

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/23/2034/001	
2.	Proposed Development:	OUTLINE APPLICATION (WITH ALL MATTERS RESERVED) FOR FIVE DWELLINGS	
3.	Location:	BECKERMET SERVICE GARAGE, BECKERMET	
4.	Parish:	Beckermets with Thornhill	
5.	Constraints:	ASC;Adverts - ASC;Adverts, Conservation Area - Conservation Area, Safeguard Zone - Safeguard Zone, Coal - Off Coalfield - Data Subject To Change, DEPZ Zone - DEPZ Zone, Outer Consultation Zone - Sellafeld 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 the former Beckermets Service Garage, located within the east of Beckermets. The site fronts onto the main road through the village and comprises an area of	

0.13 hectares. The land comprises a dilapidated garage building and land associated with the previous use to the west. The land to the rear of the site is sloping towards the existing building/adjacent highway.

The site is located within the Beckermert Conservation Area.

Relevant Planning History

No relevant planning history.

Proposal

This outline application seeks to establish the principle of developing the site for residential purposes for up to five dwellings. All matter relating to plot layout, scale, appearance, access, and landscaping are reserved for subsequent approval.

Whilst all matters are reserved for further approval, an indicative plan has been submitted to show how the site could be developed to create five terrace properties with parking areas to each side of the terrace.

The application is accompanied by the following information:

- Site Location Plan;
- Existing Site Plan;
- Indicative Site Plan;
- Design and Access Statement;
- Design Code.

Consultation Responses

Beckermert with Thornhill Parish Council

16th February 2023

At the outline planning stage there are no objections from Beckermert with Thornhill Parish Council.

11th August 2023

There are no comments/objections from Beckermert with Thornhill Parish Council.

Cumberland Council – Highway Authority & LLFA

13th March 2023



Cumberland Council

Highways Comments

Having reviewed the outline proposals I see no significant concerns or likely material impacts on the highway. Taking into account the previous permitted use as a garage with several garage entrances and a parking area, the proposed direct accesses are very similar and do not introduce any new hazards. I would add however, that we would require evidence of sufficient parking places (in line with the CDDG) with turning facilities in curtilage and where possible driveways shared to reduce the number of accesses.

The driveway material should be of a bound construction for at least 5m from the road edge and there should be features to prevent surface water run-off from running onto the carriageway if the site falls towards the road. Permeable paving should be considered as part of the SUDS drainage design.

Careful attention should be made where the site adjoins the highway and suitable haunched tie-in carriageway pavement construction will be required. These details can be established during the s184 application out with the planning process.

LLFA Comments

I note from the application form that the intention is to drain the surface water to the UU mains (in this case a combined sewer). In accordance with NPPF, the applicant must demonstrate that more favourable solutions have been ruled out. This would include percolation testing to see if soakaways are suitable and investigating the potential of running a SW drain to Black Beck to the north. If the LLFA is satisfied that the proposed destination is the only achievable option, then the design must seek to reduce the run-off to greenfield equivalent values or if not possible, then at

least a 50% betterment over the existing.

Conclusion

I can confirm that the LHA and LLFA have no objections to the proposal, subject to the inclusion of conditions relating to parking/carriageways/driveways, measures to prevent surface water discharging onto/off the highway, existing highway boundaries, and surface water drainage schemes.

27th July 2023

I can confirm that I have no objections and I do not wish to make any recommendations at this time.

United Utilities

6th March 2023

Request conditions relating to surface water drainage.

Cumberland Council – Conservation & Design Officer

9th March 2023

Conclusion: No objection

Assessment:

- The garage has some value historically in being a traditional filling station of the sort that would have been a familiar village feature during much of the mid-20th century. This use has been lost, however, and is very unlikely to return, there do not appear to be historic features such as mid-20th century pumps, and the visual appearance of the site detracts from the character and appearance of the conservation area and settings of surrounding assets.
- As far as the principle of redeveloping the site for house goes, I am supportive, and have no reason to believe that the site can't support five dwellings. The form, scale and massing of these will need to be refined in future.
- My intuition at this stage is that a continuous row would relate more clearly to Nursery Road, where there are several such rows, but this will need testing with various options for integrating parking and with relevant other observations about context (e.g. how are the rooflines, fenestration and gardens arranged in those examples?) and innovations in form, layout, material etc. that will give this design some spark.
- The design of dwellings here should find a way of being “of Beckermest” in the sense that they are recognisable and belong, while also bringing the benefits and recontextualisations that new building can provide.
- A key challenge will be to find ways of integrating the parking that enhance the character and appearance of the conservation area, while preserving the amenity of the houses. Would some kind of undercroft with the accommodation above (possibly a mezzanine split level arrangement) unlock more efficient space use?
- The design of the new houses will need to be of good quality (not merely “not bad” quality). The National Design Guide will be a good resource in formulating proposals early on, and a thorough study of the character of Nursery Road, Beckermest more generally, and how new architecture could respond to or bring out the best elements would be strongly advised. I would recommend looking at the Beckermest Conservation Area Appraisal (2017) for reference. This, and Copeland's other conservation and design guidance, can be found on the Conservation and Design Documentation webpage. [Conservation and Design Documents and Guidance | Copeland Borough Council](#)

