

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/23/2053/0F1	
2.	Proposed Development:	SINGLE DWELLING	
3.	Location:	LAND ADJACENT TO 12 KIRKBECK DRIVE, BECKERMET	
4.	Parish:	Beckermets with Thornhill	
5.	Constraints:	ASC;Adverts - ASC;Adverts, Flood Area - Flood Zone 2, Flood Area - Flood Zone 3, Safeguard Zone - Safeguard Zone, Coal - Off Coalfield - Data Subject To Change, DEPZ Zone - DEPZ Zone, Outer Consultation Zone - Sellafield 10KM	
6.	Publicity Representations & Policy	Neighbour Notification Letter	Yes
		Site Notice	Yes
		Press Notice	No
		Consultation Responses	See Report
		Relevant Policies	See Report
7.	Report: Site and Location	This application relates to land adjacent to 12 Kirkbeck Drive, a detached bungalow located within the south of Beckermets. The grassed site extends 0.06 hectares, which forms part of	

the residential curtilage of the existing dwelling.

The site is bounded to the north and south by residential dwellings, to the west by Kirkbeck, and to the east by the access road for Kirkbeck Drive which serves 12 residential dwelling within a cul-de-sac arrangement. The site slopes significantly from east to west and has previously been granted planning permission for a single residential dwelling.

Relevant Planning History

4/09/2448/0 – Outline application with all matters reserved for the subdivision of the garden of an existing domestic plot for one dwelling – Approved.

4/11/2411/0F1 – For bedroomed split level dwelling – Withdrawn.

4/12/2022/0F1 – Split level dwelling (re-submission) – Approved.

Proposal

This application seeks planning permission for a single dwelling at this site. The proposed dwelling would take the form of a split-level bungalow, with the main footprint of the dwelling measuring 18.6m x 6.4m. The main portion of the dwelling will benefit from a minimum eaves height of 2.5m and ridge height of 4.6m at the front of the site and a maximum eaves height of 5.2m and ridge height of 7.35m to the rear.

The development has been designed with a front facing gable which will project from the front elevation by 2.1m and will extend by 5.1m, benefiting from an eaves height of 2.5m to match the main dwelling and an overall height of 4.25m. The front of the dwelling will also benefit from a covered porch measuring 1.1m x 3m, with a flat roof at 2.45m. The rear of the dwelling will also benefit from a projecting gable which will measure 0.6m x 5.1m, with an eaves height of 5.2m to match the main dwelling and a ridge height of 7m. This element of the proposal will also benefit from a Juliet balcony at first floor level.

Internally, the proposal will accommodate a hallway, garage, master bedroom with ensuite bathroom, toilet, and open plan kitchen/living room at first floor level. The proposed ground floor of the property would incorporate a hallway, a store, three bedrooms one with an ensuite bathroom, a family bathroom, boiler room and a garden store.

Externally the development would be finished with a grey metal standing seam roof, grey facing brick, white render, and black stained larch boarding to the walls, anthracite composite doors, and anthracite UPVC windows and rainwater goods.

The proposal will be accessed from Kirkbeck Drive to the south east of the application site. The access will provide visibility splays of 45m to the south and 15m to the north of the site. A driveway will be located to the front of the site providing access to the proposed garage and two parking spaces to the front of the dwelling. The driveway will be finished with block



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paving and will incorporate an aco drain adjacent to the highway.

The existing dwarf wall along the front of the site will be retained, with addition boundary treatment to be installed along the front and side of the site.

Consultation Responses

Beckermest Parish Council

20th April 2023

No comments.

5th August 2023

No objections/comments.

Cumberland Council – Highway Authority & LLFA

23rd March 2023

Inadequate information has been submitted to satisfy the Local Planning Authority that the proposal is acceptable in terms of:

- a) access
- b) visibility splays

The applicant should submit plans showing the maximum achievable visibility splays in both directions back by 2.4m. The proposed wall cannot exceed 1.05m within these site lines. 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 applicants ownership.

If the required visibility splays cannot be achieved, we would strongly recommend they carry out a speed survey or show speeds reflect the required visibility splays.

