

## CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/23/2220/0F1	
2.	<b>Proposed Development:</b>	ERECTION NEW DWELLING (RESUBMISSION OF 4/23/2012/0F1)	
3.	<b>Location:</b>	LAND AT MONTREAL PLACE, MOOR ROW	
4.	<b>Parish:</b>	Egremont	
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change, Coal - Development Referral Area - Data Subject to Change	
6.	<b>Publicity Representations &amp; Policy</b>	Neighbour Notification Letter	Yes
		Site Notice	Yes
		Press Notice	No
		Consultation Responses	See Report
		Relevant Policies	See Report
7.	<b>Report:</b>  <b>Site and Location</b>  This application relates to an area of land located within the existing residential estate of Montreal Place, located within the north of Moor Row. The site is an undeveloped area of land located within the centre of the residential estate. The application site relates the northern corner of this piece of land.		

## **Relevant Planning History**

4/23/2012/0F1 – Erection of new dwelling – Withdrawn.

## **Proposal**

This application seeks planning permission for the erection of a new single dwelling. The proposed dormer bungalow would front onto the main highway through Montreal Place and would measure 10m x 12m, with an eaves height of 2.9m and an overall height of 6.9m. The proposed dwelling will benefit from a front facing gable which will project by 0.6m and will extend along this elevation by 5.2m. There will also be another projection on the front elevation which measure 0.6m x 4.3m with an eaves height of 2.9m. This section of the proposed dwelling will also incorporate a dormer window which will extend 2.8m from the proposed roof slope.

The proposal will also benefit from an attached garage which will be set back from the front elevation of the dwelling by 3.5m. The proposed garage will project from the south west gable of the dwelling by 3.3m and will extend along this elevation by 7.1m, benefiting from an eaves height of 2.9m and an overall height of 6.2m. The rear roof slope will also be fitted with solar panels.

Internally, the ground floor of the dwelling will incorporate an entrance hall, living room, lounge, open plan kitchen/dining room, a utility room, a toilet, and an attached garage. The first floor roof space of the dwelling will accommodate a master bedroom with ensuite bathroom, three double bedrooms and a bathroom. Externally, the proposed dwelling will be finished with k-rend and red brick, upvc windows, and a tile or slate roof.

A driveway will be located to the south west of the application site providing parking for two cars with access to the site from the main road through Montreal Place. The driveway will be finished with tarmac or setts and will incorporate an aco drain adjacent to the highway. The front and part of the side boundary of the site will benefit from a 1.05m picket fence and the rear and remaining side boundary will incorporate a 1.8m close boarded fence.

It is proposed that surface and foul water will be disposed of to the mains sewer.

## **Consultation Responses**

### Egremont Town Council

No objections.

### Cumberland Council – Highway Authority and LLFA

As this falls under our Service Level Agreement (SLA) with your Council, this application does not need to be submitted to the Local Highway Authority or Lead Local Flood Authority; subject to the highway and drainage aspects of such applications being considered in

accordance with the Agreement.

The highway and drainage implications of this application would therefore have to be decided by the Local Planning Authority.

#### United Utilities

We strongly encourage all developments to include sustainable drainage systems to help manage surface water and to offer new opportunities for wildlife to flourish. We request that Local Planning Authorities and applicants do all they can to avoid surface water entering the public sewer. The flows that come from this surface water are very large when compared with the foul water that comes from toilets, showers, baths, washing machines, etc. It is the surface water that uses up a lot of capacity in our sewers and results in the unnecessary pumping and treatment of surface water at our pumping stations and treatment works. If new developments can manage flows through sustainable drainage systems that discharge to an alternative to the public sewer, it will help to minimise the likelihood of sewers spilling into watercourses and the flooding of homes and businesses.

National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) advise that surface water from new developments should be investigated and delivered in the following order of priority:

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

The applicant should consider their drainage plans in accordance with the drainage hierarchy outlined above.

#### The Coal Authority

The application site falls within the defined Development High Risk Area.

The Coal Authority records indicate that within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application, specifically a recorded mine entry (shaft) is within close proximity of the planning boundary. An untreated mine entry and its resultant zone of influence pose a significant risk not only to surface stability but also public safety.

