed?
- Such a diversion would need consent from the LLFA, which can take up to 8 weeks from submission of the application.

If you can ask the question about the culvert diversion, I'll have a better look through the Drainage Report.

3rd response

Based on the latest information supplied, I have the following comments to make:

- A culverted watercourse runs through the site.
- This is to be diverted as part of the development.
- Consent for the diversion will be required from the LLFA.
- The culvert diversion will need to be completed before the dwelling can be constructed.
- Infiltration has been discounted as a means of surface water disposal.
- Surface water discharge will be into the culvert on site.
- The drainage hierarchy has been followed.
- Approval for connection discharge into the culvert is likely to be required from the LLFA.
- Surface water design is based on a 1 in 100 year rainfall event with 40% climate change allowance.
- Foul sewage will discharge to the culvert on site after passing through a package treatment plant.
- Approval for connection discharge into the culvert is likely to be required from the LLFA.

Consequently, I think the proposed drainage for the site is satisfactory.

The indicative culvert diversion needs to be agreed with the LLFA, but this should be determined during the consenting process.

United Utilities

United Utilities will request evidence that the drainage hierarchy has been fully investigated and why

more sustainable options are not achievable before a surface water connection to the public sewer is acceptable.

Public Representations

The application has been advertised by way of a site notice and neighbour notification letters issued to 8 no. properties.

Responses have been received from one neighbouring property raising the following concerns:

- The high wall to be dismantled is part of the history of Gilgarran;
- Japanese knotweed is growing and its disturbance may spread it;
- Surface water may affect the neighbouring property in heavy rainfall;
- Water would not run to the river as shown in the nutrient neutrality report;

One letter of support has also been received.

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 2017-2038 comprising the Publication Draft (January 2022) and Addendum (July 2022) have recently been subject to an examination by the Planning Inspector.

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

Given the stage of preparation of the emerging Copeland Local Plan 2017-2038 some weight can be attached to policies where no objections have been received or objections have been resolved. The Publication Draft (January 2022) and Addendum (July 2022) provides an indication of the direction of travel of the emerging planning policies, which themselves have been developed in accordance with the provisions of the NPPF.

Policy 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 a single residential property in 2019 under reference 4/19/2125/001, 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 of the CS and DS6PU of the ELP seek to ensure that new development maintains high standards of design, with Policy ST1 ensuring that the design respects neighbouring amenity. DM12 of the CS and H6PU of the ELP sets out specific design standards for new residential development including the need to retain appropriate separation distances.

Initially, the submitted plans showed a dwelling design with a high eaves level and a front projecting gable which included a large expanse of glazing, No justification or explanation was submitted to support the design rationale for this proposal. Following discussions with Officers the Agent for the application amended the design to show a reduction in the eaves height so that it is in line with the neighbouring property – 6 Rose Gardens and also a reduced in the height of the glazed section on the front elevation. This allowed the property to be more in keeping with the existing dwellings at Rose Gardens. Gilgarran does not feature a prevailing character, due to the modern style of development which has been built in a piecemeal fashion over the years. On this basis a reflection of the dwellings at Rose Gardens whilst keeping individuality for the plot is considered to be acceptable design approach in this case.

The plot is constrained by the existing high wall to the east and south of the site and the need for parking to be incorporated within the site. It is considered that the dwelling sits neatly within the plot, allowing adequate space to be provided for amenity and maintenance of the property.

The dwelling includes a single window on the ground floor, north side elevation facing 6 Rose Gardens to serve the open plan kitchen/dining room. Planning policy states that separation distances of at least 12 metres are required between a facing elevation and a blank elevation in order to avoid overlooking issues. These distances cannot be achieved due to the size of the plots; however the Applicant is proposing to erect a 1.9 metre high close boarded timber fence in order to mitigate this issue on the ground floor. A suitably worded planning condition is proposed in order to ensure that the fence is erected and maintained to provide ongoing mitigation.

Whilst some indicative details of the proposed materials have been provided, it is appropriate to attach a condition to ensure that appropriate facing materials are secured to ensure that the dwelling is of a suitable appearance.

Overall, it is considered that the dwelling is of an appropriate scale, design and appearance and complies with Policies ST1, DM10 and DM12 of the CS and Policies DS6PU and H6PU of the ELP.

