

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/23/2041/0R1
2.	Proposed Development:	APPLICATION FOR APPROVAL OF RESERVED MATTERS RELATING TO SCALE, APPEARANCE, MEANS OF ACCESS AND LANDSCAPING FOR THE ERECTION OF 8 DWELLINGS PURSUANT TO OUTLINE APPROVAL 4/20/2086/001
3.	Location:	LAND ADJACENT TO 25 ARLECDON ROAD, ARLECDON
4.	Parish:	Arlecdon and Frizington
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change
6.	Publicity Representations &Policy	Neighbour Notification Letter: YES Site Notice: YES Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report:	<p>SITE AND LOCATION</p> <p>This application relates to an open area of land which is located on the northern edge of Arlecdon. The site is bound by an existing stone wall and fronts onto Arlecdon Road. It is adjoined on its southern boundary by two existing residential properties.</p> <p>RELEVANT PLANNING HISTORY</p> <p>Outline application for housing development, approved in December 2015, application</p>

reference 4/15/2511/001 relates;

Outline application for housing development, approved in June 2020, application reference 4/20/2086/001 relates;

Discharge of conditions 4, 6, 8, 9 and 10 of planning application 4/20/2086/001, approved in April 2023, application reference 4/23/2055/DOC relates.

PROPOSAL

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

The proposal is for 8 dwellings to comprise of 1 x 5 bedroomed detached house, 4 x 4 bedroomed semi-detached dwellings and 3 x 4 bedroomed terraced dwellings.

The details of each are laid out below.

Plot number	Dwelling type	Overall height	Eaves height	Dwelling length	Dwelling width	Materials
1-3	4 bedroomed terraced	9.2m	4.3m	10.7m	6.2m	ROOF Russell 'Lothian' concrete roof tiles in 'Slate Grey'. WALLS - Vandersanden 'Flemish Antique' facing brickwork. St Bees red random / coursed sandstone. Surrounds and detailing - St Bees red sandstone WINDOWS Anthracite grey uPVC • DOORS Sliding / bi-fold / French doors - Anthracite grey uPVC Main entrance doors - Coloured composite uPVC
4	5	8.8m	5.3m	9.5m	9.8m	Russell 'Lothian'



	bedroomed detached					<p>concrete roof tiles in 'Slate Grey'.</p> <p>WALLS Off-white K-rend with roughcast finish. St Bees red random / coursed sandstone. Surrounds and detailing - St Bees red sandstone</p> <p>WINDOWS Anthracite grey uPVC</p> <p>DOORS Sliding / bi-fold / French doors - Anthracite grey uPVC Main entrance doors - Coloured composite uPVC</p>
5-8	4 bedroomed semi-detached	9.4m	5.4.	10.7m	6.4m	<p>Russell 'Lothian' concrete roof tiles in 'Slate Grey'.</p> <p>WALLS - Vandersanden 'Flemish Antique' facing brickwork Off-white K-rend with roughcast finish. St Bees red random / coursed sandstone. Surrounds and detailing - St Bees red sandstone</p> <p>WINDOWS Anthracite grey uPVC</p> <p>DOORS Sliding / bi-fold / French doors - Anthracite grey uPVC Main entrance doors - Coloured composite uPVC</p>

Access is to be taken from one central point off Arlecdon Road which will service a turning

head arrangement within the centre of the development. Parking will be provided within a parking court comprising 16 spaces to serve the 8 dwellings. Plot 1 will also benefit from a detached garage. The parking area will be paved in Lakeland Derwent Stone paviers with tarmacked access roads and footpaths.

Full details of the landscaping have not been provided, however each plot will have a grassed amenity space and the site will remain bound by the existing stone wall where possible. The rear and party boundaries are proposed to be 1.8m high timber boarded fences, with frontages from the existing and new red sandstone walling.

The application is accompanied by the following documentation:-

- Site Location Plan;
- Site Block Plan;
- Elevations;
- Floor Plans;
- Drainage Report;
- Construction Traffic Management Plan;
- Lighting Layout, Schedule and Risk Assessment;
- External Material Schedule.

CONSULTATION RESPONSES

Arlecdon and Frizington Parish Council

It is noted that the application would appear to be a renewal of previous application approved in 2015 as referred to in the application form. The Parish Council expect that the same issues in terms of planning policy will apply now as then and should be taken into consideration. In addition the Parish Council will be interested to see what access and drainage arrangements will be provided for in any reserved matters application.

Highways and the Local Lead Flood Authority

1st response

Cumbria County Council as the Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) has reviewed the above planning reference and I can confirm that we have no objection in principle to the proposed development as it is considered that it will not have a material effect on existing highway conditions nor will it increase the flood risk on the site or elsewhere.

Although we have no objection in principle we would like the following points addressed

before final approval.

