

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/24/2252/0F1
2.	Proposed Development:	ERECTION OF 17 NO. 2 BEDROOM DWELLINGS AND ASSOCIATED EXTERNAL WORKS
3.	Location:	LAND BETWEEN GRIFFIN CLOSE & GREENVALE COURT, FRIZINGTON
4.	Parish:	Arlecdon and Frizington
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change, Coal - Development Referral Area - Data Subject to Change, Key Species - Bounds of Sensitive Area for Hen Harriers
6.	Publicity Representations &Policy	Neighbour Notification Letter: YES Site Notice: YES Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report: Site and Location This application relates to a parcel of land measuring 0.5 hectares. The land is sited between Griffin Close and Greenvale Court in Frizington. The land was previously in used as sheltered housing which was demolished in 2011. The site has been left as hardstanding and used as informal open space since demolition.	

The site is accessed directly from Griffin Close and is flanked by residential properties to the south and east. There is a surgery and a care home to the south and open fields to the north and west.

Proposal

This application seeks full planning permission for the erection of 17 dwellings, with one pair of semi-detached dwellings and 5 sets of 3 terraced properties. Each dwelling will have two bedrooms and a bathroom on the first floor and an open plan kitchen/dining room and living room on the ground floor.

The proposed dwellings will be finished in off white smooth through colour render, plain grey concrete roof tiles and UPVC casement windows and composite doors. The gardens will be defined by close boarded timber fences for their boundaries with retaining walls and greenery. The parking bays and footpaths will be surfaced with block paving.

The application has been submitted by Home Group.

This application is accompanied by the following information:

- Application form;
- Site location plan and site block plan;
- Proposed site plan;
- Proposed site sections;
- House type plans and elevations;
- Biodiversity net gain information;
- Desk top study report;
- Ground investigation report;
- Construction management plan for sustainable drainage systems;
- Flood risk assessment and drainage strategy;
- Operation and maintenance plan for sustainable drainage systems;
- Foul and surface water drainage layout;
- Surface water catchment plan;
- Drainage construction details;
- Construction phase surface water runoff mitigation;
- Preliminary ecological appraisal;
- Tree survey and impact assessment;
- Design and access statement;
- Ground gas protection system verification plan;
- Radon data;
- Soil infiltration tests;
- Summary of ground investigations;
- Summary of site findings;
- Supplementary mining report;

- External works layout;
- Typical external works construction details.

Relevant Planning History

Demolition of existing buildings (sheltered housing), approved in February 2011 (application reference 4/10/2593/0F1 refers).

Consultation Responses

Arlecdon and Frizington Parish Council

No response received within the consultation period.

Highways and Local Lead Flood Authority

1st response

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 but would like the following points addressed before a final response can be submitted.

- The LHA would welcome a detailed hard standing plan showing proposed access roads and shared surfaces, shared surface finished height should differ from the access roads.
- The footways within the proposed site need crossing points to allow safe passage/crossing for all pedestrian movements.
- If the proposed development is to be offered for highway adoption a detailed section 38 plan would be welcomed at this time, if not a maintenance schedule is to be produced.
- Plot 17 has no access to the rear garden for refuse collection movement.
- As part of the development the LHA would like a developer contribution to reinstate/resurface the footway on the existing access road to highway standard. This work can be carried out under a section 278 or 106 agreement.

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.

2nd response

Thank you for your consultation on 19 December 2024 regarding the above Planning

Application.

Cumberland Council as the Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) has reviewed the above planning reference and additional information submitted to the LPA in December 2024.

Please see below points raised on our previous response and there current status highlighted in bold following the additional information received in December 2024.

The LHA would welcome a detailed hard standing plan showing proposed access roads and shared surfaces, shared surface finished height should differ from the access roads.

The LHA and LLFA welcome the detailed external works plan (K41128/15), After review the LHA suggests that the access road infront of plots 1-6 should be shared surface to allow safe transition from car to the fronts of the property.

The proposed garden access to the rear of plot 9 has no continuous footway link/connection, this could be rectified by also making the access road from the footway crossing point shared surface.

- The footways within the proposed site need crossing points to allow safe passage/crossing for all pedestrian movements.

The above point has been addressed within the external works plan (K41128/15) as shows proposed crossing points using kerb detail.

- If the proposed development is to be offered for highway adoption a detailed section 38 plan would be welcomed at this time, if not a maintenance schedule is to be produced.

The above point has been addressed as the development site will remain private

- Plot 17 has no access to the rear garden for refuse collection movement.

The above point has not been addressed.

- As part of the development the LHA would like a developer contribution to reinstate/resurface the footway on the existing access road to highway standard. This work can be carried out under a section 278 or 106 agreement.

The above point has not been addressed.

3rd response

Cumberland Council as the Local Highway Authority (LHA) and Lead Local Flood

Authority (LLFA) has reviewed the above planning reference and additional information submitted to the LPA in January 2025.

