

Application Reference Number:	4/24/2323/0R1
Application Type:	Approval of Reserved Matters
Application Address:	LAND OFF DALZELL STREET, MOOR ROW, EGREMONT
Proposal	APPLICATION FOR RESERVED MATTERS RELATING TO LAYOUT, SCALE, APPEARANCE AND LANDSCAPING PURSUANT TO OUTLINE APPLICATION REFERENCE 4/23/2076/001 - RESIDENTIAL DEVELOPMENT FOR UP TO 65 DWELLINGS WITH DETAILS OF PROPOSED ACCESS & ALL OTHER MATTERS RESERVED
Applicant	Cumberland Council
Agent	Alpha Design
Valid Date	01 st October 2024
Case Officer	Christie Burns/Nick Hayhurst

Cumberland Area and Region

Copeland and Egremont and Cleator Moor Parishes

Relevant Development Plan

Copeland Local Plan 2021 – 2039.

Reason for Determination by the Planning Committee

The Application Site exceeds 2 hectares in area; therefore, it falls within the definition of a strategic planning application for the purposes of the Cumberland Council Planning Scheme of Delegation.

Recommendation

It is recommended that Members delegate the Head of Planning and Place to grant planning permission subject to the agreement to the tenure and mix of the affordable housing provision and the conditions set out under Appendix 1 with delegated powers to the Head of Planning and Place to amend any conditions as deemed necessary.

1. Site and Location

- 1.1 This application relates to an area of land located to the northern edge of Moor Row, which is accessed from Dalzell Street.
- 1.2 The irregular shaped site extends eastwards towards the River Keekle and covers an area of approximately 4.1 hectares. It comprises agricultural land and the former Moor Row goods yard to the south of the site with all previous commercial buildings now demolished.
- 1.3 The site is separated from the existing built form of Moor Row by the Whitehaven to Cleator Moor section of the C2C cycleway, which is set in a former railway cutting. An existing tree belt to the south of the site also separates the site from the existing built form of the village.

2. Directly Relevant Planning Application History

App. Ref. 4/23/2076/001 - Outline application for residential development for up to 65 dwellings with details of proposed access & all other matters reserved – Approved subject to planning conditions and Section 106 Agreement which requires 10% affordable housing.

App. Ref. 4/24/2335/DOC - Discharge of conditions 5, 6, 8, 19 and 20 of planning application 4/23/2076/001 – Approved.

App. Ref. 4/24/2336/DOC - Discharge of conditions 9, 10 and 21 of planning application 4/23/2076/001 – Approved.

App. Ref. 4/24/2337/DOC - Discharge of conditions 11, 12, 13, 14, 15 16, 17, 18 and 22 of planning application 4/23/2076/001 – Valid planning application.

App. Ref. 4/24/2391/0F! – Full Planning Application for proposed surface water dry retention basin and associated infrastructure including BNG enhancements relating to residential development pursuant to outline application reference 4/23/2076/001 – Valid planning application.

3. Proposal

- 3.1 This application seeks approval of the reserved matters of layout, scale, appearance and landscaping in relation to the residential development approved under outline planning permission reference 4/23/2076/001.
- 3.2 The total number of dwellings proposed is 60 units. These will provide a range of 2, 3, 4 and 5 bedroomed properties.
- 3.3 The proposal comprises a combination of single storey and two storey dwellings under dual pitched roof structures. The roof structures on the

majority of the units have been designed to allow accommodation to be provided within the roof voids.