- With regard to refuge has consideration been given to where the bins will be stored awaiting collection? as no designated collection point has been identified on the site location plan it is assumed bins will be stored on the footway or parking bays at rear to which will make access difficult for pedestrians and vehicles, the LHA would ask the applicant to consider a designated area for bin collection.
- The LHA would welcome a street lighting plan at this stage, this has also been requested within the conditions discharge application 4/23/2055/DOC for this development site.
- The internal footways within the development site are reduced in width to 1.2 metres the LHA would request that the footways are constructed to an adoptable standard width of 2 metres as set in the Cumbria Development Design Guide.

In light to the above comments additional details are required from the applicant.

Upon receipt of the amended plans I shall be better placed to provide full response

2nd response

Cumberland Council as the Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) has reviewed the additional information submitted on the 10/04/23 in support of the above planning reference, I can confirm that we have no objection to the proposed development as it is considered that it will not have a material effect on existing highway conditions nor will it increase the flood risk on the site or elsewhere.

United Utilities

No response received.

Public Representations

The application has been advertised by way of a site notice and neighbour notification letters issued to 14 no. properties.

Responses have been received from seven residents raising the following concerns:

- The proposal does not reflect previous discussions of two properties;
- 16 cars entering and leaving the site will cause safety concerns;
- 5 properties will directly look into neighbouring dwellings;
- Water will fall towards neighbouring dwellings;
- There is no public transport to Arlecdon;

- The proposal will destroy this agricultural land;
- Large portions of the stone wall will be removed;
- Cars parked on the road will cause safety concerns;
- An established hedgerow will be destroyed;
- The drainage system is full of debris which will end up on Arlecdon Road;
- The proposal represents overdevelopment;
- The proposed lighting from the development will have an impact on surrounding residents;
- The parking is not sufficient;
- The character of the dwellings is not in-keeping with the surrounding area;
- The application does not take local need or affordability into consideration.

PLANNING POLICIES

Planning law requires applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Development Plan

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.

Core Strategy

Policy ST1 – Strategic Development Principles

Policy ST2 – Spatial Development Strategy

Policy SS2 – Sustainable Housing Growth

Policy ENV1 – Flood Risk and Risk Management

Policy ENV3 – Biodiversity and Geodiversity

Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place



**Cumberland
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Policy DM12 – Standards for New Residential Developments
Policy DM22 – Accessible Developments
Policy DM24 – Development Proposals and Flood Risk
Policy DM25 – Protecting Nature Conservation Sites, Habitats and Species
Policy DM26 – Landscaping

Other Material Planning Considerations

National Planning Policy 2021 (NPPF)
Copeland Borough Council Housing Strategy 2018-2023 (CBCHS)
Copeland Borough Council – Strategic Housing Market Assessment and Objectively Assessed Housing Need (SHMA)
National Design Guide (NDG)
Cumbria Development Design Guide (CDDG)

Emerging Copeland Local Plan (ELP):

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.

The policies relevant to this proposal are:

Policy DS6PU: Design and Development Standards
Policy DS7PU: Hard and Soft Landscaping

Strategic Policy DS8PU: Reducing Flood Risk
Policy DS9PU: Sustainable Drainage
Policy DS10PU: Soils, Contamination and Land Stability
Policy H6PU: New Housing Development
Strategic Policy N1PU: Conserving and Enhancing Biodiversity and Geodiversity
Policy CO7PU: Parking Standards and Electric Vehicle Charging Infrastructure

ASSESSMENT

Principle of Development

Arlecdon is classified as a Local Service Centre under Policy ST2 of the CS.

Outline planning permission was granted for residential development in June 2020 (application reference 4/20/2086/001), which established the principle of residential development on the site. Layout, scale, access, appearance and landscaping were reserved for future approval and this application seeks to address these matters.

Due to the scale of the proposal comprising 8 dwellings only no affordable provision is required.

Layout, Scale, Design and Appearance

Policy DM10 of the CS and DS6PU of the ELP seek to ensure that new development maintains high standards of design, with Policy ST1 ensuring that the design respects neighbouring amenity. DM12 of the CS and H6PU of the ELP sets out specific design standards for new residential development including the need to retain appropriate separation distances.

The dwellings have been laid out to create a road frontage with parking concentrated within the centre of the development to avoid parking being visible from outside the site. The site can comfortably accommodate 8 dwellings, with adequate provision of space for amenity, bin storage and parking and turning within the red line boundary for the development.

The dwellings have been designed to be modern in appearance but also include some local features that reflect the traditional character of Arlecdon. These include window banding detail, stone quoins, arched doorways and a vertical emphasis to the window fenestration. The use of sandstone, facing brick and smooth render will allow these dwellings to reflect local characteristics with features included on the rear of plots 1-3 and 5-8 and the rear and side of plot 4 to ensure an active and interesting frontage onto both Arlecdon Road and the access road leading north to south to Arlecdon Hill.