Please see below points raised on our previous response and there current status highlighted in bold following the additional information received in January 2025.

The LHA and LLFA welcome the detailed external works plan (K41128/15), After review the LHA suggests that the access road infront of plots 1-6 should be shared surface to allow safe transition from car to the fronts of the property.

The above point has been addressed on the new external works plan drawing number (K41128 /15/ A).

The proposed garden access to the rear of plot 9 has no continuous footway link/connection, this could be rectified by also making the access road from the footway crossing point shared surface.

The above point has NOT been addressed.

As part of the development the LHA would like a developer contribution to reinstate/resurface the footway on the existing access road to highway standard. this work can be carried out under a section 278 or 106 agreement.

The above point has NOT been addressed.

4th response

Cumberland Council as the Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) has reviewed the above planning reference and additional information submitted to the LPA in January 2025.

Please see below points raised on our previous response and there current status highlighted in bold following the additional information received in January 2025.

The proposed garden access to the rear of plot 9 has no continuous footway link/connection, this could be rectified by also making the access road from the footway crossing point shared surface.

The following point has been amended on the external works plan K41128/15/B but the shared surface needs to be an extra 2metres in length to connect the two footways onto the shared surface, Once this has been completed the above point will have been addressed.

As part of the development the LHA would like a developer contribution to reinstate/resurface the footway on the existing access road to highway standard. this work can be carried out under a section 278 or 106 agreement.

The above point has now been addressed following additional external works plan K41128/15/B

5th response

The Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) have reviewed the above application and are content that all points raised in previous correspondence has now been addressed, therefore the LHA and LLFA can confirm that we have no objections to the proposal, we would however recommend that the following conditions are included in any consent you may grant:

Condition 1:

No dwellings shall be occupied until the estate road including footways and cycleways to serve such dwellings has been constructed in all respects to base course level and street lighting where it is to form part of the estate road has been provided and brought into full operational use.

Reason: In the interests of highway safety

Condition 2:

There shall 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.

Condition 3:

Development shall not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the local planning authority. The CTMP shall include details of,

- Pre-construction road condition established by a detailed survey for accommodation works within the highways boundary conducted with a Highway Authority representative; with all post repairs carried out to the satisfaction of the Local Highway Authority at the applicants 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 proposals during the construction phase

Reason: To ensure the undertaking of the development does not adversely impact upon the fabric or operation of

Crime Prevention Officer

1st response

Many thanks for your communication dated 30th July 2024. I wish to offer the following comments, which I have considered from a crime prevention perspective.

I have perused the published drawings and documents to verify if this application complies with Policy DM10 of the Local Plan, or makes reference to Policies DS5PO or DS7PO in this regard.

There appears to be no Planning Statement for this application that would explain how the application complies with all relevant policy for a residential development.

The Design and Access Statement describes how “The development will focus on place making to enhance the public realm, providing high quality streetscapes and landscaping to improve the aesthetic appearance, security and social infrastructure for residents.... But there is no information that indicates how crime prevention measures have been incorporated into the design. There is some information relating to the formation of rear gardens and proposed materials for external doors and windows.

Layout

The dwellings are generally arranged to overlook communal spaces and the access roads, without compromising privacy. However, the prevalence of ‘inactive’ gables (exhibit only obscured windows to bathrooms etc. that do not permit easy views) restricts natural surveillance opportunities to householders, for example:

Unit 1 – towards the main access road and visitor parking spaces

Unit 9 - towards car parking and the pedestrian route from Griffin Close

Unit 12 – towards car parking spaces

Unit 13 – towards the adjacent communal space (unrestricted access)

Unit 18 – towards car parking spaces

Street Lighting

There is no information regarding the extent of the proposed lighting scheme (i.e. if the pedestrian route via Griffin Close shall be illuminated). The lighting scheme should exhibit high uniformity and CRI values to promote confidence and reassurance in the public realm. Consideration must also be given to protection of wildlife (having regard to the semi-rural location) and 'Dark Skies' attributes.

Dwelling Exterior Lighting

No information provided.

I recommend the deployment of low-energy, low intensity items, controlled by photocell (NOT passive infrared sensor, which may falsely activated by wildlife or domestic animals). Illumination to be provided to front and rear elevations to every dwelling – and to walkways adjacent to dwellings or car parking spaces where these are not illuminated by the street lighting scheme.

Landscaping

It is noted 'a detailed landscape will be prepared at the planning condition stage'. This document should also advise of the proposed maintenance programme. The choice and location of species must be carefully considered to ensure plants do not obstruct views or create hiding places as they mature.

Boundary Treatments

Noted deployment of 'Close boarded timber fence to rear gardens'. This item should be not less than 1.8m in height, with matching lockable gates to prevent intrusion.

