

**CUMBERLAND COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/23/2296/DOC
2.	Proposed Development:	DISCHARGE OF CONDITIONS 3 AND 4 OF PLANNING APPLICATION 4/22/2016/0F1
3.	Location:	KEEKLE MEADOWS, CLEATOR MOOR
4.	Parish:	Cleator Moor
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change
6.	Publicity Representations &Policy	N/A
7.	Report:	<p>Site and Location:</p> <p>This application comprises part of the residential development of Keekle Meadows located to the western boundary of Cleator Moor.</p> <p>The development is currently under construction.</p> <p>The Application Site is located within the centre of the approved residential development.</p> <p>The site has a complex planning history with both application reference 4/16/2409/001 and application reference 4/18/2472/001 having been the subject of both reserved matters applications/permission and numerous Section 73 planning applications/permissions which comprise the now effective planning permission but take forward the planning conditions etc. of the initial outline planning permissions.</p> <p>Proposal:</p> <p>Application reference 4/22/2016/0F1 approved Full Planning Permission for the creation of a surface water attenuation basin to form part of the surface water drainage scheme to serve</p>

the development approved under application reference 4/16/2409/001 and application reference 4/18/2472/001 and the development proposed under application reference 4/22/2028/0F1.

Planning Condition 3 and Planning Condition 4 of application reference 4/22/2016/0F1 states:

3. No development shall commence until full details of the surface water attenuation basin have been submitted to and approved in writing by the Local Planning Authority. The relevant details shall include:

- 1. A detailed specification of the attenuation basin including a cross section plan and where the outfall of the attenuation basin will connect to the existing surface water system.*
- 2. Confirmation of the storage capacity of the attenuation basin and any other attenuation features (i.e. pipes and chambers).*
- 3. Evidence of how the discharge rates at the flow control chambers of the attenuation basin has been determined.*
- 4. A detailed plan showing exceedance routes for rainfall events >1:100 yrs to comply with NSTS S9.*
- 5. A detailed overview plan showing the areas that will drain to the attenuation basin and calculations to demonstrate that the attenuation basin has sufficient capacity to accommodate the drainage flows from the identified areas without increasing flood risk.*

The approved works shall be implemented prior to the development being completed and shall be maintained thereafter in accordance with the schedule.

4. No development shall commence until a Maintenance and Management Plan detailing measures of how the attenuation basin will be maintained and managed for its lifetime has been submitted to and approved in writing by the Local Planning Authority. The attenuation basin shall be managed and maintained in accordance with the approved details for the lifetime of the development.

The information submitted in support of the application comprises the following:

Planning Condition 3:

- Application Form
- Drainage Calculations and Hydro International Technical Specifications Information
- GEO Environmental Engineering – Report Ref. GEO2022-5256 - Keekle Meadows, Cleator Moor. Exploratory Hole Information
- Mill Hill, Cleator Moor - Basin Details/Sections – Drawing No. 1083-12-9 Rev. K
- Mill Hill, Cleator Moor – Layout 27-32 & 4/01-4/55 Headwall Details – Drawing No. 1083-12-8 Rev. G
- Mill Hill, Cleator Moor – Engineering Layout 27-32 & 4/01-4/55 Impermeable Areas – Drawing No. 1083-1-2-IMP Rev. Y
- Mill Hill, Cleator Moor – Engineering Layout 27-32 & 4/01-4/55 Flood Routing – Drawing No. 1083-1-2-FLOOD Rev. Y



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Planning Condition 4:

- SUDS MAINTENANCE SCHEDULE - Client: HIGH GRANGE DEVELOPMENTS LTD
- Project: MILL HILL, CLEATOR MOOR - Principal Contractor: HIGH GRANGE DEVELOPMENTS LTD

Consultee:	Nature of Response:
Town Council	No comments
LLFA	<p>Cumberland Council as the Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) has reviewed the above planning reference and our findings are detailed below.</p> <p>Condition 3 - The LHA are content with the information/documents submitted to the LPA in October 2023, Therefore Condition 4 can be discharged.</p> <p>Condition 4 - The LLFA are content with the information/documents submitted to the LPA in October 2023, Therefore Condition 4 can be discharged.</p>
Neighbour Responses:	
None received.	

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 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 (CS):

Policy ST1 – Strategic Development Principles
Policy ENV1 – Flood Risk and Risk Management
Policy ENV3 – Biodiversity and Geodiversity

Development Management Policies (DMP):

Policy DM11 – Sustainable Development Standards
Policy DM24 – Development Proposals and Flood Risk
Policy DM25 – Protecting Nature Conservation Sites, Habitats and Species

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.

Policy DS6PU - Design and Development Standards
Strategic Policy DS8PU: Reducing Flood Risk
Policy DS9PU: Sustainable Drainage
Policy DS10PU - Soils, Contamination and Land Stability
Policy SC1PU - Health and Wellbeing
Policy N1PU - Conserving and Enhancing Biodiversity and Geodiversity Strategic
Policy N5PU - Protection of Water Resources

Other Material Planning Considerations

National Planning Policy Framework (NPPF).
Planning Practice Guidance (PPG).
The Conservation of Habitats and Species Regulations 2017 (as amended) (CHSR).



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	<p>Assessment:</p> <p><u>Planning Condition 3</u></p> <p>A detailed specification for the proposed drainage basin has been submitted.</p> <p>The details include: a cross section plan showing the outfall connection; details of the storage capacity of the attenuation basin and any other attenuation features; details of the areas that will drain to the attenuation basin; the discharge rates at the flow control chambers of the attenuation basin; details of the exceedance routes; and, calculations to demonstrate that the attenuation basin has sufficient capacity to accommodate the drainage flows from the identified areas without increasing flood risk.</p> <p>The LLFA have assessed the detailed specification and confirmed that the requirements of Planning Condition 3 can be approved.</p> <p><u>Planning Condition 4</u></p> <p>Maintenance and Management Plan detailing measures of how the attenuation basin will be maintained and managed for its lifetime has been submitted.</p> <p>The LLFA have assessed the details and confirmed that the requirements of Planning Condition 4 can be approved.</p> <p>Conclusion</p> <p>Planning Condition 3 – Approve requirements of planning condition.</p> <p>Planning Condition 4 – Approve requirements of planning condition.</p>
8.	<p>Recommendation:</p> <p>Approve</p>
9.	<p>Condition(s):</p> <p>N/A</p>
<p>Case Officer: Chris Harrison</p>	
<p>Date : 20.12.2023</p>	
<p>Authorising Officer: N.J. Hayhurst</p>	
<p>Date : 20/12/2023</p>	
<p>Dedicated responses to:- N/A</p>	