

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/22/2407/0F1	
2.	Proposed Development:	CONSTRUCTION OF THREE TWO STOREY, FOUR BEDROOMED DETACHED DWELLINGS WITH ASSOCIATED INFRASTRUCTURE	
3.	Location:	THE KNOLL, HIGH HOUSE ROAD, ST BEES	
4.	Parish:	St. Bees	
5.	Constraints:	ASC;Adverts - ASC;Adverts, Conservation Area - Conservation Area, Coal - Standing Advice - Data Subject To Change, Outer Consultation Zone - Sellafield 10KM	
6.	Publicity Representations &Policy	Neighbour Notification Letter	Yes
		Site Notice	Yes
		Press Notice	Yes
		Consultation Responses	See Report
		Relevant Policies	See Report
7.	Report:		
	Site and Location		
		This application relates to a vacant sloping site, which previously sited the detached dwelling known as The Knoll, located within the north east of St Bees. The previous dwelling was demolished as part of planning approval 4/13/2074/0F1, however the dwelling was never replaced in line with this permission.	
		The significantly sloping site is located within the St Bees Conservation Area and fronts onto High House Road.	

Relevant Planning History

4/13/2074/0F1 – Demolition of existing house and replacement with a new dwelling – Approved.

4/13/2075/0C1 – Conservation area consent for demolition of existing house – Approved.

Proposal

This application seeks planning permission for the construction of three two storey, four bedroomed detached dwellings with associated infrastructure.

The proposed dwellings will be accessed via a single access point from High House Road. The development will form a small cul-de-sac with one dwelling fronting High House Road, and two dwellings to the rear of the site. These dwellings are as follows:

- Plot 1: The proposed detached dwelling within this plot will be House Type D, an L-shaped dwelling with an internal floor area of 245m². Internally, the ground floor of the property will benefit from an internal garage, hallway, living room, office, kitchen/dining room, coat/boot room, a toilet, and utility room. The first floor of this dwelling will also incorporate two large double bedrooms with ensuite bathroom and wardrobe, a double bedroom, single bedroom, and bathroom. Six solar panels are proposed upon the south east and south west roof slope.
- Plot 2: The proposed detached dwelling within this plot will be House Type B, with an internal floor area of 136m². Internally, the ground floor of the property will benefit from an internal garage, hallway, living room, kitchen/dining room, utility room and bathroom. The first floor of this dwelling will also incorporate three double bedrooms, one with an ensuite bathroom, a single bedroom, and bathroom. Six solar panels are proposed upon the rear elevation and the dwelling will benefit from a large raised terrace area with store underneath in order to accommodate the sloping nature of the site.
- Plot 3: Internally, the ground floor of the property will benefit from an internal garage, hallway, living room, kitchen/dining room, utility room and bathroom. The first floor of this dwelling will also incorporate three double bedrooms, one with an ensuite bathroom, a single bedroom, and bathroom. Six solar panels are proposed upon the rear elevation and the dwelling will benefit from a large raised terrace area with store underneath in order to accommodate the sloping nature of the site.

Externally, the proposed dwellings will be finished with red sandstone, self-coloured white render, blue slate, and dark grey UPVC windows and doors. Plot 2 and 3 will be a mix of render and sandstone, while plot 1 will be mainly finished with render.

The development will be accessed from High House Road utilising the existing access to the site that formally served the original single dwelling. The access is located within the south



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west portion of the application site and will be widened to accommodate the proposed development, benefitting from visibility splays of 60m in each direction. Access to each plot will be from a shared private road which will lead to separate driveways which are to be finished with concrete block pavers.

The frontage of the site onto High House Road is currently bounded by a stone wall which will be retained as part of the development.

It is proposed that surface water from the development will be disposed of via soakaways/existing water course, and foul water will be connected into the existing mains sewer.

Consultation Responses

St Bees Parish Council

29th November 2022

St Bees Parish Council considered this application at its November meeting and wishes to raise some objection to the plans as submitted.

The first concern is the additional volume of foul water that will be discharged from the three dwellings. The sewer system in this part of the village is old and already operating at capacity.

The Parish Council's second concern is how the additional surface water draining from the site will be managed. The application refers to the use of soakaways or connection into an existing surface water drain on site which, it is said, then discharges into Pow Beck. We are not in a position to comment on whether soakaways would be appropriate but we have concerns about the potential discharge into Pow Beck. The Architect's Design and Access Statement claims that there is an existing drain that discharges into Pow Beck and this appears to be the preferred route of discharge. This is incorrect. There appears to be a drain running through the proposed site, however, it then terminates and discharges into a trench located in the land owned by others below the development site. The water then filters out into the ground, thus causing waterlogged conditions. There is no visible drain that connects to Pow Beck. Any increase to the volume of water running through this system would undoubtedly cause unacceptable localised flooding issues for the land owner.

There is also an abundance of wildlife in this area and we would wish to see an ecological appraisal to ensure that the development will not damage wildlife habitats.

22nd May 2023

St Bees Parish Council has considered these amended plans and wishes to submit the following comments:

The Parish Council is very concerned about the impact of further development on the drainage systems in this area of the village. The drainage systems in the village are old and unable to cope with the additional demands created by new developments. The proposal is to build three large properties on a site where there was previously one house. The Parish Council believes that the proposals as submitted do not provide a clear strategy for drainage.

The property which used to occupy the site would most probably have had no more than an upstairs bathroom and toilet and a downstairs toilet. The proposed development has the same for each property as well as an additional en-suite shower/toilet and utility room all of which will discharge into the foul water system, increasing the discharge more than threefold.

The surface water drainage discharge proposals in the previous application were inaccurate and this revised proposal offers no clear solution. Comments have been used such as 'link to a soakaway system if possible' but this does not offer any kind of reassurance that the applicant has a clear strategy to resolve this problem.

Whilst the plans do provide for parking on the site, we know from previous experience that large family homes often have a number of vehicles and this will only add to the parking problems on village streets.

On balance, the Parish Council believes that the site may be more suitable for two rather than three properties.

2nd May 2024

Thank you for forwarding the additional information supplied to support this application. St Bees Parish Council has reviewed the information but does not feel that it addresses the concerns raised in our submission of May 2023. There still appears to be no clear strategy to address the drainage issues. Although there is provision for parking on site it is likely that there will an overspill of cars on to High House Road. The Parish Council's view continues to be that the site is more suitable for two properties rather than three.

Cumberland Council – Highway Authority & LLFA

_8th November 2022

The access from the C4009 Highway maintainable at public expense 30mph speed road to the private site. The required visibility splay for a 30mph speed road should be 60m at the minimum in both direction back by 2.4m and at a height of 1.05m above the carriageway. Drivers need to be able to see obstructions 2m high down to a point 600mm above the carriageway. The latter dimension is used to ensure small children can be seen. Within the visibility splay or sight line envelope there should be no obstructions to vision such as walls or vegetation etc within the vertical profile. If any obstructions need to be reduced or removed within the visibility splay, it should be within the applicant's ownership.

