

## CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	<b>Reference No:</b>	4/24/2096/0F1	
2.	<b>Proposed Development:</b>	DEMOLITION OF EXISTING DETACHED BUNGALOW AND ERECTION OF REPLACEMENT DWELLING INCLUDING ERECTION OF DETACHED GARAGE AND ALTERATIONS TO EXISTING ACCESS	
3.	<b>Location:</b>	MELLENDENE, HIGH HOUSE ROAD, ST BEES	
4.	<b>Parish:</b>	St. Bees	
5.	<b>Constraints:</b>	ASC;Adverts - ASC;Adverts, Conservation Area - Conservation Area, Coal - Standing Advice - Data Subject To Change, Outer Consultation Zone - Sellafield 10KM	
6.	<b>Publicity Representations &amp; Policy</b>	Neighbour Notification Letter	Yes
		Site Notice	Yes
		Press Notice	Yes
		Consultation Responses	See Report
		Relevant Policies	See Report
7.	<b>Report:</b> <b>Site and Location</b>	<p>This application relates to the detached bungalow, known as Mellendene, which fronts onto High House Road, located within the north east of St Bees. The existing bungalow is in a dilapidated state and is sited at an elevated level above the adjacent highway. The application site slopes significantly across its length, is located within the St Bees Conservation area, and is bounded to by residential dwellings with open countryside to the rear of the site.</p>	

### **Relevant Planning History**

No relevant planning history.

### **Proposal**

The application seeks planning permission for the demolition of the existing detached bungalow and erection of replacement dwelling.

The existing bungalow is located within the centre of the plot at an elevated position above the existing highway. The property is simple in character, with a dual pitched roof and flat roof extensions to the front, rear, and side elevations. The existing property will be demolished as part of this application and the site cleared.

The proposed replacement property will be in the form of a dormer style bungalow and will be located broadly upon the footprint of the existing bungalow to be demolished. As part of the site clearance works the existing ground levels where the replacement dwelling is to be sited will be lowered by approximately 0.75m to accommodate the proposed dormer bungalow and facilitate a reduction in the gradient of the existing driveway.

The proposed dwelling will measure 11.6m x 13.6m with an eaves height of 2.8m and an overall height of 7.4m. The property will benefit from a front facing gable which will project 2.2m from the front elevation and extend by 5.7m, with roof heights matching the main dwelling. The rear of the dwelling will also benefit from two rear gables. The first will measure 1.3m x 4.1m with an eaves height of 2.8m and an overall height of 6.3m. The other will measure 4.3m x 4.6m, with an eaves height of 2.7m and an overall height of 6.5m. This rear gable will also include a chimney which will project 0.65m from the gable and will extend 1.2m over the ridge height. Another chimney is proposed on the south western elevation projecting by 0.65m and extending 0.77m above the main ridge height. A flat roof dormer window is also proposed upon the front roof slope which will extend by 1.6m.

The ground floor of the proposed dwelling will accommodate a hall, lounge, study, toilet, master bedroom with dressing area and ensuite bathroom, a plant room, a utility room, and an open plan, kitchen/dining/living room. The proposed roof space of the dwelling will incorporate three bedrooms with dressing area and ensuite bathrooms and a storage area.

Externally the proposed dwelling will be finished with off white k-rend to the walls, St Bees red sandstone surrounds, dark grey slate roof, lead clad dormer window, anthracite grey upvc windows and doors, a timber box bay window, and an oak front entrance door.

The proposal also seeks planning permission for the erection of a detached garage and alteration to the existing access. The property is currently access via a single width concrete driveway. As part of the proposed works this access will be widened by 1.6m, with the driveway also widened by 0.6m leading to a parking and turning area outside the proposed garage.



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The proposed garage will be located within the south west corner of the application site, 1.4m from the existing boundaries. As the existing ground levels rise towards the rear boundary, the proposed garage will be built partly subterranean on three sides. The proposed garage will measure 7.9m x 7m, with front elevation benefiting from an eaves height of 2.6 and an overall height of 6.4m. The rear of the garage will have an overall height of 4m above ground level. The front elevation will include double doors and a single window, with a single door also installed within the north east elevation.

### Consultation Responses

#### St Bees Parish Council

*16<sup>th</sup> April 2024*

No objections.

*21<sup>st</sup> May 2024*

No objections.

#### Cumberland Council – Highway Authority & LLFA

*9<sup>th</sup> April 2024*

Cumberland Council as the Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) can confirm as follows:

Further information required for the following.

As the site exits directly onto the highway a Demolition Method Statement is required to detail how the demolition will be managed in relation to the highway.

Upon receipt of the above information I will be able to provide a further response.

*15<sup>th</sup> May 2024*

Cumberland Council as the Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) has reviewed the above planning reference and our findings are detailed below.

I can confirm that we have no objections to the proposal, subject to the inclusion of conditions relating to surface water discharge onto the highway, CTMP, and parking of construction vehicles.

*15<sup>th</sup> May 2024*

Cumberland Council as the Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) has reviewed the above planning reference and our findings are detailed below.

I can confirm that we have no objections to the proposal, subject to the inclusion of conditions relating to surface water discharge onto the highway, demolition and construction traffic management plan, and parking of construction vehicles.

United Utilities

*7<sup>th</sup> May 2024*

United Utilities has no further comment on this application.

We strongly encourage all developments to include sustainable drainage systems to help manage surface water and to offer new opportunities for wildlife to flourish. We request that Local Planning Authorities and applicants do all they can to avoid surface water entering the public sewer. The flows that come from this surface water are very large when compared with the foul water that comes from toilets, showers, baths, washing machines, etc. It is the surface water that uses up a lot of capacity in our sewers and results in the unnecessary pumping and treatment of surface water at our pumping stations and treatment works. If new developments can manage flows through sustainable drainage systems that discharge to an alternative to the public sewer, it will help to minimise the likelihood of sewers spilling into watercourses and the flooding of homes and businesses.

National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) advise that surface water from new developments should be investigated and delivered in the following order of priority:

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

The applicant should consider their drainage plans in accordance with the drainage hierarchy outlined above.