Dwelling Physical Security

External doors described 'Composite insulated doors, colour tbc)

Windows described uPVC casement with pc concrete sills

I recommend all exterior doors and ground floor windows to be certified to PAS 24:2022 and fitted with a pane of laminated glazing (BS EN 356:2000) as appropriate.

By the implementation of each of the security measures described above, I invite the Applicant to achieve Secured by Design accreditation for this development.

2nd response

I am indebted to Barbara for this additional information, which addresses each of the issues I raised – and consequently demonstrates compliance with the Local Plan in this regard.

I would be delighted to process an application for Secured by Design for this development and I will anticipate Home Group's instructions.

Natural England

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.

Environmental Health

1st response

The Ground Investigation Report submitted with the application, and the subsequent comments from the Coal Authority, highlight the problems around a potential historical mine entry zone of influence and shallow mine workings in the northern part of this site.

Further intrusive ground investigation is required to determine its exact location, and to confirm the risk of ground / mine gas intrusion to the site.

Environmental Health would advise that the latest Radon Map UK shows the site to be within a 1km grid of elevated Radon potential and that full Radon protection measures would be required. Alternatively, a site-specific Radon search could be undertaken to further inform on this.

Whilst the site was used for as a Care Home in the recent past, a previous phase 1 contaminated land study has determined that there is a low risk of ground contamination from this, though the extent of made ground associated after the demolition of the Care Home is to be further investigated.

If the development is approved, a Construction Environmental Management Plan and the imposition of construction working hours would also be requested by Environmental Health.

As such, there are no objections to this application from Environmental Health but the following conditions are requested:

- Site specific Construction Environmental Management Plan

No development shall take place until a site specific Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and any use of site lighting in the construction phase.

Reason: in the interests of the amenities of the surrounding occupiers during the construction of the development.

- Land affected by contamination – Site Characterisation

No development shall take place until an investigation and risk assessment has been completed in accordance with the Ground Investigation Report to assess the nature and extent of made ground across the site, and to confirm the location of a historical mine shaft and shallow mine workings in the northern part of the site.

Reason: to ensure that risks from ground contamination and ground stability on the land and neighbouring land are understood prior to works on site both during the construction phase and to the future users of the land, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors.

- Land affected by contamination – Ground Gas Verification Scheme

No development shall take place until a verification scheme and report for Ground Gas on the site has been submitted and approved in writing by the Local Planning Authority. Such approved scheme shall be implemented in full.

Reason: to ensure that risks from Ground Gas are understood prior to works on the site both during the construction phase to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors.

- Land Affected by Contamination – Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and, where remediation is necessary, a remediation scheme must be prepared, submitted to and approved in writing by the Local Planning Authority.

Following completion of remediation measures identified, a verification report must be prepared and approved in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

- Noise from Construction Works

Following approval of the development, construction activities that are audible at the site boundary shall be carried out only between the following hours: Monday to Friday 08.00 – 18.00 and Saturday 08.00 – 13.00 and at no time on Sunday 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.

2nd response

Thank you for the supplementary information provided in relation to the above planning application.

In terms of the remit of Environmental Health, the additional works to characterise any ground contamination, ground gas and radon, and to confirm the extent and location of historical mine workings and a mine shaft on the site are of particular interest.

In its response dated 22.08.24, Environmental Health suggested conditions relating to the characterisation of any land contamination on the site and that a Ground Gas Verification Scheme be imposed.

The supplementary work and information submitted subsequently submitted has fulfilled this requirement – a clean soil cover system is recommended for open areas of the site that are underlain by made ground, and ground gas protection measures are recommended for dwellings situated within 50 m of the historical mine shaft and in areas of the site that have been stabilised (grouted) as a precaution.

There are therefore no objections to this development from Environmental Health, subject to the above recommendations being conditioned in to any planning approval granted.

Environmental Health would also request that the other suggested conditions in its previous response (for unexpected contamination, a site-specific construction environmental management plan and approved construction hours) should also still be imposed.

Cumberland Housing Team

No objections.

Ecologist

The county ecologist confirms that Biodiversity Net Gain (BNG) is in scope for this development and approves the BNG documents submitted with the application.

Please note that if planning permission is granted this is a planning permission only, and the development will be subject to the biodiversity gain condition as set out below.

Subject to exemptions and transitional arrangements, the effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that every planning permission granted for

the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition”) that development may not begin unless:

- a) a Biodiversity Gain Plan demonstrating a biodiversity gain of 10% has been submitted to the council,
- b) the council has approved the plan,
- c) the offsite BNG gain site has been registered and secured using a Section 106 agreement in place for 30 years,
- d) The BNG provision is accompanied by a Habitat Management and Monitoring Plan in place for 30 years and this monitoring plan is to be approved by the council and,
- e) Monitoring results are to be programmed to be submitted to the council.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan would be Cumberland Council.

Commencing development which is subject to the biodiversity gain condition without an approved Biodiversity Gain Plan could result in your development becoming subject to enforcement action.