Adequate separation distances have been provided between the new dwellings and the existing dwellings known as 25 Arlecdon Road and Hollins Green immediately to the south. A blank elevation will face the side elevation of 25 Arlecdon Road with a 7 metres separation distance. As there are no windows to habitable rooms in the side of either property, this is

considered to be acceptable. The side elevation of Hollins Green is in excess of 25m from the facing elevations of plots 1-3 and plot 8 to the north west. To the north of the site, the side elevation of plot 4 is 27m from the facing dwelling known as Howe Barn. Due to the distances involved, there is unlikely to be an issue with overlooking or loss of privacy as a result of the development.

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

Access and parking

Policy DM22 of the CS and CO7PU of the ELP requires that the layout of development responds positively to the existing movement pattern in the area and incorporates off street parking where possible.

The plans show a single access point onto Arlecdon Road. Local concerns have been raised with regards to safety concerns due to the likely increase in the volume of cars that would result from the development. Sufficient visibility splays have been provided and the Highway Authority consider that the development is unlikely to bring a material increase of traffic to the road network that would affect highway safety.

Highways initially requested that the onsite pavements were increased to a width of 2m in order that they were constructed to an adoptable standard. Furthermore, details of street lighting were requested. Further to the receipt of this information, the Highway Authority confirmed that they had no objections.

Parking and turning space has been provided within the site, with two parking spaces allocated for each dwelling and a separate detached garage for the use of plot 1. Cars are able to exit the site in a forward gear, therefore ensuring that there will be no adverse impact on highway safety.

Conditions were included on the outline planning permission to ensure that the highways are constructed and maintained at an adoptable standard and that a construction phase traffic management plan was submitted and approved. These conditions have since been discharged (application 4/23/2055/DOC refers).

Provided that the access is constructed in accordance with the submitted plans, the proposal is considered to comply with Policy DM22 of the Copeland Local Plan.

Landscaping

Policy DM26 of the CS and DS7PU of the ELP requires that proposals are assessed according to whether the landscaping relates well in terms of visual impact, scale, character, amenity value and local distinctiveness.

Full landscaping for the site has not been provided, with limited information submitted to show a grassed areas for each property. Furthermore, the plot boundary treatments have

been identified but no specifications submitted.

A condition was included on the outline planning permission to ensure that all details of the retention of the stone wall surrounding the site were submitted and approved. This condition is yet to be satisfied, but the provision of this detail will deal with the wider boundary details when submitted.

The proposed landscaping is likely to be acceptable for residential properties in this location, however, in order to ensure that the proposal complies with Policy DM26 of the Copeland Local Plan, a suitably worded planning condition is proposed to ensure that this information is received and implemented in the interests of visual amenity.

Drainage

Policies ENV1 and DM24 of the CS and DS8PU and DS9PU of the ELP require a flood risk assessment to be submitted where a proposed development is likely to increase the risk of flooding onsite or elsewhere or where there is an existing flood risk.

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

Concerns have been raised from the occupiers of neighbouring properties with regards to potential surface water flooding onto the road network surrounding the site. A drainage strategy was submitted as part of the aligning discharge of conditions application (application 4/23/2055/DOC refers) and the information was deemed to be acceptable by the relevant consultees. It is likely that a drainage scheme on this site will provide betterment for the area, controlling the surface water runoff and ensuring that the drainage is functional.

Due to the approval of this information, the proposal complies with Policies ENV1 and DM24 of the Copeland Local Plan.

Ecology

Policies ENV3 and DM25 of the CS and N1PU of the ELP protect international, national and locally designated sites and ensure that any development incorporates measures to protect and enhance any biodiversity interest.

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

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

- Bats;
- Barn owls;
- Breeding birds;
- Great crested newts;

- Otters;
- Dormice;
- Red Squirrels;
- Water voles;
- Badgers;
- Reptiles;
- Amphibians;
- Small blue butterflies;
- Plants.

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

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

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

Planning Balance and Conclusion

The principle of the development was established by the granting of outline planning permission in both 2015 and 2020. Arlecdon is listed as a Local Centre within the CS where small scale residential development is deemed acceptable. Arlecdon is retained in the ECLP as a local centre and It is proposed to extend the settlement boundary to include the site.

The submitted details show appropriately sited dwellings within the plot of land which are compatible with the density and appearance of other housing within Arlecdon. Further details with regards to landscaping are required, prior to the occupation of the development in order to ensure that the development is appropriately screened in the interests of visual amenity.

The proposed access point is centrally sited to achieve a safe and convenient entrance to the plots and adequate provision for parking and turning can be achieved to serve each dwelling, whilst retaining as much of the historic wall as possible.

Although objections were received from some neighbouring properties, all of the material considerations have been addressed throughout this report.