15th August 2023

Conclusion: No objection



Cumberland Council

Assessment: Since my last consultation response on this application, a design code has been submitted, providing detail on the proposed design direction for the site and its reasoning.

- This application reserves all matters, including design. This code is therefore intended to provide confidence about the submission of reserved matters.
- The design code is based both on Beckermets Conservation Area Appraisal and on relevant attributes of good design outlined in the National Design Guide including, which also serve as the basis for the National Model Design Code.
- This exercise identifies a number of important aspects to inform reserved matters, including being of two stories' height, fenestration that complements and aligns with Beckermets character, and using materials compliant with local character.
- Examples of materials could include sandstone and/or render wall facing, slate roofing and timber doors and windows.
- Properties will front onto the road, with gardens to the south-facing rear elevations.
- This provides helpful confidence in the general direction of the intended design work and shows awareness of local and national guidance, although it is light touch and a starting point.
- Design codes have the potential to be a useful tool, enabling the designer to gain value by making decisions using insights that are not immediately obvious – a parallel might be the investment strategy of a hedge fund manager seeking to find successful investments. In both cases, the utility of the tool is in the sophistication of the decisions it enables.
- A design code is a tool to increase long-term value creation by enabling higher quality decisions.

In my view, development of this site into five dwellings could be carried out sustainably, subject to well observed and innovative design. I look forward to discussing the emerging work as the opportunity arises.

Cumberland Council – Historic Environments Officer

8th February 2023

The site lies in an area of some archaeological potential on the edge of the medieval village of Beckermets. However, the extent of the disturbance caused by the existing garage and the sunken fuel tanks is likely to be such that I do not consider it likely archaeological remains survive on the site. I therefore confirm that I have no objections to the application and that I do not wish to make any recommendations.

27th July 2023

No objections and I do not wish to make any recommendations.

Cumberland Council & Westmorland and Furness Council – Resilience Unit

18th August 2023

Thank you for the opportunity to comment on the above planning application. This response from the Joint Emergency Management and Resilience Team relates to emergency planning arrangements in the unlikely event of an incident occurring at Sellafield Ltd. The Sellafield site is currently covered by the provision of the Radiation (Emergency Preparedness and Public Information) Regulations 2019.

There are no objections to the proposed works.

However it should be noted that the location of the property is situated within an area outside the site which, in liaison with Sellafield Ltd and the Office for Nuclear Regulation, special arrangements are made for residents/business premises, this area is referred to as the Detailed Emergency Planning Zone (DEPZ). As a direct result particular attention is paid to ensuring that people are aware of the appropriate action to take in the event of an incident at the Sellafield site.

In view of the fact that this application, if granted, could increase the number of persons in the area (including trade people) I would be grateful if you could advise the applicant to liaise with this office via emergency.planning@westmorlandandfurness.gov.uk to allow for further discussion to ensure the applicant and their trades people/contractors are aware of the appropriate information and actions to take should there be an incident at the Sellafield site.

Public Representation

This application has been advertised by way of a site notice, press notice, and neighbour notification letters issued to fourteen properties. Six letters of objection were raised to this application raising the following concerns:

- Concerns about the size of properties against the provisions given for parking re the driveways.
- The application 3 and 4 bed homes will be built on site. at present we struggle to get in and out of our driveway when cars are parked on the road adjacent.
- If owners have more than one car will driveways be long enough to provide the required car parking. If not where will these people park?
- Our village is already struggling to accommodate neighbours vehicles.
- We don't have room for more cars outside our property. People from the other side of the village park on this road.
- The number of dwellings should be reduced and larger driveways provided.