1st August 2023

Cumberland 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 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

10th May 2023

Following our review of the submitted Drainage Strategy, we can confirm the proposals are acceptable in principle to United Utilities and therefore should planning permission be granted we request a condition to secure the drainage scheme for the site.

Environment Agency

29th March 2023

We have no objection to the proposed development but we wish to make the following comments:-

Flood risk

The planning application is accompanied by a Flood Risk Assessment (FRA) prepared by A L Daines & Partners LLP (ref: Proposed Four Bedroom Dwelling at 12 Kirkbeck Drive, Beckermest, Cumbria. CA21 2YT, dated February 2023). We have reviewed the FRA in so far as it relates to our remit, and we are satisfied that the development would be safe without exacerbating flood risk elsewhere if the proposed flood risk mitigation measures are implemented.

The proposed development must proceed in strict accordance with this FRA and the mitigation measures identified as it will form part of any subsequent planning approval. Any proposed changes to the approved FRA and / or the mitigation measures identified will require the submission of a revised FRA.

Environmental permit - advice to applicant

Kirk Beck is designated statutory main river. The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in the floodplain of a main river if the activity could affect flood flow or storage and potential impacts are not controlled by a planning permission



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For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Invasive species – advice to LPA / applicant

The planting plan and specification show the use of show the use of *Pseudosasa Japonica* (Arrow Bamboo) as a hedging plant and used in a riverside situation. This species is considered invasive and should not be used in this situation.

21st July 2023

We have no objection to the proposed amendments as submitted.

We have reviewed the amended Planting Plan and we are satisfied that the proposed use of invasive species Arrow Bamboo (*Pseudosasa Japonica*) has already been removed.

Our comments in respect of environmental permit in our previous response (letter ref: NO/2023/115138/01-L01, dated 29 March 2023) remain applicable.

Cumberland Council – Flood and Coastal Defence Engineer

17th March 2023

With regards to above application there appears to be missing and unclear information.

From a flood risk to the development perspective, there is only one comment to make:

- The proposed finished floor level provides 940mm of freeboard above the nearest modelled flood point for Kirk Beck for a 100 year flood level with a 70% climate change allowance, which demonstrates that the proposed dwelling has a low flood risk.

However, there are a number of other issues and matters of clarification that are needed:

- It has not been demonstrated that the proposed development will not result in a loss of floodplain storage.
- There is conflicting information as to surface water disposal, with the application stating a soakaway, a further drawing showing a soakaway, the Flood Risk Assessment stating infiltration is not feasible, calculations mentioning a storage tank, yet a drainage drawing shows no storage tank and a discharge to Kirk Beck.

As for flood plain storage, it is necessary to show that the proposed dwelling and any earthworks does not intrude into the existing flood plain and if the development does, how the

topography can be modified to compensate, so there is no overall loss.

The applicant will need to submit a clear consistent drainage strategy following the drainage hierarchy and all submitted documentation should be consistent to avoid confusion.

24th July 2023

With regards to the Additional and amended information, I have updated my previous comments in [blue](#) below.

- It has not been demonstrated that the proposed development will not result in a loss of floodplain storage. [To clarify this, the dwelling, although above the modelled flood levels would appear to be built partially within the flood plain.](#)
- There is conflicting information as to surface water disposal, with the application stating a soakaway, a further drawing showing a soakaway, the Flood Risk Assessment stating infiltration is not feasible, calculations mentioning a storage tank, yet a drainage drawing show no storage tank and a discharge to Kirk Beck. [The drawings have been updated to show a storage tank, rather than a manhole. However, as this is within the United Utilities 6m easement, will this be permitted?](#)
-

27th July 2023

I can confirm I have no further comments to make at this time.

Cumberland Council & Westmorland and Furness Council – Resilience Unit

16th March 2023

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@cumbria.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.



