

Application Reference Number:	4/23/2394/0F1
Application Type:	Full Planning Application
Application Address:	Land at Nethertown Road, St Bees
Proposal	Change of use & alterations of land for the siting of 5 holiday pods including access road, drainage, landscaping, solar panels, parking area, and proposed paving/decking
Applicant	Sunshine Properties West Coast Ltd
Agent	SRE Associates
Valid Date	22 nd December 2023
Case Officer	Christie Burns

Cumberland Area and Region

Copeland and St Bees Parish

Relevant Development Plan

Copeland Local Plan 2021-2039.

Reason for Determination by the Planning Committee

The Application has received written representation from a Member of the Council to the Head of Service (HoS) within the publicity period and the HoS in consultation with the Chair and Legal Officer is satisfied that it has been demonstrated that the application raises significant material issues. The material planning issues raised by the Member of the Council are highways/traffic, access, noise, environmental/ecological concerns and drainage.

Recommendation

That the application is granted subject to the planning conditions outlined at the end/ Appendix 1 of this report, with the Head of Planning and Place being given delegated authority to add to and/or make any amendments to the conditions as considered appropriate.

1.0 Site and Location

- 1.1 The Application Site comprises an area of agricultural land, located to the south of St Bees. The Site is primarily in agricultural use apart from the access and part of the access road which is already in place for residential use. The site covers an area of 0.62 hectares and adjoins an approved residential development site for five detached dwellings to the north which was granted planning permission under references: 4/20/2491/001, 4/21/2369/0R1, and 4/21/2368/0O1. The site is bound to the west by Nethertown Road, a small woodland to the east and agricultural land to the south.
- 1.2 The Application Site is sloping in nature, and whilst it is generally flatter near the road frontage, it rises significantly towards the east of the site. The Site is enclosed by existing stone walls to the east and west, and post and wire fencing to the south.
- 1.3 There are no Conservation Areas or Listed Building on or directly adjacent to the Application Site. The nearest Listed Building is located approximately 0.4k to the north of the Application Site.
- 1.4 The Application Site is located within Flood Zone 1, and as such has a low probability of flooding.
- 1.5 The Application Site is not located within a river catchment affected by nutrient neutrality and comprises Grade 4 agricultural land.
- 1.6 There are no Public Rights of Way on the Application Site.

2.0 Proposal

- 2.1 This application was deferred at the last Planning Committee on 08th January 2025 to enable Members to undertake a site visit. The site visit is scheduled to take place on 10th February 2025.
- 2.2 This application seeks Full Planning Permission for the change of use and alterations of the land for the siting of five holiday pods including the creation of an access road, drainage, landscaping, solar panels, parking area, and proposed paving/decking.
- 2.3 The site is an extension of the existing residential development which is currently under construction to the north of the application site. This is served from a single access point off Nethertown Road. The proposed holiday pods will be served from this existing access point with a new road extended to provide access to the camping pods and the parking area which is to be located at the top of the site. The road will include three passing places and will be accessed via a new gate separating the pod site from the residential dwellings.
- 2.4 The proposed parking area will be located on the eastern side of the site and will provide eight car parking spaces, with one space allocated to serve each pod. The three additional spaces are to be used to accommodate visitors not

sharing a car, deliveries or maintenance vehicles. The parking area will be formed from a gravel filled geogrid. Each pod will only be accessed via a footpath walkway, to reduce the hard surface proposed. A pedestrian access will also be created from Nethertown Road, served by a timber gate and with controlled access for guests only.

- 2.5 The proposed parking area will be located within a hollow which runs along the southeast of the site. This area will also accommodate a communal decking/BBQ/seating area, a flat recreation area for ball games with reinforced grass to turning areas and path, and an area for solar panels. It is proposed that an array of 24 panels will be installed in rows with each panel measuring 1.038 m x 0.99 m. The solar panels are designed to serve both the proposed pods and will also link to the adjoining housing development.
- 2.6 The proposed five pods will be located along the southern boundary of the Site and will be sited in order to comply with the density and spacings required. The ground to site each pod will be regraded to create a level paving/decking area. Each pod will measure 8.07m x 3.25m, with an overall height of 2.8m. Internally the pods will comprise an open plan kitchenette, living/dining area, bedroom, and a shower room. Externally the pods will be finished with timber cladding.
- 2.7 It is proposed to drain surface water from the development via a soakaway. It is proposed that foul water from the proposed 5 camping pods is pumped to a stilling chamber within the neighbouring development to the north. This existing private system is connected via gravity fed pipes to the United Utilities (UU) adopted sewer network approximately 145m north. This connection to the UU network was approved under the previous planning application reference 4/21/2369/0R1.

3.0 Directly Relevant Planning History

4/20/2491/0O1 – Outline application for residential development – Approved.

4/21/2368/0O1 – Outline application for a residential development with all matters reserved – Approved.

4/21/2369/0R1 – Application for approval of reserved matters relating to access, appearance, landscaping, layout and scale following outline planning app

4/20/2491/0O1 – Residential development – Approved.

4/23/2100/0R1 – Reserved matters application relating to access, road layout & drainage only pursuant to outline planning approval 4/21/2368/0O1 for residential development – Approved.

4/24/2071/0R1 – Application for approval of reserved matters relating to appearance, layout, and scale for a detached dwelling and detached garage following outline approval 4/21/2368/0O1 for a residential development with all matters reserved – Ongoing.

4.0 Consultations and Representations

St Bees Parish Council

6th February 2024

St Bees Parish Council have submitted an objection via a Planning Consultant. The following is a summary of the concerns raised:

- The proposed development does not comply with provisions of the development plan and raises issues in respect of those other material considerations. There is a sound basis on which to refuse the application.
- Whilst the Council has experienced issues relating to housing supply, this has largely been resolved through interim policy and reference to later versions of the SHLAA. This means that the provisions of paragraph 11 of the NPPF which provide for a presumption in favour of sustainable development – and a presumption against development which is not – still rely on the provisions of a local plan even where the end of the plan period has been reached.
- The proposed development is of a substantial form and character. Description of the development as presented by the applicants significantly understates the nature and extent of the proposals and their impact.
- It is evident that the proposal goes well beyond the simple change of use of land and involves extensive operational development.
- The development is contrary to provisions in the development plan which seeks to limit the extent of urban development and incursion into the open rural landscape. As such the proposal fails to meet the objectives of development plan policies ST1, DM8 and DM9.
- The proposal extends the village settlement boundary without justification.
- The application site is described by the applicant as being adjacent to the settlement established settlement boundary of St Bees. That is clearly not the case.
- The applicants are effectively arguing that the settlement boundaries defined in the development plan can be given no weight and definition will only come when a new plan is adopted. This is a misinterpretation of the approach to be applied when giving weight to adopted and emerging development plans. The argument is further weakened by the fact the submission draft of the local does not propose alterations to this part of the St Bees settlement boundary.
- The proposal has an adverse impact on the character and appearance of the area in which it is located contrary to the provision of development and national planning policy.
- The site is relatively close to facilities within the village and to the seashore, but the location of roads and public footpaths do not provide direct routes and walking distances are far greater than direct linear distances.
- The proposal relates to 5 holiday pods. Submissions note that 12 parking spaces are provided. Plans show 14. The layout plans for the pods, show accommodation for just 2 people, which would question the need for this number of spaces, or allude to greater potential occupancy than suggested.
- Landscape proposals are superficial, lack detail and are tokenistic.

- Current policy guidance in the form of the NPPF places increasing emphasis on the need to protect and create a sense of place and to reflect on the need to ensure that beauty of locations, urban and rural, developed and undeveloped are protected.
- The application site has not been properly assessed in terms of consideration of any ecological value. At the very least a preliminary ecological assessment should have been carried out. The NPPF section 12 creates an expectation that development of the site should address the scope to contribute to biological net gain.
- The application should be refused.

6th June 2024

Thank you for forwarding details of amendments to this application.

We note that the proposed pool and play area have been removed from the application and the number of parking spaces has been reduced. Additional photographs have been provided, presumably to support the applicant's claim that development will cause no harm. However, some of the additional comments add to the confused submissions original made - e.g. two person pods but the need to provide parking for occupiers to travel separately.