- Residents have parked on this land and used consistently since 1999.
- Owner of site has been contacted to purchase land for parking but has not committed to this.
- The proposed access would take a large amount of road space currently available for parking.
- Current residents will have even less parking available and that is without visitor parking as some properties in the area are holiday lets which attract multiple vehicles and cause parking issues.
- Can an area of the land be made available for existing residents parking to reduce the impact on parking around this area of the village?
- The application should be for a maximum of two dwellings and a parking area of which can be allocated/sold to pre existing properties.
- The Parish Council and Village Association are continuously raising concerns about parking and traffic congestions the development of additional housing will only exacerbate this issue.
- Proposed accesses at the narrowest part of the road will cause safety issues.
- There are few pavements in the village and none in this area. Current parking already pushes pedestrians into the middle of the road this development will only add to the dangers to pedestrians especially as Nursery Road is a busy area for dog walks and Sellafeld workers using the village as a shortcut during commuting hours.
- Additional properties is unmanageable and would overwhelm the area with problems.
- No new style properties. The buildings should be in keeping with the village in design and materials.
- The site is a conservation area and there is no mention of this within the application.
- A more appropriate scheme would be to build terrace houses conforming with neighbouring buildings with off street parking behind or beside the terrace.
- This is a typical developer trying to cram as many properties they can into the land.

One letter of neutral response was received which offered the following comments:

- It would be good if the plans could include some provision for parking for existing residents. This site has been available for locals to park for a long time so to have this taken away is going to cause congestion along a narrow road.

Further to a reconsultation on the amended information received for this application, one letter of objection was received which raised the following concerns:

- I have previously made comment on this application with regard to parking for existing

residents.

- The land has served as a parking area in addition to the garage for 25 year plus.
- The garage has always welcomed parking on their land to ease parking congestion in the area.
- It is difficult for residents to get parked in this space already as it is never mind any additional guests that people may have.
- Despite the new properties having parking areas for themselves it will still reduce the parking options for the existing houses.
- Reduce the number of properties to 2 or 3 and add an additional parking zone for existing properties in the area. I am sure residents would be happy to purchase a parking space on this plot of land.

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 2013 – 2028 (Adopted December 2013)

Core Strategy

Policy ST1 – Strategic Development Principles

Policy ST2 – Spatial Development Strategy

Policy SS1 – Improving the Housing Offer

Policy SS2 – Sustainable Housing Growth

Policy SS3 – Housing Needs, Mix and Affordability

Policy SS5 – Provision and Access to Open Space and Green Infrastructure

Policy T1 – Improving Accessibility and Transport

Policy ENV1 – Flood Risk and Risk Management

Policy ENV3 – Biodiversity and Geodiversity

Policy ENV4 – Heritage Assets

Policy ENV5 – Protecting and Enhancing the Borough's Landscapes

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM11 – Sustainable Development Standards

Policy DM12 – Standards of New Residential Developments

Policy DM22 – Accessible Developments

Policy DM24 – Development Proposals and Flood Risk

Policy DM25 – Protecting Nature Conservation Sites, Habitats and Species

Policy DM26 – Landscaping

Policy DM27 – Built Heritage and Archaeology

Policy DM28 – Protection of Trees

Emerging Copeland Local Plan 2021 – 2038 (ELP):

Cumberland Council are continuing the preparation and progression to adoption of the emerging Copeland Local Plan 2017-2038.

The emerging Copeland Local Plan 2017-2038 comprising the Publication Draft (January 2022) and Addendum (July 2022) have recently been examined by the Planning Inspector and their report on the soundness of the plan currently remains awaited.

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

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

Strategic Policy DS1PU: Presumption in favour of Sustainable Development

Strategic Policy DS2PU: Reducing the impacts of development on Climate Change

	Strategic Policy DS3PU: Settlement Hierarchy
	Strategic Policy DS4PU: Settlement Boundaries
	Strategic Policy DS5PU: Planning Obligations
	Policy DS6PU: Design and Development Standards
	Policy DS7PU: Hard and Soft Landscaping
	Strategic Policy DS8PU: Reducing Flood Risk
	Policy DS9PU: Sustainable Drainage
	Policy DS11PU - Protecting Air Quality
	Strategic Policy H1PU: Improving the Housing Offer
	Strategic Policy H2PU: Housing Requirement
	Strategic Policy H3PU: Housing delivery
	Strategic Policy H4PU: Distribution of Housing
	Strategic Policy H5PU: Housing Allocations
	Policy H6PU: New Housing Development
	Policy H7PU: Housing Density and Mix Strategic
	Policy H8PU - Affordable Housing
	Policy SC1PU - Health and Wellbeing
	Strategic Policy N1PU: Conserving and Enhancing Biodiversity and Geodiversity
	Strategic Policy N2PU: Local Nature Recovery Networks
	Strategic Policy N3PU: Biodiversity Net Gain
	Strategic Policy N6PU: Landscape Protection
	Policy N9PU - Green Infrastructure
	Strategic Policy BE1PU: Heritage Assets
	Policy BE2PU: Designated Heritage Assets
	Policy CO4PU - Sustainable Travel
	Policy CO5PU - Transport Hierarchy
	Policy CO7PU - Parking Standards and Electric Vehicle Charging Infrastructure
	Other Material Planning Considerations
	National Planning Policy Framework (2021)
	National Design Guide (NDG).