Cumberland Council – Conservation and Design Officer

*11<sup>th</sup> April 2024*

Conclusion: Request design revision

Assessment:

- The existing property is not a heritage asset and makes a negative contribution to the conservation area's local character and distinctiveness, though it is small and the plot itself spacious and green. This impact extends to the settings of nearby heritage assets.
- I have no objection in principle to the demolition and replacement of the existing dwelling.
- The new dwelling is somewhat unusual in appearance, but quite low and articulated in a number of different ways, by massing, fenestration, detailing, chimneys, and the flared eaves that subtly reference the Telephone Exchange next door. It should sit



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quite well alongside The Beeches next door, though that property is largely hidden behind its hedge.

- The area of tarmac for parking and turning will have quite a large impact on the appearance of the site and will be harmful to the conservation area as a result. I would urge another look be taken at this aspect to find ways of reducing the visual impact of hard surfacing.
- Good quality gardening can do a great deal to improve the appearance of a building, and here the site affords the opportunity. Though it is felt a soft landscaping scheme is not required for mitigation, the parking space proposed at the front of the building off the drive risks compromising the potential of soft landscaping.
- Materials. This is not a historic or imitation historic house, and so there is some latitude with respect to the Conservation Area Design Guide's guidance on materials. However, good quality is still expected.
  - UPVC windows are proposed in places, though these are in anthracite grey, which will help mitigate their impact compared with brilliant white.
  - The bay windows are to be in timber.
  - The front door is to be in oak.
  - Walls will be rendered, with red sandstone used for surrounds and opening.
  - Roof will be slated and dormers lead-clad.
  - Rooflights are to be flush-mounted.
  - Bargeboards are to be in grey uPVC to match the windows, and the soffits in white.
  - These materials should be acceptable
- Overall, I would expect the impact on the conservation area and settings of nearby heritage assets to be neutral, subject to the adjustments mentioned above. Though the proposed dwelling is larger than the existing one, it replaces a dwelling of no architectural merit with one that has some character, articulation, and use of good materials.

*13<sup>th</sup> May 2024*

No objection

Assessment:

- In my previous consultation response, I urged another look be taken at the amount of hard surfacing included in the proposal.
- Since then, this has been revised, with the apron at the rear in front of the garage

reduced in width and the parking bay/turning area at the front of the house omitted.

- This will reduced the visual impact of hard surfacing and provide more potential for soft landscaping to enhance the appearance of the property.

Cumberland Council – Countryside and Access Officer

No comments received.

Cumberland Council & Westmorland and Furness Council – Resilience Unit

*27<sup>th</sup> March 2024*

Thank you for the opportunity to comment on the above planning application. This response from the Joint Emergency Management and Resilience Team relates to emergency planning arrangements in the unlikely event of an incident occurring at Sellafield Ltd. The Sellafield site is currently covered by the provision of the Radiation (Emergency Preparedness and Public Information) Regulations 2019.

The location of the land is situated outside of an area referred to as the Detailed Emergency Planning Zone (DEPZ), therefore no direct liaison with the applicant is required in relation to warning and informing information. However, it is advisable to signpost the applicant to the Cumberland Council Emergency Planning webpage which will assist with general information about the Sellafield Site, please see link below:

<https://legacy.cumberland.gov.uk/emergencyplanning/supportingpages/industrialsites.asp>

The location of the land may sit within a distance of 10km from the Sellafield site, an area known as the Outer Consultation Zone (OCZ) but after viewing the details of the application, the opinion is that the plan for this development is not of significance in relation to this particular zone, and, therefore, liaison with the applicant is not required.

There are no objections to the proposed works.

*2<sup>nd</sup> May 2024*

There are no further comments in addition to the reply sent on 27<sup>th</sup> March 2024.

Public Representation

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

Three letters of objection have been received to this application raising the following concerns:

- The application proposes to expand Mellendene from a simple croft style single storey dwelling and proposes to replace it with an unusual, complex and much larger modern dormer two storey design with significant detriment to neighbouring properties, the character of High House Road and the conservation area of St Bees.
- The design significantly increases the scale and bulk of development on the site and



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has a significant impact on this part of the Conservation Area. Consequently, it would not meet the tests set out in the Planning Act or the guidance set out in the NPPF and Copeland Local Plan.

- We are deeply concerned and anxious about the proposed development which will have a significant impact on privacy of by way of it's size, orientation and massing.
- The original property is 6.5m (approx) from the boundary wall, the proposed property is 1.5m (approx) away.
- Given the availability of land on the Mellendene plot there is no reason to position the proposed dwelling this close to the North Eastern (NE) boundary, other than to maximise the size of the property.
- The surrounding properties are separated by sensible areas of gardens / trees. Non of the adjacent properties has been developed up to its neighbouring boundaries. This development is out of character with the area and does not enhance it.
- A new development this close to the boundary wall, together with deeper foundations, is likely to affect the structural integrity of the wall of the neighbouring property.
- The proposed replacement dwelling includes x5 windows with direct line of sight into my property, including the main living area and bedrooms. Whilst the existing single level dwelling has x2 windows with direct line of sight, the proposed dwelling has significantly increased this number with x3 of the windows in an elevated position and therefore my concern is overlooking and loss of privacy related to my property.
- The proposed dwelling is also closer in distance to the property boundary and thus to High House Road. This is subsequently closer to my property which results in further concerns regarding overlooking and loss of privacy.
- Whilst I am keen for the development of this site within this conservation area, the points above coupled with the increase in height and dominance of the proposal lead me to object to the current plans.
- Copeland guidance on development within a conservation area also stipulates that a Heritage Statement should "address how the proposal has been designed to have regard to the character and/or appearance of the conservation area and to explain how the development proposal enhances or preserves the character or appearance of the conservation area". The Heritage Statement submitted fails to meet this requirement and limits discussion a nearby listed property and the lack of amenity of the existing dwelling.
- As a previous owner of Mellendene I was informed that the conservation areas Replacement Dwelling Policy prevented a development similar to the one proposed?
- Policy DM16 addresses replacement dwellings and provides that the replacement of an existing dwelling (as is proposed here) will only be permitted "So long as the scale

and character of the replacement dwelling matches that which it is proposed to replace". The proposal is clear, however, that the replacement dwelling will not match the scale and character of the existing dwelling on the Application Site.