Conditions relating to access drive surfacing, surface water discharge, and boundary



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treatment requested.

3rd May 2023

I can confirm that the response made to the previous dated 08.11.22 should still apply.

24th May 2023

I can confirm that we have no objections to the proposal, subject to the inclusion of conditions relating to visibility splays, and surface water drainage onto the highway.

29th April 2024

I can confirm that the response made on the 25th May 2023 should still apply.

United Utilities

3rd November 2022

We request the inclusion of a pre commencement conditions to secure details of a sustainable surface water and foul water drainage scheme for the site.

Without effective management and maintenance, sustainable drainage systems can fail or become ineffective. As a provider of wastewater services, we believe we have a duty to advise the Local Planning Authority of this potential risk to ensure the longevity of the surface water drainage system and the service it provides to people. We also wish to minimise the risk of a sustainable drainage system having a detrimental impact on the public sewer network should the two systems interact. We therefore recommend the Local Planning Authority include a condition in their Decision Notice regarding a management and maintenance regime for any sustainable drainage system that is included as part of the proposed development.

21st June 2023

The plan does not show the proposed drainage for us to comment on - only areas that could be used for soakaways if soakaways are feasible, but it appears no investigations into their feasibility have been done. Furthermore in contrast to the comments below, there is a watercourse within the vicinity of the site (running roughly south to north, just west of the site). Therefore the surface water hierarchy has not been followed.

Due to the above we would not look to accept any surface water flows to the combined sewer network.

7th May 2024

Following our review of the submitted Proposed Site Plan showing drainage (ref 5568-02, Rev N, dated 26/02/2024), we can confirm that whilst the proposals are acceptable in principle, there is insufficient information on the detail of the drainage design. A specific drainage layout (following any required investigations) should be detailed on a plan prior to

drainage details being accepted at planning. Should planning permission be granted we request the inclusion of a condition to secure a sustainable surface water and foul water drainage scheme.

Without effective management and maintenance SuDS can fail or become ineffective which may have a detrimental impact on the surrounding area. There is also a risk ineffective SuDS could impact the performance of the public sewer network where the two systems interact. Therefore, when SuDS is included in a proposed development, we recommend the Local Authority include a condition relating to SuDS management and maintenance in any subsequent Decision Notice.

Cumberland Council – Conservation and Design Officer

23rd February 2023

Conclusion: Recommend design revision

Assessment:

In order to be approvable, proposals should be well designed (NPPF 134). The wording of this paragraph is specific to exclude middling and poor design.

The National Design Guide, which doesn't appear to have been referenced in the documentation, establishes ten characteristics of good design. Not all are relevant to all proposals, but they serve as a useful way of commenting on design quality with more specificity.

Agents can internally use the National Design Guide as a framework for covering bases at design stage, as well as a self-assessment framework to improve proposals as they're developed.

- Context
 - The development should respond to the area both within and beyond the site boundary.
 - How will it appear in the important views across the valley from the Whitehaven Road, or from the School grounds?
 - How is this a "St Bees development"? What is the vision? What should a St Bees house be in 2023? Should these houses be imitations of historic styles? Are they to be entirely modern and unconcerned with historic affectation? Are they to be playful reimaginings of cleverly observed aspects of the local character? Are they to be tired standard house types, designed for the context of the 1990s and dressed up with a little red sandstone cladding?
- Identity
 - Buildings on High House Road are a mixture of earlier (17th and 18th century) farm houses with associated ranges of agricultural buildings, now mostly

converted to residential use, and later 19th century development that is more self-contained.

- The identity of the area derives from a sense of age and of change happening slowly, if at all.
- Considerable greenery exists on both sides of the road, with the lower side reading as a green slope of gardens and woodland extending down towards the valley floor, interspersed with historic buildings of mostly red palette (sandstone or brick). Render has also been used, both stucco to give a more polite 18th century appearance in combination with the ornamentation of the period such as multi-pane sash windows and door cases, or roughcast.
- There are two traditions at work here: the simpler farm buildings in ranges and the higher-status 19th century houses that typically stand alone in commanding positions over their landscaping. In both cases, the buildings and the designed landscapes are linked.
- Well-designed places contribute to local distinctiveness.
- Built form
 - How are buildings arranged on High House Road? Principle sites of development are well spaced out, with 1950s house formerly occupying the site at about a consistent density with respect to the others.
 - Where increased density occurs, it has been achieved through the subdivision of ranges of farm buildings associated with the principle houses.
 - This suggests that three detached houses, especially ones that look virtually the same as one another, will appear unfamiliar and unrelated to the context.
 - Is there an opportunity to make use of other massing options, such as joined or interlocking masses, possibly arranged around a yard and taking advantage of the topology rather than working at odds with it?
 - The gaps between these detached houses are inefficient – they are of little use either for sun access or views out, but do increase the surface area to volume ratios of the properties, increasing heat loss.
 - The garages are causing a problem given the scarce sunlight and topology of the buildings, and the car parking itself is somewhat dominating. Would a kind of undercroft at the sites of houses 2 and 3 be a viable way of hiding cars while working with or improving the levels on the lower part of the site? (I mean this in the context of a complete site redesign, as that's what I think is needed, rather than a giant plinth with houses 2 and 3 perched on the top).
- Movement

- The steep topography of the site introduces challenges and these have been responded to with a mixture of ignoring it, staircases, and high retaining walls.
- This is possibly not optimal – for example, to walk around the gable ends of houses 2 and 3 to the terrace requires negotiating no fewer than four staircases.
- The houses appear to have been designed for flat sites, and the surrounding hard landscaping used to bring the ground level down or up to meet the floor levels as needed.

- Nature

- The proposal will radically change the ratio of hard surfaced or built area to garden. Ensuring a balance of built areas to green areas does not appear to have been a priority. For example, if residents wish to grow their own food, there will be very little option for them with the proposed plots (I appreciate the site is NW sloping, however it appears from Streetview images that it receives good sun access during the afternoons from Spring-Autumn).
- The houses themselves do not appear to give any consideration to solar access.

- Safe, inclusive spaces

- This is less relevant to such a development as the space is not public.
- Ensuring gradients where people need to walk are not excessively steep would appear reasonable.

- Balance of uses

- I can't comment on whether these tenure types and uses contribute to the mix in St Bees or not.
- In future, garages could potentially be converted to home workshops or maker spaces, if needed, increasing the viability of the properties for supporting home enterprise, or converted to home offices. Good solar access would be very helpful to such uses although doesn't appear to have been considered.