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Conservation Area Design Guide

Cumbria Development Design Guide (CDG)

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

Strategic Housing Market Assessment 2021 (SHMA)

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

Assessment

The key issues raised by this application relate to the principle of the development; housing need; settlement character and landscape and visual impact; scale, design and impact on residential amenity; flood risk and drainage; access and highway safety; and impact on heritage assets and archaeology.

Principle of Development

This application is located within the east of Beckermets, which is classified as a Local Centre under Policy ST2 of the Copeland Local Plan.

Policy ST2 seeks to support appropriately scaled development in defined Local Centres which helps to sustain services and facilities for local communities. In respect of housing developments, the following is identified as appropriate: within the defined physical limits of development as appropriate; possible small extension sites on the edges of settlement; housing to meet general and local needs; and, affordable housing and windfall sites.

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

Within the Emerging Local Plan, under Policy DS3PU Beckermets is identified as one of the Sustainable Rural Villages which are identified as offering a limited number of services but could supported a limited amount of growth to sustain communities.

Policy DS4PU of the ELP defines the settlement boundaries for all settlements within the hierarchy and states that development within these boundaries will be supported in principle where it accords with the Development Plan unless material considerations indicate otherwise.

The application site is located within the existing and proposed settlement boundary for Beckermets. On this basis, it is therefore considered that the development would be accordance with the aims and objectives of the NPPF which set a presumption in favour of

sustainable development as well as the relevant policies of the adopted Copeland Local Plan and Emerging Local Plan. The principle of residential development is supported subject to site-specific matters.

Housing Need & Mix

Policy SS3 of the Copeland Local Plan requires housing development to demonstrate how proposals will deliver a good range of affordable homes for everyone. Developments will be assessed on how well they meet the identified need and aspirations of the Borough's individual Housing Market Areas as set out in the Strategic Housing Market Assessment including: creating a more balanced mix of housing types and tenures within the housing market area; including a proportion of affordable housing that makes the maximum contribution to meeting the identified needs in the housing market areas; and, establishing a supply of sites suitable for executive and high quality family housing.

Within the Emerging Local Plan, Policy H7PU states that development should make the most of effective use of land and when determining appropriate densities development proposals should demonstrate that consideration has been given to the shape and size of the site, requirements for public open space and landscaping, the character of the surrounding area and setting of the site, and whether the density would help achieve appropriate housing mix and help regeneration aims. It must also be demonstrated that proposals meeting 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.

Policy H8PO of the Emerging Local Plan stated that on sites of 10 units or more, or on sites of 5 units or more within the Whitehaven Rural sub-area, at least 10% of the homes should be affordable as defined in the NPPF unless this would exceed the level of affordable houses required in the area as identified in the Housing Needs Study, or the development falls into an exemption category listed in the NPPF. This Policy further states that affordable housing should be provided in the tenure split of 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 falls within the Whitehaven Housing Market Area (HMA) of Copeland Strategic Housing Market Assessment (SHMA). The SMHA suggest a particular focus on the delivery of two and three bedroom (80%) and some 4+ bedroom (20%) semi-detached and detached dwellings. It is also stated the Council should also consider the role of bungalow and there is a high need for new affordable housing.

As the application is in outline form, no details have been secured with regard to the proposed housing mix for this site. The submitted planning application form for the proposal however indicates the site will accommodate 4 x three bedroomed dwellings and 1 x four

bedroom property. The scale of the proposed development is appropriate to the scale and designation of Beckermat as a Local Service Centre. No affordable housing is proposed as the development falls below the threshold for provision.

Based on the above, it is considered that the development can assist in providing housing that will help meet the identified housing need identified in the SHMA and the requirements of Policy SS3 of the Copeland Local Plan, Policies H7PU and H8PU of the Emerging Local Plan and provisions of the NPPF.