Environment Agency

No response received.

United Utilities

DRAINAGE - REQUEST FOR ADDITIONAL INFORMATION

Following our review of the submitted Flood Risk Assessment & Drainage Strategy (ref K41128.FRA/001, dated 28th June 2024), the proposals are NOT acceptable to United Utilities.

This is because we have not seen robust evidence that that the drainage hierarchy has been thoroughly investigated. We also request that the applicant confirms where the nearby unchartered foul and surface pipes discharge to. A suitable point of discharge is required to ensure a new low spot on the network is created. The risk of sewer surcharge should be carefully considered including the risk of overland flow arising from sewer surcharge from existing and proposed sewers. It is our recommendation that the above information is provided prior to determination.

Should planning permission be granted without the provision of this information, we request the following condition is attached to any subsequent Decision Notice:

REQUESTED CONDITION: Foul and Surface Water Drainage

Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall 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 shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;*
- (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);*
- (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;*
- (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and*
- (v) Foul and surface water shall drain on separate systems.*

The approved schemes shall 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 shall 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.

The Coal Authority

1st response

The Coal Authority response: **Fundamental Concern (Layout)**

I have reviewed the proposals and confirm that the application site falls within the Coal Authority's defined Development High Risk Area. Therefore, within the application site and surrounding area there are recorded coal mining features present at surface or shallow

depths. The risk these features may pose should be considered as part of the planning process.

The Coal Authority records indicate that within or within 20m of the application site there are two mine entries (1 x on-site mine shaft ref: 303517-006, and 1 x off-site mine shaft ref: 303517-003). However based on the information that we hold for these mine entries, it is only the on-site mine entry that we consider affects the proposed development. The Coal Authority hold no treatment details for the on-site mine entry and therefore should be considered as untreated. Due to the historic source plans used to record its current position, this could vary by several metres. The Coal Authority is of the opinion that building over the top of, or in close proximity to, mine entries should be avoided wherever possible, even after they have been capped, in line with our adopted policy:

<https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries> In addition, coal seams of workable thickness infer to outcrop at or close to the surface within the site and surrounding area that may have been historically worked from the surface of the site. These coal mining features present a significant risk to public safety and surface stability for the proposed development.

The planning application is accompanied by a Phase 1: Desk Top Study Report (2022-5436, 17-08-2022) prepared for the proposed development by Geo Environmental Engineering. It should be noted that the report is in 'Draft' format and therefore our comments have been made on this version only.

We note that one of objectives of the Report is to assess the ground conditions relative to former coal mining activity at the site and has been informed by an appropriate range of sources of historical, geological and coal mining information.

Having carried out a review of the available information the report author considers that currently there may be a potential stability risk to the proposed development from unrecorded shallow coal mine workings and the on-site mine entry. Therefore recommendations have been made that intrusive site investigations are required in order to confirm the exact ground conditions beneath and within the site to inform the extent of any remedial and / or mitigation measures required. We are pleased to note that the report author informs the applicant that due to the presence of the on-site mineshaft, the layout may need to be revised.

In accordance with the Proposed Block Plan submitted (Drawing No. 22031-06), built development is proposed over and / or within influence of the on-site mine shaft and therefore the layout does not accord with our aforementioned policy. Accordingly, the Coal Authority **objects** to this planning application as a result of the significant layout implications presented by the recorded mine entry. We consider that the applicant has failed to demonstrate to the LPA that the application site can safely accommodate the quantum of development proposed.

The applicant should be advised that the recommended intrusive site investigations should be undertaken to locate and determine the condition of the recorded mine entry within the

site. Zones of influence should be calculated for this feature and the zones should be considered as no-build exclusion zones. These no-build exclusion zones should then inform the site layout and an appropriate level of development should be proposed where necessary. We would expect that these works are undertaken prior to determination and a report of the findings along with a layout plan plotting the found location of the feature and its no-build exclusion zone should be submitted for consideration along with any remedial and mitigatory measures proposed.

The intrusive site investigations should be designed and undertaken by competent persons and should be appropriate to assess the ground conditions on the site in order to establish the coal-mining legacy present and the risks it may pose to the development and inform any mitigation measures that may be necessary.

The applicant should note that Permission is required from the Coal Authority Permit and Licensing Team before undertaking any activity, such as ground investigation and ground works, which may disturb coal property. Please note that any comments that the Coal Authority may have made in a Planning context are without prejudice to the outcomes of a Permit application.

However, if the applicant is unable to carry out intrusive site investigation at this time, they should provide the LPA with a revised layout to demonstrate that no buildings will be over or within the influencing distance of the on-site mine entry. This will need to be based on its current recorded position, any deviation from the current recorded position and a calculated zone of influence based on current records: we would then have no objections to the proposed development. This would be subject to the LPA imposing a suitably worded condition to secure the undertaking of the intrusive ground investigations (identified by Geo Environmental Engineering) and to inform a robust remediation strategy to render the site safe and stable as a result of the former coal mining activity identified at this site.

