

## CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/23/2388/001
2.	<b>Proposed Development:</b>	OUTLINE APPLICATION WITH SOME MATTERS RESERVED INCLUDING APPROVAL OF ACCESS, LANDSCAPING, LAYOUT & SCALE FOR PROPOSED BUNGALOW ON SITE OF FORMER RESIDENTIAL LODGE
3.	<b>Location:</b>	LAND ADJACENT BELVERDERE, CLEATOR
4.	<b>Parish:</b>	Cleator Moor
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Flood Area - Flood Zone 2, Coal - Standing Advice - Data Subject To Change
6.	<b>Publicity Representations &amp; Policy</b>	Neighbour Notification Letter: YES Site Notice: YES Press Notice: YES Consultation Responses: See report Relevant Planning Policies: See report
7.	<b>Report:</b>  <b>Site and Location</b>  <p>This application relates to a parcel of land located off adjacent to the dwelling known as Belvedere. The site is located to the east of Cleator Moor on Wath Brow and is accessed from the Cleator Moor to Ennerdale Bridge road.</p> <p>The site sits in a cluster of 5 dwellings close to the River Ehen which is a designated as a Site of Special Scientific Interest (SSSI). The site lies within Flood Zone 2.</p>  <b>Proposal</b>	

This application seeks outline planning permission with some matters reserved. Approval is sought for access, landscaping, layout and scale for a proposed bungalow on the site of a former static caravan. Appearance is reserved for future approval.

This application is accompanied by the following information:

- Application Form;
- Existing and Proposed Site Plan;
- Existing and Proposed Drainage Plan;
- Design and Access Statement.

### **Relevant Planning History**

Change of use for siting of temporary chalet, approved in May 2009 (application reference 4/09/2152/0 relates).

### **Consultation Responses**

#### Cleator Moor Town Council

No response received.

#### Highways and Local Lead Flood

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. However, a PROW public footpath number 403007 lies adjacent to the site, the Applicant must ensure that no obstruction to the footpath occurs during, or after the completion of the site works.

#### Countryside Access Officer

No response received.

#### 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



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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. In the event that the applicant, or any subsequent developer, approaches United Utilities regarding a connection for surface water to the public sewer, it is likely that we will request evidence that the drainage hierarchy has been fully investigated and why more sustainable options are not achievable. This will be managed through either our 'S106 Sewer Connections' or 'S104 Adoptions' processes.

### Public Representation

The application has been advertised by way of a site notice, press notice and neighbouring letters issued to 4 properties.

### **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 (CS):

Policy ST1 – Strategic Development Principles

Policy ST2 – Spatial Development Strategy

Policy ST4 – Providing Infrastructure

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 Boroughs Landscapes

Development Management Policies (DMP):

Policy DM10 – Achieving Quality of Place

Policy DM11 – Sustainable Development Standards

Policy DM12 – Standards for New Residential Development

Policy DM21 – Protecting Community Facilities

Policy DM22 – Accessible Developments

Policy DM24 – Development Proposals and Flood

Policy DM25 – Protecting Nature Conservation Sites, Habitats and Species

Policy DM26 - Landscaping

Policy DM28 – Protection of Trees

**Emerging Copeland Local Plan (ELP)**

Cumberland Council are continuing the preparation and progression to adoption of the ELP.

The Local Plan Examination Hearing Sessions were completed in March 2023.

The appointed Planning Inspector issued their post hearing letter in June 2023, which identified the next steps for the examination.

The appointed Planning Inspector has now considered all representations and the discussions that took place during the Local Plan Examination Hearing Sessions in 2023 and has identified a number of amendments or 'modifications' that are required in order to ensure



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the ELP is sound i.e. positively prepared, justified, effective and consistent with national planning policy.

A six week public consultation seeking views on the proposed modifications to the ELP commenced on Wednesday 14th February 2024 and will close on the 28<sup>th</sup> March 2024.

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 advanced stage of preparation of the ELP full weight can be attached to policies where no objections have been received or objections have been resolved. Once the consultation on the main modifications to the ELP is complete significant weight can be afforded to the policies of the ELP where modifications are proposed.