Settlement Character and Landscape and Visual Impact

Policy ENV5 of the Copeland Local Plan states that the Borough's landscapes will be protected and enhanced by: protecting all landscapes from inappropriate change by ensuring that the development does not threaten or detract from the distinctive characteristics of that particular area; that where the benefits of the development outweigh the potential harm, ensuring that the impact of the development on the landscape is minimised through adequate mitigation, preferably on-site; and, supporting proposals which enhance the value of the Borough's landscapes.

Policy DM26 of the Copeland Local Plan stated that where necessary development proposals will be required to include landscaping schemes that retain existing landscape features, reinforce local landscape character, and mitigate against any adverse visual impact. Care should be taken that landscaping schemes do not include invasive non-native species.

Within the Emerging Local Plan, Policy N6PU states that the Borough's landscapes will be protected and enhanced by supporting proposal which enhance the value of the Borough'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. It is stated that proposals will be assessed according to whether the proposed structures and associated landscaping relates well in terms of visual impact, scale, character, amenity value and local distinctiveness and the cumulative impact of developments will be taken into account as part of this assessment and that consideration must be given to the Council's Landscape Character Assessment, Settlement Landscape Character Assessment and the Cumbria Landscape Character Guidance and Toolkit at the earliest stage.

The Cumbria Landscape Character Guidance and Toolkit (CLCGT) identifies the site as being within Sub Type 5b: Lowland - Low Farmland. The Key Characteristics of the land comprise: undulating and rolling topography, intensely farmed agricultural pasture dominates, patchy areas of woodland provide contrast to the pasture, woodland is uncommon west towards the coast, fields are large and rectangular, and hedges, hedgerow trees and fences bound fields and criss cross up and over the rolling landscape.

The Guidelines for development include: when new development takes place consider opportunities to enhance and strengthen green infrastructure to provide a link between urban areas and the wider countryside, reinforcing woodland belts, enhancing water and soil quality

and the provision of green corridors from and between settlements could all help reinforce landscape and biodiversity features, and ensure new development respects the historic form and scale of villages creating new focal spaces and using materials that are sympathetic to local vernacular styles. Further ribbon development or fragmented development should be supported where it is compatible with the wider landscape character.

The application site relates to a dilapidated brownfield site, formerly in use as the Beckermert Service Garage. The site is located within the east of the village which is a predominantly residential area. As the development is surrounded by existing residential properties and will replace a dilapidated garage building, the proposal is not considered to have any significant impact on the overall landscape. As the site would be an infill plot, the development of this site would be considered to be complementary to the built form of this part of the settlement.

The proposal is therefore considered to comply with policies ST1, ENV5 and DM26 of the Copeland Local Plan, Policy N6PU of the Emerging Local Plan, and the provisions of the NPPF.

Scale, Design and Impact on Residential Amenity

Policy SS1 of the Copeland Local Plan seeks to make Copeland a more attractive place to build homes and to live through requiring new development to be designed and built to a high standard.

Policy DM10 of the Copeland Local Plan expects high standards of design and the fostering of quality places. It is required that development responds positively to the character of the site and the immediate and wider setting and enhance local distinctiveness. It is required that development incorporate existing features and address vulnerability to and fear of crime and antisocial behaviour.

Policy DS6PU of the Emerging 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 application lies within a predominantly residential area to the east of Beckermert. The application includes indicative details of the proposed layout only with details of the scale, layout, and appearance of the dwellings reserved for subsequent approval. As submitted the proposed plot layout does reasonably allow for adequate separation distances to be achieved between facing elevations of the proposed and existing dwellings as required by Policy DM12 of the Local Plan. The layout and separation distances would also reflect the traditional character of this part of the village and Conservation Area. It is also considered that suitable boundary treatments could be secured as part of this permission to minimise the potential impact of the development. Full details of landscaping, and therefore boundary treatment, for



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this development will therefore be secured by condition alongside a maintenance schedule.

Concerns have been raised by residents with regard to the scale, design and impact of the proposed dwellings, however these concerns would be dealt with part of subsequent applications.

Whilst the matters of layout, scale, appearance and landscaping are reserved for subsequent approval, it is considered that a development layout could be achieved within this site with interface separation distances that would not result in harm to the residential amenity of the neighbouring residential dwellings through loss of light, overshadowing, overbearing and overlooking.