Critically the submission still fails to address criticism over the scale and form of the development and how this sits with the assessment against policy set out in the Parish Council previous response. Our original objection stands, and the amendments do not change that position.

2nd September 2024

Thank you for forwarding details of additional and amended information in respect of this application.

Although the proposed development has been scaled back, our original grounds for objection remain the same. The development would be outside the settlement boundary set out in both the previous Local Plan and in the new Local Plan which is expected to be adopted shortly. Any development outside this boundary should only be permitted where there are pressing reasons to do so. In this case there is no justification for deviating from the policy of confining development to sites within the settlement boundary.

Five holiday pods would make a minimal contribution to the local economy and would not outweigh the inconvenience caused to residents by noise and additional traffic. It cannot be argued that there is a shortage of holiday accommodation in St Bees. The village has a large caravan park, a hotel and several established B&Bs and, as any internet search will show, there are a large number of self-catering properties available to book. There are also holiday lodges (log cabins) at Springbank Farm and an extant planning consent for glamping pods at Ellerbeck

Barns within our parish to cater for those who wish to holiday in less traditional buildings.

The recent amendments to the application do not change the Parish Council's objections and we urge Cumberland Council to refuse the application.

Cumberland Council – Highway Authority & Lead Local Flood Authority

7th February 2024

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 in principle to the proposed development but would like the following points addressed before a final response can be submitted.

- The LHA would like the access road for the development site to be increased to 3.7m in width to allow safe passage of emergency vehicles, the LHA welcome the inclusion of passing places within the site which should remain in situ even though the access width is increased. The LHA would welcome a new detailed plan showing the changes listed above at this stage.
- The LHA would welcome a Construction Traffic Management Plan (CTMP) for this development site which should include the following detail:
 - pre-construction road condition established by a detailed survey for accommodation works within the highway boundary conducted with a Highway Authority representative; with all post repairs carried out to the satisfaction of the Local Highway Authority at the applicant's expense;
 - retained areas for vehicle parking, manoeuvring, loading and unloading for their specific purpose during the development;
 - cleaning of site entrances and the adjacent public highway;
 - details of proposed wheel washing facilities;
 - the sheeting of all HGVs taking spoil to/from the site to prevent spillage or deposit of any materials on the highway;
 - construction vehicle routing;
 - the management of junctions to and crossings of the public highway and other public rights of way/footway;
 - Details of any proposed temporary access points (vehicular / pedestrian)
 - surface water management details during the construction phase
 - verge protection on narrow roads

Reason: To ensure the undertaking of the development does not adversely impact upon the fabric or operation of the local highway network and in the interests of highway and pedestrian safety.

In light to the above comments additional details are required from the applicant. Upon receipt of the amended plans, I shall be better placed to provide full response.

12th June 2024

I can confirm that the response made previously to the application should still apply.

17th June 2024

Cumberland Council as the Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) has reviewed the above planning reference and additional traffic data documents submitted to the LPA in May 2024, the LHA accept that there will be an increase in traffic movements on Nethertown Road due to this application but the LHA are content that these traffic movements will not have a material effect on the existing highway network.

The LHA and LLFA have no objection in principle to the proposed development but would like the following points addressed before a final response can be submitted.

- The LHA would like the access road for the development site to be increased to 3.7m in width to allow safe passage of emergency vehicles, the LHA welcome the inclusion of passing places within the site which should remain in situ even though the access width is increased. The LHA would welcome a new detailed plan showing the changes listed above at this stage.
- The LHA would welcome a Construction Traffic Management Plan (CTMP) for this development site which should include the following detail:
 - o pre-construction road condition established by a detailed survey for accommodation works within the highway boundary conducted with a Highway Authority representative; with all post repairs carried out to the satisfaction of the Local Highway Authority at the applicant's expense;
 - o retained areas for vehicle parking, manoeuvring, loading and unloading for their specific purpose during the development;
 - o cleaning of site entrances and the adjacent public highway;
 - o details of proposed wheel washing facilities;
 - o the sheeting of all HGVs taking spoil to/from the site to prevent spillage or deposit of any materials on the highway;
 - o construction vehicle routing;
 - o the management of junctions to and crossings of the public highway and other public rights of way/footway;
 - o Details of any proposed temporary access points (vehicular / pedestrian)
 - o surface water management details during the construction phase
 - o verge protection on narrow roads

Reason: To ensure the undertaking of the development does not adversely impact upon the fabric or operation of the local highway network and in the interests of highway and pedestrian safety.

In light to the above comments additional details are required from the applicant. Upon receipt of the amended plans, I shall be better placed to provide full response.

27th August 2024

No objections to the proposal subject to the following recommended conditions being included on any notice of consent which may be issued: design, construction, and drainage of estate road including footways and cycleways, and vehicular access/egress.

United Utilities

29th January 2024

Request the inclusion of a condition to secure a sustainable surface water drainage scheme and foul water drainage scheme for the development.

Without effective management and maintenance SuDS can fail or become ineffective which may have a detrimental impact on the surrounding area. There is also a risk ineffective SuDS could impact the performance of the public sewer network where the two systems interact. Therefore, when SuDS is included in a proposed development, we recommend the Local Authority include a condition relating to SuDS management and maintenance in any subsequent Decision Notice.

24th June 2024

Following our review of the submitted drainage drawing (23-C-17369-002, Rev A, dated 10/05/24) the plans are not acceptable to United Utilities. Whilst we are happy with the surface water proposals, it is not clear where foul water flows will ultimately discharge – this should be made clear on the drawing.

Should planning permission be granted we request the following condition is attached to any subsequent Decision Notice: details of sustainable surface water and foul water drainage, details of drainage for swimming pool, and sustainable drainage management and maintenance plan for the lifetime of the development.

9th September 2024

Following our review of the submitted Drainage Strategy, we can confirm the proposals are acceptable in principle to United Utilities and therefore should planning permission be granted we request the following condition is attached to any subsequent Decision Notice: drainage carried out in accordance with drainage strategy report, and details of drainage for proposed swimming pool.

Without effective management and maintenance SuDS can fail or become ineffective which may have a detrimental impact on the surrounding area. There is also a risk ineffective SuDS could impact the performance of the public sewer network where the two systems interact. Therefore, when SuDS is included in a proposed development, we recommend the Local Authority include a condition relating to SuDS management and maintenance in any subsequent Decision Notice.

20th September 2024

Following our review of the submitted Drainage Strategy, we can confirm the proposals are acceptable in principle to United Utilities and therefore should planning permission be granted we request the following condition is attached to any subsequent Decision Notice: drainage carried out in accordance with drainage strategy report.

Without effective management and maintenance SuDS can fail or become ineffective which may have a detrimental impact on the surrounding area. There is also a risk ineffective SuDS could impact the performance of the public sewer network where the two systems interact. Therefore, when SuDS is included in a proposed development, we recommend the Local Authority include a condition relating to SuDS management and maintenance in any subsequent Decision Notice.

Cumberland Council – Environmental Health

8th February 2024

The foul drainage proposal for a package treatment plant appears unclear; both in its siting and where it will discharge to.

The plunge pool would also presumably need to be connected to the foul drainage system on the site.

The plunge pool would be chlorinated for hygiene purposes and would need regular emptying. It should be noted that regular volumes of chlorinated water could potentially compromise the effectiveness of the package treatment plant.

If the plunge pool is to be connected to a public sewer permission would be required from United Utilities.

Further details to clarify these points would be welcomed.

If the application were to be granted, the glamping pods holiday site would likely require licensing with this Council (unless the facility were to be affiliated with an exempted organisation) and it would be helpful if the applicant could outline whether the site would be for all year-round use or seasonal.

This licensing process would provide basic health & safety, fire safety and day-to-day regulation matters for the site.

5th June 2024

Further to the additional information and amendments to the development as of May 2024.

Following the comments dated 08.02.24 from Environmental Health, it is noted that the proposed plunge pool has been removed from the plans and this area is now shown as a circular decking area with benches in the Proposed Site Plan Amended May 2024.