The policies relevant to this proposal are:

Policy DS1PU - Presumption in favour of Sustainable Development

Policy DS2PU - Reducing the impacts of development on Climate Change

Policy DS3PU - Settlement Hierarchy

Policy DS4PU - Settlement Boundaries

Policy DS5PU - Planning Obligations

Policy DS6PU - Design and Development Standards

Policy DS7PU - Hard and Soft Landscaping

Policy DS8PU - Reducing Flood Risk

Policy DS9PU - Sustainable Drainage

Policy DS10PU - Soils, Contamination and Land Stability

Policy DS11PU - Protecting Air Quality

Policy H1PU - Improving the Housing Offer

Policy H2PU - Housing Requirement

Policy H3PU - Housing delivery

Policy H4PU - Distribution of Housing

Policy H5PU - Housing Allocations

Policy H6PU - New Housing Development

Policy H7PU - Housing Density and Mix

Policy H8PU - Affordable Housing  
Policy SC1PU - Health and Wellbeing  
Policy N1PU - Conserving and Enhancing Biodiversity and Geodiversity Strategic  
Policy N2PU - Local Nature Recovery Networks Strategic  
Policy N3PU - Biodiversity Net Gain  
Policy N5PU - Protection of Water Resources  
Policy N6PU - Landscape Protection  
Policy N9PU - Green Infrastructure  
Policy N10PU - Green Wedges  
Policy N11PU - Protected Green Spaces  
Policy N12PU - Local Green Spaces  
Policy N13PU - Woodlands, Trees and Hedgerows  
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 2023 (NPPF)  
National Design Guide (NDG).  
Cumbria Development Design Guide (CDG)  
Strategic Housing Market Assessment 2023 (SHMA)  
Copeland Borough Council Housing Strategy 2018 – 2023 (CBCHS)  
The Cumbria Landscape Character Guidance and Toolkit (CLCT)  
Five Year Housing Land Supply Statement 2023

#### **Assessment**

##### Principle of Development

Policy ST2 of the CS defines the settlement hierarchy for development and defines settlement boundaries for those settlements identified as suitable for growth.

The application site lies close to Cleator Moor and is approximately 220m from the defined



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settlement boundary. Policy ST2 of the CS identifies Cleator Moor as a Key Service Centre where medium scale housing extensions, windfall and infill development is considered to be acceptable.

Policy ST2 seeks to restrict development outside the defined settlement boundaries to that which has a proven requirement for such a location, including housing that meets proven specific and local needs including provision for agricultural workers, replacement dwellings, replacement of residential caravans, affordable housing and the conversion of rural buildings to residential use.

Policy SS1 of the CS states *the Council will work to make Copeland a more attractive place to build homes and to live in them, by allocating housing sites to meet local needs in locations attractive to house builders and requiring new development to be designed and built to a high standard.*

Policy SS2 of the CS states that *house building to meet the needs of the community and to accommodate growth will be provided for by: allocating sufficient land for new housing development to meet identified requirements within the Borough; allocating land in accordance with the following housing targets: i) A baseline requirement, derived from projected household growth, of 230 dwellings per year ii) Provision for growth 30% above that, to 300 dwellings per year; seeking densities over 30 dwellings per hectare, with detailed density requirements determined in relation to the character and sustainability of the surrounding areas as well as design considerations; and, seeking to achieve 50% of new housing development on previously developed sites.*

Policy DS3PU of the ELP continues to identify Cleator Moor as a Key Service Centre due to its self-sufficiency providing services, including convenience stores, employment opportunities, schools and healthcare.

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.* It is stated that to ensure the delivery of allocated sites is not prejudiced, development outside the settlement boundaries will only be accepted in the following cases: where the proposal is for housing and: the site is well related to and directly adjoins the settlement boundary of a town or Local Service Centre; and b) the site is or can be physically connected to the settlement it adjoins by safe pedestrian routes; and c) the Council is unable to demonstrate a 5-year supply of deliverable housing sites; or there has been previous under-delivery of housing against the requirement for 3 years or more or the proposal is for a specific type of housing supported by Policies H15PU (rural exception sites for affordable housing delivery), H16PU (essential dwellings for rural workers) or H17PU (conversion of rural buildings to residential use).

Policy H1PU of the ELP states the Council will work with stakeholders, partners and communities to make Copeland a more attractive place to build homes and live by: *allocating*

*a range of deliverable and attractive housing sites to meet local needs and aspirations and ensuring they are built at a high standard, whilst protecting the amenity of existing residents; approving housing development on appropriate windfall sites within the settlement boundaries where it accords with the Development Plan; and, ensuring a consistent supply of deliverable housing sites is identified through an annual Five-Year Housing Land Supply Position Statement.*

Policy H2PU of the ELP outlines the *housing requirement is for a minimum of 2,482 net additional dwellings (an average of 146 dwellings per annum) to be provided between 2021 and 2038 and that In order to plan positively and support employment growth over the Plan period, the Plan identifies a range of attractive allocated housing sites, which when combined with future windfall development, previous completions and extant permissions, will provide a minimum of 3,400 dwellings (an average of 200 dwellings per annum) over the Plan period.*

Policy H4PU of the EP outlines that 30% of new housing development will be located within the Key Service Centres of Cleator Moor, Egremont and Millom.