The Coal Authority notes that the applicant has obtained appropriate and up-to-date coal mining information for the proposed development site, along with information obtained from intrusive investigations undertaken. This has been used to inform the Intrusive Site Investigation Report (dated 20 December 2022, prepared by Geoinvestigate Ltd), which accompanies the planning application. The Report correctly identifies the recorded mine entry (shafts) present within close proximity of the site boundary.

However, on the basis that the Report is able to demonstrate that the footprint of the proposed building would be outside any zone of influence of the shaft, no further remedial measures or investigations are proposed. The Report further reinforces this by referencing the previous treatments applied to the shaft.

#### Mine Gas

It should be noted that wherever coal resources or coal mine features exist at shallow depth or at the surface, there is the potential for mine gases to exist. These risks should always be considered by the LPA. The Planning & Development team at the Coal Authority, in its role of statutory consultee in the planning process, only comments on gas issues if our data indicates that gas emissions have been recorded on the site. However, the absence of such a comment should not be interpreted to imply that there are no gas risks present. Whether or not specific emissions have been noted by the Coal Authority, local planning authorities should seek their own technical advice on.

#### SUDS

It should be noted that where SUDs are proposed as part of the development scheme consideration will need to be given to the implications of this in relation to the stability and public safety risks posed by coal mining legacy. The developer should seek their own advice from a technically competent person to ensure that a proper assessment has been made of the potential interaction between hydrology, the proposed drainage system and ground stability, including the implications this may have for any mine workings which may be present beneath the site.

#### The Coal Authority Recommendation to the LPA

The Coal Authority considers that the content and conclusions of the Intrusive Site Investigation Report (dated 20 December 2022, prepared by Geoinvestigate Ltd) are sufficient for the purposes of the planning system in demonstrating that the application site is safe and stable for the proposed development. The Coal Authority therefore has **no objection** to the proposed development.

#### Public Representation

This application has been advertised by way of a site notice, and neighbour notification letters issued to seven properties. No comments have been received in relation to this consultation process.

#### **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 T1 – Improving Accessibility and Transport

Policy ENV1 – Flood Risk and Risk Management

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 Proposal and Flood Risk

Policy DM26 – Landscaping

### **Other Material Planning Considerations**

National Planning Policy Framework (2023)

National Design Guide (NDG).

Cumbria Development Design Guide (CDG)

Strategic Housing Market Assessment 2021 (SHMA)

Copeland Borough Council Housing Strategy 2018 – 2023 (CBCHS)

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

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

Strategic Policy N6PU: Landscape Protection

### **Assessment**

The key issues raised by this application relate to the principle of the development; the scale, design, and impact of the development; impact on landscape and settlement character; access, parking, and highway safety; ground conditions; and drainage and flood risk.

#### Principle of Development

The application site lies within the defined settlement boundary for Moor Row, 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 Moor Row is identified as one of the Sustainable Rural Village 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 site remains within the proposed settlement boundary under the Emerging Local Plan.

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.

#### Scale, Design and Impact of Development

Within the Copeland Local Plan, Policies DM10, DM11, and DM12, and section 12 of the NPPF, seek to secure high standards of design for new residential properties. These policies seek to create and maintain a reasonable standard of amenity, and set out detailed

requirements with regard to standard of residential amenity, including the provision of parking spaces, separation distances and open space.

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.

This application is a resubmission of the previously withdrawn application ref: 4/23/2012/0F1. The application was withdrawn as a revised scheme for the proposal was required by the applicant during the latter stages of the application process. The applicant was therefore advised to withdraw and resubmit the application to reflect these alterations.

The amended scheme, subject to this application seeks permission for the same scale dwelling however the proposal has been flipped so that the garage is now located on the south west side of the site rather than the north west. Concerns were raised with the original application regarding the overall design of the dwelling, however a design and access statement was submitted justify the design choices of the proposal and some minor amendments were made to the development in order to reflect the overall character of the area. This has been reflected within the current application. Although some details have been included with regard to proposed materials, specific details have not been provided. A condition will therefore be placed on any decision notice to require the submission of materials prior to their use within the development.

Although the development is located within small site surrounding by existing residential dwellings, the agent has submitted a site plan to show that the proposal can meet the required separate distances set out within the Local Plan. As part of the original withdrawn application concerns were also raised with regard to overlooking from first floor windows. The current proposal includes no first floor side facing windows, therefore these concerns have been addressed.