- The replacement dwelling will have a significantly larger footprint than the existing dwelling, bringing the building closer to the road and reducing the green spaces between it and neighbouring properties. Further, the replacement dwelling will be a large dormer dwelling with a separate detached garage whilst the character of the current dwelling is a small single storey bungalow previously having a detached small garage. The development proposal will not, therefore, comply with policy DM16.
- Policy ST1 of the Plan is clear that the Council will, inter alia, "Encourage development that minimises carbon emissions, maximises energy efficiency and helps us to adapt to the effects of climate change", "Reuse existing buildings and previously developed land wherever possible..." and "Ensure that new development minimises waste and maximises opportunities for recycling". This development proposal is, however, in clear conflict with Policy ST1. It has not been demonstrated that it is not possible to reuse the existing building on the Application Site and demolition will, inter alia, increase carbon emissions, result in the release of embodied carbon, require the use of more materials and energy (thereby creating more embodied carbon) and increase waste as well as undermining the opportunity to recycle materials.
- Paragraph 8(c) of the NPPF is clear that the environmental objective of achieving sustainable development includes "minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy". Paragraph 157 is clear that planning decisions "should support the transition to a low carbon future in a changing climate" and "encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure". The application proposal, which increase waste, and does not reuse existing resources through the renovation or conversion of the existing dwelling, is contrary to national planning policy. It will undermine efforts to address the climate crisis. We do not agree that there are "sustainability benefits" for the community flowing from total demolition of the existing building.
- The proposal claims that there would be a reduced carbon footprint, we do not agree and the fact is that even with better energy efficiency, as the building is significantly larger then the carbon footprint would be significantly larger.
- The application form states that the current dwelling is an "Out dated 1960's bungalow in poor condition". The Condition Report submitted with the application does not make clear why the current dwelling could not be repurposed, and improvements made. The wholesale demolition of the property is not required as the issues identified are capable of being overcome.
- The fact that it would be Allegedly "expensive" to upgrade the property cannot justify





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the clear environmental harms, and conflict with policy, which would flow from the loss of the existing dwelling. Further, no viability assessment has been submitted or costings to justify the Applicant's position that it would be too expensive for them. This justifies a refusal.

- No details of how the demolition will be carried out has been submitted. The Applicant has not, for example, submitted a demolition method statement which could be secured by way of a condition. The Council, as the Local Highway Authority, has identified in its consultation response that due to the location of the Application Site, a demolition method statement is required. The absence of such an assessment, and the requisite information, means that the Council cannot determine this application.
- The development proposal will plainly have a negative effect on the residential amenity of nearby residents. It will not, therefore, add to the overall quality of the area and function well (and does not represent good design).
- The proposed building extends to be much closer to boundaries with neighbouring properties, and also to the highway, affecting the privacy and light of these properties and therefore resulting in negative impact on residential amenity.
- The application does not specify proposed roof heights and yet drawings indicate a significantly higher house with an upstairs floor.
- The proposed building includes new gable ends and a steeply pitched roof which are not sympathetic to local character and history.
- The increased footprint of the building and its driveway leave little room for landscaping and indeed significantly reduce the existing landscaping including removal of distinctive sandstone garden terraces.
- The drive / turning areas seem excessive i.e. the proposal results in a large tarmac area, which will be detrimental to climate / environmental and increase rain water run off.
- It is not clear how the proposed style is reflective of the St Bees Conservation Area. It does not appear that the Applicant has had sufficient regard to the St Bees Conservation Area Appraisal 2021.
- The Conservation Area "is strongly supported by its materials, principally in the eponymous red sandstone" (paragraph 3.2), and although the applicant proposes the use of St Bees' sandstone, the appraisal is clear that this will be appropriate where it is "used effectively alongside a range of other well-judged materials". It is not clear from the external material schedule or the Design and Access statement how that is the case here.
- It has not been demonstrated that the development proposal represents a high quality of urban design and architecture and that this respects and strengthens the distinctive

character of St Bees and, in particular, High House Road.

- The application proposes to reduce the existing visible red sandstone attractive and distinctive terracing walls by removing garden terraces to make way for the larger buildings footprint.
- The expanded driveway is significantly larger than the extant driveway and will impact on the visual aspect of the area when travelling along High House Road.
- Impact on spring not mentioned in application.
- A spring emerges on High House Rd, from the Mellendene Sandstone Wall. The spring only runs in wet weather. In very wet weather the spring backs up and floods in our garage. I strongly suspect that the spring runs under our garage and runs under the North East side of the Mellendene plot. The proposed development is directly over the course of this spring. The proposal does not mention this spring or any other drainage issues ? There is a high probability that the development will compromise the existing drainage and result in drainage issues backing up onto our property. The proposal does not identify the existing drainage and does not address these issues.
- The angles on the steeply pitched roof, and the overall design does not align with the vernacular of the area.
- There is a need, in particular, as recognised by section 6 of the appraisal to ensure that windows are of a “high quality”.
- The development proposal proposes the introduction of a dormer style dwelling with dormer windows. Dormer windows are not part of the tradition that characterises this conservation area and so they should not be approved.
- The appraisal is clear that a key characteristic in the conservation area is low buildings, but the development proposal replaces a simple croft style single storey dwelling with an unusual, complex and large modern two storey dormer design, reduces the green space around the dwelling and adds a significant amount of driveway and therefore will have negative impact on the quality of the Conservation Area.
- The Application Site already contributes to the housing stock of the borough such that there are no material considerations, e.g. additional housing (noting that the Council can demonstrate a five year housing supply), which could constitute material considerations sufficient to outweigh the numerous and clear conflicts with the development plan such that, in applying section 38(6) of the Planning and Compulsory Purchase Act 2004, planning permission ought to be refused. The development proposals conflict with the development plan read as a whole and planning permission should not be granted.
- The position of the existing driveway is at a particularly narrow section of High House Road. This area has now become widely used for on street parking, due to significant



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increases in local residential development. This is already leading to numerous instances of vehicles being unable to access / egress the village, and it is a matter of time before one of these vehicles is an emergency service.

- The proposed development, being much larger than the existing, will bring with it a considerable increase in vehicle movements, parking difficulties and restricted access to the village.