- Home and building function

- See above points about adaptability for home growing or home enterprise, empowering residents.
- Connection between the internal and external spaces is mixed. At House 1, the terrace is on the NE side, between the house and trees, and is unlikely to ever see direct sun. It's likely to be cold and covered in algae. The terraces at 2 and 3 are likely to receive sun during the early morning and late afternoon/evening during summer, but are not well embedded within the gardens due to the

topology. The gardens at 2 and 3 may be difficult to use owing to being shadowy, steep and accessible only by multiple staircases.

- Resource efficiency
 - Resource efficiency does not appear to feature in the design rationale.
 - Layout of the internal spaces and external volumes is the first step to optimising solar access as this is necessary both to minimise heating load and to provide good internal lighting. This is important to maintaining a good mood among the occupants and allowing them to work efficiently without running additional lighting.
 - This site is challenging owing to its NW sloping orientation and the overshadowing of surrounding trees and buildings. A solar shading analysis of the site would appear to be essential to help inform locations of buildings and of the openings and spaces within then.
 - For example, for house 1 it is likely that some of the best afternoon sunlight will be received by the garage. For house 3, house 2 is likely to provide considerable shade throughout the afternoon.
- Lifespan
 - To be resilient, these houses need to be capable of supporting heat pumps and electric vehicle charging. Exploring use of solar panels would therefore seem worthwhile.
 - Given the potentially low solar yield on the site, if solar panels are proposed they will need to be carefully sited and designed, and may influence the location and orientation of roof pitches. Solar panels retrofitted to a roof are less successful aesthetically and functionally than panels mounted within the roof surface.
 - Where will heat pumps be installed, as these will be needed within a few years if not immediately?
 - The houses should be designed to minimise heat load and provide the best possible solar access first, and then potentially to support solar panels to offset the energy demand of heat pumps and electric vehicle charging. If it is chosen to omit solar panels and heat pumps at construction, if it is later decided to add them, the houses will be compromised and potentially need alteration.

Summary

This proposal does not compare well against the Government's guidance on achieving good design, and therefore is not in accordance with NPPF 134. As it stands, I cannot support it. A rethink of the proposal is needed from the ground up with more robust evidence in the

application.

The impact on the character and appearance of the conservation area is likely to be harmful and to constitute a less-than-substantial level of harm to a designated heritage asset, and to constitute a small level of harm to the settings of nearby heritage assets – principally The Stables and Fern Bank –which should be taken into consideration in the decision-making process.

St Bees has a conservation area appraisal, which may provide useful background information of assistance in creating a new concept and proposal for this site. Along with all Copeland's conservation and design guidance, it can be accessed at [Conservation and Design Documents and Guidance | Copeland Borough Council](#)

18th May 2023

Conclusion: Request design revision

Assessment:

Since my rather extensive feedback given previously, the designs have been superficially updated with more red sandstone cladding, revised fenestration, and chimneys. While this has improved the elevational appearance of the houses, I previously suggested a substantial design rethink and this detail tweaking has not addressed the majority of the more foundational concerns.

I would draw attention to the following:

- The relationship of the three buildings to one another appears out of character, being neither a high status dwelling arranged in a commanding position over gardens or a variant of a subdivided farm, which characterise the majority of the grain/typology in the area. Working with these starting points as inspiration could unlock a lot of creative potential for the site, and overcome this problem. It could more typically be characterised as “suburban”.
- While there are some bungalows on the south side of part of the road, I would argue that these fail to make a positive contribution to local character and distinctiveness, despite being set in commanding positions within well illuminated gardens.
- Gaps between detached houses are inefficient for sun access and views out, and also increase heat loss. This is therefore not optimum environmentally.
- The garages are likely causing a problem given the scarce sunlight and topology of the buildings, and the car parking itself is somewhat dominating. Where and when does the sun access this site?
- The houses appear to have been designed for flat sites, and the surrounding hard landscaping used to bring the ground level down or up to meet the floor levels as needed. As a consequence, the level changes around houses 2 and 3 are extreme, with a substantial amount of the immediate hard surfacing being staircases. This is a



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problem for circulation, and the appearance of the scheme.

- The symmetry of plots 2 and 3 in plan suggests that they have been designed substantially in plan, which by definition doesn't map onto the three-dimensionality of the topology and solar access of the site.
- The proposal will radically change the ratio of hard surfaced or built area to garden within the site. Is the garden that remains useful garden (is there light access, conditions suitable for sitting out, or growing?)
- The house layouts do not appear to be designed around potential for solar access, other than in having shallow plans. The arrangements of internal spaces and consideration for how light changes throughout the day, and how shadows are cast by the houses on one another should be evident.
- Has environmental modelling identified any potential for overheating in summer, and if so, how has this impacted the natural ventilation scheme?
- Layout of the internal spaces and external volumes is the first step to optimising solar access as this is necessary both to minimise heating load and to provide good internal lighting. This is important to maintaining a good mood among the occupants and allowing them to work efficiently without running additional lighting. For example, for house 1 it is likely that some of the best afternoon sunlight will be received by the garage. For house 3, house 2 is likely to provide considerable shade throughout the afternoon.
- Given the potentially low solar yield on the site, solar panels will need to be carefully sited and designed, and may influence the location and orientation of roof pitches. I note that solar panels have been added to the design since the last revision without any revision to roof orientations or pitches. Did these roofs happen to be in the optimum locations for solar generation already or would adjustment bring improved efficiency?

Summary:

I suggest that the apparent heavy weighting in the design first principles towards very traditional detached homes, arranged in a plan driven by the vehicle access, leaving the arrangement of internal spaces, orientation of faces, pitches and openings, and relationship to the partitioned up and steeply sloping external spaces, cannot be considered good quality design.

Design quality exists independent of how visually conspicuous the site is, but I maintain that there will be a small but avoidable negative impact on the character and appearance of the conservation area.

This is a complex but interesting site, with a lot of potential, and the proposal at this stage is neither complex nor interesting, and leaves a long list of questions unanswered which if

convincingly addressed in the high level decision making could unlock a better project.

For that reason, I am still unable to support the proposal.

21st May 2024

Conclusion: No objection

Assessment:

- Given that two of the properties will be largely concealed from the road, and the remaining house in a middling but unobjectionable style, I would recommend the following two principles to maximise the success of the design.
 - Make use of paved surfaces rather than tarmac where possible. This provides a much more lively surface than tarmac. Tarmac can additionally become cracked and patched after a few years, especially in proximity to trees.
 - Maximise the amount of planting within the site. Vegetation at a range of heights mitigates the visual impact of the buildings and cars and in combination with well-chosen paving creates visual interest.
- The boundary treatments, new planting, revised house and retention of tree cover should. I note concrete block pavers are proposed for hardstanding. Brick would complement this well for edges and marking out parking areas. Brick can also be used in a variety of different patterns to give variety. Small details like this will be important to residents.