Flood Risk and Drainage

Policy ST1 of the Copeland Local Plan and paragraph 159 of the NPPF seek to focus development on sites that are at least risk of flooding and where development in flood risk is unavoidable, ensure that the risk is minimised or mitigated through appropriate design for the lifetime of the development.

Policy ENV1 and DM24 of the Copeland Local Plan, and Policy DS8PU of the Emerging Local Plan state 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 DM11 of the Copeland Local Plan and Policy DS9PU of the Emerging Local Plan 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.

At this stage it is indicated that surface water from the development will be disposed of by the main sewer, however no details have been provided with regard to foul water disposal. Given the outline nature of the application, and as no evidence has been submitted to show the site can be drained in line with the drainage hierarchy, conditions will be attached to this permission to secure full details of the proposed surface and foul water for the development as requested by UU. The LLFA have offered no objections to the application but have also stated that in accordance with the NPPF the applicant must demonstrate that more favourable drainage solutions have been ruled out. The LLFA have further stated that if the proposal to drain into the combined sewer is the only option then the drainage design must seek to reduce the run-off to greenfield equivalent values or if not possible, then at least a 50% betterment over the existing.

It is therefore considered that, based on the inclusion of the requested conditions, the proposal will not have a detrimental impact on flood risk in accordance with Policies ST1, ENV1 and DM24 of the Copeland Local Plan, Policies DS8PU and DS9PU of the Emerging Local Plan, and the provisions of the NPPF.

Access and Highway Safety

Policy T1 of the Core Strategy requires mitigation measures to be secured to address the impact of major housing schemes on the Boroughs transportation system. Policy DM22 of the Copeland Local Plan requires developments to be accessible to all users and to meet adopted car parking standards, which reflect the needs of the Borough in its rural context.

Policies CO4PU, CO5PU and CO7PU of the ELP promotes active travel.

The application has been submitted in outline form only with all matters reserved for subsequent approval. The application is however supported by an indicative site plan which shows how the site could be developed to create five terrace properties with parking areas to each side of the terrace.

Cumbria Highways have reviewed the application and have confirmed that they see no significant concerns or likely material impact on the highway, given the previous use of the site as a garage which featured several entrances and parking areas. The Highway Authority have however stated that in line with the CDG evidence would need to be submitted to show adequate parking could be provided at this site with turning facilities in curtilage. It is suggested that shared driveways should be utilised to reduce the number of accesses for the development, with a bound construction for at least 5m into the site and permeable paving considered in the drainage design. Based on this the Highway Authority have requested conditions relating to parking/carriageways/driveways, measures to prevent surface water discharging onto/off the highway, existing highway boundaries, and surface water drainage schemes.

Concerns have been raised by residents that the current garage site is currently utilised as informal parking spaces for nearby residential properties that do not benefit from off street parking. A request has been made that the site, or part of the site, could be made available as parking for existing residents. The Local Planning Authority have to consider the application that is presented to them, which seeks permission for dwellings and associated parking. As the site has no formal use as a car park, the loss of this facility cannot be considered as part of the current application process.

It is therefore considered that based on the inclusion of any requested conditions, the proposal will not have a detrimental impact on highway safety in accordance with Policies T1 and DM22 of the Copeland Local Plan, Policies CO4PU, CO5PU and CO7PU of the Emerging Local Plan and provisions of the NPPF.

Impact on Heritage Assets & Archaeology

Policy ENV4 and Policy DM27 of the Copeland Local Plan and Policy BE1PU and BE3PU of the Emerging Local Plan seek to protect, conserve and where possible enhance heritage assets including archaeological assets.

The Planning (Listed Buildings and Conservation Areas) Act 1990 establishes a need “in considering whether to grant listed building consent for any works [for the Local Planning Authority to] have special regard to the desirability of preserving the building or its setting or

any features of special architectural or historic interest” [Section 16(2)]. This requirement also applies to the granting of planning permission affecting a listing building or its setting [Section 66(1)].

Section 72 of the 1990 Act states that “special attention shall be paid to the desirability of preserving or enhancing the character or appearance of [a conservation] area.”

Paragraph 134 of the National Planning Policy Framework (NPPF) asserts that “Development that is not well designed should be refused”.

NPPF para. 197 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. 199 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. 202).

Paragraph 203 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.

