

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/24/2212/DOC	
2.	Proposed Development:	DISCHARGE OF CONDITON 5 OF PLANNING APPLICATION 4/24/2096/0F1	
3.	Location:	MELLENDENE, HIGH HOUSE ROAD, ST BEES	
4.	Parish:	St. Bees	
5.	Constraints:	ASC;Adverts - ASC;Adverts, Conservation Area - Conservation Area, Coal - Standing Advice - Data Subject To Change, Outer Consultation Zone - Sellafield 10KM	
6.	Publicity Representations &Policy	Neighbour Notification Letters	No
		Site Notice	No
		Press Notice	No
		Consultation Responses	See Report
		Relevant Policies	See Report
7.	Report:		
	Site and Location		
	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 is significantly sloping, is located within the St Bees Conservation area, and is bounded to by residential dwellings with open countryside to the rear of the site.		
	Relevant Planning History		

4/24/2096/0F1 – Demolition of existing detached bungalow and erection of replacement dwelling including erection of detached garage and alterations to existing access – Approved.

Proposal

In May 2024, planning permission (ref: 4/24/2096/0F1) was approved for the demolition of the existing detached bungalow and the erection of a detached garage and alteration to the existing access at this site. This current application seeks to discharge condition 5 attached to planning approval 4/24/2096/0F1. This condition states:

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 the interests of highway and pedestrian safety.

The information submitted to support this application comprises of the following:

- Application form, received by the Local Planning Authority on the 12th June 2024.



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- Demolition Method Statement, Prepared by Craig Richardson Groundwork Construction & Plant Hire, received by the Local Planning Authority on the 12th June 2024.
- Demolition & Construction Traffic Management Plan, Doc Ref: 23/06/1051-DCTMP, received by the Local Planning Authority on the 12th June 2024.

Consultation Responses

Cumberland Council – Highway Authority & Lead Local Flood Authority

Condition 5 can be discharged.

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

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 28th 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.



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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
Strategic Policy H1PU: Improving the Housing Offer
Strategic Policy H2PU: Housing Requirement
Strategic Policy H3PU: Housing delivery
Strategic Policy H4PU: Distribution of Housing
Strategic Policy H5PU: Housing Allocations
Policy H6PU: New Housing Development
Policy H7PU: Housing Density and Mix Strategic
Strategic Policy N1PU: Conserving and Enhancing Biodiversity and Geodiversity
Strategic Policy N2PU: Local Nature Recovery Networks
Strategic Policy N3PU: Biodiversity Net Gain
Strategic Policy N6PU: Landscape Protection
Policy CO4PU - Sustainable Travel
Policy CO5PU - Transport Hierarchy
Policy CO7PU - Parking Standards and Electric Vehicle Charging Infrastructure

Other Material Planning Considerations

National Planning Policy Framework (2023)
National Design Guide (NDG).
Cumbria Development Design Guide (CDG)
Strategic Housing Market Assessment 2021 (SHMA)

	<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>Assessment</p> <p>The current application seeks to discharge the requirement for the development to provide a Demolition and Construction Traffic Management Plan. The Highway Authority have reviewed the information provided as part of this application and have offered no objections to the information submitted, confirming that the condition can be discharged.</p> <p>Based on this, the Local Planning Authority are satisfied with the information provided and confirm that the proposed details are considered acceptable for the site. It is therefore confirmed that condition 5 can be discharged.</p>	
8.	<p>Recommendation:</p> <p>Approve discharge of conditions.</p>	
Case Officer: C. Burns		Date : 19.06.2024
Authorising Officer: N.J. Hayhurst		Date : 19/06/2024
Dedicated responses to:- N/A		