Arboricultural Consultant – Capita

15th November 2022

Following our site visit, we have the following comment/observation to make on the proposed development.

Construction of the proposed development could affect several trees on the site.

The applicant has not submitted an Arboricultural Impact Assessment with the application.

RECOMMENDATIONS

Request the applicant submits an Arboricultural Impact Assessment, in accordance with the British Standard (BS 5837:2012 *Trees in relation to design, demolition, and construction – Recommendations*), to include details of all trees on the site and those on adjacent properties within 15m of the site boundary.

24th May 2023

DISCUSSION

Following our site visit, we have the following comment/observation to make on the proposed development.



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The proposed site layout involves ground level changes and construction close to trees growing on the site, and on adjacent sites.

The submitted Arboricultural Survey, Implication Assessment and Tree Protection report (Ref. No. F476-08 / BK) categorises two trees (T1 & T5) and a woodland area (W1) as moderate or high quality trees worthy of retention within the proposed development scheme.

Tree T1 is a Copper Beech tree with a full, wide spreading crown (<11m) with a clearance over the site of around 2m from ground level. The proposed driveway will involve pruning work to create sufficient clearance to allow vehicles to drive under the crown. In addition, the driveway and house on plot 2 appear to require significant level changes during construction. Alterations to soil levels and changes to the soil moisture content can have a negative impact on the root system of mature beech trees, which can lead to a rapid decline in health.

In addition, the height and crown spread of tree T1 will dominate the site. The shade created by the tree across the site throughout the day, and the overbearing nature of the tree on windy days, is likely to lead to repeated requests to prune the tree. This will lead to a decline in the tree's health as the mature tree repeatedly loses leaf area.

Alterations to the soil levels are also likely to affect off-site trees, both with excavating and building up topsoil in root protection areas, and changes to soil moisture with alterations to drainage.

RECOMMENDATIONS

Ask the applicant if they can provide further information about the level changes across the root protection areas (further elevation cross-sections) for trees T1 & T5 and woodland area W1. Also show the realistic height and crown spread of these trees on elevation drawings.

Ask the applicant if they can demonstrate the potential shade pattern created by the significant trees on the site.

Ask the applicant if they can provide a proposed drainage plan for rainwater runoff and waste water.

20th May 2024

ADDITIONAL RESPONSE – May 2024

Lowther Forestry have provided a response to our previous comments.

To determine the impact of the proposed development on tree T1, we require further details of the proposed level changes within the calculated RPA. Construction activity within the RPA is likely to have a detrimental impact on the tree's health and longevity.

From the drawing, the proposed houses in plots 1 and 2 appear to be with 2-3m of the crown of the copper beech tree T1. I suspect future residents of these houses will have serious concerns about the proximity of the tree to their houses and request to repeatedly prune the tree to alleviate fears of failure and/or daylight into the adjacent habitable rooms. Repeated

pruning will have a detrimental effect on the health and longevity of this tree.

Additionally, construction vehicles for the site will have to use the proposed new driveway to access the site. Large, heavy vehicles accessing the site will cause compaction of the spoil within the calculated RPA of tree T1 and require a significant clearance under the crown. This will have a detrimental impact on the health and longevity of the tree.

Tree T1 provides a significant contribution the amenity of local area, which is clearly visible from High House Road and the surrounding properties. The site is within the St Bees Conservation Area so the trees have legal protection. Mature beech trees do not respond well to interference with their roots and repeated pruning. Currently, the applicant has not supplied sufficient information to demonstrate the proposed development is feasible without it leading to the eventual loss of this tree.

RECOMMENDATIONS

Ask the applicant if they can provide further information about the level changes across the root protection area (further elevation cross-sections) for tree T1 and woodland area W1. Also show the realistic height and crown spread of tree T1 on elevation drawings. These should accurately demonstrate the separation distances between the houses at plot 1 and 2 and the tree crown.

Ask the applicant to demonstrate the gradient changes, soil protection requirements and level of pruning necessary to create a construction road into the site through the RPA and under the crown of tree T1, and the potential impacts of this on the health of the tree.

Ask the applicant if they can demonstrate the potential shade pattern created by the significant trees on and off site.

Ask the applicant to provide a proposed plan of underground drainage for rainwater runoff and wastewater pipes and other underground services (electricity and gas).

26th July 2024

Following our conversation, in order to ensure the feasible retention of the trees on this constrained site, the applicant needs to submit the further details requested in our earlier appraisal (attached). This involves providing an accurate cross-section drawing showing the realistic crown spreads of the trees, soil level changes within their root protection areas and drainage routes. We need to be satisfied that development of the site will not adversely impact the health of the retained trees.

11th October 2024

From the additional information, I think the proposals should have a minimal impact of the retained trees on the site, providing the trees are adequately protected during the construction process.

I recommend including a planning condition requiring the tree protection details submitted with the planning application to be implemented in full. All protective fencing and root



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protection measures must be installed prior to any construction activity onsite.

Public Representation

This application has been advertised by way of a site notice, press notice, and neighbour notification letters issued to three properties.

Four letters of objection have been received in relation to this application raising the following concerns:

- The previous application for this plot (4/13/2074/0F1) was for the original building to commence demolition and complete within 3 years. This did not happen, the demolition was started and then paused and left in a degraded state until last year. It was also to be replaced with one property, not three.
- The flood report says low/no risk, I live next door to this property and can guarantee you my house nearly floods multiple times a year because of the drainage, the bottom two properties of this plan would be at even greater risk.
- The proposed drainage is inadequate.
- There was no consultation between the architect, landowner and adjacent neighbours about the plans before submission so we were surprised to see plans for a drainage pipe going across our land with no discussion or permission.
- We do not support the application for three dwellings on this plot with houses towards the bottom section and the proposed drainage pipe to run through our garden.
- We are not inclined to give permission for this pipe and are concerned about additional water from the potential water treatment plan in an already damp part of The Knolls land.
- Our preference is for one or two houses at the top of the plot.
- The two dwellings planned at the bottom of the site are badly placed. They are low in the plot which is damp and dark. Better would be to use the top of the site for two dwellings and have gardens stretching below them.

Public Reconsultation

Following the receipt of amended information for the application a reconsultation was undertaken for all neighbouring properties and those who previously commented on the application. Two letters of objection have been received from one objector raising the following concerns with the application:

- The surface water drainage which was going to be fed into a drain which did not exist is now apparently going into the ground in two places marked on the plan. This does

not solve the problem water will ooze downhill making my garden even damper.