Mine Gas

Wherever coal resources or coal mine features exist at shallow depth or at the surface, there is the potential for mine gases to exist. These risks should always be considered by the LPA. The Planning & Development team at the Coal Authority, in its role of statutory consultee in the planning process, only comments on gas issues if our data indicates that gas emissions have been recorded on the site. However, the absence of such a comment should not be interpreted to imply that there are no gas risks present. Whether or not specific emissions have been noted by the Coal Authority, local planning authorities should seek their own technical advice on the gas hazards that may exist, and appropriate measures to be implemented, from technically competent personnel.

Sustainable Drainage

It should be noted that where SUDs are proposed as part of the development scheme consideration will need to be given to the implications of this in relation to the stability and public safety risks posed by coal mining legacy. The developer should seek their own advice from a technically competent person to ensure that a proper assessment has been made of the potential interaction between hydrology, the proposed drainage system and ground stability, including the implications this may have for any mine workings which may be present beneath the site.

We welcome the opportunity to review and comment on further information submitted in support of this planning application.

2nd response

The Coal Authority Recommendation to the LPA

In light of the above, the Coal Authority considers that based on the professional opinion provided by Geo Environmental Engineering, informed by the results of intrusive site investigations, the applicant has demonstrated to the LPA that the site can be made safe and stable for the proposed development as required by the NPPF paras. 187, 196 and 197. This is subject to the development being approved as per Drawing No. 2201-07 Revision C and the undertaking of further site investigations works / remedial measures.

We would therefore recommend that the LPA impose the following condition:

Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the further intrusive site investigations, as recommended by Geo Environmental Engineering and the completion of the remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

This is our recommendation for condition wording. Whilst we appreciate that you may wish to make some amendment to the choice of words, we would respectfully request that the specific parameters to be satisfied are not altered by any changes that may be made.

The Coal Authority **withdraws its objection** to the proposed development **subject to the imposition of the conditions** to secure the above.

Public Representation

The application has been advertised by way of a site notice and neighbour notification letters issued to 27 no. properties.

Six letters of objection has been received raising the following concerns.

- Loss of green space for small children to play
- Bringing down house prices
- Wildlife and views ruined
- Lack of parking
- Noise disruption in a peaceful area
- Traffic
- Potential for bats in the area

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

Copeland Local Plan 2021-2038

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 2021-2038 (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 policies relevant to this application are as follows:

- Strategic Policy DS1 - Settlement Hierarchy
- Strategic Policy DS2 - Settlement Boundaries
- Strategic Policy DS3 - Planning Obligations

- Policy DS4 - Design and Development Standards
- Policy DS5 - Hard and Soft Landscaping
- Strategic Policy DS6 - Reducing Flood Risk Policy
- Strategic Policy DS7 - Sustainable Drainage
- Policy DS8 – Soils, Contamination and Land Stability
- Strategic Policy H1 - Improving the Housing Offer
- Strategic Policy H2 - Housing Requirement
- Strategic Policy H3 - Housing delivery
- Strategic Policy H4 - Distribution of Housing
- Strategic Policy H5 - Housing Allocations
- Policy H6 - New Housing Development
- Policy H7 - Housing Density and Mix Strategic
- Policy H8 - Affordable Housing
- 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 CO4 – Sustainable Travel
- Policy CO5 – Transport Hierarchy

Assessment

Principle of the development

Policy DS1 sets out a settlement hierarchy which seeks to direct development to the most sustainable locations. Frizington is identified as a Local Service Centre where the focus will be to support the retention and small scale growth of existing services and business. Development will be focussed on existing employment allocation, moderate housing allocations, windfall and infill development.

The Application Site is located within the settlement boundary for Frizington as defined in Policy DS2 of the LP. Policy DS2 states that development within these boundaries will be supported in principle where it accords with the Development Plan unless material considerations indicate otherwise.

The site adjoins the highway and is a brownfield infill plot within an existing residential area of Frizington. It holds no designation as public open space.

On this basis, the principle of redeveloping the site to provide new dwellings within this location is acceptable. The residential use on the land has been previously established and the houses will make a contribution to the housing provision in the area. As a result, the principle of development is supported by Policies DS1 and DS2 of the Copeland Local Plan.

Housing Need and Mix

Policy H1 seeks to improve the housing offer within the district. This includes supporting housing development on appropriate windfall sites within settlement boundaries where it accords with the Development Plan.

HS4 confirms that the distribution of housing will be undertaken in accordance with the Settlement Hierarchy defined under Policy DS1. Policy H4 directs 17% of housing to the Local Service Centres.