Policy H5PU of the ELP allocates land for housing purposes.

The Application Site is located beyond the defined settlement boundary for Cleator Moor as identified in the CS and ELP.

The Application Site is not allocated for housing development in the LP, CS or ELP.

The development comprises a market led new build housing development and does not therefore comprise an exception site for affordable housing, an essential dwelling for a rural worker or the conversion of a rural building.

Overall, it is considered that the principle of the development is contrary to Policy ST2 of the CS, DS3PU and DS4PU of the ELP and paragraph 11 of the NPPF, creating residential properties in an area outside the designated settlement boundaries. The LPA can demonstrate a 5 year land supply and the Policies within the ECLP reflect the guidance set out in paragraph 80 of the NPPF which seeks to resist unjustified housing in the open countryside.

#### Previous Use of the Site

As part of the application, a Design and Access Statement was submitted which detailed the previous use of the site for a residential lodge. This was approved under application reference 4/09/2152/0 for a temporary period until May 2012. Whilst the Applicant claims that the residential lodge was in situ for a period greater than 10 years, a certificate of lawfulness has not been received or granted and the lodge has since been demolished.

On this basis, it is considered that there is no established lawful use on the site for residential purposes.

#### Layout and Impact on Residential Amenity

Policies ST1, DM10, DM11, and DM12 of the Local Plan, Policy DS6PU of the ELP and





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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.

The proposed dwelling is to be sited between the dwellings known as Ehen Garth and Belvedere. Policy DM12 of the CS seeks to ensure that the separation distances between dwellings are at least 12m between a facing and blank elevation and 21m between two facing elevations.

This application seeks approval for the layout of the site. From the submitted block plan, it would appear that the required separation distances are unlikely to be achievable. The distance between Ehen Garth and Belvedere is 30m, with the block plan showing 7.5m between Ehen Garth and the proposed dwelling and 13m between Belvedere and the proposed dwelling. As there are windows to habitable rooms in the rear of Ehen Garth, a distance of 21m would be required if there were to be windows to habitable rooms on the rear elevation of the proposed dwelling. Should this elevation be kept blank, the distance still falls short of the 12m required.

Details of the design of the dwelling have not been submitted, therefore this cannot be assessed.

On the basis of the information submitted, it is unclear as to whether the proposal could satisfy the policies within the Local Plan and emerging local plan to protect the amenity of the neighbours.

#### Settlement Character, Landscape and Visual Impact

Policy ENV5 of the CS and N6PU of the ELP 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.

Paragraph 174 of the NPPF requires that planning policies and decisions should contribute to and enhance the natural and local environment by: a) protecting and enhancing valued landscapes... and b) recognising the intrinsic character and beauty of the countryside.

The site is designated as subtype 5a: Lowland – Ridge and Valley within the Cumbria Landscape Character Toolkit. The general advice for development in this sub type is repeated within the Copeland Landscape Capacity survey, where the site is within the Mid Ehen Valley, criteria 5Avi. The site acts as a buffer between the settlement and the Lakeland fells and foothills. This document seeks to discourage further nucleation of the settlement pattern and ensure that any new development makes a contribution to the character of the

area.

Although the site could be classed as sustainable due to its proximity to the settlement boundary of Cleator Moor, the site is sensitive to urbanisation as it currently creates a rural graduation between the built up town, the SSSI – the River Ehen and beyond towards the Lake District. Whilst the site has sporadic development, it contributes positively to the character of Cleator Moor and the development would result in further urbanisation of this area.

The Copeland Landscape Settlement Study (CLSS) July 2020 was commissioned as part of the evidence base to support the ECLP. This study was undertaken by Copeland Borough Council to assist decision makers when considering development applications and allocations. It has concentrated on the main areas of search for development and on specific development scenarios (residential, light industrial, green infrastructure). The main objectives of the study are:

- To provide a tool for decision making in the development management process;
- To inform planning policy formation;
- To guide landscape management decisions;
- To assist in defining settlement development boundaries;
- To form part of the evidence base for The Local Plan Review and subsequent policy documents

The study draws on the existing evidence base (The Cumbria Landscape Character Guidance and Toolkit 2011) and the Natural England guidance on landscape sensitivity and landscape character assessment (An Approach To Landscape Sensitivity Assessment To Inform Spatial Planning And Land Management 2019).