Environmental Health has no objection to this.

It should be noted that that a water supply line is still shown to this area on the Services Plan Amended May 2024.

In principle, Environmental Health has no objections to this development and the information regarding an on-site management presence is welcomed.

If the development were to be approved, potential noise disturbance during the construction phase to other residents is possible and should be addressed through the imposition of standard construction working hours.

Notwithstanding any health & safety / highways concerns, the provision of external lighting should be as sensitive as possible with the use of down lighting rather than causing excess glare and light pollution.

As such, Environmental Health would request that the following conditions are imposed on any planning approval: noise from construction works and external lighting.

3rd September 2024

There are no objections from Environmental Health to the proposed amendments dated August 2024.

It should be noted, however, in looking at the amended site plans and planting plans, that the site proprietor will be required to undertake a Fire Risk Assessment on the approved development under requirements of the Regulatory Reform (Fire Safety) Order 2005.

Risk of fire spread is a central element to consider and, ideally, the holiday pods should be sited at least 6 metres apart and 3.5 metres at corners.

Any porch and decking that extends more than 1 metre into the above fire separation distance should be of non-combustible material.

The provision of vegetation and trees that may compromise the fire separation should also be considered in the fire risk assessment.

Natural England

26th January 2024

No objection

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

Natural England's generic advice on other natural environment issues is set out at Annex A.

6th June 2024

Natural England has previously commented on this proposal and made comments to the authority in our response dated 26 January 2024 reference number 464214.

The advice provided in our previous response applies equally to this amendment. The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending us the amended consultation, please assess whether the changes proposed will materially affect any of the advice we have previously offered. If they are unlikely to do so, please do not re-consult us.

4th September 2024

No Objection

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites.

Natural England's generic advice on other natural environment issues is set out at Annex A.

Landscape Advice

The proposed development is for a site within or close to a defined landscape namely St Bees Head. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The policy and statutory framework to guide your decision and the role of local advice are explained below.

Your decision should be guided by paragraph 178 of the National Planning Policy Framework. It states:

178. Within areas defined as Heritage Coast (and that do not already fall within one of the designated areas mentioned in paragraph 176), planning policies and decisions should be consistent with the special character of the area and the importance of its conservation. Major development within a Heritage Coast is unlikely to be appropriate unless it is compatible with its special character.

The NPPF continues to state in a footnote (footnote 60) that "For the purposes of paragraph 176 and 177, whether a proposal is 'major development' is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined."

Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies.

Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to this type of development and its capacity to accommodate the proposed development.

Sites of Special Scientific Interest Impact Risk Zones

The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires local planning authorities to consult Natural England on "Development in or likely to affect a Site of Special Scientific Interest" (Schedule 4, w). Our SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the data.gov.uk website.

Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.

Arboricultural Consultant

27th February 2024

Discussion

Following our site visit, we have the following comment/observation to make on the proposed development.

The proposed development site has no trees growing on it and the layout will not affect trees on adjacent land.

The applicant has submitted a proposed landscaping plan. However, the plan does not specify tree species or provide details of plant size specifications.

Recommendations

We recommend attaching the following condition to any planning permission: submission of a landscaping plant specification and planting method statement.

13th June 2024

Discussion

Following our site visit, we have the following comment/observation to make on the proposed development.

The proposed development site has no trees growing on it and the layout will not affect trees on adjacent land.

The applicant has submitted a proposed landscaping plan. However, the plan does not specify tree species or provide details of plant size specifications.

Recommendations

We recommend attaching the following condition to any planning permission: submission of a landscaping plant specification and planting method statement.

07th October 2024

Discussion

Following our site visit, we have the following comment/observation to make on the proposed development.

The proposed development site has no trees growing on it and the layout will not affect trees on adjacent land.

The applicant has submitted a proposed landscaping plan. However, the plan does not specify tree species or provide details of plant size specifications.

Recommendations

We recommend attaching the following condition to any planning permission:

All hard and soft landscape works must be carried out in accordance with the details illustrated on the approved Landscape Plan (Drawing No: WW/L03, Revision: E) and Planting Plan (Drawing No: WW/L05, Revision: B) received by the Local Planning Authority. The works shall be carried out in the first planting season following the completion of the development. Any trees or shrubs that die, are removed, or become severely damaged or diseased, within five years of planting must be replaced the following planting season with trees or shrubs of a similar size and species to those originally specified, unless varied by written consent from the Local Planning Authority.

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 and ENV5 of the Copeland Local Plan 2013- 2028

Public Representation

This application has been advertised by way of a site notice, and neighbour notification letters issued to six properties.

Objections

120 representations have been received in objection. The issues raised comprise the following:

- This should be refused.
- The application is contrary to planning policy.
- The applicants planning statement refers to the out-of-date NPPF.
- The village cannot take anymore development.
- The site is outside the settlement boundary for St Bees.
- The majority of the village, farmers, equestrians and families are totally against this plan.
- The village is already overcrowded and busy without traffic.

- Significant concerns about increased traffic on already dangerous roads and safety impact on road users.
- Access road not suitable for increased use and traffic from this development and the five dwellings under construction.
- Access road has no footpath.
- An up-to-date traffic survey is needed.
- Residents already having to deal with traffic from construction vehicles for houses this will only be increased if this is approved.
- Detrimental impact of construction traffic on road which has already had subsidence.
- Village infrastructure cannot support this development and will be compromised further.
- No amenities within the village to accommodate holiday makers.
- No public transport in close proximity to the site therefore the applicant's reliance on this is incorrect.
- Further expansion of the village without investing into the infrastructure of the village would drive out more local people.
- Parking is a huge issue within the main street of the village.
- Flooding issues as drains are not adequate at present.
- Existing foul drainage at capacity.
- Concerns regarding increased noise and detrimental impact on residents.
- Too close to residential properties and will impact on their quality of life.
- Concerns about increased population, anti-social behaviour, and lack of management of the site.
- The development will be an eyesore for the village and will block views from houses.
- The heart of the village is being ripped out by landlords buying up properties for holiday rentals which stand empty. Another holiday park is not going to help fill these empty properties.
- Farmland has already been destroyed for urban sprawl. The last thing our beautiful village needs is a holiday resort ruining beautiful green space and creating polluting eyesores.
- Loss of farmland and space for growing food for expanding population.
- Green belt should stay green belt. Brownfield sites in the village should be used instead.
- We should not allow the local community to be decimated as it has in other popular areas in the Lake District National Park.
- Impact on local heritage.
- Out of character with the area and will have a significant visual impact.
- The park should be for the whole village not just the pods.
- We already have play areas in the village so no need for more.
- This will take income from existing holiday parks.
- There is already a large number of holiday lets in the village, there is no need for more.
- This is located in the wrong area of the village and should be located by the beach which already accommodates holiday makers.

- Significant impact on wildlife and farm animals in adjacent field.
- No consideration of ecology values of the site or wetland.
- Land adjacent is going to be registered as a SSSI this will significantly impact what Natural England are trying to achieve.
- Increased fire risk to adjacent woodland.
- Light pollution.
- Safety concerns regarding use of plunge pool and proximity of play area to road.
- No benefits to the local community.
- Lack of public consultation on the application.
- Views of residents are being ignored.
- The applicant has petitioned online for support on the application. Only residents of the village will understand the impacts of the development. This is not fair. Any other comments from those within a CA27 postcode should be discounted.
- The description of the application is inaccurate and misleading.
- The developer is not a farmer looking to diversify their business. The applicant is a developer trying to get maximum benefit out of excess land.
- If this permission is granted, I am sure it will be varied to allow the building of more houses in the future.
- The pods will be used to house Sellafield workers and not tourists.
- The solar panel are not located within an optimum position and defeats the object of having them.
- No restrictions on the number of occupiers. Pods are large so could accommodate large groups of people.
- No consideration for access for the disabled or families with pushchairs.
- Safety concerns if dogs allowed to stay on site and the impact on livestock.
- Concerns that one or both the applicants is related to someone at the Council. This isn't clear as details have been redacted on the application form.
- Incorrect site on front of planning statement.