- 3.4 It is proposed to finish the dwellings externally with a combination of facing brick and St Bees sandstone surrounds and detailing with some stonework to key feature walls. The roof structures are to be covered with dark grey tiles.
- 3.5 Grey coloured uPVC windows and doors are proposed.
- 3.6 The Layout is centred around a main spine road running through the centre of the site. Individual cul de sacs are proposed off the main road to provide small pockets of development. An area of open space is proposed at the site entrance. Other small areas of open space are also provided adjacent to the spine road.
- 3.7 A detailed landscaping scheme has been submitted which includes areas of communal structure planting and specimen trees in key locations along the main spine road to create a tree lined route. The existing tree belt on the southern and eastern boundary are also to be retained as part of the development. This will be accessible to the public.
- 3.8 Hedgerows are to be provided along the north and western boundaries and also adjacent to the footpath links. The remaining boundaries are to be 1.8 high timber boarding.
- 3.9 The main access arrangements from Dalzell Street were agreed as part of the outline application. It is proposed to install street lighting along the highway.
- 3.10 Parking is to be provided within each plot. Additional visitor parking is also proposed.
- 3.11 The Whitehaven to Cleator Moor cycle route (NCN 72) lies immediately to the south of the site. A route to connect the development to the cycle route is proposed. A wide pavement is also to be provided linking up to the access off Dalzell Street to provide connectivity for cyclists. A second public access link will provide pedestrian access to the cycle path to the south.
- 3.12 A separate application for a dry retention basin and surface water drainage scheme to serve the development and also the provision of BNG required for the housing development has been included on the agenda (Ref: 4/24/2391/0F1).

4. Consultation Response

Egremont Town Council

Councillors do not oppose the application, although they would like assurance that the 106 agreement for affordable housing is in place during the early stages of the development

Cleator Moor Town Council

No concerns raised

Strategic Housing Manager

The mix of properties leans heavily towards 4+ bedrooms which does not reflect the housing mix suggested in the SHMA, although the provision of 2 and 3 bed roomed properties is welcomed, and it is assumed that 6 of these will be the affordable provision.

It is important that the proposed tenure for the affordable housing units complies with the SHMA and Local Housing Need.

The Council's preference for this site would be:

- 1 x discounted sale
- 5 x social/affordable rent at 80% of open Market value with a breakdown of 3 x 2 bed houses and 2 x 3 bed houses.

Environment Agency

Please refer to our previous response referenced NO/2023/115155/01-L01, and dated 29 March 2023, to the outline planning application referenced 4/23/2076/001. We do not wish to make any additional comments.

The Coal Authority

I can confirm that the Coal Authority has no objections to the amendments, and you will recall that we were previously able to confirm no objections to the reserved matters application and the subsequent discharge of the conditions relevant to coal mining legacy (i.e. 10 and 21).

Highway Authority/LLFA

16th October 2024

Cumberland Council as the Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) has reviewed the above planning reference and I can confirm that we have no objection in principle to the proposed development but would like the following points addressed before a final response can be submitted.

- The proposed 3 metre footway/cycleway needs to remain at a continuous width of 3 metres from Dalzell Street to the NCN72.
- Outside plot 10 and 11 the shared surface needs extended to meet both footways.
- All footways that link into shared surfaces should extend 2 metres within the shared surface to allow safe passage within the development.
- Within the main access road a brown Octagon shape is located adjacent to plot 21
- can the developer confirm if this is a speed table or a design feature?

- Outside plot 24 and 25 within the shared surface, the turning head has a pinch - point can this be removed to allow safe manoeuvres for refuse and emergency vehicles.

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.

10th February 2025

The Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) can confirm that we have no objection to the proposed development as it is considered that it will not have a material effect on existing highway conditions, nor will it increase the flood risk on the site or elsewhere

Environmental Health Officer

There are no objections or additional comments from Environmental Health to this development subject to those made on 21.04.23 for the outline planning application. These were included as conditions on the outline planning permission.

Natural England

Natural England has no comments to make on this Reserved Matters application.

Natural England has not assessed this application for impacts on protected species. Natural England has published Standing Advice which you can use to assess impacts on protected species, or you may wish to consult your own ecology services for advice.

Natural England and the Forestry Commission have also published standing advice on ancient woodland, ancient and veteran trees which you can use to assess any impacts on ancient woodland or trees.

Arboricultural Officer

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

The applicant has submitted a Landscape Layout plan (Dwg. No. M3570-PP01-V02), which includes details for the proposed trees and shrubs.

RECOMMENDATIONS

We recommend attaching the following condition to any planning permission:

All landscape works must be carried out in accordance with the details illustrated on the approved Landscape Plan (Drawing No: M3570-PP01-V02) received by the Local Planning Authority. The works shall be carried out in the first planting season following the completion of the development. Any trees or shrubs that die, are removed, or become severely damaged or diseased, within five years of planting must be replaced the following planting season with trees or shrubs of a similar size and species to those originally specified, unless varied by written consent from the Local Planning Authority

Public Representations

This application has been advertised by the display of a site notice and individual letters to residential properties nearby.

