

**CUMBERLAND COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/23/2248/DOC
2.	Proposed Development:	DISCHARGE OF CONDITIONS 3, 5 AND 8 OF PLANNING APPLICATION 4/22/2168/0F1
3.	Location:	LAND ADJACENT TO BLUEBELL HOUSE, ARLECDON ROAD, ARLECDON
4.	Parish:	Arlecdon and Frizington
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change, Key Species - Bounds of Sensitive Area for Hen Harriers
6.	Publicity Representations &Policy	
7.	Report:	<p>Site and Location:</p> <p>The Application Site comprises a 0.06 hectare parcel of land located to the south of the property known as Bluebell House situated on Arlecdon Road, Arlecdon.</p> <p>The Application Site is bounded by a dwelling to the north, agricultural fields to the south and west and Arlecdon Road to the east.</p> <p>The route of the United Utilities West Cumbria Pipeline is located to the south of the Site.</p> <p>The Site is enclosed by an established hedgerow to the east and a wall to the north with open boundaries to the south and west.</p> <p>Planning Permission was approved in June 2022 for the erection of a dormer bungalow with integral garage (application reference 4/22/2168/0F1 relates).</p> <p>Proposal:</p> <p>Planning Conditions imposed on application ref. 4/22/2168/0F1 state the following:</p>

3. 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 and in accordance with Policy DM10 of the Copeland Local Plan.

5. Prior to the first use of the development hereby approved, full details of both hard and soft landscape works must be submitted to and approved in writing by the Local Planning Authority. These works must include hard surfacing and means of enclosure as a minimum. Landscaping must be carried out in accordance with the approved details and retained as such at all times thereafter.

Reason

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

8. Details of all measures to be taken by the applicant/developer to prevent surface water discharging onto or off the highway must be submitted to the Local Planning Authority for approval prior to the first use of the development. Any approved works must be implemented prior to the development being completed and must be maintained operational thereafter.

Reason

In the interests of highway safety and in accordance with Policy ENV1 of the Copeland Local Plan.

This application seeks to discharge the details of these conditions with the submission of the following information:

- Application Form
- Site Plan



Cumberland Council

- Supporting Statement
- Supporting Photographs

Consultation responses:

Consultee:	Nature of Response:
Arlecdon and Frizington Parish Council	No response received
Local Lead Flood Authority	Condition 3: The Highway Authority did not recommend this condition therefore we have no comments to make. Condition 5: The Highway Authority did not recommend this condition therefore we have no comments to make. Condition 8: Having reviewed the supplied documents I'm satisfied that condition 8 can be discharged.
United Utilities	No response received
Flood and Coastal Drainage Engineer	No response received
Neighbour Responses:	
No responses have been received.	

Development plan policies:

Copeland Local Plan 2013-2028 (Adopted December 2013):

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

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

The inherited the local development plan documents continue to apply to the geographic area of their sovereign Councils only.

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

Core Strategy (CS):

Policy ST1 – Strategic Development Principles

Policy ENV1 – Flood Risk and Risk Management

Development Management Policies (DMP):

Policy DM10 – Achieving Quality of Place

Policy DM24 – Development Proposals and Flood Risk

Policy DM26 – Landscaping

Other Material Planning Considerations

National Planning Policy Framework 2021 (NPPF)

Emerging Copeland Local Plan (ELP):

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

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

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

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

The policies relevant to this application are:

Strategic Policy DS1PU: Presumption in favour of Sustainable Development

Policy DS6PU: Design and Development Standards

Policy DS7PU: Hard and Soft Landscaping

Strategic Policy DS8PU: Reducing Flood Risk

Policy DS9PU: Sustainable Drainage

Assessment:



Cumberland Council

Condition 3 – Materials

Photographs have been provided of the dwelling to show the materials utilised in building. They are of the same character and appearance as the recently completed dwellings in the area and match the proposed materials within the planning application. The materials are therefore considered to be acceptable and are in keeping with the character and appearance of the surrounding area.

Condition 2 can be discharged.

Condition 5 – Landscaping

The photographs submitted show the external landscaped to the same specification as that detailed within the design and access statement for the original application. The garden has been grassed with a paved patio area and hard surfaced parking. A low wall has been built on the boundary with the neighbouring dwelling and a new hedge has been planted on the boundary with the agricultural field to the south.

The landscaping is considered to be acceptable for a single plot. Condition 5 can be discharged.

Condition 8 - Drainage

The site plan shows that the levels fall from east to west on this site, with water naturally running away from the highway towards the rear of the dwelling. This mitigates any surface water reaching the highway to the east.

The information has been fully assessed and considered by the Local Lead Flood Authority. No objections have been received with respect to the details and therefore it is considered that condition 8 can be discharged.

Conclusion

Overall, the information submitted is considered to be acceptable and sufficient to satisfy the requirements of conditions 3, 5 and 8 of planning permission 4/22/2168/0F1.

8. **Recommendation:**
Approve discharge of Conditions 3, 5 and 8 of planning permission reference 4/22/2168/0F1.

Case Officer: Sarah Papaleo

Date : 11/10/2023

Authorising Officer: N.J. Hayhurst

Date : 12/10/2023

Dedicated responses to:- N/A