One letter of neutral response has been received raising the following comments:

- I have no issue with the demolition and new build plans however I do have significant concerns regarding the arrangements whilst demolition and construction work is ongoing.
- There is limited on street parking for residence in close proximity. I envision that with works vehicles it will impact mine and other's ability to park our vehicles.
- Also it is a narrow road which vans and refuse vehicles struggle at times to get through already and it is a busy road.
- I would recommend that these are considerations when approving the plans with suitable arrangements put in place to mitigate the impact of the project.
- I would recommend that these are considerations when approving the plans with suitable arrangements put in place to mitigate the impact of the project.
- I note that work has already commenced in the site with the demolition of the double garage. I assume this did not require planning permission?
- The proposal includes a large double garage which is positioned right at the back edge of the plot, which will cause privacy and loss of light issues for the owners of the adjacent house.

One letter of support has also been received making the following comments:

- We live adjacent to the site and have no issues with the rebuilding of the property.
- The proposed design looks like it will be an improvement on the existing building.

### Public Reconsultation

Following the receipt of amended information for the application and an amendment to the application description a reconsultation was undertaken for all neighbouring properties and those who previously commented on the application.

Two letters of objection have been received raising the following comments:

- Previous objections still stand.
- The amended application does not appear to significantly differ from the original submission.

## **Planning Policy**

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

## **Development Plan**

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

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

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

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

## **Copeland Local Plan 2013 – 2028 (Adopted December 2013)**

### Core Strategy

Policy ST1 – Strategic Development Principles

Policy ST2 – Spatial Development Strategy

Policy SS1 – Improving the Housing Offer

Policy SS3 – Housing Needs, Mix and Affordability

Policy T1 – Improving Accessibility and Transport

Policy ENV1 – Flood Risk and Risk Management

Policy ENV3 – Biodiversity and Geodiversity

Policy ENV4 – Heritage Assets

Policy ENV5 – Protecting and Enhancing the Borough's Landscapes

### Development Management Policies (DMP)

Policy DM10 – Achieving Quality of Place

Policy DM11 – Sustainable Development Standards

Policy DM12 – Standards of New Residential Developments

Policy DM16 – Replacement Dwellings

Policy DM22 – Accessible Developments

Policy DM24 – Development Proposals and Flood Risk



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Policy DM25 – Protecting Nature Conservation Sites, Habitats and Species

Policy DM26 – Landscaping

Policy DM27 – Built Heritage and Archaeology

Emerging Copeland Local Plan 2021 – 2038 (ELP):

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

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

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

The appointed Planning Inspector has now considered all representations and the discussions that took place during the Local Plan Examination Hearing Sessions in 2023 and has identified a number of amendments or 'modifications' that are required in order to ensure the ELP is sound i.e. positively prepared, justified, effective and consistent with national planning policy.

A six-week public consultation seeking views on the proposed modifications to the ELP commenced on Wednesday 14th February 2024 and closed on the 28<sup>th</sup> March 2024. The Planning Inspectors Report is awaited.

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

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

Strategic Policy DS1PU: Presumption in favour of Sustainable Development

Strategic Policy DS2PU: Reducing the impacts of development on Climate Change

Strategic Policy DS3PU: Settlement Hierarchy

Strategic Policy DS4PU: Settlement Boundaries

Strategic Policy DS5PU: Planning Obligations

Policy DS6PU: Design and Development Standards

Policy DS7PU: Hard and Soft Landscaping

Strategic Policy DS8PU: Reducing Flood Risk

Policy DS9PU: Sustainable Drainage

	<p>Strategic Policy H1PU: Improving the Housing Offer</p> <p>Strategic Policy H2PU: Housing Requirement</p> <p>Strategic Policy H3PU: Housing delivery</p> <p>Strategic Policy H4PU: Distribution of Housing</p> <p>Strategic Policy H5PU: Housing Allocations</p> <p>Policy H6PU: New Housing Development</p> <p>Policy H7PU: Housing Density and Mix Strategic</p> <p>Strategic Policy N1PU: Conserving and Enhancing Biodiversity and Geodiversity</p> <p>Strategic Policy N2PU: Local Nature Recovery Networks</p> <p>Strategic Policy N3PU: Biodiversity Net Gain</p> <p>Strategic Policy N6PU: Landscape Protection</p> <p>Policy CO4PU - Sustainable Travel</p> <p>Policy CO5PU - Transport Hierarchy</p> <p>Policy CO7PU - Parking Standards and Electric Vehicle Charging Infrastructure</p> <p><b>Other Material Planning Considerations</b></p> <p>National Planning Policy Framework (2023)</p> <p>National Design Guide (NDG).</p> <p>Cumbria Development Design Guide (CDG)</p> <p>Strategic Housing Market Assessment 2021 (SHMA)</p> <p>Copeland Borough Council Housing Strategy 2018 – 2023 (CBCHS)</p> <p>The Cumbria Landscape Character Guidance and Toolkit (CLGC)</p> <p>Copeland Borough-Wide Housing Needs Survey (2020)</p> <p>Planning (Listed Building and Conservation Areas) Act 1990</p> <p>Conservation Area Design Guide SPD (Adopted December 2017)</p> <p><b>Assessment</b></p> <p>The key issues raised by this application relate to the principle of the development; impact on settlement character; scale, design, and impact on residential amenity, impact on Conservation Area and Heritage Assets; access, parking, and highway safety; and drainage and flood risk.</p>
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### Principle of Development

Policies ST1 and ST2 along with Policies SS1, SS2, and SS3 of the CS, seek to promote sustainable development to meet the need and aspirations of the Borough's housing market. These policies further concentrate development within the defined settlement boundaries in accordance with the Borough's settlement hierarchy. The NPPF also seeks to support the Government's objective of significantly boosting the supply of housing through sustainable development.

The application site lies within the defined settlement boundary for St Bees, which is classified as a Local Centre under Policy ST2 of the CS. Policy ST2 seeks to support appropriately scaled development in defined Local Centres which helps to sustain services and facilities for local communities. In respect of housing development, the following is identified as appropriate: within the defined physical limits of development as appropriate; possible small extension sites on the edges of settlement; housing to meet general and local needs; and, affordable housing and windfall sites.

Within the Emerging Local Plan, under Policy DS3PU St Bees continues to be identified as a Local Service Centre where development will be focused on existing employment allocations, moderate housing allocations, windfall and infill development. Policy DS4PU of the ELP defines the settlement boundaries for all settlements within the hierarchy and states that development within these boundaries will be supported in principle where it accords with the Development Plan unless material considerations indicate otherwise. The application site continues to be located within the proposed settlement boundary for St Bees.