- The thinking of the architect is we have a problem with drainage lets move the problem next door and call it a solution.
- The architect has made no attempt to discuss this issue.
- I think the three house plan is one too many.
- The two buildings at the bottom of the site are too close together, too near the valley floor and too far away from the main drain on High House Road.
- The drainage solution is obvious only two dwellings should be built so they can connect to High House Road drains.

Public Reconsultation

Following the receipt of amended information for the application a reconsultation was undertaken for all neighbouring properties and those who previously commented on the application. One letter of objection was received raising the following concerns with the application:

- I have no objection for this plot to have one or two properties at the top of this plot close to the road with access to drainage and sewer.
- The placing two houses at the bottom of the plot is a poor use of the plot close to trees, lacking light and with added problems of parking and disposal of foul water.
- There is no solution to the drainage problem on the plans as it stands.
- I do not think it is acceptable to accept the plan without clearly showing show the drainage problem is to be solved.
- Ideally three should be one home at the top of the plot as there used to be before it was take down, this would solve the problem.

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

On 1st April 2023, Copeland Borough Council ceased to exist and was replaced by Cumberland Council as part of the Local Government Reorganisation of Cumbria.

Cumberland Council inherited the local development plan documents of each of the sovereign Councils including Copeland Borough Council, which combine to form a Consolidated Planning Policy Framework for Cumberland.

The inherited the local development plan documents continue to apply to the geographic area

of their sovereign Councils only.

The Consolidated Planning Policy Framework for Cumberland comprises the Development Plan for Cumberland Council until replaced by a new Cumberland Local Plan.

Copeland Local Plan 2021 - 2039 (LP):

Cumberland Council continued the preparation of the LP as commenced by Copeland Borough Council.

The LP was adopted by Cumberland Council on the 5th of November 2024 replacing the Copeland Local Plan 2013-2028 and the saved policies of the Copeland Local Plan 2021-2016.

The following policies are relevant to this application:-

Strategic Policy DS1: Settlement Hierarchy

Strategic Policy DS2: Settlement Boundaries

Policy DS4: Design and Development Standards

Policy DS5: Hard and Soft Landscaping

Strategic Policy DS6: Reducing Flood Risk

Policy DS7: Sustainable Drainage

Policy DS8: Soils, Contamination and Land Stability

Strategic Policy H1: Improving the Housing Offer

Strategic Policy H2: Housing Requirement

Strategic Policy H3: Housing Delivery

Strategic Policy H4: Distribution of Housing

Strategic Policy H5: Housing Allocations

Policy H6: New Housing Development

Policy H7: Housing Density and Mix

Strategic Policy N1: Conserving and Enhancing Biodiversity and Geodiversity

Strategic Policy N2: Local Nature Recovery Networks

Strategic Policy N3: Biodiversity Net Gain

Strategic Policy CO4: Sustainable Travel

Policy CO5: Transport Hierarchy

Policy CO7: Parking Standards

Other Material Planning Considerations

National Planning Policy Framework (2023)

National Design Guide (NDG).

Cumbria Development Design Guide (CDG)

Strategic Housing Market Assessment 2021 (SHMA)

Copeland Borough Council Housing Strategy 2018 – 2023 (CBCHS)

The Cumbria Landscape Character Guidance and Toolkit (CLGC)

Copeland Borough-Wide Housing Needs Survey (2020)

Planning (Listed Building and Conservation Areas) Act 1990

Conservation Area Design Guide SPD (Adopted December 2017)

Assessment

The key issues raised by this application relate to the principle of the development; housing need; settlement character, landscape and visual impact; scale, design, and impact of the development; impact on Conservation Area and Heritage Assets; access, parking, and highway safety; drainage and flood risk; and impact on biodiversity and ecology.

Principle of Development

St Bees is identified in Strategic Policy DS1 of the Copeland Local Plan as a Local Service Centre, which have a supporting role to Copeland's towns containing a broad range of services. These settlements operate also operate independently from the main towns to meet day to day needs or as a well-connected cluster, linked to a neighbouring town or village of a similar scale by a frequent public transport service and/or safe pedestrian routes a mile or less in length. It is stated that the focus for development in Local Centres will be to support the retention and small scale growth of existing services and businesses, with development focused on existing employment allocations, moderate housing allocations, and windfall and infill developments.

The settlement boundary for St Bees is defined in Strategic Policy DS2. The application site is located within this settlement boundary. It is stated that development within the defined settlement boundaries will be supported in principle where it accords with the Development Plan unless material considerations indicate otherwise.

Section 11 of the NPPF promotes the effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions, by utilising previously developed or brownfield land.

The application site previously sited a residential dwelling. In 2013, planning permission (ref: 4/13/2074/0F1) was granted to for the demolition of the existing property and its replacement



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with a new dwelling. Following this planning permission demolition of the property commenced in 2011 and was completed in 2021.

The redevelopment of this site within St Bees settlement boundary for residential purposes has therefore been previously established.

Housing Need

Policy H7 of the Copeland Local Plan states that: developments should make the most effective use of land. When determining appropriate densities development proposals should clearly demonstrate that consideration has been given to the shape and size of the site, the requirement for public open space and landscaping, whether the density would help achieve appropriate housing mix and help regeneration aims, the character of the surrounding area and the setting of the site. Applicants must also demonstrate, to the satisfaction of the Council, how their proposals meet local housing needs and aspirations identified in the latest Strategic Housing Market Assessment (SHMA) and Housing Needs Assessment in terms of house type, size and tenure. Alternative more up-to-date evidence will be considered only in exceptional circumstances where a developer demonstrates to the Council's satisfaction that the SHMA and Housing Needs Assessment is out of date in full or part.

Policy H8 of the Copeland Local Pla states on sites of 10 units or more... at least 10% of the homes provided should be affordable as defined in the NPPF 2021 (or any document that replaces it) unless: 1) this would exceed the level of affordable housing required in the area as identified in the Housing Needs Study; or 2) The development falls into an exemption category listed in the NPPF. Affordable housing should be provided in the tenure split - 40% discounted market sales housing, starter homes or other affordable home ownership routes of which 25% of these must meet the definition of First Homes and 60% affordable or social rented.

The Application Site is located within the Whitehaven Housing Market Area (HMA) in the SHMA. The SHMA suggests a particular focus on the delivery of two and three bedroom (80%) and some 4+ bedroom (20%) semi-detached and detached dwellings. It is stated that the Council should also consider the role of bungalows.

The scale of the proposed development comprising of three four bedroomed detached dwelling is appropriate to the scale and designation of St Bees as a Local Service Centre.

No affordable housing is proposed as the development falls below the threshold for provision.