Members should note that issues raised with regards to the lack of amenities within the village to accommodate holidaymakers is not justified. The village is a popular coast tourist village and contains a number of amenities and facilities that are befitting of a tourist destination. This is also reflected in its status as a Local Service Centre as defined in the Local Plan.

Members should also note that the site does not fall within the green belt. There are no green belt designations within Cumberland.

Support

116 representations have been received in support of this application. The comments received comprise the following:

- Great idea.
- Good for local business will bring in revenue and tourists to the area.
- Will support the local economy and create new jobs.

- Good for the area.
- Lack of accommodation to stay in St Bees at the moment so the pods will be great for people to come and enjoy the area.
- The location of the site is very good as it is not inconveniencing any of the local residents.
- Something we don't have in this area.
- We would stay on the site for sure when visiting the area.
- More like this needed to bring the area back to life.
- This will make this area more like other areas in Cumbria.
- No doubt this will be popular for families and friends.
- Great use of the land.
- More pleasing than rows and rows of caravans.
- Not oversized for the village.
- Good site with excellent views and opportunity for children's play area.
- I support the growth of short-term accommodation within the village given that it decreases the interest in purchasing existing properties for second or holiday homes.
- People want glamping options and not to stay in the middle of the village. No other pods in the area. They are so popular in other areas like Keswick.
- Great alternatives for holiday options in the area.
- Great links to the train station and the C2c route.
- Fully support this proposal.

Public Reconsultation

Following the receipt of amended/additional information and a change in description for the application a reconsultation was undertaken for all neighbouring properties and those who previously commented on the application.

Objections

15 representations have been received in objection of this application. The comments received comprise the following:

- The updated details of the development do not negate the concerns previously raised; therefore, objections remain and previous comments should be taken into account.
- The amendments do not substantively affect the conclusions of the report commissioned by the Parish Council concluding the application should be refused.
- The proposal does not comply with planning policy or the NPPF.
- The proposed development is on a greenfield site outside of the settlement boundary.
- Access road is not adequate to support the development and has no footway.
- Access road has already suffered subsidence.
- Significant concerns about the impact the development will have on the safety of existing road users.
- High increase in traffic in the village and on the unsuitable access road.

- The traffic survey was located in an area south of existing houses and the pods therefore influencing the results of the survey and is a deliberate attempt to mislead the planning authority.
- A construction management plan should be provided before development is approved.
- Pods are located too far from public transport links and therefore will only be accessed by car.
- This beautiful area should not be developed for a holiday park.
- The pods are not sympathetic to the traditional character or distinctness of the area. Instead, they offer adverse landscape and visual effects within close proximity of the road.
- We already have many play areas.
- Holiday lets are taking the heart of the village by standing empty for most of the year.
- This is located at the wrong end of the village and should be near the beach which has a welcoming environment for tourists to visit.
- More suited to other areas of Cumbria not Nethertown Road.
- Site is too far from local amenities.
- Limited parking in village for access to amenities.
- The development is too close to where people live.
- How will noise be managed.
- No benefits to the residents of St Bees.
- No need for development in St Bees as already large numbers of holiday accommodation.
- St Bees is not connected to any major attractions in the National Park so will increase traffic movement to reach these places.
- No details of the capacity of the pods.
- Insufficient details regarding the management of this site. What happens if applicant moves. The applicant should have to be living in this property before the pods are occupied with this conditioned.
- The applicant has been negative about locals and their opinion online.
- Negative impact on ecology.
- Ecology not considered. A full ecology survey and biodiversity assessment should be required.
- The applicant gesture of a play park for the community has been removed rather than reconsidered.
- It is not clear if the proposed are pod, caravans or lodges.

Public Reconsultation

Following the receipt of amended/additional information for the application a further reconsultation was undertaken for all neighbouring properties and those who previously commented on the application.

Objections

17 representations have been received in objection. The issues raised comprise the following:

- Previous objections still stand. The proposal still does not address the increase in traffic on Nethertown Road and the site not being accessible by public transport.
- The application is contrary to the present and future planning policies for this area and should be refused.
- The site is outside the settlement boundary for St Bees.
- Described as pods but more like static caravans/
- Access road is not suitable for additional traffic.
- Significant increase in traffic which cannot be accommodated by existing roads in the village.
- Significant highway safety concerns for existing road users from increased traffic.
- Road unsuitable for pedestrian use as no footway or lighting.
- Reducing the number of car parking spaces will not reduce car movements.
- Additional traffic and construction vehicles will lead to the subsidence of the small narrow road.
- Submitted traffic survey is misleading due to location of the matrix survey sited to the south of the residential dwellings and proposed pods.
- Traffic survey is tokenistic due to length undertaken. A proper survey should be undertaken.
- Road subsidence should be considered by the LHA.
- Construction traffic management plan is required before decision made.
- Pods will encourage a party themed Ibiza vibe impacting adversely on local residents.
- There is already sufficient holiday accommodation within the village near existing amenities and public transport links.
- Not the right location and not needed in the village.
- Too far from local amenities at the other site of the village.
- No benefits and will only cause issues for the village.
- Will detract from the quiet and noise free area of the village.
- Detrimental impact on character of area.
- The application site is not a long-established residential area as stated in the submission it is agricultural land. The development of this will further erode the village character.
- Increased fire risk.
- Increased light pollution.
- Detrimental impact on ecology and wildlife.
- No consideration for biodiversity.
- Why was a play park ever included?
- The applicant is using this as a stepping stone for future approvals at the site, probably permanent residential dwellings.
- Plans clearly show how another set of structures could be accommodated due to the road alignment.
- No visually unobtrusive as the developer claims.
- Only concerns from those in a CA27 postcode should be considered and not those asked to comment when they live nowhere near the site.

- Great local opposition to the development.
- The developer has a lack of regard to local people.
- Current development is already causing spillage issues on the road which the developer has ignored.
- The land is not suitable for this development.
- The proposed changes do not materially change the impact of the development will have on the neighbouring properties.
- Concerns about security and management as reference to applicant living on site has now been removed. Who will monitor the conditions set out in the application? Who will respond to issues and access times?
- Security risks.
- The application is not for a caravan site but a highly permanent structural siting and year-round occupancy with significant services making the development more residential than a caravan park.
- Concerns regarding accuracy of foul drainage details. Clarification and review by UU is necessary.
- Play Park removed was a gesture to the community. Again, suggesting a tokenistic attempt from the applicant with no desire to integrate the development with the village.

Support

3 representations have been received in support. The issues raised comprise the following:

- Lovely idea.
- The small amount of pods will have a positive impact on the village.
- The increase tourism will help areas that are run down.
- Increased money to the area to support businesses.
- We shouldn't be afraid of positive change.
- It might stop existing homes being used for air bnbs.

5.0 Planning Policy

- 5.1 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 2021 – 2039 (LP)

Cumberland Council continued the preparation of the LP as commenced by Copeland Borough Council.

The LP was adopted by Cumberland Council on the 5th of November 2024 replacing the Copeland Local Plan 2013-2028 and the saved policies of the Copeland Local Plan 2021-2016.

The following policies are relevant to this proposal: -

Strategic Policy DS1: Settlement Hierarchy

Strategic Policy DS2: Settlement Boundaries

Policy DS4: Design and Development Standards

Policy DS5: Hard and Soft Landscaping

Strategic Policy DS6: Reducing Flood Risk

Policy DS7: Sustainable Drainage

Strategic Policy E1: Economic Growth

Strategic Policy E2: Location of Employment

Strategic Policy T1: Tourism Development

Policy T2: Tourism Development along the Developed Coast

Policy T3: Caravans and Camping Sites for Short-Term Letting

Policy SC5: Community and Cultural Facilities

Strategic Policy N1: Conserving and Enhancing Biodiversity and Geodiversity

Strategic Policy N2: Local Nature Recovery Networks

Strategic Policy N3: Biodiversity Net Gain

Strategic Policy N6: Landscape Protection

Strategic Policy N7: St Bees and Whitehaven Heritage Coast

Strategic Policy CO4: Sustainable Travel

Policy CO7: Parking Standards and Electric Vehicle Charging Infrastructure

6.0 Other Key Material Planning Considerations

National Planning Policy Framework (2023)

National Design Guide (NDG).