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26th July 2023

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, and neighbour notification letters issued to four properties. Eight letters of objection were received in relation to this application raising the following concerns:

- Kirkbeck Drive was developed in the early 1970s and divided into 12 plots, all developed apart from no 7. This application site remained which was to be built on by a utility company but for some reason did not go ahead. The site was then purchased by the owners of 12 Kirkbeck Drive.
- This would be the first building you see when you enter Kirkbeck Drive, which would not be a pretty sight.
- The size of the dwelling spoils the views from my home and our neighbours.
- The proposal is too bulky for this sensitive location on the beck in the heart of the village. It is disproportionately large compared to the size of the plot.
- The site has previously had planning permission by it was for a much smaller dwelling and the access was further north.
- There is only one property in the estate which benefits from cladding and this property was developed by the same individual.
- Loss of privacy and overlooking.
- The roofing is not in keeping with the rest of Kirkbeck Drive.
- Will the roof give off glare from the sun?
- The proposed style is one that generally has become tired and largely had its day and

would clash unnecessarily with its surroundings.

- The proposal would be a blot on the landscape.
- Grey facing bricks are cheap alternatives to brick or stone and while they may look attractive for a year or so quickly deteriorate and start to look green and dirty in wet climates.
- The white render would stand out from surrounding properties which are covered in uncoloured render.
- Dark materials would stand out for all the wrong reasons.
- I would have no objections to a smaller single storey bungalow as this would be barely noticeable due to the plot being considerably lower than the road.
- There is no need for the building of the property.
- All other building have spacious ground areas around the dwellings.
- Apart from a couple of cottages in the old part of the village no properties have been built as closely facing each other. This is out of character and will encourage more back garden development spoiling unique villages.
- The building should be located between 22/23 m away from the opposite expect in cities.
- I would question if there is enough space for cars to turn on the drive in front of the housing to enable them to enter and leave facing forward.
- Cars parked outside this housing on the road would create safety issues due to the bend at the top of Kirkbeck Drive.
- Parking arrangements are unacceptable due to proximity with bedrooms opposite creating noise problems and light pollution.
- Parking arrangements are horrendous. It will cause butting onto pavements some 11m from bedrooms of no 1 Kirkbeck Drive.
- The access road is very narrow and is opposite the access for no 1 and in the turning circle of nos 1 & 2.
- There are no details concerning construction because being a small plot on the top of a corner and narrow road the disruption will be immense.
- Surface water for numbers 1 and 2 Kirkbeck Drive is routed via the application site into the beck along the east of the site. The proposals do not deal with this despite the applicant being made aware. Any development should keep this arrangement in place and UU will be kept fully appraised of the situation.
- Before Kirkbeck Drive existed water from the fells made its way into the beck across where no 1 and the application site is situated. When there is heavy rain water still

seeks to follow its old course and is taken away by a storm drain. However debris blocks the drain and it has been known to flood the road at no1. Despite the applicant's flood warning this shows that water can come from more than one direction. This is a very damp location and water cannot seep naturally into the beck because of recent works and materials used to hold back the beck.

- Country to what is stated on the application form works did start on the site last year with removal of trees and a couple of short footings dug.
- The submitted information for the application is clear that the agent doesn't know a great deal about the area. The area only has one pub, rumoured to soon close, and there is no bus route.
- The development will impact on the surrounding area and possibly reduce the value of existing properties.
- One of the staff from the Local Planning Authority have been complicit in the drawing up of this application. What assistance has been given and by whom is not documented? Any decision will there be biased.
- A number of the applicant's answers on his application have been redacted. Why? What is there to hide?

Following reconsultation on the amended details for this application two letters of objection were received raising the following concerns:

- Disposal of surface water from no 1 and 2 – the developer has still not addressed this important detail of maintaining the existing arrangements for the disposal of surface water across the development site. I ask again that our existing legal rights be addressed as a matter of urgency.
- UU should assist and inform of rights of maintenance.
- Pipes should not be built over plus 3 m on each side.
- Despite the developer's additional statement I stand by my previous view of the development. Of the examples number 11 is a development without merit not least in its use of wood cladding that already looks shabby.
- Currently Kirkbeck Drive does not have houses that close opposite each other. This would make the development an anomaly.
- Kirkbeck Drive was developed in the early 1970s and divided into 12 plots, all developed apart from no 7. This application site remained which was to be built on by a utility company but for some reason did not go ahead.
- The site then became part of no 12. All properties were of that period on a good sized plot and built in the same way that did not intrude on each other. This will not be the cause with this new development. Trying 'to put a quart in a pint pot' comes to mind.