On this basis, the development will assist in providing housing that will help meet the housing need identified in the SHMA and the requirements Policies H7 and H8 of the Copeland Local Plan and provisions of the NPPF.

Settlement Character, Landscape Impact and Visual Impact

Policy N6 of the Copeland Local Plan states that the Borough's landscapes will be protected and enhance by: supporting proposals which enhance the value of Copeland's landscapes; protecting all landscapes from inappropriate change by ensuring that development conserves

and enhances the distinctive characteristics of that particular area in a manner commensurate with their statutory status and value; ensuring development proposals demonstrate that their location, scale, design and materials will conserve and where possible enhance the natural beauty, wildlife and cultural heritage of the Lake District National Park and Heritage; and Requiring a Landscape Appraisal, and where appropriate a Landscape and Visual Impact Assessment, to be submitted where development has the potential to impact upon landscape character or a protected landscape. Where harm is identified the development will only be permitted where the benefits of the development outweigh any potential harm and mitigation and compensation measures must be provided. This policy further states that development proposals must be informed by the Council's Landscape Character Assessment, Settlement Landscape Character Assessment the Cumbria Landscape Character Guidance and Toolkit and where appropriate, the Lake District National Park Landscape Character Assessment¹⁰⁸ from the earliest stage.

The Cumbria Landscape Character Guidance and Toolkit (CLCGT) identifies the site as being within Sub Type 4 'Coastal Sandstone'. The Key Characteristics of the land comprise: coastal sandstone cliffs, sandstone rolling hills and plateaus, large open fields, prominent hedge banks bound pastoral fields, small woodland blocks along valley sides, and exposed coastal edge moving to intimate and enclosed farmland inland.

The Guidelines for development include: strengthen definition between town and country by using extensive buffer planting to screen the built up areas and reduce the impact of industry, improve visual containment of caravan parks close to the coast with landscape works and discourage further large scale developments, such as wind energy, in prominent coastal locations, conserve and enhance the traditional farm buildings and features within their own setting, and reduce the impact of any new buildings by careful siting and design.

The application site comprises an area of land which formally sited a residential dwelling and associated garden space. The site is located off High House Road, and is bounded to the north east and south west by existing residential properties. This area of St Bees is characterised by large detached dwellings which front onto High House Road. Whilst the majority of properties front onto the adjacent highway, there are examples in the immediate locality of newer residential estates which are accessed from High House Road with the layout formed away from the highway. The proposed development would act as an infill of the previously developed site between the existing village form and the adjacent residential properties, with the additional two dwellings reflecting the character of newer estates. The development is not considered to extend into open countryside as it is located within an existing residential area, would be viewed in the context of the existing built form, and will therefore not have a detrimental impact on the character of the area.

The application is supported by a proposed site plan which includes details of existing trees to be retained and new planting and trees to be installed as part of the development. Due to the sloping nature of this site the proposed landscaping scheme also includes details of retaining walls. The Council's Arboricultural Consultant has reviewed the submitted



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information and requested a number of additional details to support the application including an Arboricultural Impact Assessment, details of level changes in root protection areas, and tree protection details. Based on the submission of this information, the consultant has confirmed that the proposal will have a minimal impact on the retained trees at the site. The consultant has confirmed that conditions should be included upon any decision notice to ensure the proposed development is carried out in accordance with these approved details.

The proposed development is considered to respect the form, density and character of the existing developments within the locality. The proposal is therefore considered to comply with Policy N6 of the Copeland Local Plan and the provisions of the NPPF.

Scale, Design and Impact of Development

Policy DS4 of the Copeland Local Plan requires all new development to meet high-quality standards of design. This includes creating and enhancing locally distinctive places, the use of good quality materials that reflect the local character, including high quality and useful open spaces, providing high levels of residential amenity, adopting active travel principles, creating opportunities for social interaction, and effective use of land whilst maintaining amenity and maximising solar gain.

The proposed development has been designed to replace the previously demolished single dwelling at the site for two additional dwellings within the rear of the site and has been designed with reference to the shape and form of the application site.

The development has been designed with a single access point from High House Road.

As part of the application process extensive discussions have been undertaken with the agent with regard to the overall design of the proposed dwellings. Based on these discussions the overall design of the dwellings have been amended to reflect the more traditional character of the surrounding area, including the use of more red sandstone cladding, revised fenestration patterns and the inclusion of chimneys. The agent also submitted additional evidence to support the overall design of the proposed development. Based on these amendments the design of the proposed dwellings are considered to be reflective of the surrounding area.

The application states that a number of traditional materials will be utilised within the development, which are considered appropriate in the wider context of the site. Full details of the proposed materials for this development will be secured by an appropriately worded planning condition. It is also proposed to install solar panels within the development however limited details have been provided of the PV panels to be installed. This detail will therefore be secured by appropriately worded planning condition. Permitted development rights will also be removed by condition to ensure the traditional nature of the proposal cannot be altered without consent of the Local Planning Authority.

The application site is fronted by a stone wall. This is a key feature within this sensitive location. The submitted proposed site plan indicate that this wall be retained as part of the

development, however a condition will also be utilised to secure its retention. Limited details have been provided in terms of heights of proposed boundary treatments therefore this detail will also be secured by condition.

Given the form and layout of the proposed development, adverse impacts upon the residential amenity of the existing residents through loss of daylight, loss of sunlight, overshadowing, overbearing effects or overlooking will not result due to the separation distances achieved.

Concerns have been raised by both the Parish Council and neighbouring properties regarding the overdevelopment of the site, with requests made to reduce the number of properties proposed. Policy H7 states that developments should make the most effective use of land, reuse previously developed land where possible, and when determining appropriate densities development proposals should clearly demonstrate that consideration has been given to the shape and size of the site, the requirement for public open space and landscaping, whether the density would help achieve appropriate housing mix and help regeneration aims, the character of the surrounding area and the setting of the site. The development of the site for three dwellings is considered to be reflective of the density of dwellings on High House Road, and the sloping nature of the application site.

On the basis of the amended detail for this application and the proposed conditions, it is considered that the development would be in accordance with the aims and objectives of both the adopted Copeland Local Plan and the NPPF.

Impact on Conservation Area & Heritage Asset

Strategic Policy BE1 and BE2 of the Copeland Local Plan seek to protect or enhance heritage assets and their setting. Proposals that better reveal the significance of heritage assets will be supported in principle.

Section 72 of the The Planning (Listed Buildings and Conservation Areas) Act 1990, states that “special attention shall be paid to the desirability of preserving or enhancing the character or appearance of [a conservation] area.”

Paragraph 139 of the National Planning Policy Framework (NPPF) asserts that “Development that is not well designed should be refused”.

NPPF para. 210 states that “In determining applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation...”