Cumbria Development Design Guide (CDG)

The Cumbria Landscape Character Guidance and Toolkit (CLGC)

7.0 Assessment

The key issues raised by this application relate to the principle of the development; creation of a new tourism facility; settlement character and landscape & visual impacts; scale, design & impact on residential amenity; access and highway safety; drainage and flood risk; and impact on ecology and BNG.

Principle of Development

- 7.1 The Application Site is located to the south of St Bees which is classified as a Local Centre under Policy DS1 of the Copeland Local Plan.
- 7.2 Policy DS1 sets out that the Local Service Centres play a supporting role to the main towns and the board range of services available. The settlements operate independently to meet day to day needs or as a well-connected cluster, linked to a neighbouring town or village of a similar scale by a frequent public transport services and/or safe pedestrian route of a mile or less in length. The focus will be to support the retention and small-scale growth of existing services and businesses, with development focused on existing employment allocations, moderate housing allocations, windfall and infill development.
- 7.3 The settlement boundary for St Bees is defined in Strategic Policy DS2. The Application Site is located outside of the defined settlement boundary for St Bees. Policy DS2 outlines that development outside developments boundaries will only be accepted in specific cases, including for rural tourism development which are dependent on such a location.
- 7.4 Paragraph 89 of the NPPF states that planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.
- 7.5 The proposed development seeks to create visitor accommodation on this site which complies with the type of development which would be permitted outside any defined settlement boundary within the Local Plan.
- 7.6 Whilst the Application Site is located beyond the defined settlement boundary for St Bees, it is considered to be well related to the boundary and is directly

linked to the previously approved housing scheme which adjoins the settlement boundary and built form of the village.

- 7.7 As such the development of this site for a tourism accommodation is considered to be acceptable in principle subject to site specific issues.

Creation of New Tourism Facility

- 7.8 The NPPF states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.
- 7.9 Paragraph 88 of the NPPF further states that in order to support a prosperous rural economy planning policies and decisions should enable: the sustainable growth and expansion of all types of business in rural areas; the development and diversification of agricultural and other land-based rural businesses; sustainable rural tourism and leisure developments which respect the character of the countryside; and the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.
- 7.10 Strategic Policy T1 of the Local Plan supports the creation, enhancement and expansion of tourist attractions, new built visitor accommodation and infrastructure in locations consistent with the settlement hierarchy. All tourism development must be of an appropriate scale, located where the environment and infrastructure can accommodate the visitor impact, and where it does not result in unacceptable harm to environmental assets or the character of the area. Proposals for tourism development outside of defined settlements will be supported where: the proposal is for a specific activity or function that requires a location, the proposal enhances the borough's existing place bound assets; The proposal is for the change of use, or diversification of an existing building, to provide overnight or longer stay visitor accommodation; or The proposal is for a farm diversification scheme in a rural area that will provide or enhance tourist provision.
- 7.11 Policy T3 states that proposals for both new camping and caravan site and intensifications within and extensions to existing sites shall: Be of a scale and design appropriate to the locality; Not result in unacceptable adverse impacts upon landscape character or result in unacceptable visual harm; Not result in unacceptable biodiversity impacts; Be effectively screened by existing landform, trees or planting; and, Not give rise to unacceptable impacts on the highway network or highway safety.
- 7.12 The Application seeks to extend an existing residential site to create five glamping pods on the edge of the settlement. This proposal is considered to expand and build additional capacity of tourist accommodation within the former Copeland area. Whilst concerns have been raised that there is no need for additional visitor accommodation within St Bees, the proposal seeks

to offer an alternative form of accommodation which is currently not available within the area. The proposal is therefore considered to diversify the tourist offer within the Local Centre which will attract additional visitors to St Bees and create economic benefits for the village and the wider Borough.

- 7.13 The Application is considered to create a new small-scale development, which provides alternative accommodation which cannot be met through the reuse or conversion of existing buildings. It is therefore considered that the proposal complies with Policies T1 and T3 of the Local Plan, and the provisions of the NPPF.

Settlement Character and Landscape & Visual Impacts

- 7.14 Policy N6 states that the Borough's landscapes will be protected and enhanced by supporting proposals which enhance the value of the borough's 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 (CLCGT) at the earliest stage.
- 7.15 The Application Site lies within Landscape Sub Type 4b: Coastal Sandstone defined in the CLCGT. The Key Characteristics of the land comprise: coastal sandstone cliffs, sandstone rolling hills and plateaus, large open fields, prominent hedge banks bound pastoral fields, small woodland blocks along valley sides, and exposed coastal edge moving to intimate and enclosed farmland inland.
- 7.16 The Guidelines for development include: strengthen definition between town and country by using extensive buffer planting to screen the built up areas and reduce the impact of industry, improve visual containment of caravan parks close to the coast with landscape works and discourage further large scale developments, such as wind energy, in prominent coastal locations, conserve and enhance the traditional farm buildings and features within their own setting, and reduce the impact of any new buildings by careful siting and design.
- 7.17 The Copeland Landscape Settlement Study (CLSS) places the Application Site within Character Type: 4iv Sandstone Rolling Coastal Hills. This study identifies that skylines and the upper slopes of the higher land surrounding the village are sensitive to development
- 7.18 A Photographic Landscape Analysis has been prepared in support of the planning application. This Analysis concludes that the proposed pods and

associated infrastructure can be accommodated in the landscape at the Application Site with careful siting and mitigation measures.

- 7.19 The Landscape Analysis confirms that the Application Site is visually contained to the north, east and south by the rising landform which is typical of the Coastal Sandstone landscape character type, with the only exception being the residents at Southrigg on Nethertown Road who will experience partial views of the development, residents at several houses on the elevated Egremont Road who may experience obscured views and users of the Nethertown Road for a short distance in close proximity to the site. The Analysis also states that to the west views from properties and vehicles on Sea Mill Lane will be unaffected due to the steeply rising landform. Visibility of the Application Site is therefore limited to the north-west where visual receptors include the coastal footpaths, golf course and some houses and roads on higher ground at the western edge of St Bees.
- 7.20 The Landscape Analysis also states that whilst the Site is within the St Bees Head Heritage Coast, the capacity of the landscape to accommodate development change was considered and the use of landscape mitigation measures could help to integrate the development with its landscape setting. The potential impact on the St Bees SSSI which is 300m from the site was also considered with lighting and drainage carefully considered and sensitively designed to ensure that the potential effect on the wider environment is minimised. The Analysis concludes there will be no anticipated effect on the SSSI from the development.
- 7.21 The Application Site comprises a predominantly agricultural field on the southern edge of St Bees. The proposed access and part of the proposed access road is already in place and was constructed to serve the existing residential use.
- 7.22 The Site is sloping in nature, and whilst it is generally flatter near the road frontage, it rises significantly towards the east of the site. The Site is enclosed by existing stone walls to the east and west, and post and wire fencing to the south, and benefits from areas of extensive scrub vegetation which provides some screening for the proposed pod area. The proposed pods will be orientated across the contours of the site with existing land levels around each pod regarded to create a surrounding paving/decking area and to ensure the pods are integrated into the existing landform. The site will be served by the existing access road from the adjoining housing site which will lead to a parking area, communal seating area, reinforced grass area and solar panels, located in the hollow at the eastern part of the site which will screen this part of the development from all viewpoints.
- 7.23 The application is supported by a Landscape Plan and Planting Plan. The submitted plans show how additional landscaping will be incorporated into the development in order to mitigate the impact of the development on the landscape. The submitted plans include the installation of a new boundary hedge and additional tree planting along the boundary with the adjoining

housing site and southern boundary, the addition of trees and shrubs along the new access road, between proposed pods along the site frontage, low flowering shrubs around the pods, and areas of grass and wildflowers throughout the development. The layout of the proposed development ensures that the pods are well spaced at varying levels to allow the establishment of the proposed planting scheme to provide natural screening of the development and provide privacy for pod users whilst retaining views out of the site. The proposed planting will comprise predominantly native species to ensure the local biodiversity is enhanced with evergreen Maritime Pine and Holly included to ensure improved winter screening.