Policy ST1 of the CS also encourages the reuse of existing buildings and previously developed land wherever possible, directing development away from greenfield sites where this is consistent with wider sustainability objectives.

Policy DS2PU of the ELP states that the Council will support development proposals that make a positive contribution towards achieving the Cumbria wide goal of net zero carbon by 2037 where they accord with the Development Plan. Developers are encouraged to consider making the most efficient use of land by building at appropriate densities and encouraging the sympathetic reuse and refurbishment of the existing building stock and previously developed land.

Section 11 of the NPPF promotes the effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions, by utilising previously developed or brownfield land.

The application relates to an existing residential site within the settlement boundary for St Bees. The application seeks to replace an existing dilapidated residential bungalow with a new build dormer style property and is accompanied by a condition report to support the proposal. This report confirms that the current property has an EPC rating of E and that the property falls significantly short of modern-day living standards, meaning that it would be unviable and impractical to repair and renovate the existing dwelling to achieve anything

resembling modern day living standards and Building Regulations compliance. The application therefore provides an opportunity to redevelop a previous developed residential site within the settlement boundary to provide a modern energy efficient development.

The principle of this development is therefore considered to be acceptable. On this basis, the proposal is considered to comply with Policies ST1, ST2, SS1, SS2, and SS3 of the Copeland Local Plan, Policies DS2PU, DS3PU and DS4PU of the Emerging Local Plan, and provisions of the NPPF.

#### Impact on Settlement Character

Policy ENV5 of the Copeland Local Plan states that the Borough's landscapes will be protected and enhanced by: protecting all landscapes from inappropriate change by ensuring that the development does not threaten or detract from the distinctive characteristics of that particular area; that where the benefits of the development outweigh the potential harm, ensuring that the impact of the development on the landscape is minimised through adequate mitigation, preferably on-site; and, supporting proposals which enhance the value of the Borough's landscapes.

Policy DM10 seeks that development responds positively to the character of the site and the immediate and wider setting and enhances local distinctiveness including: an appropriate size and arrangement of development plots; the appropriate provision, orientation, proportion, scale and massing of buildings; and, careful attention to the design of spaces between buildings.

Within the Emerging Local Plan, Policy N6PU states that the Borough's landscapes will be protected and enhance by supporting proposal which enhance the value of the Boroughs 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 at the earliest stage.

The Cumbria Landscape Character Guidance and Toolkit (CLCGT) identifies the site as being within Sub Type 4 'Coastal Sandstone'. 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.

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





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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.

The application site relates to an existing residential plot located within the north east section of St Bees, which currently accommodates a detached dilapidated bungalow. The site is located within an existing residential area and is bounded by residential dwellings with open countryside to the rear. This area of St Bees is characterised by large detached dwellings set back from High House Road. The application site is located within a sloping site with the existing bungalow, to be demolished, set at an elevated position above the adjacent highway. Whilst the replacement dwelling will be designed as a dormer bungalow and therefore larger in scale, the existing ground levels will be lowered to accommodate the proposal and to reduce the overall height of the dwelling. The submitted site sections show that the height of the proposed dwelling will remain lower than the existing dwellings to the east and south west of the site which will retain the character of the area and ensure the development is not overbearing within the streetscene.

The proposal is therefore considered to comply with policies ENV5 and DM10 of the Copeland Local Plan, Policy N6PU of the Emerging Local Plan and provision of the NPPF.

#### Scale, Design and Impact on Residential Amenity

Policy SS1 of the Copeland Local Plan seeks to make Copeland a more attractive place to build homes and to live through requiring new development to be designed and built to a high standard.

Policy DM10 of the Copeland Local Plan expects high standards of design and the fostering of quality places. It is required that development responds positively to the character of the site and the immediate and wider setting and enhance local distinctiveness. It is required that development incorporate existing features and address vulnerability to and fear of crime and antisocial behaviour.

Policy DM16 of the Copeland Local Plan allows for replacement dwellings so long as the scale and character of the replacement matches that which it is proposed to replace. The replacement dwelling Policy H18PU of the Emerging Local Plan only seeks to control the replacement of dwellings outside of settlement boundary. The Emerging Local Plan, however, has no restrictions for replacement dwellings within settlement boundaries.

Concerns have been raised by residents that the proposal does not meet the requirements of Policy DM16 of the CS, as the scale and character of the replacement dwelling is significantly different to the existing property on the site. Given that the proposed replacement dwelling is larger in scale, in terms of footprint and height, and the character is not reflective of the existing simple dwelling therefore the application is not considered to comply with Policy DM16 of the CS. The ELP however does not include a policy to control the scale, form, and design of all replacement dwellings as the policy only relates to replacements outside of settlement boundaries. There are no restriction for replacement dwellings within the

settlement boundary. Given the advanced stage of preparation and as the consultation on the main modifications to the ELP have now been complete significant weight can now be attached to the policies within the ELP. Therefore, issues relating to the scale and design of the proposal must be considered under Policies within the Emerging Local Plan, with Policies within the existing Local Plan given limited weight.

Policy DS6PU within the Emerging Local Plan requires all new development to meet high-quality standards of design. This means that developments must, make use of existing buildings on site, create and enhance local distinctive places, and use

good quality building materials that reflect local character and vernacular. This is further supported by Emerging Policy H6PU which stated that new housing development must be of a design, layout, scale and appearance which is appropriate to the locality, demonstrate that consideration has been given to surrounding natural and landscape character, provides an acceptable level of amenity, protects privacy through distance or good design, the development is not overbearing and adequate space for parking is provided.

Prior to the submission of this planning application pre application discussions were undertaken with the agent for this proposal. Whilst no specific plans were provided for this proposal at the time, the enquiry indicated that the replacement dwelling would be two storey in height. Concerns were raised within this discussion with regard to the height of the replacement dwelling and its relationship to the immediate neighbouring single storey dwellings, which provide the main context within which the development would be viewed. It was therefore requested that consideration be given to developing the site for a new single storey dwelling, with use of the proposed roof space to create a one and a half storey dwelling, which reflects the scale and design of the adjacent properties.

The submitted application has taken these pre application discussions on board and now seeks to develop the site with a replacement dormer bungalow.