The Study characterises the area as 5Avi "Mid Ehen Valley". In terms of description, the area includes "informal countryside recreation uses at Wath Bridge, east of Cleator Moor" and a "buffer between urban settlements, industrial land uses and sensitive foothills landscape". Furthermore, the capacity to accommodate change includes the aspiration to "preserve [the] tranquillity of river valley setting for surrounding settlements". In terms of a management strategy, it should be ensured that "development makes a contribution to the character of the area by respecting the form of villages eg. linear along lines".

The sensitive area is denoted within the blue hash on the Plan shown below which is an extract from Part 3 of the Study – Settlement Studies.

The excerpt below is taken from the "Copeland Landscape Settlement Study, July 2020, Part 2: Landscape Character and Sensitivity Assessments V5", page 40.



The application site lies close to existing dwellings situated to the north and south. The harsh line of large dwellings to the west along Frizington Road provides a visual stop, before the green gap and traditional occasional dwellings of Belvedere, Ehen Garth, Merlewood and High Wath. These create a softened edge to the sensitive River Ehen area and transition between the urban to the rural. On balance, the proposed development is likely to create some harm to the open character of the surrounding landscape, creating a more cluttered residential cluster and an urbanising the site.

The site lies within the buffer zone for the SSSI – The River Ehen. No information has been received with respect to any impacts on this.

The proposal is therefore considered to be contrary to policies ST1, ENV5 and DM26 of the Copeland Local Plan, Policy N6PU of the ELP, the Cumbria Landscape Character Toolkit, The Copeland Landscape Settlement Study July 2020 and the provisions of the NPPF which seeks to protect the countryside from sporadic non-essential development.

### Drainage and Flood Risk

Policy ST1B(ii) and paragraph 163 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. Policy ENV1 and DM24 of the Copeland Local Plan and DS8PU and DS9PU of the ELP reinforces the focus of protecting development against flood risk.

The application site is located within Flood Zone 2 and therefore a Flood Risk Assessment is required. This has been provided within the submitted Design and Access Statement and concludes that there is a medium/low risk of flooding to the property. Various flood mitigation design features have been proposed for the property and the details of these would be relevant during the reserved matters stage.

A drainage plan has been provided to show drainage connecting to the existing combined sewer system. No details of the consideration of the drainage hierarchy have been submitted, however, it is considered that this could be dealt with at any reserved matters stage.

On the basis of the information submitted, the proposal does not comply with policy ENV1 and Policy DM24 of the CS, the ELP 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 new housing on the Boroughs transportation system. Policy DM22 of the CS and CO7PU of the ELP 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.

The site will be accessed from the existing road leading from Cleator Moor to Kirkland to the south. No details of visibility splays have been provided, however, the existing access from Belvedere is proposed to be utilised. No objections have been received from the Highways Department.

Parking provision in accordance with the requirements of the Cumbria Design Guide is clearly deliverable on the Application Site.

On this basis, it is considered that the proposal meets the expectations of Policies DM22 of the CS and CO7PU of the ELP.

### Ecology and Landscaping

Policy ENV3 of the CS and Policy N1PU of the ELP seek to ensure that new development will protect and enhance biodiversity and geodiversity. Policy N1PU of the ELP defines a mitigation hierarchy.

Policy N3PU of the ELP requires that all development, with the exception of that listed in the Environment Act must provide a minimum of 10% biodiversity net gain over and above existing site levels, following the application of the mitigation hierarchy set out in Policy N1PU



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above. This is in addition to any compensatory habitat provided under Policy N1PU. It is stated net gain should be delivered on site where possible and where on-site provision is not appropriate, provision must be made elsewhere in accordance with a defined order of preference.

No ecological assessment details have been submitted.

No details of landscaping have been received.

The proposal does not currently comply with policies within local and national legislation.

#### Planning Balance and Conclusion

Paragraph 11 of the NPPF requires any adverse impacts to be weighed against the benefits that a scheme would produce.

The provision of this dwelling would only make a very small contribution to the supply and delivery of housing within the Borough. Although there would be some economic benefits this would be limited to the construction phase which would only be apparent on a temporary basis. Consequently little weight can be attached to this benefit.

Social benefits would be limited as the applicant has failed to provide any evidence that the proposed housing is required to meet a defined need.

Paragraph 11 of the NPPF requires the application of the presumption in favour of sustainable development to the provision of housing where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date. Out of date includes where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in Paragraph 74); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.