5 letters of objection have been received which raise the following concerns:-

- Adverse impact on infrastructure within the local area
- Impact on highway safety in terms of additional traffic movements and impacts on pedestrians who walk along Dalzell Street
- The introduction of traffic calming is likely to result in highway safety issues
- Adverse impact on environment and ecology including red squirrels

2 letters of support have also been received which make the following comments:

- The proposed plans will provide quality homes for the local people
- The proposals will provide enhancements to the environment by the introduction of additional landscaping
- Ample car parking is to be provided so there will be no impacts in terms of overspill within the village

5. Planning Policy

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

Development Plan

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

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

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

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

Copeland Local Plan 2021 - 2039 (LP):

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

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

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 DS7: Sustainable Drainage
Policy DS8: Soils, Contamination and Land Stability
Policy H1: Improving the housing offer
Policy H2: Housing requirement
Policy H3: Housing Delivery
Policy H4: Distribution of housing
Policy H5: Housing allocations
Policy H6: New housing development
Policy H7: Housing Density and Mix
Policy H8: Affordable housing
Policy SC1 - Health and Wellbeing
Strategic Policy N1 - Conserving and Enhancing Biodiversity and Geodiversity
Strategic Policy N3 - Biodiversity Net Gain
Strategic Policy N5 - Protection of Water Resources
Strategic Policy N9 - Green Infrastructure
Strategic Policy N11: Provision for open space in new development
Policy N14 - Woodlands, Trees and Hedgerows
Strategic Policy CO2: Priority for improving Transport networks within Copeland
Strategic Policy CO4: Sustainable Travel
Policy CO5: Transport Hierarchy
Policy CO7: Parking Standards and Electric Vehicle Charging Infrastructure

6. Key Other Material Planning Considerations

National Planning Policy Framework (NPPF).
Planning Practice Guidance (PPG).
National Design Guide (NDG).
The Conservation of Habitats and Species Regulations 2017 (CHSR).
Cumbria Development Design Guide (CDDG)
Copeland Borough Council Housing Strategy 2018-2023 (CBCHS)
Copeland Strategic Housing Market Assessment 2021 Update (SHMA)
Cumberland General Housing Needs Study (February 2025)

7. Assessment

Principle of Development

- 7.1 The Application Site is located to the northern part of Moor Row, which is classified as a Sustainable Rural Village in the Settlement Hierarchy defined under Policy DS1 of the LP. Sustainable Rural Villages are identified as offering a limited number of services but could support a limited amount of growth to sustain communities.
- 7.2 The Application Site lies within the designated development boundary as defined under 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.
- 7.3 Outline planning permission was granted for the residential development of the site for up to 65 dwellings in 2023 under reference 4/23/2076/001. This has established the principle of development.

Housing Mix

- 7.4 Policy HS1 of the LP seeks to improve the housing offer within the district.
- 7.5 HS4 confirms that the distribution of housing will be undertaken in accordance with the Settlement Hierarchy defined under Policy DS1. The Sustainable Rural Villages are required to deliver 10% of the housing target.
- 7.6 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.
- 7.7 HS8 requires that 10% of homes provided on a site should be affordable. It sets out that the tenure split for developments that provide affordable housing should be as follows:-
- 25% First Homes
 - 15% discounted market sales housing, starter homes or other affordable home ownership routes
 - 60% affordable or social rented.