The proposed replacement dwelling is largely located upon the footprint of the existing property; however it occupies a larger footprint and is located further to the north east of the site and slightly forward of the existing front elevation. Concerns have been raised from the occupiers of the neighbouring properties regarding the closer proximity of the replacement dwellings and the detrimental impact this will have in terms of overlooking, loss of privacy and loss of light. Policy DM12 of the Copeland Local Plan sets out required separation distances between directly facing elevations of dwellings, Emerging Policy H6PU however does not set out specific distances and requires new housing development to protect neighbouring amenity through distance or good design, and to ensure the development is not overbearing due to scale, height and/or proximity. This Emerging Policy can now be given significant weight in decision making.

The amended plans for this application show the following:

- Whilst the development is set slightly forward within the site and additional windows are introduced within the front elevation, a separation of 19m can be retained with the

existing property on the opposite side of High House Road, Khandella House.

- The separation between the proposed dwelling and the existing dwelling to the south west of the site, The Old Telephone Exchange, will be increased to 20.5m. Whilst a first floor window is proposed within the sw side elevation of the proposed dwelling this will be fitted with obscure glazing to reduce the perception of overlooking given the change in levels between the sites. The installation and retention of this obscuring glazing will be secured by an appropriately worded planning condition.
- Whilst the development is located closer to the existing property to the north east of the application site, The Beeches, a separation of 8.8m is retained. Given the Beeches is located at an elevated position to the proposed site, the development is not considered to be overbearing or reduce light to the one existing window within the directly facing elevation. As the proposal includes a number of ground floor windows in closer proximity to the boundary of the site, the agent has amended the submitted plans to include the installation of a 1.8m boundary fence in order to address concerns of overlooking. The installation and retentions of this boundary treatment will be again secured by an appropriately worded planning condition.

Concerns have also been raised with regard to the design of the proposed dwelling in terms of reflecting the character of the area. The impact of the design on the Conservation Area which has also been raised as a concern will be considered in the following section of this report. This area of St Bees is characterised by large detached dwellings set back from High House Road, however there is not one uniform design for each dwelling. The proposal is considered to reflect the overall character of this area in terms of it being a detached property set back from the highway. The proposal retains the elevated position of the existing dwelling and whilst it is greater in height it retains a lower position to the adjacent property retaining the stepped down ridge heights seen in the immediate neighbouring properties. This ensures that the development is not overbearing and retains the character of the overall streetscene. The development is also considered to incorporate features seen within neighbouring properties, therefore the proposal is considered to be of a suitable scale and design in the context of the surrounding area.

The proposal also includes the erection of a detached garage. Concerns have been raised regarding the impact of this element of the proposal on neighbouring properties. The proposed garage has been designed as that it is built partly subterranean on three sides, meaning from the rear of the property only the roof will be visible. Due to this design and the change in levels between the application site and neighbouring properties, the garage development is not considered to have a significant impact on residential amenity. Whilst the proposal will be in close proximity to the rear/side boundary, the garage has also been designed with a dual pitched roof to take the bulk of the development away from the neighbouring property. Given proximity to the boundary of the site a condition will be utilised to control the use of the garage. The scale and design of the proposed garage is considered suitable and will not be overbearing or dominant causing amenity issues for neighbouring

properties.

On the basis of the amended detail for this application and the conditions proposed, it is considered that the development would be in accordance with Policies DM10 and DM12 of the Copeland Local Plan, Policies DS6PU and H6PU of the Emerging Local Plan, and the NPPF.

#### Impact on Conservation Area & Heritage Asset

Policy ST1, ENV4, DM27 of the Copeland Local Plan and Policy BE1PU and BE2PU of the Emerging Local Plan seek to protect, conserve and where possible enhance heritage assets including archaeological assets.

The Planning (Listed Buildings and Conservation Areas) Act 1990 establishes a need for the Local Planning Authority to have special regard to the desirability of preserving a Listed Building or its setting or any features of special architectural or historic interest" [Section 16(2)]. This requirement also applies to the granting of planning permission affecting a listing building or its setting [Section 66(1)].

Section 72 of the 1990 Act states that "special attention shall be paid to the desirability of preserving or enhancing the character or appearance of [a conservation] area."

Paragraph 134 of the National Planning Policy Framework (NPPF) asserts that "Development that is not well designed should be refused".

NPPF para. 197 states that "In determining applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation..."

NPPF para. 199 states, in the case of designated heritage assets, "great weight should be given to the asset's conservation", irrespective of whether potential harm is substantial, less-than-substantial, or total loss. Where harm to a designated heritage asset is less-than-substantial, it should be weighed against the public benefits of the proposal (para. 202).

Paragraph 203 of the National Planning Policy Framework (NPPF) states the effect on the significance of a non-designated heritage asset should be taken into account when making decisions.

Opportunities should be sought for new development within conservation areas and the settings of heritage assets that enhances or better reveals their significance. (para. 206)

Referring to assets in a conservation area, NPPF para. 207 states that loss of an element that makes a positive contribution to a conservation area should be treated as either substantial (under para. 201) or less-than-substantial harm (under paragraph 202).

Whilst the application site is located within the St Bees Conservation Area, the Council's Conservation and Design Officer has confirmed that the existing property is not a heritage asset and makes a negative contribution to the Conservation Area's local character and distinctiveness. Concerns have been raised from local residents with regard to the overall



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design of the proposed replacement dwelling and the detrimental impact this will have on the Conservation Area. The Officer has, however, confirmed that whilst unusual in appearance the proposal through its design subtly reflects and will sit well with the adjacent properties. Following some initial concerns from the Officer with regard to the extent of the tarmac area serving the dwelling, the submitted plans were amended to reduce the parking/turning area in front of the proposed garage and remove the parking bay to the front of the dwelling. The Officer confirmed that these amendments will reduce the visual impact of hard surfacing at the site and will provide more potential for soft landscaping to enhance the appearance of the property. Based on the amended plans, the Conservation Officer offered no objections to the proposal and confirmed that the impact on the Conservation Area and the setting of nearby Heritage Assets would be neutral given the proposal would replace an existing dwelling with no architectural merit with one that has some character and articulation.

The application makes reference to materials to be utilised within the development, which on the most part include the use of traditional materials, particularly within the proposed front elevation of the dwelling. Whilst the Conservation Officer has confirmed that the proposed materials appear to be acceptable, a condition will be placed upon the decision notice for this application to secure the approval of the full material details. The submitted plans for the application also indicate that solar panels will be installed on the side elevation of the property. Again, as no specific details have been provided as part of the current application, these details will be secured by an appropriately worded planning condition.