Whilst there are a number of ground floor side facing windows these either meet the required separation distances or are screened by the proposed and existing boundary treatments. The development is therefore not considered to result in overlooking and/or loss of privacy/amenity for neighbouring residential properties. The proposed boundary treatment for this development will also be secured by condition.

Whilst a 1.8m boundary fence is to be utilised within part of the side boundary, the front and remainder of the side boundary will be a 0.5m picket fence which will retain the open feel of the estate. Although the 1.8m fence will have some impact on the open character of the estate, it is considered necessary to mitigate any overlooking concerns and provide the proposed development with a private amenity space. The estate contains a mix of boundary treatments therefore the proposal is not out of place in this context. Permitted development



rights will also be removed from the site in order to ensure that the constrained site isn't overdeveloped to be detriment of the neighbouring dwellings in the future and also to ensure additional windows cannot be installed without planning permission.

Based on this, it is considered that the proposed development is of a suitable scale and design in the context of the site and surrounding area. The design is considered to reflect the existing character of the surrounding residential dwellings and will ensure the development is not dominant within the overall streetscene.

No objections have been received from any neighbouring dwellings to the current application.

On this basis the design and layout of the proposed dwellings is therefore considered acceptable for this location and would be in accordance with the aims and objectives of both the adopted Copeland Local Plan, Emerging Local Plan, and the NPPF.

#### Impact on Landscape and Settlement Character

Policy ENV5 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 application site is a vacant site which lies within the centre of an existing residential estate to the north of Moor Row and is directly adjacent to a number of existing residential properties. As the development is surrounded by existing residential development the proposal is not considered to have a detrimental 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 the provisions of the NPPF.

#### Access, Parking 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 proposed development will be accessed from the south west of the site from the main road through Montreal Place via a new driveway providing parking for two cars and access to an attached double garage. The Highways Officer has been consulted on this application and he has offered no comments. However, the development is considered to comply with the parking standards identified within the Cumbria Design Guide. The access to this site is via an unadopted road and, given the proposal is for a single unit, the development is not considered to adversely impact on the existing highway. Conditions will be attached to this permission to ensure the development does not impact upon highway safety, including the access arrangements, parking, access gates and driveway drainage arrangements.

On this basis the development is considered to comply 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.

#### Ground conditions

Policy ST1 of the Copeland Local Plan includes provisions requiring that new development addresses land contamination with appropriate remediation measures.

Policy DS6PU and Policy DS10PU of the Emerging Local Plan includes provisions requiring that development addresses land contamination and land stability issues with appropriate remediation measures.

The application site is located on a coal referral area and the application has therefore been submitted with an Intrusive Site Investigation Report. It concludes that the current intrusive site investigation and additional desk study of recently available BGS borehole and mine shaft records has shown that the proposed initial housing development at the north end of the site is stable and safe with regard to the presence of deep historical underground iron ore mine working beneath it and the occurrence adjacent to it of a single infilled and capped iron ore mine shaft. Furthermore it is stated that in Geoinvestigate's opinion the proposed initial development at the northern end of the site does not require further mitigation regarding mine shaft proximity hazard neither relocation within the plot nor special foundation design nor is



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mitigation required in respect of the deep mine working here or elsewhere within the site.

The Coal Authority reviewed the report and raised no objections to the proposed development and stated that the report is sufficient for the purposes of the planning system in demonstrating that the application site is safe and stable for the proposed development.

On this basis the proposal is considered to achieve the requirement of Policy ST1 of the Copeland Local Plan, Policies DS6PU and Policy DS10PU of the Emerging Local Plan and the provisions of the NPPF.

### Drainage and Flood Risk

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. As part of the application, it is proposed that the foul and surface water from the development would be disposed of by the existing mains sewers located within the existing highway. UU have been consulted on this application and have no objection to the proposed development however they have stated that developments should implement the drainage in line with drainage settlement hierarchy. As no details have been provided with regard to the development being considered in line with the hierarchy a suitably worded planning condition will be attached to any permission to secure these details.