The application site is located within the Beckermets Conservation Area. Whilst the application is in outline form only, concerns were initially raised with the agent with regard to the proposed layout of the development which initially indicated the site would be developed for two semi-detached and one detached dwelling. It was considered that this layout would not reflect the traditional character of the Conservation Area which predominantly includes terrace properties. An amended indicative site layout plan was subsequently submitted to show that the site could be developed to create five terrace properties with parking areas to each side of the terrace. The agent also submitted a Design Code to support this application to provide parameters for the development of this site, including details of layout, materials, parking, roof pitches, height of properties and orientation. A condition can be used to ensure the site is developed in line with this approved Design Code. A further condition will also be attached to this permission to remove permitted development rights to ensure the development do not impact on the Conservation Area.

The Council’s Conservation Officer has confirmed that whilst the garage has some value historically in being a traditional filling station, this use has been lost and is very unlikely to return. It is further stated that the visual appearance of the site in its current form detracts from the character and appearance of the Conservation Area and surrounding assets. Initially, the Officer confirmed that in principle he is supportive of the development of the site of five dwellings, however it was considered that a continuous row of dwellings would relate more clearly to Nursery Road and the design of dwellings here should find a way of being “of Beckermets” in the sense that they are recognisable and belong, while also bringing the benefits and recontextualisations that new building can provide. Following the submission of

the Design Code the Conservation Officer reconfirmed that he has no objections to the application and that the development of this site into five dwellings could be carried out sustainably, subject to well observed and innovative design.

The Council's Historic Environment Officer has been consulted on this application and has confirmed that whilst the site lies in an area of some archaeological potential on the edge of the medieval village, the extent of the disturbance caused by the existing garage and the sunken fuel tanks is likely to be such that it is not considered likely archaeological remains survive on the site. On this basis the Officer has confirmed that they have no objections to the application.

On this basis the proposal is considered to comply with Policies ENV4 and DM27 Copeland Local Plan, Policy BE1PU and BE3PU of the Emerging Local Plan, and the NPPF.

Planning Balance & Conclusion

The application seeks outline planning permission for the erection of up to five residential dwellings at this site, located within one of the Council's Local Service Centres delivering new residential units within a sustainable location. The application site is located within the existing settlement boundary and will secure the redevelopment of a dilapidated service garage located within the Beckermest Conservation Area.

As the application is in outline form only indicative details have been provided with regard to the proposed layout of the dwellings, with no details provided of the scale or design of the properties. Discussions have been undertaken with the agent to secure an indicative layout for the development which reflects the traditional terrace properties within this part of the village. A Design Code has also been submitted to ensure the development of this site will be carefully designed to conserve and enhance the Conservation Area. A condition has been attached to this application to ensure the reserved matters application and future development of this site comply with this approved design code. The Council's Conservation Officer has offered no objections to the development and notes that the development of this site into five dwellings could be carried out sustainably, subject to well observed and innovative design.

Cumbria Highways have confirmed that they see no significant concerns or likely material impacts on the existing highway from the development given the previous use of the site. Concerns have been raised by residents with regard to loss of informal parking spaces however as this is not a formal use this cannot be considered as part of this application.

Conditions will be utilised to secure a full drainage and landscaping scheme for the development.

On balance, the proposal is considered to be an acceptable form of sustainable development which is compliant with policies of the Copeland Local Plan and the provisions of the NPPF.

8.	<p>Recommendation:</p> <p>Approve in Outline (commence within 3 years)</p>
9.	<p>Conditions:</p> <p><u>Defining the Permission Conditions:</u></p> <ol style="list-style-type: none"> 1. The layout, scale, appearance, landscaping, and access must be approved by the Local Planning Authority. <p>Reason</p> <p>To comply with Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.</p> <ol style="list-style-type: none"> 2. Detailed plans and drawings with respect to the matters reserved for subsequent approval must be submitted to the Local Planning Authority within three years of the date of this permission and the development hereby permitted must be commenced not later than the later of the following dates:- <ol style="list-style-type: none"> a) The expiration of THREE years from the date of this permission Or b) The expiration of TWO years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved. <p>Reason</p> <p>To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.</p> 3. This permission relates 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"> - Location Plan, Scale 1:1250, received by the Local Planning Authority on

the 3rd February 2023.

- Existing Site Plan, Scale 1:500, received by the Local Planning Authority on the 3rd February 2023.
- Existing Site Plan, Scale 1:500, received by the Local Planning Authority on the 3rd February 2023.
- Photographic Survey Sheet 1 of 2, Scale 1:500, received by the Local Planning Authority on the 3rd February 2023.
- Photographic Survey Sheet 1 of 2, Scale 1:500, received by the Local Planning Authority on the 3rd February 2023.
- Design and Access Statement, received by the Local Planning Authority on the 3rd February 2023.
- Design Code, received by the Local Planning Authority on the 21st July 2023.