Overall, based on the information submitted, the proposals are considered to be an acceptable form of development which will be consistent with the policy requirements set out

	in the Local Plan and the guidance contained within the NPPF when considered as a whole.
8.	Recommendation: Approve Reserved Matters
9.	Conditions: <u>Standard Conditions</u> 1. The development shall be carried out in accordance with the plans submitted and in accordance with the conditions attached to the outline planning permission. Reason To comply with Section 92 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004. 2. Permission shall relate to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them: - Application form, received 3 rd February 2023; Site Location Plan, scale 1:1250, drawing number 22/02/1017-01, received 3 rd February 2023; Existing Site Plan, scale 1:500, drawing number 22/02/1017-02, received 3 rd February 2023; Proposed Site Plan, scale 1:200, drawing number 22/02/1017-04a), received 10 th April 2023; Proposed Overall Site Plan, scale 1:500, drawing number 22/02/1017-03a), received 10 th April 2023; Plots 1-3 Proposed Plans and Elevations, scale 1:100, drawing number 22/02/1017-05, received 10 th April 2023; Plot 4 Proposed Plans and Elevations, scale 1:100, drawing number 22/02/1017-06, received 10 th April 2023; Plots 5-8 Plans and Elevations, scale 1:100, drawing number 22/02/1017-07, received 10 th April 2023; External Material Schedule, reference 22/02/1017-EM, received 3 rd February 2023; Construction Traffic Management Plan, drawing number 22/02/1017-CTMP, received 10 th April 2023; Outdoor Lighting Calculations Public, drawing number SHD960, received 10 th April 2023; Outdoor Lighting Calculations Private, drawing number SHD967, received 10 th April 2023; Lighting Schedule Public, drawing number SHD960-SHD-HLG-ARLE-SH-EO-Lighting

Schedule-R0, received 10th April 2023;
Lighting Schedule Private, drawing number SHD967-SHD-HLG-ARLE-SH-EO-Lighting
Schedule-R0, received 10th April 2023;
Street Lighting Design Risk Assessment, drawing number SHD960-SHD-HLG-ARLE-
SH-EO-Lighting Design Risk Assessment-R0, received 10th April 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.

Prior to Occupation Conditions

3. Prior to the first occupation of the development hereby approved, full details of both hard and soft landscape works must submitted to and approved in writing by the Local Planning Authority. These works must include hard surfacing, finished levels or contours. Landscaping must be carried out in accordance with the approved details and retained as such at all times thereafter.

Reason

To enhance the appearance of the development in the interest of visual amenities of the area and to ensure a satisfactory landscaping scheme in accordance with Policy DM26 of the Copeland Local Plan.

4. Prior to the first occupation of the dwellings hereby approved, full details of the boundary treatments must be submitted and approved in writing by the local planning authority. Development must be carried out in accordance with the approved plans and retained as such at all times thereafter.

Reason

To enhance the appearance of the development in the interest of visual amenities of the area and to ensure a satisfactory landscaping scheme in accordance with Policy DM26 of the Copeland Local Plan.

5. The development must be carried out in accordance with the details within the External Material Schedule, reference 22/02/1017-EM, received 3rd February 2023 and so maintained as such at all times thereafter.

Reason

To ensure that the development reflects the character of the surrounding area and in accordance with Policy DM10 of the Copeland Local Plan.

	<p>6. No dwelling hereby approved will be occupied until the estate road including footways to serve the dwellings have been constructed in all aspects to base course level and street lighting where it is to form part of the estate road has been provided and brought into full operational use.</p> <p>Reason</p> <p>In the interests of highway safety in accordance with the provisions of Policy DM22 of the Copeland Local Plan 2013-2028.</p> <p>7. No dwelling hereby approved will be occupied until the approved parking layout and any associated turning spaces associated with the use of those dwelling have been constructed, marked out and made available for use. The approved parking layout and any associated turning spaces associated must be retained for the lifetime of the development.</p> <p>Reason</p> <p>In the interests of highway safety in accordance with the provisions of Policy DM22 of the Copeland Local Plan 2013-2028.</p> <p>8. No dwelling hereby approved will be occupied until the foul and surface water infrastructure to serve those dwellings have been constructed and brought into full operational use.</p> <p>Reason</p> <p>To prevent suitable provision for the control and management of surface and foul water in accordance with the provisions of Policy ENV1 and Policy DM24 of the Copeland Local Plan 2013-2028.</p> <p>Informatives</p> <p>1) The development hereby approved must be carried out in accordance with the conditions included in the outline approval 4/20/2086/001.</p> <p>2) The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.</p>
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Cumberland Council

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.

Case Officer: Sarah Papaleo

Date : 15/05/2023

Authorising Officer: N.J. Hayhurst

Date : 15/05/2023

Dedicated responses to:-