- The original properties have weathered owing to their location and any repairs and alterations have kept them looking in keeping with their era until the applicant developed no 11.
- The development will stick out like a sore thumb.
- The short distance from no 1 makes it very intrusive.
- It is the wrong building in the wrong place.
- It is in no way sympathetic to the existing properties. The dark frontal colour and metal roof are just two of the issues. Metal roofs are not prevalent on industrial estates.
- Car parking will cause immense disturbance with vehicles manoeuvring just a few meters from bedroom windows with the road being at its narrowest point causing light and noise disturbance.
- Access to no 1 and 2 have been conveniently ignored. It is completely detrimental to the road and surroundings.
- gardens will be overlooked and will have a lack of privacy.
- The previous access was less obtrusive.
- This is not a small scale development as stated.
- The design and access statement sets out why the applicant should be refused. Why is the applicant attempting to change Kirkbeck Drive, we live here, perhaps because we like it as it is and properties are overlooked.
- How is the operation fair? How can it be that the very department who assists in the preparation of the application decided whether it is appropriate or not.
- Should by any quirk of fate this application be approved we still do not know how services are to be connected, given the lack of space where plant will be located, will there be road closures, people need to get out to work and there are daily medical needs and deliveries.
- It is an offence to obstruct a highway.

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



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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 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 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.

The Planning Inspector has now issued their post hearing letter, which identifies the next steps for the Examination. This includes proposed modifications to the plan to ensure a sound plan on adoption.

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



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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

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).

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; ecology; archaeology; and ground conditions.

Principle of Development

The application site lies within the defined settlement boundary for Beckermeth, 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 development, 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 Beckermat 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 principle for developing this site for residential purposes was established in 2009 when outline planning permission (ref: 4/09/2448/001) and in 2013 when planning permission (ref: 4/12/2022/0F1) was granted for a single dwelling at this site. In 2016 confirmation was provided by the Loal Planning Authority that a lawful start had been made for this application based on the installation of drains within the land.

Housing Need

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.

Beckermat 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 three bedroom houses, semi-detached and detached houses with four or more bedrooms and bungalows and is identified as having a high need for new affordable housing.



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The scale of the proposed development comprising of a single four bedroomed split level bungalow is appropriate to the scale and designation of Beckermest as a Local Centre.

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

The proposed development will reasonably assist in providing housing that will help meet the identified housing need in accordance with the provisions of Policy SS3 of the Copeland Local Plan and Paragraph 61 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 enhance by supporting proposal which enhance the value of the Boroughs 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 is a vacant site which lies within a residential area within the south of Beckermeth. It is located within an existing cul-de-sac directly adjacent to a number of existing residential properties. As the development is surrounded by existing development the proposal is not considered to have any significant impact on the overall landscape and as the site is an infill plot the development is complementary to the existing 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 provision 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 principle for developing this site for residential purposes was established in 2009 when outline planning permission (ref: 4/09/2448/001) and in 2013 when planning permission (ref: 4/12/2022/0F1) was granted for a single dwelling at this site. In 2016 confirmation was provided by the Local Planning Authority that a lawful start had been made for this application based on the installation of drains within the land. The 2013 the approved residential development was for a four bed roomed split level bungalow, covering a similar footprint to the current application. As the previous permission has been implemented this falls back position is a material planning consideration. The current application effectively seeks an amended design for the development.

Extensive discussions have been undertaken with the agent for this application with regard to



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the suitability of the overall design and materials associated with this development and whether they reflect the character of the surrounding area. Additional information has therefore been submitted to justify the use of a modern design and materials for this development. Whilst the building would have a modern appearance the development is considered to reflect the character of the surrounding properties in terms of the front elevation reflecting a simple bungalow with a front projecting gable. The use of modern materials is also considered acceptable as they are similar to those used within the wider village setting. They are also considered to reflect the character of the dwellings on Kirkbeck Drive which are a mix of render and different cladding. Although the application makes some reference to the proposed materials within the development, which appear to reflect those used within the surrounding area, specifics have not been provided therefore a condition is proposed to secure these details prior to their use within the development.