Policy H7 of the LP states that development should make the most of effective use of land and when determining appropriate densities development proposals should demonstrate that consideration has been given to the shape and size of the site, requirements for public open space and landscaping, the character of the surrounding area and setting of the site, and whether the density would help achieve appropriate housing mix and help regeneration aims. It must also be demonstrated that proposals meeting local housing needs and aspirations identified in the latest Strategic Housing Market Assessment (SHMA) and Housing Needs Assessment in terms of house type, size and tenure. Alternative more up-to-date evidence will be considered only in exceptional circumstances where a developer demonstrates to the Council's satisfaction that the SHMA and Housing Needs Assessment is out of date.

HS8 requires that 10% of homes provided on a site should be affordable

Frizington falls within Whitehaven Housing Market Area (HMA) of Copeland Strategic Housing Market Assessment (SHMA).

The SMHA suggest a particular focus on the delivery of three bedroom houses, semi-detached and detached houses with four or more bedrooms and bungalows and is identified as having a low need for new affordable housing.

The SHMA estimates the need for affordable housing to be 5 in the Whitehaven Rural sub area and whilst this application seeks permission for more than this, there is full support from the Council's Housing team. The provision of starter homes is encouraged with 2 bedroomed dwellings for affordable rent helping to house a variety of occupants.

The proposed development will reasonably assist in providing a greater balance of housing stock within the Frizington area in accordance with the provisions of Policy Hs4 of the LP.

The proposed development has been submitted by Home Group and seeks permission for affordable housing. The applicants are relying on funding from Homes England to deliver this scheme which precludes the use of a Section 106 Agreement to secure affordability.

Homes England guidance states the following:

'Section 106 - the purchase of homes built under Section 106 agreements, where the affordable homes are secured through developer contributions is not funded. However, we still record information on all nil-grant affordable homes for rent and reporting requirements will be set out in the contract.'

This means that grant funding is not available on homes which are governed by a S106 agreement. The presence of a S106 agreement on this site, where viability is precarious, can therefore undermine the ability of the proposal to move forward as a viable scheme.

The delivery of affordable housing accords with Policy HS8 of the Local Plan.

Design and Impact on Residential Amenity

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.

Policy H6 of the LP requires that in respect of new housing development, an acceptable level of amenity is provided for future residents and maintained for existing neighbouring residents in terms of sun lighting and daylighting.

The dwellings are proposed to reflect the existing terraced properties on Griffin Close – fronting the road with sporadic parking courts. The configuration of semi-detached and terraced properties will reflect the existing built form within Frizington.

The dwellings have been designed without windows for habitable rooms on the side elevations, therefore mitigating any overlooking concerns. The new development is not considered to create a loss of amenity for the existing properties on Griffin Close or Greenvale Court and there will be no loss of privacy.

Whilst the development will be similar to the existing dwellings in this area of town, a more modern material palette is proposed with light coloured render walls and a grey roof finish. Full details of the materials have not been provided with the application, therefore it is considered prudent to add a suitably worded planning condition to any approval to ensure that these are submitted and approved, prior to their use on the development.

The layout includes the provision of suitable private amenity spaces to each property. They will front the road and lead straight to the pavement, with a small rear garden that will be tree lined. Each garden area will be separated by close boarded fences, typical of this sort of development. The external space for each property is sufficient, however given the restrictions for each property, it is considered to be prudent to remove permitted development rights in order that the use of the external space can be kept free from clutter such as garden sheds or rear extensions.

On this basis, it is considered that the development would be in accordance with the aims and objectives of both the adopted Copeland Local Plan and the NPPF.

Drainage and Flood Risk

Policies DS6 and DS7 of the Copeland Local Plan and paragraph 163 of the NPPF seek to focus development on sites that are at least risk of flooding and where development in flood

risk is unavoidable, ensure that the risk is minimised or mitigated through appropriate design. Policies within the Copeland Local Plan reinforce the focus of protecting development against flood risk.

Although the application site is located within Flood Zone 1 a Flood Risk Assessment has been submitted due to the scale of the development. A drainage plan and strategy was submitted as part of this application which concludes that discharge through infiltration is not possible and the watercourse to the west of the site is not suitable for discharge due to third party land ownership. On this basis surface water will be drained and attenuated to a geocellular tank system with hydro-brake flow control discharging at a Greenfield rate. The surface water will then be drained to the existing system that served the care home.

The Local Lead Flood Authority raised no objections to the proposals.

The implementation of the scheme submitted will ensure that proper drainage is secured within the site and will manage the risk of flooding and pollution, ensuring that the development complies with Policy DS6 and Policy DS7 of the LP and the provisions of the NPPF.

Access, Parking and Highway Safety

Policy CO7 of the Local Plan requires mitigation measures to be secured to address the impact of new housing on the Boroughs transportation system. Development is required to be accessible to all users and to meet adopted car parking standards within the Cumbria Development Design Guide, which reflect the needs of the Borough.