Access and parking

Policy DM22 of the CS and CO7PU of the ELP 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 the access road which runs through Gilgarran. This is considered to be acceptable as it mirrors the layout of the existing dwellings along the road frontage.

Cumbria Highways have raised no objections to the proposal but requested that visibility splays of 2.4m x 46.7m to the south and 2.4m x 44.6m to the north be provided. Furthermore, the splays must remain without any obstructions greater than 1.05m in height within them. The outline planning permission for the plot included a condition that the boundary wall to the east and south of the site must not be removed without consent from the LPA. This application includes the removal of a small section in order to create the access, with the rest retained. In order to achieve the visibility splays without removing more of the wall than necessary, the Agent has clarified that the visibility splays can be achieved at a distance of 2.6m back from the carriageway and therefore the wall could largely be retained in its current form.

Parking and turning space has been provided within the plot, with ample space for off road parking and further space within the integrated garage. Cars are able to exit the site in a forward gear, therefore ensuring that there will be no adverse impact on highway safety.

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 CS and DS7PU of the ELP 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 have not been provided, with limited information submitted to show a patio area, path and grassed areas. Furthermore, the boundary treatments have been denoted on the plans but no specifications submitted. The site is sufficient size to accommodate some landscaping. In order to ensure that the proposal complies with Policy DM26 of the Copeland Local Plan, a suitably worded planning condition is proposed to ensure that this information is received in the interests of visual amenity.

Drainage

Policies ENV1 and DM24 of the CS and DS8PU and DS9PU of the ELP 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 Environment Agency list the following developments as requiring a FRA during the planning application process:

This includes developments:

- in flood zone 2 or 3 including minor development and change of use
- more than 1 hectare (ha) in flood zone 1
- less than 1 ha in flood zone 1, including a change of use in development type to a more vulnerable class (for example from commercial to residential), where they could be affected

by sources of flooding other than rivers and the sea (for example surface water drains, reservoirs)

- in an area within flood zone 1 which has critical drainage problems as notified by the Environment Agency.

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

Concerns have been raised from the occupants of a neighbouring property with regards to potential surface water flooding. A drainage strategy was submitted with the application and considered by the Council's Flood and Coastal Drainage Engineer to be acceptable. A condition was attached to the outline consent which requires full drainage details to be agreed prior to the commencement of the development. As this condition is yet to be discharged, it is still valid and full drainage specifications and plans should be provided at that stage.

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 of the CS and N1PU of the ELP protect international, national and locally designated sites and ensure that any development incorporates measures to protect and enhance any biodiversity interest.

There are no designations on the land at international, national or local level with regards to ecology.

The Association of Local Government Ecologists has produced a trigger list for development and its effect on species of interest. These include the following:

- Bats;
- Barn owls;
- Breeding birds;
- Great crested newts;
- Otters;
- Dormice;
- Red Squirrels;
- Water voles;
- Badgers;
- Reptiles;
- Amphibians;
- Small blue butterflies;
- Plants.

The application site does not meet any of the criteria for further information to be requested with regards to these species.

The Bat Conservation Trust has a similar trigger list for when a protected species survey and report is required to be submitted with a planning application.

Again, the application site does not meet any of the criteria within this list and it is considered that requesting any species surveys from the Applicant would not be proportionate with regards to this modest scale of development.

Nutrient Neutrality

Pursuant to the identification of the catchments of Bassenthwaite Lake (River Derwent and Tributaries SSSI unit 1) and River Marron (unit 124 of River Derwent and Tributaries SSSI) which form part of the River Derwent & Bassenthwaite Lake SAC as being in unfavourable condition due to nutrient enrichment from elevated nitrogen and phosphorus levels., it is necessary to complete a Habitat Regulations Assessment (HRA).

The applicant has confirmed the following with regards to nutrient neutrality:-

- The budget calculator for surface water discharge with proposed soakaway and Natural England's default figures for a septic tank has confirmed ZERO mitigation measures are required for both phosphorus and nitrogen.
- With due regard to the conditions attached to Natural England's proposed thresholds for small discharges to ground, it can be proven that there will be no likely significant effects (LSE's) from the above development by virtue of the following evidence:

It is clearly established from the Environment Agency's own website (please see attached) that the Operational Catchment of surface water for the development is the water body known as "Lowca Beck". This beck rises in the vicinity of Gilgarran and flows by Distington and the remains of Hayes Castle before flowing between Lowca and Howgate, emptying into the Solway Firth at Parton Bay. This outlet is outside of the sensitive catchment in question.