Concerns have been raised by residents with regard to the proximity of the development to neighbouring properties and the potential negative impacts that it would create. Whilst the development is located within a constrained site, the submitted plans indicate that adequate separation distances can be maintained between the development and neighbouring dwellings as there are no directly facing elevations. The amended design of this dwelling also sets the proposal further back within the application site and further north increasing separation distances with existing dwelling. Furthermore, the reorientation of the dwelling has also moved the front projecting gable to the northern end of the site, meaning that the main living area of the dwelling is now located further away from the neighbouring property opposite the site. The installation of additional boundary treatment, in particular the additional 1.8m fence to each side the site, will ensure the development does not result in overlooking and will protect the amenity of neighbouring properties. The proposed boundary treatment for this development will also be secured by condition. Permitted development rights will also be removed from the site in order to ensure that the constrained site isn't overdeveloped by future additions to the detriment of the neighbouring dwellings.

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 Policies DM10 and DM12 of the Copeland Local Plan, Policies DS6PU and H6PU of the Emerging Local Plan, and 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 site will be accessed from Kirkbeck Drive to the south east of the application site. The access will provide visibility splays of 45m to the south and 15m to the north of the site. A

driveway will be located to the front of the site providing access to the proposed garage and two parking spaces to the front of the dwelling. Access to the site was previously granted to the north east corner of the site.

Concerns have been raised by local residents with regard to the suitability of the proposed access and the impact on both existing accesses and on street parking. The application site provides two off street parking spaces within the front of the site, this meets the required standards set out within the Cumbria Design Guide. Whilst the submitted planning statement states that the application reflects the previous access arrangements approved under application 4/12/2022/0F1, the access is located further south within the application site. This alteration moves the access away from the curve within the road at the entrance to the application site. Initially, the Highway Authority requested details of the visibility splays from the proposed access which the amended information now shows. Based on this the Highway Authority have confirmed that they have no objection to the proposed development as it is considered that the development will not have a material effect on existing highway conditions. They have however requested the inclusion of a condition to secure the relevant visibility splays for the development.

Concerns have been raised by residents with regard to the impact that any construction could have on the access for existing residents of Kirkbeck Drive. In order to ensure the development of this site does not adversely impact upon the fabric or operations of the local highway network and to address residents concerns an appropriately worded planning condition is proposed to secure a construction traffic management plan prior to the commencement of any works at this site. This will require the submission of details including retained areas for vehicle parking, manoeuvring, loading and unloading for the development. A condition will also be placed on any decision notice to secure the parking arrangement for the site prior to the occupation of the dwelling.

It is therefore considered that based on the inclusion of the conditions outlined above, 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.

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 2 and 3, therefore a Flood Risk Assessment has been produced to support this application. This assessment also includes a sequential and exception test for the development. Initially concerns were raised with regard to the suitability of the sequential test, however following discussions with the agent the submitted information is considered to be acceptable as the sequential test was agreed/passed under the previous approval (ref: 4/12/2022/0F1) which has been lawfully commenced. No objections have been received from statutory consultees in relation to the submitted sequential or exception test for the application. The exception test for this site is supported by the submitted FRA which demonstrates that the development will be safe, without increasing flood risk elsewhere. The FRA states that whilst the impervious areas will be increased, the increase in in run off caused by the development will be attenuated at the site and then slowly released back into the watercourse at the rate equivalent to the greenfield runoff rate. It is therefore concluded that the peak rate of surface run off leaving the proposed development will not increase and will therefore not cause flooding at this site or elsewhere.

As part of this application, it is proposed that foul water will be disposed of via the existing mains sewer located within the rear/west of the site. It is also proposed that surface water will be attenuated at this site through the use of permeable paving for hardstandings as a means of storage and treatment of surface water. Water butts will also be provided at the proposed dwelling in order to encourage the re-use of rainwater.

No objections have been received from statutory consultees in relation to the proposed drainage scheme or the submitted FRA for this application. The EA and LLFA have confirmed that the development will be safe without exacerbating flood risk elsewhere if the proposed flood risk mitigation measures are implemented. These measures will be secured by an appropriately worded planning condition. UU have also confirmed that the submitted drainage details are acceptable and request that these details are also secured by condition.