- 7.8 The Application Site is located within the Whitehaven Housing Market Area (HMA) in the Copeland Strategic Housing Market Assessment (SHMA).
- 7.9 In terms of housing mix, the SHMA concludes that the analysis broadly suggests a need for 60% of market homes to have 3 or more bedrooms and 40% of market homes to have 1-2 bedrooms. It is stated that the Council should also consider the potential role of bungalows as part of the future mix of housing.
- 7.10 The Strategic Housing Manager notes that the mix of properties leans heavily towards 4+ bedrooms although confirms that the provision of 2 and 3 bedroomed properties is welcomed. The Housing Manager has also referenced the need for the provision of affordable dwellings as part of the development.
- 7.11 The outline permission ref 4/23/2076/001 was subject to a Section 106 Agreement which requires that 10% of the dwellings are affordable units. The Affordable Housing Scheme definition in the Agreement outlines that the tenure of the affordable provision is to be decided by Reserved Matters.
- 7.12 The layout plan submitted as part of this application identifies 6 affordable units. These comprise the following: -
- 1 dwelling, is to be a 3-bed starter home for sale at 70% OMV. This is shown as plot 51. Discounted Home
 - 5 no. 3-bed dwellings are to be for affordable rent at 80% OMV. These are shown as plots 52-56. Size of Dwellings
- 7.13 The applicant has confirmed that he intends to retain ownership and manage the rented properties.
- 7.14 The Strategic Housing Manager has indicated that a different split between discounted sales and rental properties may be more appropriate on this site. The provision of some 2 bed units would also better reflect the current housing need. Discussions are still in progress with both the Housing Manager and the applicant to resolve this issue.
- 7.15 Overall, the development as a whole includes a mix of housing from 2 to 5 bedrooms and includes 4 bungalows and 11 dormer bungalows. Six of the units are also proposed to be affordable which is required by the Section 106 Agreement that relates to the outline permission. The development is therefore considered to reasonably accord with the SHMA, subject to agreement on the mix and tenure for the 6 affordable units that is delivered by the site.

Design, Layout and Scale

- 7.16 Policy DS4 of the LP requires all new development to meet high-quality standards of design. These standards include: create and enhance locally

distinctive places, use good quality materials that reflect the local character, include high quality and useful open spaces, adopt active travel principles, create opportunities for social interaction, comprise effective use of land whilst maintaining amenity and maximising solar gain.

- 7.17 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.
- 7.18 The development has been designed around a single access point from Dalzell Street. The layout of the site incorporates a combination of frontage development to the main spine road and a number of cul-de-sacs running off this central road to provide pockets of development. Areas of formal and informal open space are incorporated within the layout, these include a large green at the site entrance, a linear green corridor through the centre of the development, and several small pockets of green space. An existing tree belt is also to be retained along the southern and eastern boundaries.
- 7.19 The layout of the development is of an appropriate form and will provide an appropriate scale and appearance to the edge of the village.
- 7.20 A mix of materials is proposed to help provide variety throughout the site.
- 7.21 The proposed development has been designed with some permeability. The layout is focused around one main spine road and includes linkages to the popular adjoining cycle route immediately to the south wider locality. The routes through the site incorporate footways and also some provision for cyclists.
- 7.22 Overall, it is considered that the development is of an appropriate scale, design and appearance and complies with Policies DS4 and H6 of the ELP

Residential Amenity

- 7.23 Policy DS4 of the LP requires that development maintains high levels of amenity and contribute positively to the health and wellbeing of residents.
- 7.24 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.
- 7.25 Given that the site is separated from the existing built form of the village by the existing cycleway and associated tree planting along its southern boundary it is considered that a development at this site could reasonably allow for adequate separation distances to be achieved between the proposed and existing dwelling.
- 7.26 The layout has been designed to achieve a minimum of 20 metres separation distance between facing elevations.

- 7.27 Given the scale, form and layout of the proposed development adverse impacts upon existing and proposed dwellings will not result through loss of light, overbearing, overshadowing and overbearing effects.