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.

4. This permission gives outline approval for a maximum of five dwellings only at this site.

Reason

To ensure an appropriate form of development at this site in accordance with the provisions of Policy ST1 of the Copeland Local Plan 2013 - 2028.

Pre-Commencement Conditions:

5. Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme must 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 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 must 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 must 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 the provision of Policy ENV1 and Policy DM24 of the Copeland Local Plan 2013 – 2028.

6. Prior to the commencement of any development at this site full detail of the proposed drainage maintenance schedule (identifying the responsible parties) for this development must be submitted to and approved in writing by the Local Planning Authority. The development must be carried out in accordance with the drainage maintenance schedule at all time thereafter.

Reason

To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with the provision of Policy ENV1 and Policy DM24 of the Copeland Local Plan 2013 – 2028.

7. The carriageway, driveways and parking areas, showing the provision of a vehicle turning space within each curtilage which allows vehicles to enter and leave the highway in a forward gear must be designed, constructed, drained to the satisfaction of the Local Planning Authority , and in this respect further details, including longitudinal/cross sections, must be submitted to the Local Planning Authority for approval before work commences on site. No work shall be commenced until a full specification has been approved. Any works so approved shall be constructed before the development is complete.

Reason

To ensure a minimum standard of construction in the interests of highway safety in accordance with the provisions of Policy T1 of the Copeland Local Plan 2013-2028.

8. 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 shall be maintained operational thereafter.

Reason

To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with the provision of Policy ENV1 and Policy DM24 of the Copeland Local Plan 2013 – 2028.

9. Any existing or proposed highway boundary (fence/wall) must be reduced or built 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 and must not be raised to a height exceeding 1.05m thereafter. This includes all boundary treatments within 2m of the carriageway edge (i.e. front garden fences/walls) to maintain intervisibility splays across the property frontages.

Reason

To ensure a minimum standard of construction in the interests of highway safety in accordance with the provisions of Policy T1 of the Copeland Local Plan 2013-2028.

10. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These works must include hard surfacing, means of enclosure, finished levels or contours etc. Landscaping must be carried out in accordance with the approved details and retained at all times thereafter.

Reason

To safeguard and enhance the character of the area and secure high-quality landscaping in accordance with the requirements of Policy DM26 of the Copeland Local Plan 2013 – 2028.



Cumberland Council

11. No development shall take place until a schedule of landscape maintenance has been submitted to and approved in writing by the Local Planning Authority. The schedule must include a specification for new trees and shrubs, a detailed planting design, details for its implementation and a five-year maintenance scheme. Development must be carried out in accordance with the approved schedule at all times thereafter.

Reason

To safeguard and enhance the character of the area and secure high-quality landscaping in accordance with the requirements of Policy DM26 of the Copeland Local Plan 2013 – 2028.

Other Conditions:

12. The development hereby approved, and any subsequent application, must be carried out in accordance with the approved document 'Design Code, received by the Local Planning Authority on the 21st July 2023' at all times. All applications for Approval of Reserved Matters following Outline Approval submitted pursuant to this planning permission shall accord with the provisions of the approved Design Code.

Reason

To protect the architectural and historical interest evident on the site in accordance with Policies ST1, ENV4, DM27 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, doors or skylights and roof coverings, or painting or rendering shall be carried out to the property, nor shall any building, enclosure, extension, porch, domestic fuel container, pool or hardstanding be constructed within the curtilage without the prior written consent of the Local Planning Authority.

Reason

To safeguard the traditional appearance of the buildings in the interests of visual amenity.

14. Construction site operating hours must only take place between the following hours:

- 08:00am to 18:00pm Monday to Friday; and
- 08:00am to 13:00 Saturdays

No construction works shall take place at any time on Sundays or Bank Holidays.

Reason

To safeguard the amenity of neighbouring occupiers in accordance with the provisions of Policy ST1 of the Copeland Local Plan 2013-2028.

Informatives

In view of the fact that this application, if granted, could increase the number of persons in the area (including trade people) I would be grateful if you could advise the applicant to liaise with the Resilience Office via emergency.planning@westmorlandandfurness.gov.uk to allow for further discussion to ensure the applicant and their trades people/contractors are aware of the appropriate information and actions to take should there be an incident at the Sellafield site.

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 : 11.10.2023

Authorising Officer: N.J. Hayhurst

Date : 13.10.2023

Dedicated responses to:-