- 7.24 Given the elevated position of the Site, it is considered that the development will result in some localised change to the landform and would have moderate impact on the local landscape character. The development would be visible in localised views from the immediate surrounding area, the adjacent highway and some surrounding properties. The development has, however, been designed to limit this impact by setting pods into the existing sloping, and utilising existing landforms to screen the most developed areas of the site. The development is considered to be an extension of the adjacent residential site currently under construction, and whilst slightly detached from the final dwelling will be viewed in the context of these properties. The proposed landscaping scheme will also ensure the impacts are reduced and the development is incorporated into the landscape. Whilst the submitted Landscape Analysis states that consideration has been given to external lighting, no specific details have been provided within the application and will therefore be secured by condition.
- 7.25 The Council's Arboricultural Consultant has reviewed the application and has recommended the inclusion of a planning condition which ensures compliance with the landscaping details that have been submitted including maintenance.
- 7.26 It is therefore considered that, subject to the inclusion of the conditions outlined above, the proposal will not have a significant detrimental impact on the overall landscape in accordance with Policies DS5 and N6 of the Local Plan, and the provisions of the NPPF.

Design & Impact on Residential Amenity

- 7.27 Policy DS4 of the LP requires all new development to meet high-quality standards of design. These standards include: create and enhance locally distinctive places, use good quality materials that reflect the local character, include high quality and useful open spaces, adopt active travel principles, create opportunities for social interaction, comprise effective use of land whilst maintaining amenity and maximising solar gain.
- 7.28 The Application seeks to extend an existing residential site to create five glamping pods on an edge of settlement site. These will be the nearest residential properties, with the end property closest to the pods currently within the applicant's ownership and yet to be constructed.

- 7.29 The proposed site will utilise the access currently serving these adjacent dwellings. Given the small scale of this proposed visitor accommodation site, the use of this shared access is not considered to significant impact on the dwellings currently under construction. Whilst the pod site is considered an extension of the existing residential estate, the proposed pods are located within the southern portion of the site which would result in a separation distance of over 50m between the closest pod and residential property. This separation is considered to be sufficient to limit the impact on residential amenity. Whilst the detailed design of the nearest residential property has yet to be finalised, the impact on this proposed visitor accommodation is being considered within the design of the facing elevations and boundary treatment. The proposed landscaping within this application is also considered to limit the impacts in terms of overlooking and will help to mitigate any potential impacts on residential amenity.
- 7.30 In terms of the design, the pods have been designed to take account of the slope across the site which will help to limit the visual impact within the locality. As set out previously the main developed area, including the parking area serving the development and the array of solar panels, has been located within the southeastern section of the site in a hollow which screens the development from the main vantage points. The proposed pods are considered of to be of an appropriate scale and will be constructed of local materials including timber cladding. As full details of the proposed materials have not been provided within this application these details will be secured by appropriately worded conditions.
- 7.31 Significant objections have been raised to this application in terms of noise, impact on quality of life, the general detrimental impact on existing residential amenity, anti-social behaviour and lack of management of the site.
- 7.32 The application is supported by a Management Plan, which confirms that the site is owned and will be operated and managed by the applicant. This Plan also confirms that the development will comply with conditions set out within the required site licence and will provide information for emergency situations. The Plan further sets out how the applicant will manage the site, including limiting the occupancy of each pod to 2 people, the number of nights stays, and arrival times to the site. Originally, the Management Plan confirmed that the applicant would manage the property from plot 5 of the adjacent residential site, however as this is yet to be constructed and may not be the applicant's permanent residence the Plan was updated to confirm that the site would be managed by the applicant's company, Sunshine Properties. This amendment will ensure that the site is effectively managed even if the applicant is not living adjacent to the site. The management of the site in line with these details will be secured by appropriately worded planning conditions. The Council's Environmental Health Officer has reviewed this application and has offered no objections to the application. It has been confirmed that the site is likely to require a site license from the Council, which would regulate matters in relation to health and safety, fire safety and the day-

to-day regulation matters for the site. The Officer has however raised concerns with regard to potential noise disturbance during the construction phase to other residents, and the use of sensitive lighting. These matters will be secured by appropriately worded planning conditions.

- 7.33 Whilst the application is supported by a Management Plan and issues with noise from the site have not been raised by the Council's Environmental Health Officer, given the level of concerns from members of the public an additional condition will be placed on this decision notice to ensure a Noise Management Plan is submitted to and approved by the Local Planning Authority prior to the first use of the site.
- 7.34 In terms of the other impacts that would result from the operation of the site. As the proposal only relates to 5 pods which are to be occupied by a maximum of 2 people the likely number of visits and impacts from associated services such as cleaning and the removal of commercial waste is unlikely to be on a scale that will result in any significant impact on residential amenity.
- 7.35 Given the location of the proposed pods, the separation from existing and proposed residents, and the imposition of planning conditions, it is considered that the proposed change of use would not have a significant detrimental effect on existing residential amenity within the immediate locality of the site.
- 7.36 It is therefore considered that, subject to the inclusion of the conditions outlined above, the proposal is considered to be of an appropriate design and will not have a detrimental impact on residential amenity in accordance with Policy DS4 of the LP, and the provisions of the NPPF.

Access and Highway Safety

- 7.37 Policies CO4, CO5 and CO7 of the LP promote active travel.
- 7.38 The Application Site will be accessed from Nethertown Road, via the existing entrance and access road that serves the adjoining residential site currently under construction. This access was approved previously under application references 4/21/2369/0R1 and 4/23/2100/0R1. The Site will be served by an extension to this single access road which will connect to the proposed parking area which is designed to accommodate 8 parking spaces. A pedestrian access will also be created from Nethertown Road.
- 7.39 Whilst significant concerns have been raised with regard to the intensification in the use of this access and Nethertown Road itself from local residents, no objections have been received from the Highway Authority.
- 7.40 Initially the Highway Authority requested that the access road to serve the proposed pods be increased to a width of 3.7m so that it is consistent with the width of the shared access to serve the adjoining dwellings. This will allow safe passage of emergency vehicles and the retention of the proposed passing places. A Construction Traffic Management Plan was also provided. Following the submission of this information the Highway Authority offered no objections to the proposal subject to the inclusion of condition to secure the design, construction, and drainage of estate road including footways and

cycleways, and vehicular access/egress. A condition will also be attached to ensure the development is carried out in accordance with the approved CTMP.

- 7.41 Whilst the Highway Authority offered no objections to the application, given the level of concerns raised by members of the public with regard to the intensification in use of Nethertown Road, the applicant was requested to undertake a traffic survey to support the application. Although objections have been raised with regard to the suitability of this study from the public the Highway Authority have raised no concerns with the documentation submitted. Based on the additional traffic data provided the Highway Authority have confirmed that any increase in traffic movements on Nethertown Road as a result of this application will not have a material effect on the existing highway network.
- 7.42 The issue raised by local residents with regards to subsidence on Nethertown Road has not been raised as an issue by the Highway Authority.
- 7.43 In terms of pedestrian movements within the site. The revised layout plan shows the provision of a pedestrian path to serve each of the separate pods to ensure that a safe route can be achieved that does not involve walking on the main access route. This path also links to the proposed parking area.
- 7.44 On the basis of the amended plans and additional data submitted and the planning conditions requested by the Highway Authority the proposal will not have a detrimental impact on highway safety in accordance with Policies CO4 and CO7 of the LP and the provisions of the NPPF.

