

**CUMBERLAND COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/23/2297/DOC
2.	Proposed Development:	DISCHARGE OF CONDITIONS 5 AND 6 OF PLANNING APPLICATION 4/22/2028/0F1
3.	Location:	PLOT 87, 88 AND 91 AT KEEKLE MEADOWS, MILL HILL, 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 4/22/2028/0F1 approved Full Planning Permission for the erection of 3no. dwellings on land straddling the boundaries of the two approved phases of the</p>

development, each of which were approved under separate outline planning permissions, namely application reference 4/16/2409/001 and application reference 4/18/2472/001.

Planning Condition 5 and Planning Condition 6 of application reference 4/22/2028/0F1 states:

Planning Condition 5:

Prior to the commencement of development full details of the proposed surface water drainage scheme to serve the proposed development shall be submitted to and approved in writing by the Local Planning Authority. Development shall be completed in accordance with the approved details.

Planning Condition 6:

Prior to occupation of the development a Drainage Management and Maintenance Plan for the lifetime of the development shall be submitted to and approved in writing by the local planning authority.

The sustainable drainage management and maintenance plan shall include as a minimum: a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The drainage scheme shall maintained and managed in accordance with the approved details for the lifetime of the development.

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

- Application Form

Planning Condition 5:

- 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
- Mill Hill, Cleator Moor – Engineering Layout 27-32 & 4/01-4/55 – Drawing No. 1083-1-2 Rev. Y
- Mill Hill, Cleator Moor – Engineering Layout 27-32 & 4/01-4/55 Section 104 – Drawing No. 1083-1-2-104 Rev. Y
- Mill Hill, Cleator Moor – Engineering Layout 27-32 & 4/01-4/55 Manhole Schedule – Drawing No. 1083-6 Rev. C
- Mill Hill, Cleator Moor – Layout 27-32 & 4/01-4/55 Private Drainage – Drawing No. 1083-13-6 Rev. B



Cumberland Council

Planning Condition 6:

- 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 5 - The LHA and LLFA are content with the Information/Documents submitted to the LPA in October 2023, therefore condition 5 can be discharged.</p> <p>Condition 6 - The LHA and LLFA are content with the Information/Documents submitted to the LPA in October 2023, therefore condition 6 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).

Assessment:



Cumberland Council

	<p><u>Planning Condition 5</u></p> <p>A detailed specification for the proposed drainage scheme has been submitted.</p> <p>The LLFA have assessed the scheme and confirmed that the requirements of Planning Condition 3 can be approved.</p> <p><u>Planning Condition 6</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 5 – Approve requirements of planning condition.</p> <p>Planning Condition 6 – 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>	