Although the proposed dwelling is larger in scale than the existing, it replaces an existing dwelling of no architectural merit with an appropriately designed dwelling. Based on the inclusion of the conditions outlined above, the application is considered to preserve and enhance the existing heritage assets and therefore the proposal is considered to comply with Policies ST1, ENV4, DM27 of the Copeland Local Plan, Policy BE1PU and BE2PU of the Emerging Local Plan, and provisions of the NPPF.

#### Access, Parking and Highway Safety

Policy T1 of the Core Strategy requires mitigation measures to be secured to address the impact of major housing schemes on the Boroughs transportation system. Policy DM22 of the Copeland Local Plan requires developments to be accessible to all users and to meet adopted car parking standards, which reflect the needs of the Borough in its rural context.

Policies CO4PU, CO5PU and CO7PU of the ELP promotes active travel.

Access to the property will remain via the existing driveway from High House Road. The application seeks to widen this access and the associated driveway creating a large parking area to the rear of the site outside the proposed detached garage.

Concerns have been raised by residents in terms of parking and the impact of the development on highway safety given the nature of High House Road. The Highway Authority have however confirmed that they have no objections to the application subject to the inclusion of conditions to securing details of measures to prevent surface water discharging

onto the highway, a demolition and construction traffic management plan, and parking of construction vehicles. The inclusion of these requested conditions is considered to address concerns from residents and to ensure the development does not have an adverse impact on highway safety.

It is therefore considered that based on the inclusion of conditions outlined above, the proposal will not have a detrimental impact on highway safety in accordance with Policies T1 and DM22 of the Copeland Local Plan, Policies CO4PU, CO5PU and CO7PU of the Emerging Local Plan and provisions of the NPPF.

#### Drainage and Flood Risk

Policy ST1 of the Copeland Local Plan and paragraph 165 of the NPPF seek to focus development on sites that are at least risk of flooding and where development in flood risk is unavoidable, ensure that the risk is minimised or mitigated through appropriate design for the lifetime of the development.

Policy ENV1 and DM24 of the Copeland Local Plan, and Policy DS8PU of the Emerging Local Plan state that development will not be permitted where: there is an unacceptable risk of flooding and or, the development would increase the risk of flooding elsewhere.

Policy DM11 of the Copeland Local Plan and Policy DS9PU of the Emerging Local Plan requires that surface water is managed in accordance with the national drainage hierarchy and includes Sustainable Drainage Systems where appropriate.

The application site is located within Flood Zone 1. The proposed comprises a more vulnerable use and is therefore a compatible use in Flood Zone 1. As the application is for a single dwelling a Flood Risk Assessment has not be submitted to support this application.

Concerns have been raised from residents that a spring runs through the application site and the potential issues the development could create if existing drainage is damaged. This issue has not been raised by any statutory consultee. The agent for the application has confirmed that this spring was not picked up as part of the topographical survey or through the OS database. The agent has however suggested that the residents are describing is a relief drain behind the front retaining wall, therefore there is a requirement under Building Regulations that if this type of field drainage is discovered during site excavations, then it has to be dealt with and re-connected so there will be control moving forward.

The application states that foul and surface water from the development will be drained to the existing mains sewer. UU have reviewed this application and have confirmed that they have no comments to make on this application however it is advised that drainage hierarchy is followed to ensure compliance with the NPPF and NPPG. The LLFA have also offered no objections to the development. Given that full surface water drainage details haven't been provided for this application, this is to be secured by an appropriately worded planning condition.

It is therefore considered that based on the inclusion of the above condition, the proposal will



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not have a detrimental impact on flood risk in accordance with Policies ST1, ENV1 and DM24 of the Copeland Local Plan, Policies DS8PU and DS9PU of the Emerging Local Plan, and the provisions of the NPPF.

### Planning Balance and Conclusions

The application site is located within the defined settlement boundary for St Bees which is identified as a Local Service Centre within the Local Plan and Emerging Local Plan where new housing is supported. This is given significant weight.

The proposed replacement dwelling is larger in scale than the existing dwelling and differs in character, therefore the proposal does not comply with DM16 of the Copeland Local Plan. This is given limited weight.

However, the ELP does not include a policy to control the scale, form, and design of all replacement dwellings as the policy only relates to replacements outside of the defined settlement boundaries. There are no restriction for replacement dwellings within the settlement boundary. Given the advanced stage of preparation and as the consultation on the main modifications to the ELP have now been complete this is given significant weight.

The amended plans for the development show a development which is of a scale and design which reflects the surrounding properties and is not considered to have a detrimental impact on the nearby residential properties. The proposal is considered to be designed to reflect the character of the surrounding area and will limit the impact on the overall streetscene.

Following the submission of amended plans for the proposal the Council's Conservation Officer has offered no objection to the proposal and has confirmed that the impact on the Conservation Area and the setting of nearby Heritage Assets would be neutral given the proposal would replace an existing dwelling with no architectural merit with one that has some character and articulation. Appropriately worded planning conditions will be utilised to secure full details of materials and proposed solar panel to ensure an appropriate design, and to secure and retain relevant boundary treatments and obscure glazing to protect amenity of neighbouring properties. This is given significant weight.

The site will be accessed via the existing driveway from High House Road, with improvements proposed as part of the development. Although concerns have been raised from the public regarding highway safety, the Highway Authority have offered no objections to the proposal subject to the inclusion of conditions. Appropriately worded planning conditions will be utilised to secure details of measures to prevent surface water discharging onto the highway, a demolition and construction traffic management plan, and parking of construction vehicles. The inclusion of these requested conditions is considered to address concerns from residents and to ensure the development does not have an adverse impact on highway safety. This is given significant weight.