NPPF para. 212 states, in the case of designated heritage assets, “great weight should be given to the asset’s conservation”, irrespective of whether potential harm is substantial, less-than-substantial, or total loss. Where harm to a designated heritage asset is less-than-substantial, it should be weighed against the public benefits of the proposal (para. 208).

Paragraph 216 of the National Planning Policy Framework (NPPF) states the effect on the significance of a non-designated heritage asset should be taken into account when making

decisions.

Opportunities should be sought for new development within conservation areas and the settings of heritage assets that enhances or better reveals their significance. (para. 219)

Referring to assets in a conservation area, NPPF para. 220 states that loss of an element that makes a positive contribution to a conservation area should be treated as either substantial (under para. 214) or less-than-substantial harm (under paragraph 215).

Initially, the Council's Conservation Officer requested a design revision for the development as the proposal was considered to have an impact on the character and appearance of the Conservation Area is likely to be harmful and constitute a less-than-substantial level of harm to a designated heritage asset, and to constitute a small level of harm to the settings of nearby heritage assets.

Based on these concerns the design of the proposed dwellings has been amended to include more red sandstone cladding, revised fenestration patterns and the inclusion of chimneys. The agent also submitted additional evidence to support the overall design of the proposed development.

Further to these amendments to the scheme the Council's Conservation Officer offered no objections to the development given that two of the properties will be largely concealed from the road and the remaining house is an unobjectionable style. Concerns were however raised with regard to the use of block pavers for hardstanding, the Officer requested that this be altered to brick. The agent has requested that this detail be secured by an appropriately worded planning condition.

On the basis of the inclusion of this condition, it is considered that the proposal complies with Policies BE1 and BE2 of the Copeland Local Plan and the provisions of the NPPF.

Access and Highway Safety

Strategic Policy CO4 requires that proposals must include safe and direct connections to routes that promote active travel, such as cycling and walking routes where appropriate. Support in principle is outlined for developments which encourage the use of sustainable modes of transport, in particular: proposals that have safe and direct connections to cycling and walking routes where appropriate and those that provide access to regular public transport services; proposals that make provision for electric vehicles; and proposals for the integration of electric vehicle charging infrastructure into new developments. It is required that developments that are likely to generate a large amount of movement secure an appropriate Travel Plan and be supported by a Transport Assessment.

The development will be accessed from High House Road utilising the existing access to the site which formally served a single dwelling which has now been demolished. The access is located within the south west of the application site and will be widened to accommodate the proposed development, benefitting of visibility splays of 60m in each direction. Access to each plot will be from a shared private road which will lead to separate driveways finished

with concrete block pavers.

Following the receipt of amended plans to show the proposed visibility splays at the site, the Highway Authority have offered no objections to the development subject to a condition to secure visibility splays.

Based on the inclusion of this requested condition, the proposal is considered to be compliant with the Policy CO4 of the Copeland Local Plan, and provisions of the NPPF.

Drainage and Flood Risk

Policy DS6 seeks that development will not be permitted where: there is an unacceptable risk of flooding and or, the development would increase the risk of flooding elsewhere.

Policy DS7 requires that surface water is managed in accordance with the national drainage hierarchy and includes Sustainable Drainage Systems where appropriate.

The application site is located within Flood Zone 1.

The application proposes that surface water from the development will be disposed of via soakaways/existing water course, and foul water will be connected into the existing mains sewer. Concerns have been raised from both the Parish Council and residents with regard to the impact of the development on existing drainage schemes. Concerns have also been raised with regard to the limited information provided as part of the application in terms of the proposed drainage scheme.

United Utilities have reviewed the application and have confirmed that whilst the proposed drainage scheme are acceptable in principle, there is insufficient information on the detail of the drainage design. UU have therefore requested a condition to secure full details of a sustainable surface water and foul water drainage scheme for the development prior to works commencing on site. As SUDs are proposed within the development a condition will also be included to secure their effective management and maintenance.

The LLFA have also offered no objections to the development, however they have requested a condition to secure details of the proposed surface water drainage to prevent discharge onto the highway.

On this basis, the imposition of these conditions will secure proper drainage within the site, and will manage the risk of flooding ensuring that the development complies with Policies DS6 and DS7 of the Copeland Local Plan and the provisions of the NPPF.

Impact on Biodiversity and Ecology

Policy N1 of the ELP seeks to ensure that new development will protect and enhance biodiversity and geodiversity and defines a mitigation hierarchy.

Policy N3 requires that all development, with the exception of that listed in the Environment Act must provide a minimum of 10% biodiversity net gain over and above existing site levels, following the application of the mitigation hierarchy set out in Policy N1. This is in addition to

any compensatory habitat provided under Policy N1. It is stated net gain should be delivered on site where possible and where on-site provision is not appropriate, provision must be made elsewhere in accordance with a defined order of preference.

In England, BNG is now mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Applications must now deliver a Biodiversity Net Gain of 10%, resulting in more or better-quality natural habitat than there was before the development.

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition)” that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the local planning authority, and
- (b) the local planning authority has approved the plan.

The planning authority, for the purposes of the Biodiversity Gain Plan is Cumberland Council.

As this application was submitted before the 12th February 2024, the development is considered to be except from the requirements of BNG.

On this basis, the proposal is considered to be compliant with the Policies N1 and N3 of the Copeland Local Plan and the provisions of the NPPF.

Planning Balance and Conclusions

The application site is located within the defined settlement boundary for St Bees, which is identified as a Local Service Centre. The application site previously sited a residential dwelling. In 2013, planning permission (ref: 4/13/2074/0F1) was granted to for the demolition of the existing property and its replacement with a new dwelling.

The principle of the redevelopment of this site within the St Bees settlement boundary for residential purposes has therefore been previously established.

The proposed housing mix is considered to reflect the provisions of the SHMA.

The site sits between existing residential properties on High House Road. The proposed development would act as an infill of the previously developed site between the existing village form and the adjacent residential properties, with the additional two dwellings reflecting the character of newer estates. The development is not considered to extend into open countryside as it is located within an existing residential area, would be viewed in the context of the existing built form, and will therefore not have a detrimental impact on the character of the area.