The development will have several off street parking areas contained within clusters. Each dwelling will have two allocated parking spaces, with a paved road and turning space so that cars can enter and egress in a forward gear. It is considered that there is unlikely to be an unsatisfactory level of traffic for the surrounding road network.

Cumbria Highways raised no objections to the application, and it is considered that the development complies with The Cumbria Design Guide. Conditions were suggested relating to the construction of the estate roads prior to the occupation of the dwellings, forbidding the use of any other access to the site than that which has been approved and the provision of a construction traffic management plan.

On this basis the proposal is considered to be compliant with the Policy CO7 of the LP.

Coal Mining/Ground Conditions

Policy DS8 of the LP includes provisions requiring that development addresses land contamination and land stability issues with appropriate remediation measures.

The original application was for 18 dwellings to include a terrace to the east of the site as opposed to the semi-detached dwellings shown on the final iteration of site plan. During investigative works, an area of historic coal mining was found on the site therefore precluding the use of a particular area of the land. As a result, the Coal Authority raised an objection

and the Applicant removed one dwelling to mitigate these concerns. The Coal Authority were then able to support the application and raised no objections, subject to a condition to ensure that a suitably qualified person signs off the site as safe during the construction.

Ecology and Biodiversity Net Gain

Policy N1 and N3 of the LP protects and enhances the Boroughs ecology. Development must respect the local environment and provide habitats for any species that may be displaced.

A preliminary ecological appraisal was submitted as part of the application which concluded that the land currently offers limited resources to the local wildlife. The development is unlikely to adversely impact on any ecological receptors. A planning condition can be imposed which requires that the findings of the ecological appraisal are complied with.

Policy N1 of the ELP seeks to ensure that new development will protect and enhance biodiversity and geodiversity and defines a mitigation hierarchy.

Policy N3 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. 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.

Biodiversity Net Gain became mandatory for small sites in the UK on 01st April 2024.

The application included the submission of a BNG metric which showed a greater than 10% net gain. This was approved by the Council's Ecologist. As BNG is applicable the standard condition will be imposed as an informative on the decision notice. This requires the submission and approval of a BNG Plan.

Planning Balance and Conclusions

The site is located within the designated settlement boundary for Frizington and will help to deliver housing in a sustainable location to meet the housing needs set out in the adopted Local Plan. This carries significant weight.

The redevelopment of this brownfield site is welcomed and will result in a significant improvement in the condition and appearance of the land. This carries significant weight within the planning balance.

The design and layout are considered to be acceptable and the provision of additional landscaping to supplement the existing tree belt which is to be retained as part of the development will help to soften the impact of the development within the landscape and also provide an attractive place to live.

	<p>Potential issues relating to flood risk, drainage and ground conditions have been considered throughout the planning application and can be adequately dealt with by the imposition of suitably worded conditions.</p> <p>In overall terms, subject to the planning conditions proposed, the development accords with the provisions of the development plan.</p>
8.	<p>Recommendation:</p> <p>Approve (commence within 3 years)</p>
9.	<p>Conditions</p> <ol style="list-style-type: none"> 1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission. <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"> 2. Permission shall relate 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"> - Site location plan and site block plan, scale 1:500 and 1:1250, drawing number 22031-06A, received 5th December 2024; - Proposed site plan, scale 1:200, drawing number 22031-07D, received 17th January 2025; - Proposed site sections, scale 1:200, drawing number 22031-04B, received 5th December 2024; - House type plans and elevations, scale 1:100, drawing number 22031-05, received 23rd July 2024; - Biodiversity net gain information, written by Envirotech, received 23rd July 2024; - Phase 1 Desk top study report, written by Geo Environmentl Engineering, received 23rd July 2023; - Phase 2 Ground investigation report, written by Geo Environmentl Engineering, received 23rd July 2023;

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| | <ul style="list-style-type: none">- Construction management plan for sustainable drainage systems, written by RG Parkins, received 5th December 2024;- Flood risk assessment and drainage strategy, written by RG Parkins, received 5th December 2024;- Operation and maintenance plan for sustainable drainage systems, written by RG Parkins, received 5th December 2024;- Foul and surface water drainage layout, scale 1:200, drawing number 10B, received 5th December 2024;- Surface water catchment plan, scale 1:200, drawing number 11, received 5th December 2024;- Drainage construction details, sheet 1 of 2, scale 1:100, drawing number 12A, received 5th December 2024;- Drainage construction details, sheet 2 of 2, scale 1:20, drawing number 13A, received 5th December 2024;- Construction phase surface water runoff mitigation, scale 1:200, drawing number 14A, received 5th December 2024;- Preliminary ecological appraisal, written by Envirotech, received 23rd July 2024;- Tree survey and impact assessment, written by Envirotech, received 23rd July 2024;- Design and access statement, written by Architects Plus, received 5th December 2024;- Ground gas protection system verification plan, written by GeoEnginSeer Ltd, received 5th December 2024;- Radon data, produced by Groundsure, received 5th December 2024;- Soil infiltration tests, written by Geo Environmental Engineering, received 5th December 2024;- Summary of ground investigations, written by Geo Environmental Engineering, received 5th December 2024;- Summary of site findings, produced by Groundsure, received 5th December 2024;- Supplementary mining report, written by Geo Environmental Engineering, received 5th December 2024;- External works layout, scale 1:200, drawing number 15C, received 13th February 2025;- Typical external works construction details, scale 1:20, drawing number 16, received 5th December 2024. |
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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.