Flood Risk and Drainage

- 7.45 Policy DS7 of the LP requires that surface water is managed in accordance with the national drainage hierarchy and includes Sustainable Drainage Systems where appropriate.
- 7.46 Policy DS6 seeks to direct development where: there is an unacceptable risk of flooding and or, the development would increase the risk of flooding elsewhere.
- 7.47 The Application is not supported by a Flood Risk Assessment, as the Site is located within Flood Zone 1, and therefore has low probability of flooding. The proposal comprises a more vulnerable use and is therefore a compatible use in Flood Zone 1. A sequential test is therefore not required for this development.
- 7.48 The Application is supported by a Drainage Strategy which sets out that it is proposed as part of the development that surface water will be drained in accordance with the drainage hierarchy, with the proposed system designed to utilise infiltration-based SuDs components. The slope of the site, from east to west, dictates that the storage structures will be best placed to the west of the camping pods to aid gravity drainage and to keep the storage away from the buildings. The proposed surface water drainage scheme therefore

includes soakaways within the western portion of the application site along the frontage, and a large gravel soakaway beneath the proposed car park

- 7.49 Whilst concerns have been raised with regard to the impact of the development upon the existing drainage system, no objections have been raised from Statutory Consultees including the Local Lead Flood Authority or United Utilities. United Utilities have requested conditions to secure the development is carried out in accordance with the approved drainage strategy.
- 7.50 United Utilities have also stated that without effective management and maintenance SuDS can fail or become ineffective which may have a detrimental impact on the surrounding area. On this basis they have requested the imposition of a pre-occupation condition in order to secure details relating to SuDs management and maintenance for the lifetime of the development.
- 7.51 Based on the inclusion of the requested conditions it is considered to that satisfactory drainage scheme can be achieved for the site in order to ensure the proposal will not have a detrimental impact on flood risk in the area in accordance with Policies DS6 and DS7 of the LP and the provisions of the NPPF.

Ecology & Biodiversity

- 7.52 Policy N1 seeks to ensure that new development will protect and enhance biodiversity and geodiversity and defines a mitigation hierarchy.
- 7.53 Policy N3 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 N1 above. This is in addition to any compensatory habitat provided under Policy N1. 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.
- 7.54 Whilst concerns have been raised with regard to the impact of the development upon wildlife, the site is not identified as a potential or known site for any protected species. The application is therefore not supported by any Ecological surveys.
- 7.55 Biodiversity Net Gain became mandatory for small sites in the UK on 01st April 2024.
- 7.56 Although the application was submitted prior to the introduction of the BNG legislation Policy N3 requires that all new development provides a minimum of 10% of net gain, preferably onsite.
- 7.57 The development will result in the loss of some areas of modified grassland; however, the development will deliver additional native hedgerows and trees

which will increase the overall biodiversity value of the site. The requirement for a 10% net gain is considered achievable on the Application Site.

- 7.58 Development at the site will provide an opportunity to secure ecological enhancement for fauna associated with the local area such as breeding birds and roosting bats.
- 7.59 A planning condition will be required in order to secure the production of a Biodiversity Gain Plan and Biodiversity Monitoring Plan, to ensure that there is a minimum 10% net gain in biodiversity within a 30 year period as a result of the development.
- 7.60 Natural England did not submit any objections to the application when consulted.
- 7.61 Based on the inclusion of the required conditions, it is considered that the development would be in accordance with Policy N1 and N3 of the Local Plan and the NPPF.

9.0 The Planning Balance

- 9.1 The NPPF states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. It is further stated that in order to support a prosperous rural economy planning policies and decisions should enable the sustainable growth and expansion of all types of business in rural areas and sustainable rural tourism and leisure developments which respect the character of the countryside.
- 9.2 The Application Site is located to the south of St Bees which is classified as a Local Centre under Policy DS1 of the LP. The Site forms part of an agricultural field which is located outside the designated settlement boundary for St Bees. Policy DS2 of the Local Plan seeks to restrict development outside of designated settlement to those which have a proven requirement for such a location, including tourism activities. This is given significant weight.
- 9.3 Based upon the advice of the relevant consultees, the proposed development will not result in an unacceptable impact on highway safety and the residual cumulative impacts on the road network would not be severe subject to the planning conditions requested. This is given significant weight.
- 9.4 The development would not result in unacceptable impacts in respect of residential amenity, ecology, or flood risk and drainage subject to the planning conditions proposed. This is also given significant weight.
- 9.5 Given its prominent location the development will result in some localised change to the existing landform and would have moderate impact on the local landscape character, however, the development has been designed to take into account the sloping nature of the land ensuring the development is set

into the land and the main developed area is focussed within a hollow to the rear of the site which will limit its overall impact. The development is considered to be an extension of the adjacent residential site currently under construction. Whilst it is slightly detached from the final dwelling it will be viewed in the context of this group of buildings. The proposed landscaping scheme will also help to mitigate its visual impact and help to incorporate it into the landscape. This is given moderate weight.

- 9.6 In overall terms, the adverse local landscape and visual impacts of the development are not sufficiently harmful to significantly and demonstrably outweigh the benefits of the development which will expand and diversify the existing tourist offer and will create economic benefits for the Local Centre and wider Borough.

Recommendation

That the application is granted subject to the planning conditions outlined at the end/ Appendix 1 of this report, with the Head of Planning and Place being given delegated authority to add to and/or make any amendments to the conditions as considered appropriate.

Appendix 1

List of Conditions and Reasons:

Defining The Permission

1. The development hereby permitted must be commenced before the expiration of three years from the date of this permission.

Reason

To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. This permission relates to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them: -
 - Site Location Plan (Amended), Scale 1:2500, LP01, received by the Local Planning Authority on the 10th May 2024.
 - Existing Context Plan (Amended), Scale as shown, Drawing Number: WW/L01A, Revision: -, received by the Local Planning Authority on the 10th May 2024.

- Proposed Site Plan (Amended), Scale 1:500, Drawing Number: SP/01, Revision C, received by the Local Planning Authority on the 16th July 2024.
- Proposed Site Section (Amended), Scale 1:250, Drawing Number: SEC/10, Revision: B, received by the Local Planning Authority on the 11th October 2024.
- Services Plan (Amended), Scale 1:250, Drawing Number: WW/L04, Revision: D, received by the Local Planning Authority on the 19th August 2024. .
- Type E Layout Plan and Elevations, Scale 1:50, Drawing Number: 465-005, received by the Local Planning Authority on the 22nd December 2023.
- Proposed Solar Panel Design Details, received by the Local Planning Authority on the 22nd December 2023.
- GivEnergy 2020 Solar Panel Brochure, received by the Local Planning Authority on the 22nd December 2023.
- Drainage Strategy Report, Prepared by A L Daines & Partners July 2024, Rev: A, Ref: 23-C-17369, received by the Local Planning Authority on the 19th August 2024.
- Drainage Strategy Appendices, received by the Local Planning Authority on the 19th August 2024.
- Photographic Landscape Analysis (Amended), Prepared by Westwood Landscape April 2024, Revision A, received by the Local Planning Authority on the 10th May 2024.
- Landscape Plan (Amended), Scale 1:250, Drawing Number: WW/L03, Revision: E, received by the Local Planning Authority on the 19th August 2024.
- Planting Plan (Amended), Scale 1:250, Drawing Number: WW/L05, Revision B, received by the Local Planning Authority on the 19th August 2024.
- Planning Statement V5 (Amended), Prepared by SRE Associates Ltd, received by the Local Planning Authority on the 19th August 2024.
- Letter from Agent, SRE Associates Ltd, received by the Local Planning Authority on the 19th August 2024.
- Matix Traffic and Transport Data, received by the Local Planning Authority on the 10th May 2024.
- Construction Traffic Management Plan, Prepared by SRE Associates Ltd, received by the Local Planning Authority on the 19th August 2024.
- Site Management Information (Amended), Prepared by SRE Associates Ltd, received by the Local Planning Authority on the 19th August 2024.

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:

Highways

3. The carriageway, footways, footpaths, cycleways etc must be designed, constructed, drained to the satisfaction of the Local Planning Authority and in this respect further details, including longitudinal/cross sections, must be submitted to the Local Planning Authority for approval before work commences on site. No work shall be commenced on site until a full specification has been approved in writing by the Local Planning Authority. Any works so approved must be constructed before the development is complete in accordance with the approved details.

Reason

To ensure the undertaking of the development does not adversely impact upon the fabric or operation of the local highway network and in the interests of highway and pedestrian safety in accordance Policy CO4 of the Copeland Local Plan 2021-2039 and the relevant provisions of the National Planning Policy Framework.