The proposed development has been designed with reference to the shape and form of the Application Site. Given the form and layout of the proposed, adverse impacts upon the residential amenity of the existing residents through loss of daylight, loss of sunlight,

	<p>overshadowing, overbearing effects or overlooking will not result due to the separation distances achieved. Conditions will be utilised to secure details of materials, solar panels, boundary treatment, paving materials, and the retention of the highway stone boundary wall.</p> <p>Access to the site will be retained and altered to accommodate the three dwellings. No objection have been received from the Highway Authority. No objections have been received from UU or the LLFA however full details of the proposed drainage scheme will be secured by conditions.</p> <p>On balance the positive benefits that would result from this proposal outweigh any potential harm and the proposal represents a sustainable form of development which complies with the Policies set out in the Copeland Local Plan and the guidance within the NPPF.</p>
8.	<p>Recommendation:</p> <p>Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <p><u>Standard Conditions</u></p> <ol style="list-style-type: none"> 1. The development hereby permitted must be commenced before the expiration of three years from the date of this permission. <p>Reason</p> <p>To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.</p> <ol style="list-style-type: none"> 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: <ul style="list-style-type: none"> - Application Form, received by the Local Planning Authority on the 11th October 2022. - Covering Letter, received by the Local Planning Authority on the 11th October 2022. - Site Location Plan (Amended), Scale 1:1250, Drawing No: 03, Rev: B, received by the Local Planning Authority on the 1st November 2022. - Existing Site Plan (Amended), Scale 1:200, Drawing No: 01, Rev: D, received by

the Local Planning Authority on the 1st November 2022.

- Proposed Site Plan & Section (Amended), Scale 1:200, Drawing No: 02, Rev: P, received by the Local Planning Authority on the 7th October 2024.
- Proposed Type B House Plans & Elevations, Scale 1:100, Drawing No: 07, Rev: -, received by the Local Planning Authority on the 28th March 2023.
- Proposed Type C House Plans & Elevations (Amended), Scale 1:100, Drawing No: 06, Rev: B, received by the Local Planning Authority on the 28th March 2023.
- Proposed Type D House Plan & Elevations (Amended), Scale 1:100, Drawing No: 08, Rev: B, received by the Local Planning Authority on the 30th November 2023.
- Heritage Statement, Prepared by Day Cummins, Document Ref: 5568-D-02, received by the Local Planning Authority on the 11th October 2022.
- Design and Access Statement (Amended), received by the Local Planning Authority on the 28th March 2023.
- Arboricultural Survey, Implication Assessment and Tree Protection, Prepared by Lowther February 2023, received by the Local Planning Authority on the 17th February 2023.
- Architect's Statement in Response to Conservation Officer's Comments, Prepared by Day Cummins, received by the Local Planning Authority on the 28th March 2023.
- Flood Map, received by the Local Planning Authority on the 11th October 2022.
- In-Roof PV Panels, received by the Local Planning Authority on the 2nd May 2023.
- Proposed Site Sections, Scale 1:200, Drawing No: 09, Rev: 09, received by the Local Planning Authority on the 7th October 2024.
- Email from Agent: Response to Parish Council, received by the Local Planning Authority on the 27th February 2024.
- Email from Agent, received by the Local Planning Authority on the 30th November 2023.
- Arboricultural Consultant Response, received by the Local Planning Authority on the 27th February 2024
- Email from Agent: Response to Arboriculturalist, received by the Local Planning

Authority on the 7th October 2024.

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

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

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

Reason

To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with Policies DS6 and DS7 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.

5. The development hereby approved must not commence until visibility splays providing clear visibility in accordance with approved plan 'Proposed Site Plan & Section (Amended), Scale 1:200, Drawing No: 02, Rev: P, received by the Local Planning Authority on the 7th October 2024' have been provided.

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, vehicle or object of any kind shall be erected, parked 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 in accordance with Policy CO4 of the Copeland Local Plan.

6. The development must be carried out in accordance with and implement all of the mitigation and compensation measures set out in the approved documents:
 - Arboricultural Survey, Implication Assessment and Tree Protection, Prepared by Lowther February 2023, received by the Local Planning Authority on the 17th February 2023.
 - Arboricultural Consultant Response, received by the Local Planning Authority on the 27th February 2024
 - Email from Agent: Response to Arboriculturalist, received by the Local Planning Authority on the 7th October 2024.

The development must be carried out in accordance with the approved document at all times thereafter. All protective fencing and root protection measures must be installed prior to any construction activity onsite and must be retained throughout the development.

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 N6 of the Copeland Local Plan 2013-2028.

Prior to Erection of External Walling Conditions:

7. 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 in accordance with Policy DS4 of the Copeland Local Plan.

Prior to First Use/Occupation Conditions:

8. Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:
 - ii) Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
 - iii) Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason

To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development in accordance with Policies DS6 and DS7 of the Copeland Local Plan.

9. Prior to their first use within the development hereby approved details of the proposed materials to be used within the proposed hardstanding must be submitted to an approved in writing by the Local Planning Authority. The development must be carried out in accordance with these approved details and retained as such at all times thereafter.

Reason

To enhance the appearance of the development in the interest of visual amenities of the area and to protect the heritage assets in accordance with Policies BE1 and BE2 of the Copeland Local Plan 2013-2028.

10. Prior to the first installation within the development hereby approved, details of the proposed solar panels will be submitted to and approved in writing by the Local Planning Authority. The development must be carried out in accordance with the approved details at all times thereafter and must not be altered without the prior consent of the Local Planning Authority.

Reason

To ensure a satisfactory appearance of the development in the interests of visual amenity in accordance with Policy DS4 of the Copeland Local Plan.

11. Prior to their first use within the development hereby approved details of the proposed boundary treatments must be submitted to an approved in writing by the Local Planning Authority. The development must be carried out in accordance with these approved details and retained as such at all times thereafter.

Reason

To enhance the appearance of the development in the interest of visual amenities of the area and to protect the heritage assets in accordance with Policies BE1 and BE2 of the Copeland Local Plan 2013-2028.

Other Conditions:

12. All hard and soft landscape works must be carried out in accordance with the details illustrated on the following approved documents:

- Proposed Site Plan & Section (Amended), Scale 1:200, Drawing No: 02, Rev: P, received by the Local Planning Authority on the 7th October 2024.

The approved works must be implemented in full during the first planting season following completion of the development. Any trees or shrubs which are removed, die or become severely damaged or diseased within ten years of their first planting must be replaced in the next planting season with a similar species and in a similar location within one growing season. Any alterations to the agreed Landscape Plan should be approved in writing by the Local Planning Authority.

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 N6 of the Copeland Local Plan 2013-2028.

13. 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 dwellings / buildings, 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 visual amenity in accordance with Policy DS4 of the Copeland Local Plan.

14. The existing stone boundary wall along High House Road must be retained at all times in accordance with the details submitted in the approved document 'Proposed Site Plan & Section (Amended), Scale 1:200, Drawing No: 02, Rev: P, received by the Local Planning Authority on the 7th October 2024'.

Reason

To ensure a satisfactory appearance of the development in the interests of visual amenity.



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Informative(s):

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>](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: C. Burns

Date : 18.12.2024

Authorising Officer: N.J. Hayhurst

Date : 20.12.2024

Dedicated responses to:-