An existing combined sewer is located within the rear/west of the application site. Concern have been raised with regard to the proximity of the development to this pipeline. UU have confirmed that they will not allow a new building to be erected over or in close proximity to a public sewer or other wastewater pipeline. The submitted plans for this application indicate the location of the sewer and the easement zone to each side of the pipeline. The plans confirm that the proposed development is to be located outside of the required easement zone.

Concerns have also been raised by local residents with regard to the existing surface water arrangements for the existing dwellings No. 1 and 2 Kirkbeck Drive. It is stated that the surface water from these existing properties runs through the application site and discharges into the beck to the west of the land. Whilst some details have been provided by objectors there is no evidence that any existing surface water drains run through the application site. UU have also raised no concerns with regard to the application. The agent has been made aware of these concerns however as this would be a private/legal matter to be dealt with

	<p>outside the planning application process.</p> <p>It is therefore considered that based on the inclusion of the requested conditions, the proposal will not have a detrimental impact on highway safety 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.</p> <p><u>Planning Balance and Conclusions</u></p> <p>The application site is located within the defined settlement boundary for Beckermest which is identified as a Local Service Centre where new housing is supported. The principle for developing this site for residential purposes was established in 2009 when outline planning permission (ref: 4/09/2448/001) and in 2013 when planning permission (ref: 4/12/2022/0F1) was granted for a single dwelling at this site. In 2016 confirmation was provided by the Local Planning Authority that a lawful start had been made for this application based on the installation of drains within the land.</p> <p>The submitted plans for this application show a development which is of a scale and design which reflects the surrounding properties and is not considered to have a detrimental impact on the nearby residential properties. Boundary treatment will be secured to protect residential amenity.</p> <p>The site will be accessed via the existing estate road and is not considered to have any adverse impacts on existing highways conditions as the Highway Authority have offered no objections to the proposal subject to the inclusion of conditions.</p> <p>Although concerns were raised from the public regarding drainage and highway safety, statutory consultees including the Highway Authority, UU and Flood and Coastal Defence Engineers have offered no objections to the application. Appropriately worded planning conditions will be utilised to secure required visibility splays, construction traffic management plans, and drainage schemes.</p> <p>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.</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>

To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. This permission relates to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them:-

- Plans as Proposed: Location Plan, Block Plan, & Floor Plans (Amended), Scale 1:50, 1:500 & 1:1250, DRG 001, Rev: A, received by the Local Planning Authority on the 18th July 2023.
- As Proposed Elevations (Amended), Scale 1:50, Dwg No: 01, Rev: A, received by the Local Planning Authority on the 17th July 2023.
- Drainage Strategy as Proposed: Plans as Proposed & Location Plan (Amended), Scale 1:100 & 1:1250, DRG 003, Rev: B, received by the Local Planning Authority on the 16th May 2023.
- Percolation Test: Location Plan & Soakaway Locations, Scale 1:100 & 1:1250, DRG 004, Rev A, received by the Local Planning Authority on the 27th February 2023.
- Planting Plan and Specification (Amended), Scale 1:50 & 1:100, DRG 005, Rev B, received by the Local Planning Authority on the 16th May 2023.
- Topographical Survey, Scale 1:100, DRG 001, Rev: A, received by the Local Planning Authority on the 27th February 2023.
- Flow Model – Without Permeable Driveway, Prepared by Tweddell & Slater Ltd January 2023, received by the Local Planning Authority on the 27th February 2023.
- Site Specific Flood Risk Assessment, Prepared by A L Daines & Partners LLP February 2023, received by the Local Planning Authority on the 27th February 2023.
- Planning Statement, Prepared by SRE Associates February 2023, received by the Local Planning Authority on the 27th February 2023.
- Access and Visibility Splays, Scale 1:200, DRG 006, Rev: A, received by the Local Planning Authority on the 16th May 2023.
- Design Statement from Applicant, received by the Local Planning Authority on the 16th May 2023.
- Photos of Dwellings in the Village, received by the Local Planning Authority on the 7th 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.