Biodiversity Net Gain

4. Prior to the commencement of development a Biodiversity Net Gain Strategy (BNGS) and a Project Implementation Plan (PIP) shall be submitted to and approved in writing by the Local Planning Authority.

The BNGS shall detail proposals to redress loss of biodiversity and the mitigation strategy proposed shall include all on and off-site habitats required to deliver a net gain of at least ten percent. The BNGS shall use the Statutory Biodiversity Metric Calculation Tool associated with the Environment Act 2021.

The PIP shall detail the delivery of ecological BNG mitigation and compensation, in accordance with the approved BNG strategy. The PIP shall include timescales for implementation, and an ongoing management and maintenance plan.

The BNGS and PIP shall be implemented, managed and maintained in accordance with the approved details for a period of 30 years.

Reason

To ensure delivery of the required biodiversity net gain in accordance with the provisions of Policy N3 of the Copeland Local Plan 2021-2039.

Prior to First Use/Installation/Occupation Conditions:

Highways

5. No pod hereby approved must be occupied until the proposed access road, including footways to serve each pod, has been constructed in accordance with the approved plans and has been brought into full operation use.

Reason

To ensure the undertaking of the development does not adversely impact upon the fabric or operation of the local highway network and in the interests of highway and pedestrian safety in accordance Policy DS4 of the Copeland Local Plan 2021-2039 and the relevant provisions of the National Planning Policy Framework.

Drainage

6. The drainage for the development hereby approved, must be carried out in accordance with principles set out in the following approved documents:
 - Drainage Strategy Report, Prepared by A L Daines & Partners July 2024, Rev: A, Ref: 23-C-17369, received by the Local Planning Authority on the 16th July 2024.
 - Drainage Strategy Appendices, received by the Local Planning Authority on the 16th July 2024.

For the avoidance of doubt no surface water will be permitted to drain directly or indirectly into the public sewer.

Prior to occupation of the proposed development, the drainage schemes must be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason

To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development in accordance with the provisions of Strategic Policy DS6 and Policy DS7 of Copeland Local Plan 2021-2039.

7. Prior to occupation of the development hereby approved a sustainable drainage management and maintenance plan for the lifetime of the development must be submitted to the Local Planning Authority and agreed in writing. The sustainable drainage management and maintenance plan must include as a minimum:
 - i) Arrangements for adoption by an appropriate public body or statutory undertaker, or management and maintenance by a resident's management company; and

- ii) 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 development must subsequently be completed, maintained and managed in accordance with the approved plan.

Reason

To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development in accordance with the provision of Strategic Policy DS6 and Policy DS7 of Copeland Local Plan 2021-2039.

Noise Management

- 8. Prior to the first use of the application site as tourist accommodation hereby permitted a Noise Management Plan must be submitted to and approved in writing by the Local Planning Authority.

The Noise Management Plan must include undertakings and procedures for:

- (i) The name/s of an (on-site) supervisor/s responsible for the behaviour of guests and for liaison with local residents and this Council;
- (ii) The control and use of outside areas;
- (iii) The control of noise breakout from the site;
- (iv) Access and egress to and from the site by guests including arrangements for vehicle parking;
- (v) Recording of complaints and response to those complaints;
- (vi) The annual review of the Noise Management Plan and, if necessary, the submission and approval in writing by the Local Planning Authority of any revised Noise Management Plan;
- (vii) Any other matters that are reasonably required by the Local Planning Authority.

The use must be carried out in accordance with these approved details at all times thereafter.

Reason

In the interests of the amenities of surrounding occupiers during the construction of the development in accordance with the provisions of Policy DS4 of the Copeland Local Plan 2021-2039.

External Lighting

9. Prior to their first installation within the development hereby approved full details of all external lighting must be submitted to and approved in writing by the Local Planning Authority. The development must be carried out in accordance with these approved details at all times thereafter.

Artificial light to the development must conform to requirements to meet the Obtrusive Light Limitations for Exterior Lighting Installations for Environmental Zone E2 contained within Table 2 of the Institute of Light Engineers Guidance Notes for the Reduction of Obtrusive Lighting GN01:2021.

Reason

To protect residential amenity, to ensure high quality design and to protect the environment from light pollution in accordance with Policy DS4 of the Copeland Local Plan 2021-2039.

Materials

10. Prior to their first installation within the development full details of the external materials of the pods hereby approved must be submitted to an approved in writing by the Local Planning Authority. The development must be carried out in accordance with these approved details at all times thereafter.

Reason

To enhance the appearance of the development in the interest of visual amenities of the area in accordance with Policy DS4 of the Copeland Local Plan 2021-2039.

Other Conditions:

Site Management

11. The pods hereby approved must only be occupied by a maximum of 2 people per pod at any time.

Reason

To safeguard the amenity of neighbouring occupiers in accordance with the provisions of Policy DS4 of the Copeland Local Plan 2021-2039.

12. The use of the site hereby approved must at all times be operated and managed in accordance with the following approved details:

- Planning Statement (Amended), Prepared by SRE Associates Ltd, received by the Local Planning Authority on the 20th August 2024.
- Site Management Information (Amended), Prepared by SRE Associates Ltd, received by the Local Planning Authority on the 16th July 2024.
- Letter from Agent, SRE Associates Ltd, received by the Local Planning Authority on the 19th August 2024.

Reason

To safeguard the amenity of neighbouring occupiers in accordance with the provisions of Policy DS4 of the Copeland Local Plan 2021-2039.

Noise

13. Following approval of the development, construction activities that are audible at the site boundary must only be carried out between the following hours:

- Monday to Friday 08.00 – 18.00
- Saturday 08.00 – 13.00

There must be no construction activities at any time on Sundays or Bank Holidays.

Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above unless otherwise agreed with the Local Planning Authority.

Reason

In the interests of the amenities of surrounding occupiers during the construction of the development in accordance with the provisions of Policy DS4 of the Copeland Local Plan 2021-2039.

Highways

14. There must be no vehicular access to or egress from the site other than via the approved access, unless otherwise agreed by the Local Planning Authority.

Reason

To avoid vehicles entering or leaving the site by an unsatisfactory access or route, in the interests of road safety in accordance with the provisions of Policy CO4 of the Copeland Local Plan 2021-2039 and the relevant provisions of the National Planning Policy Framework.

Landscaping

15. All hard and soft landscape works must be carried out in accordance with the details illustrated on the approved Landscape Plan (Drawing No: WW/L03, Revision: E) and Planting Plan (Drawing No: WW/L05, Revision: B) received by the Local Planning Authority. The works shall be carried out in the first planting season following the completion of the development. Any trees or shrubs that die, are removed, or become severely damaged or diseased, within five years of planting must be replaced the following planting season with trees or shrubs of a similar size and species to those originally specified, unless varied by written consent from the Local Planning Authority.

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 DS5 of the Copeland Local Plan 2021-2039.

Occupancy

16. The holiday pods hereby approved shall be occupied solely for holiday letting purposes and shall not be sold or let as a permanent dwelling.

Reason

The site is not considered appropriate for permanent residential use.

CCTV

17. No external closed circuit television equipment shall be installed unless or until a scheme of closed-circuit television equipment has first been submitted to and approved in writing by the Local Planning Authority.

All closed-circuit television equipment shall be installed in accordance with the approved details and shall thereafter be retained as such for the lifetime of the development.

Reason

To protect residential amenity and ensure high quality design in accordance with Policy DS4 of the Copeland Local Plan 2021-2039.

Access

18. Prior to their installation details of the pedestrian access gate and the vehicle gate shall be submitted to and approved in writing by the Local Planning Authority.

The pedestrian access gate and the vehicle gate shall be installed in accordance with the approved details and shall thereafter be retained as such for the lifetime of the development.

Reason

To protect pedestrian and highway safety and to ensure high quality design in accordance with Policy DS4 of the Copeland Local Plan 2021-2039.

The existing boundary wall along the western boundary of the site must be retained at all times as part of the development.

Reason

To ensure a satisfactory appearance in the interests of visual amenity in accordance with Policy DS4 of the Copeland Local Plan 2021-2039.

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.