Although concerns were raised from the public regarding drainage, statutory consultees including the LLFA and UU have offered no objections to the application. Appropriately worded planning conditions will be utilised to secure full details of the surface water drainage



	<p>scheme for the development. This is given significant weight.</p> <p>On balance, the proposal is considered to be an acceptable form of sustainable development which is compliant with policies of the Copeland Local Plan and the provisions of the NPPF.</p>
8.	<p><b>Recommendation:</b></p> <p>Approve (commence within 3 years)</p>
9.	<p><b>Conditions:</b></p> <p><u>Standard Conditions</u></p> <ol style="list-style-type: none"> <li>1. The development hereby permitted must be commenced before the expiration of three years from the date of this permission.</li> </ol> <p>Reason</p> <p>To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.</p> <ol style="list-style-type: none"> <li>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:- <ul style="list-style-type: none"> <li>- Location Plan, Scale 1:1250, Drawing No: 23/06/1051-01, received by the Local Planning Authority on the 25<sup>th</sup> March 2024.</li> <li>- Existing Site Plan, Scale 1:500, Drawing No: 23/06/1051-02, received by the Local Planning Authority on the 25<sup>th</sup> March 2024.</li> <li>- Proposed Site Plan (Amended), Scale 1:500, Drawing No: 23/06/1051-03c), received by the Local Planning Authority on the 24<sup>th</sup> May 2024.</li> <li>- Dwelling – Plans and Elevations (Amended), Scale 1:100, Drawing No: 23/06/1051-04a), received by the Local Planning Authority on the 24<sup>th</sup> May 2024.</li> <li>- Detached Garage – Plans and Elevations, Scale 1:100, Drawing No: 23/06/1051-05, received by the Local Planning Authority on the 25<sup>th</sup> March 2024.</li> <li>- Site Sections, Scale 1:200, Drawing No: 23/06/1051-06, received by the Local Planning Authority on the 25<sup>th</sup> March 2024.</li> <li>- Brief Condition Report, Doc Ref: 23/06/1051-CR, received by the Local</li> </ul> </li> </ol>



Planning Authority on the 25<sup>th</sup> March 2024.

- External Materials Schedule, 23/06/1051-EMS, received by the Local Planning Authority on the 25<sup>th</sup> March 2024.
- Photographic Record of Existing Dwelling, March 2024, received by the Local Planning Authority on the 25<sup>th</sup> March 2024.
- Heritage, Design & Assess Statement, Ref: 23/06/1051-HDAS, received by the Local Planning Authority on the 25<sup>th</sup> March 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:

3. Prior to the commencement of development, details of a sustainable surface water drainage scheme must be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:
  - i. An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation must include evidence of an assessment of ground conditions and the potential for infiltration of surface water;
  - ii. A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations); and
  - iii. A timetable for its implementation.

The approved schemes must also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

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 promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

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

Reason

In the interests of highway safety and environmental management.

5. Development must not commence until a Demolition and Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. The DCTMP must include details of:

- Demolition method statement;
- Details of proposed crossings of the highway verge;
- Retained areas for vehicle parking, manoeuvring, loading and unloading for their specific purpose during the development ; (Demolition & Construction);
- 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/demolition vehicle routing;
- The management of junctions to and crossings of the public highway and other public rights of way/footway;
- 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)

Reason

To ensure the undertaking of the demolition and construction of the development does not adversely impact upon the fabric or operation of the local highway network and in



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the interests of highway and pedestrian safety.

6. Before any development takes place, a plan must be submitted for the prior approval of the Local Planning Authority reserving adequate land for the parking of vehicles engaged in construction operations associated with the development hereby approved, and that land, including vehicular access thereto, must be used for or be kept available for these purposes at all times until completion of the construction works.

### Reason

The carrying out of this development without the provision of these facilities during the construction work is likely to lead to inconvenience and danger to road users.

### Prior to Erection of External Walling Conditions:

7. No superstructure must be erected until samples and details of the materials to be used in the construction of the external surfaces of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. Development must be completed in accordance with the approved details of materials and must be retained for the lifetime of the development.

### Reason

To ensure a satisfactory appearance of the development in the interests of visual amenity.

### Prior to First Use/Occupation Conditions:

8. Prior to the first installation within the development hereby approved, details of the proposed solar panels will be submitted to and approved in writing by the Local Planning Authority. The development must be carried out in accordance with the approved details at all times thereafter and must not be altered without the prior consent of the Local Planning Authority.

### Reason

To ensure a satisfactory appearance of the development in the interests of visual

amenity and to safeguard the heritage asset.

9. Prior to the first occupation of the dwelling hereby approved the boundary treatment must be installed in line with the approved plan 'Proposed Site Plan (Amended), Scale 1:500, Drawing No: 23/06/1051-03c), received by the Local Planning Authority on the 24<sup>th</sup> May 2024'. All boundary treatment must be retained in accordance with this approved plan at all times thereafter.

Reason

In the interest of residential amenity.

10. Prior to the first occupation of the dwelling hereby approved the indicated windows within the south west elevation must be fitted with obscure glazing in line with the approved plan 'Dwelling – Plans and Elevations (Amended), Scale 1:100, Drawing No: 23/06/1051-04a), received by the Local Planning Authority on the 24<sup>th</sup> May 2024'. The obscure glazing must be permanently retained at all times thereafter.

Reason

In the interest of residential amenity.

Other Conditions:

11. The detached garage hereby approved must not be occupied at any time other than for purposes ancillary to the residential property also approved under this application and must not be independently occupied let or sold as a separate permanent dwelling or used for any business purposes whatsoever.

Reason

The detached garage is not considered appropriate for use as a separate residential unit and to ensure that non-conforming uses are not introduced into the area.

12. Any access gates installed within the property must be of a style which do not open onto the highway and must be retained as such at all times thereafter.

<p>Reason</p> <p>In the interest of highway safety.</p> <p><b>Informatives:</b></p> <p>Any works within or near the Highway must be authorised by the Council and no works shall be permitted or carried out on any part of the Highway including Verges, until you are in receipt of an appropriate permit from the LHA Streetworks team.</p> <p><a href="https://www.cumberland.gov.uk/parking-roads-and-transport/streets-roads-and-pavements/street-licences-and-permits/street-permit-and-licence-fees-and-charges">https://www.cumberland.gov.uk/parking-roads-and-transport/streets-roads-and-pavements/street-licences-and-permits/street-permit-and-licence-fees-and-charges</a></p> <p>Please be advised that the Highway outside and or adjacent to the proposal must be kept clear and accessible at all times.</p> <p><b>Statement:</b></p> <p>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.</p>	<p><b>Case Officer:</b> C. Burns</p> <p><b>Date :</b> 24.05.2024</p>
<p><b>Authorising Officer:</b> N.J. Hayhurst</p>	<p><b>Date :</b> 28.05.2024</p>
<p><b>Dedicated responses to:-</b></p>	