Pre Commencement Conditions

3. Development must not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the local planning authority. The CTMP must include details of:

- details of proposed crossings of the highway verge;
- retained areas for vehicle parking, manoeuvring, loading and unloading for their specific purpose during the development;
- cleaning of site entrances and the adjacent public highway;
- details of proposed wheel washing facilities;
- the sheeting of all HGVs taking spoil to/from the site to prevent spillage or deposit of any materials on the highway;
- surface water management details during the construction phase

Reason

To ensure the undertaking of the development does not adversely impact upon the fabric or operation of the local highway network and in the interests of highway and pedestrian safety.

4. The development must not commence until visibility splays providing clear visibility of 15 metres to the north and 45 metres to the south measured 2.4 metres down the centre of the access road and the nearside channel line of the carriageway edge have been provided at the junction of the access road with the county highway. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, 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.

Any existing highway fence/wall boundary must be reduced to a height not exceeding 1.05m above the carriageway level of the adjacent highway in accordance with details

submitted to the Local Planning Authority and which have subsequently been approved before development commences and must not be raised to a height exceeding 1.05m thereafter.

Reason

In the interests of highway safety.

Prior to Erection of External Walling Conditions

5. No superstructure must be erected until samples and details of the materials to be used in the construction of the external surfaces of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. Development must be completed in accordance with the approved details of materials and must be retained for the lifetime of the development.

Reason

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

Prior to Occupation Conditions:

6. The drainage for the development hereby approved, must be carried out in accordance with the following approved documents:
 - Drainage Strategy as Proposed: Plans as Proposed & Location Plan (Amended), Scale 1:100 & 1:1250, DRG 003, Rev: B, received by the Local Planning Authority on the 16th May 2023.

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 ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.

7. Prior to the first occupation of the dwelling hereby approved the boundary treatment must be installed in accordance with the approved plans:

- Plans as Proposed: Location Plan, Block Plan, & Floor Plans (Amended), Scale 1:50, 1:500 & 1:1250, DRG 001, Rev: A, received by the Local Planning Authority on the 18th July 2023.
- Planting Plan and Specification (Amended), Scale 1:50 & 1:100, DRG 005, Rev B, received by the Local Planning Authority on the 16th May 2023.

All boundary treatment must be retained in accordance with this approved plan at all times thereafter.

Reason

In the interest of residential amenity.

8. The development hereby approved must not be occupied until the parking requirements have been constructed in accordance with the approved plan 'Access and Visibility Splays, Scale 1:200, DRG 006, Rev: A, received by the Local Planning Authority on the 16th May 2023'. The approved parking provision must be retained at all times thereafter and must not be removed or altered without the prior consent of the Local Planning Authority.

Reason

In the interests of highway safety.

Other Conditions:

9. The development must be carried out in accordance with and implement all of the details and mitigation measures specified within approved document 'Site Specific Flood Risk Assessment, Prepared by A L Daines & Partners LLP February 2023, received by the Local Planning Authority on the 27th February 2023' and must be maintained as such at all times thereafter.

Reason

For the avoidance of doubt and to ensure that adequate measures are incorporated to protect the occupiers from flooding.

10. Access gates, if provided, must be hung to open inwards only away from the highway.

Reason

In the interests of highway safety.

11. 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/installation of windows and doors) or extensions, conservatories, dormer, or enlargement shall be carried out to the dwelling, 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 the visual amenity of the area.

Informatives

1. In view of the fact that this application, if granted, could increase the number of persons in the area (including trade people) the applicant should 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.
2. Where United Utilities' assets cross the proposed red line boundary, developers must contact our Developer Services team prior to commencing any works on site, including trial holes, groundworks or demolition.
3. United Utilities will not allow a new building to be erected over or in close proximity to a public sewer or any other wastewater pipeline.
4. Environmental permit - advice to applicant
Kirk Beck is designated statutory main river. The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:
 - on or within 8 metres of a main river (16 metres if tidal)
 - on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
 - on or within 16 metres of a sea defence

- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in the floodplain of a main river if the activity could affect flood flow or storage and potential impacts are not controlled by a planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

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 : 18.08.2023

Authorising Officer: N.J. Hayhurst

Date : 25.08.2023

Dedicated responses to:-