UU have also stated within their consultation response that they will not allow building over or in close proximity to water mains or a public sewer. From a review of the Council's GIS mapping system the existing sewers are located outside of the red line for this application therefore these comments should not affect the development.

It is therefore considered that based on the inclusion of this condition, 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.

### Planning Balance and Conclusion

he application site is located within the defined settlement boundary for Moor Row which is

	<p>identified as a Local Service Centre where new housing is supported.</p> <p>The submitted plans for the development 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 treatments and proposed materials will be secured by condition.</p> <p>The access to this site is via the estate road which is unadopted road. Given the proposal is for a single unit the development is not considered to adversely impact on the existing highway. Conditions will be attached to this permission to ensure the development does not impact highway safety.</p> <p>Conditions will also be attached to this permission to ensure the site is drained in line with the drainage hierarchy.</p> <p>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><b>Recommendation:</b></p> <p>Approve (commence within 3 years)</p>
9.	<p><b>Conditions</b></p> <p><u>Standard Conditions</u></p> <ol style="list-style-type: none"> <li>1. The development hereby permitted must be commenced before the expiration of three years from the date of this permission.</li> </ol> <p>Reason</p> <p>To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.</p> <ol style="list-style-type: none"> <li>2. Permission must relate to the following plans and documents as received on the respective dates and development must be carried out in accordance with them: <ul style="list-style-type: none"> <li>- Site Loc, Scale 1:200 &amp; 1:1250, Dwg No: 1, Rev: B, received by the Local Planning Authority on the 2<sup>nd</sup> August 2023.</li> <li>- Proposed Elevs (Amended), Scale 1:100, Dwg No: 2, Rev: E, received by the Local Planning Authority on the 28<sup>th</sup> September 2023.</li> </ul> </li> </ol>

- Proposed Plans, Scale 1:100, Dwg No: 3, Rev: B, received by the Local Planning Authority on the 2<sup>nd</sup> August 2023.
- Design and Access Statement, received by the Local Planning Authority on the 8<sup>th</sup> September 2023.
- Intrusive Site Investigation Report, Prepared by Geo Investigate December 2022, received by the Local Planning Authority on the 2<sup>nd</sup> August 2023.
- Q Cells – Solar Panel Details, received by the Local Planning Authority on the 2<sup>nd</sup> August 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. No development must commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme must include:
  - I. An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation must include evidence of an assessment of ground conditions and the potential for infiltration of surface water;
  - 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); and
  - III. A timetable for its implementation.

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

The development hereby permitted must be carried out only in accordance with the approved drainage scheme.

**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.

Prior to Erection of External Walling Conditions

4. 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/First Use Conditions:

5. The development hereby approved must not be occupied until the access and parking provision have been constructed in accordance with the approved plan 'Site Loc, Scale 1:200 & 1:1250, Dwg No: 1, Rev: B, received by the Local Planning Authority on the 2<sup>nd</sup> August 2023'. The approved access and parking provisions 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.

6. Prior to the first occupation of the dwelling hereby approved the boundary treatment must be installed in line with the approved plan 'Site Loc, Scale 1:200 & 1:1250, Dwg No: 1, Rev: B, received by the Local Planning Authority on the 2<sup>nd</sup> August 2023'. All boundary treatment must be retained in accordance with this approved plan at all times thereafter.

Reason

In the interest of residential amenity.



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### Other Conditions:

7. The access drive must be surfaced in bituminous or cement bound materials, or otherwise bound and must be constructed and completed before the development is occupied/brought into use.

#### Reason

In the interests of highway safety.

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

#### Reason

In the interests of highway safety.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that order with or without modification) no external alterations (including replacement windows and doors) or extensions, conservatories, dormer, or enlargement shall be carried out to the 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. Any works within or near the Highway must be authorised by Cumbria County Council and no works shall be permitted or carried out on any part of the Highway including Verges, until you are in receipt of an appropriate permit (I.E Section 184 Agreement) allowing such works. Enquires should be made to Cumbria County Councils Street Work's team - [streetworks.central@cumbria.gov.uk](mailto:streetworks.central@cumbria.gov.uk).
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.

Further information is also available on the Coal Authority website at:

[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

**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 :** 28.09.2023

**Authorising Officer:** N.J. Hayhurst

**Date :** 29.09.2023

**Dedicated responses to:-** N/A