This information is considered to be adequate to confirm that this proposal would not have any adverse impact on the identified Bassenthwaite Lake and River Marron catchment areas.

Japanese Knotweed

A neighbouring occupier raised concerns with the potential for Japanese Knotweed growing on the site to spread to their garden when disturbed by the development. The applicants agent has been made aware of this which will be taken into consideration as part of the development of this site.

Planning Balance and Conclusion

	<p>The principle of the development was established by the granting of outline planning permission in 2018.</p> <p>The submitted details show an appropriately sited dwelling within the plot and of a similar footprint and style to others within Gilgarran. The design of the property was amended during the course of the application following negotiations with the applicants agent. Further details with regards to materials, drainage and landscaping are required, prior to the commencement of the development in order to ensure the dwelling will be suitable in this location.</p> <p>The proposed access point is appropriately sited to achieve a safe and convenient entrance to the plot and adequate provision of parking and turning can be achieved to serve a single dwelling, whilst retaining as much of the historic high wall as possible.</p> <p>Although an objection was received from the occupants of a neighbouring property it is considered that all material planning considerations have been addressed and mitigation has been secured where appropriate.</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>Recommendation: Approve Reserved Matters</p>
9.	<p>Conditions:</p> <ol style="list-style-type: none"> <li data-bbox="185 1209 1373 1276">1. The development must be carried out in accordance with the plans submitted and in accordance with the conditions attached to the outline planning permission. <p style="margin-left: 40px;">Reason</p> <p style="margin-left: 40px;">To comply with Section 92 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.</p> <ol style="list-style-type: none"> <li data-bbox="185 1562 1458 1629">2. Permission must relate to the following plans and documents as received on the respective dates and development must be carried out in accordance with them: - <p style="margin-left: 40px;">Site Location Plan, scale 1:1250, received 26th September 2022; Site Block Plan, scale 1:200, drawing number 04003 07, received 20th February 2023; Proposed Floor Plans, scale 1:100, drawing number 04001 08, received 20th February 2023; Proposed Elevations, scale 1:100, drawing number 05001 09, received 20th February 2023;</p>

Nutrient Neutrality Statement, received 26th September 2022;
Drainage Report, written by Kingmoor Consulting, received 23th October 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.

Prior to Commencement Conditions

3. The development must not commence until visibility splays providing clear visibility of 2.4 metres measured 46.7 metres south and 44.6 meters north down the centre of the access road and the nearside channel line of the carriageway edge have been provided at the junction of the access road with the county highway. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure or object of any kind must be erected or placed and no trees, bushes or other plants shall be planted or be permitted to grown within the visibility splay which obstruct the visibility splays. The visibility splays must be constructed before general development of the site commences so that construction traffic is safeguarded.

Reason

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

4. 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 the Local Planning Authority for approval prior to development being commenced. Any approved works must 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.

Prior to Use Condition

5. 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.

Prior to Occupation Conditions

6. Prior to the first occupation of the dwelling hereby approved, the boundary fence to the north of the site between 6 Rose Gardens and the new dwelling must be fully erected. The fence must be retained at all times thereafter in accordance with the approved details.

Reason

To ensure that the amenity of the neighbouring occupiers is maintained and in accordance with Policies DM10 and DM12 of the Copeland Local Plan.

7. Prior to the occupation of the development hereby approved, full details of both hard and soft landscape works must be submitted to and approved in writing by the Local Planning Authority. These works must include hard surfacing and means of enclosure as a minimum. Landscaping must be carried out in accordance with the 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

8. The stone boundary wall to the east and south of the site must be retained at its existing height and no sections removed, other than the access approved within this application, without the prior consent of the Local Planning Authority.

Reason

In order to preserve the heritage of the area and to provide screening for the proposed dwelling in accordance with Policy DM10 of the Copeland Local Plan.

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.

Informatives

1) 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

2) Please note any works within or near the Highway must be authorised by Cumbria County Council and no works shall be permitted or carried out on any part of the Highway including Verges, until you are in receipt of an appropriate permit (I.E Section 184 Agreement) allowing such works. Enquires should be made to Cumbria County Councils Street Work's team - streetworks.central@cumbria.gov.uk

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 : 17/03/2023

Authorising Officer: N.J. Hayhurst

Date : 21/03/2023

Dedicated responses to:-