In February 2023, Copeland Borough Council produced a Five Year Housing Land Supply Statement which demonstrates a 7.1 year supply of deliverable housing sites against the emerging housing requirement and a 191 year supply against the Government's standard methodology figure. Copeland Borough Council has also met the most recent Housing Delivery Test.

The ELP will, once adopted, replace the policies of the adopted CS. The ELP has been drafted based upon an evidence base of documents which includes an updated Strategic Housing Market Assessment 2023 (SHMA). The SHMA calculates housing need in Copeland over the plan period 2017-2035 of 146 dwellings per annum. The ELP identifies that to meet the housing need identified in the SHMA, development will be required beyond the existing development boundaries and allocations identified in the CS and includes development boundaries and allocations sites for residential development that will permit delivery of the identified housing need in accordance with the sustainable development strategy proposed.

	<p>On this basis, the policies in the CS in relation to housing delivery must be considered out of date and only limited weight be given their content as far as they are consistent with the provisions of the NPPF.</p> <p>Given the advanced stage of preparation of the emerging Copeland Local Plan 2017-2038 significant weight can be attached to policies where no objections have been received or objections have been resolved. Consultation on the main modifications to the ELP is underway and this permits significant or full weight to be afforded to the policies of the ELP.</p> <p>The proposed development is of a type and scale that aligns with the designation of Cleator Moor as a Key Service Centre within the CS and ELP. The Application Site is located in close and convenient proximity to some services, employment opportunities and transport links, some of which are located within walking distance of the Application Site. The proposed development will give limited support to existing services and thus the aspirations for growth in the Borough. This is given some weight.</p> <p>The Application Site is located beyond the defined settlement boundary of Cleator Moor as identified in the CS and ELP and is not allocated for housing development in the LP, CS or ELP. The development comprises a market led new build house and does not therefore comprise an exception site for affordable housing, an essential dwelling for a rural worker or the conversion of a rural building as are supported outside of the defined settlement boundaries. This is given great weight.</p> <p>The proposed development by virtue of its location, scale and developed form does not respond positively to the character of the site and the immediate and wider setting or enhance local distinctiveness and will result in adverse impacts upon the local landscape character and localised views from within and adjacent to Cleator Moor. This is given significant weight.</p> <p>There is limited information available with regards to the design, scale, drainage, ecology and landscaping for the development. This is given great weight.</p> <p>Based upon the advice of the relevant consultees and the modest scale of the development, unacceptable residual cumulative impacts on the road network would not be severe. This is given moderate weight.</p> <p>In overall terms, it is considered that the direct conflicts with the provisions of ELP with regards to the principle of the siting of the development, the adverse local landscape character and visual impacts of the development, failure to provide suitable information with regards to drainage, ecology and landscaping are sufficiently harmful to significantly and demonstrably outweigh the benefits of the development.</p>
8.	<p><b>Recommendation:</b></p> <p>Refuse</p>



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9.	<p><b>Reasons for refusal:</b></p> <p>1. The proposed development comprises a market led residential development located on a site outside of the settlement boundary of Cleator Moor in direct conflict with the provisions of Policy DS3PU, Policy DS4PU and Policy H4PU of the emerging Copeland Local Plan 2017-2038.</p> <p>2. The proposed development by virtue of its location, scale and developed form does not respond positively to the character of the site and the immediate and wider setting or enhance local distinctiveness and will result in adverse impacts upon the local landscape character and localised views from within and adjacent to Cleator Moor in conflict with the provisions of Policy ENV5, Policy DM26 and Policy DM10 of the Copeland Local Plan 2013-2028 and Policy H6PU and Policy N6PU of the emerging Copeland Local Plan 2017-2038.</p> <p>3. Due to the siting of the proposed development, it is likely to create adverse impacts on the amenities of the occupiers of the neighbouring properties of Belvedere and Ehen Garth. This would be in conflict with Policies ST1, DM10, DM11, and DM12 of the Copeland Local Plan 2013-2028, Policy DS6PU of the emerging Copeland Local Plan 2017-2038 and section 12 of the NPPF.</p> <p><b>Statement:</b></p> <p>The Local Planning Authority has acted positively and proactively in accordance with Copeland Local Plan policies and the National Planning Policy Framework in determining this application by identifying matters of concern with the proposal and raising those with the applicant. However, in this case it has not been possible to arrive at a satisfactory resolution for the reasons set out in the reason for refusal.</p>
<b>Case Officer: Sarah Papaleo</b>	<b>Date : 08/03/2024</b>
<b>Authorising Officer: N.J. Hayhurst</b>	<b>Date : 13/03/2024</b>
<b>Dedicated responses to:- N/A</b>	