Prior to Commencement Conditions

Construction Environmental Plan

3. Prior to the commencement of any construction on site, a site specific Construction Environmental Management Plan must be submitted to and approved in writing by the Local Planning Authority. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and any use of site lighting in the construction phase.

Reason

In the interests of the amenities of the surrounding occupiers during the construction of the development and in accordance with Policy DS4 of the Copeland Local Plan.

Construction Traffic Management Plan

4. Prior to the commencement of any construction on site, a Construction Traffic Management Plan must be submitted to and approved in writing by the local planning authority. The CTMP shall include details of,
 - Pre-construction road condition established by a detailed survey for accommodation works within the highways boundary conducted with a Highway Authority representative; with all post repairs carried out to the satisfaction of the Local Highway Authority at the applicants 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 proposals during the construction phase

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 and in accordance with Policy CO7 of the Copeland Local Plan.

Foul and Surface Water Drainage

5. Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall 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 shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
- (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);
- (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
- (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
- (v) Foul and surface water shall drain on separate systems.

The approved schemes shall 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 shall 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.

Prior to Occupation Conditions

Drainage Management

6. Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall 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 shall 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.

Site Stability

7. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the further intrusive site investigations, as recommended by Geo Environmental Engineering and the completion of the remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

Reason

To ensure that the development does not have a negative effect on its occupants and in accordance with Policy DS8 of the Copeland Local Plan.

Construction of Estate Roads

6. No dwellings shall be occupied until the estate road including footways and cycleways to serve such dwellings has been constructed in all respects to base course level and street lighting where it is to form part of the estate road has been provided and brought into full operational use.

Reason

In the interests of highway safety and in accordance with Policy CO7 of the Copeland Local Plan.

External Materials

8. Prior to their first use on the dwellings hereby approved, samples and specifications of all external materials must be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

To ensure that the development represents that which has been approved and in accordance with Policy DS4 of the Copeland Local Plan.

Other Conditions

Access

9. There shall 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 and in accordance with Policy CO7 of the Copeland Local Plan.

Contamination

10. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and, where remediation is necessary, a remediation scheme must be prepared, submitted to and approved in writing by the Local Planning Authority.

Following completion of remediation measures identified, a verification report must be prepared and approved in writing by the Local Planning Authority.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. In accordance with Policy DS8 of the Copeland Local Plan.

Hours of Construction

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

- Monday to Friday 08.00 – 18.00 and
- Saturday 08.00 – 13.00 and
- at no time on Sunday 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 and in accordance with Policy DS4 of the Copeland Local Plan.

Ecology

12. Development must be carried out in accordance with the conclusions and recommendations set out within the Preliminary ecological appraisal, written by Envirotech, received 23rd July 2024 at all times.

Reason

To ensure that the ecology and landscape is protected during the course of the development and in accordance with Policy N1 of the Copeland Local Plan.

Removal of Permitted Development Rights

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that order with or without modification) no external alterations or extensions, conservatories, dormer, or enlargement shall be carried out to the dwellings / buildings, nor shall any detached building, enclosure, domestic fuel containers, pool or hardstandings be constructed within the curtilage other than those expressly authorised by this permission.

Reason

To safeguard the character and appearance of the development in the interests of visual amenity.

Informatives

Biodiversity Net Gain – Applicable

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition”) that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the local planning authority, and
(b) the local planning authority has approved the plan.
The planning authority, for the purposes of the Biodiversity Gain Plan is Cumberland Council.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

Before commencing development, a Biodiversity Gain Plan needs to be submitted and approved by the local planning authority.

Commencing development which is subject to the biodiversity gain condition without an approved Biodiversity Gain Plan could result in enforcement action for breach of planning control.

The template for the preparation of a Biodiversity Gain Plan can be accessed via this link:
<https://www.gov.uk/government/publications/biodiversity-gain-plan>

The Coal Authority – Standing Advice

The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant). Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should wherever possible be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design is developed and agreed with regulatory bodies which takes into

account of all the relevant safety and environmental risk factors, including gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:

<https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries>

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com <<http://www.groundstability.com>> or a similar service provider.

If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

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.

Case Officer: Sarah Papaleo	Date : 02/04/2025
Authorising Officer: N.J. Hayhurst	Date : 04/04/2025
Dedicated responses to:- N/A	