Landscaping

- 7.28 Strategic Policy N6: Landscape Protection of the LP seeks to protect 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 development proposals must be informed by the Council's Landscape Character Assessment, Settlement Landscape Character Assessment the Cumbria Landscape Character Guidance and Toolkit.
- 7.29 The Cumbria Landscape Character Guidance and Toolkit (CLCGT) identifies the Application Site as being located within an area of landscape classified as Sub-type 5d Urban Fringe.
- 7.30 The Application Site is located in an area identified as Sub Type 5d – Urban Fringe in the CLCG. It is stated that the key characteristics of the area are stated as: long term urban influences on agricultural land; recreation, large scale buildings and industrial estates are common; and, wooded valleys, restored woodland and some semi-urbanised woodland provide interest.
- 7.31 The Guidelines for Development include: protect 'green' areas from sporadic and peripheral development. Support the retention and development of 'green gaps', green infrastructure and ecosystem services approaches in Local Development Frameworks where they would help maintain distinctive, undeveloped characteristics.
- 7.32 A detailed landscaping scheme has been submitted which includes areas of communal structure planting and specimen trees in key locations along the main spine road to create a tree lined route. The existing tree belt on the southern and eastern boundary are also to be retained as part of the development. This will be accessible to the public.
- 7.33 Hedgerows are to be provided along the north and western boundaries and also adjacent to the footpath links.
- 7.34 The Council's Arboricultural Consultant has reviewed the application and is satisfied with the submitted details subject to the inclusion of a condition which requires the landscaping to be implemented in accordance with the submitted details and provision for the replacement of any of the trees or shrubs that die or become damaged or diseased within five years of their planting.
- 7.35 The proposed landscaping is extensive and will help to soften the impact of the development and also help to create an attractive place to live. It is therefore considered that, subject to the inclusion of the requested condition, the proposal is in accordance with Policies DS5 and N6 of the LP.

Highway Impacts

- 7.35 Policies CO4, CO5 and CO7 of the LP promote active travel.
- 7.36 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.
- 7.37 The details of the proposed access were submitted and approved under the outline application reference 4/23/2076/001.
- 7.38 The outline planning permission also required a traffic calming scheme to be implemented to reduce the traffic speeds on the public highway (Dalzell Street). The general principles of this were agreed as part of the outline consent but detailed designs will be submitted as part of a separate discharge of condition application.
- 7.39 The overall road design/ layout aligns with the requirements of the Cumbria Design Guide in terms of road widths, footpath provision and appropriately sized turning heads where required for general turning but also for ash-cart and emergency vehicle turning.
- 7.40 New street lighting will be provided both as part of the s.278 scheme on the public highway (Dalzell Street) and within the development itself. Detailed street lighting designs will be submitted as part of a separate discharge of condition application
- 7.41 Off road parking is proposed to each plot. A total of 12 visitor spaces are also proposed which accords with the Cumbria Development Design Guide.
- 7.42 The Highways Authority has not raised any objections to the submitted proposals.

Biodiversity Net Gain (BNG)

- 7.43 Policy N3 of the LP 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.
- 7.44 The original outline application ref. 4/23/2076/001 was submitted prior the 12th February 2024, the development was not the subject of mandatory biodiversity net gain.

- 7.45 The requirements to provide a minimum of ten percent biodiversity net gain over and above existing site levels was required by the provisions of then Policy N3PU of the then Emerging Copeland Local Plan 2021-2039.
- 7.46 Due to the size and configuration of the site it is concluded that a biodiversity net gain of ten percent is not achievable on the Application Site.
- 7.47 A separate Full Planning Application (Ref: 4/24/2391/0F1) has been submitted which details a proposed scheme of habitat enhancement for a parcel of land to the north of the Application Site to deliver the required biodiversity net gain of ten percent. This application is included on the agenda.

8. Planning Balance

- 8.1 The principle of housing development was established with the approval of the outline permission in 2024 (Ref: 4/23/2076/0O1).
- 8.2 The site is located within the designated settlement boundary for Moor Row and will help to deliver housing in a sustainable location to meet the housing targets set out in the adopted Local Plan. This carries significant weight.
- 8.3 The mix of housing is considered to reasonably accord with the SHMA and the development will deliver 6 affordable units in accordance with the Section 106 Agreement. Subject to the agreement of the appropriate tenure with the Strategic Housing Manager this carries significant weight.
- 8.4 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.
- 8.5 A suitable drainage solution is achievable utilising the adjoining land.
- 8.6 The requirement for 10% Biodiversity Net Gain can also be secured on adjoining land under the applicant's control.
- 8.7 In overall terms, subject to the planning conditions proposed, the development accords with the provisions of the development plan.

Recommendation

It is recommended that Members delegate the Head of Planning and Place to grant planning permission subject to the agreement to the tenure and mix of the affordable housing provision and the conditions set out under Appendix 1 with delegated powers to the Head of Planning and Place to amend any conditions as deemed necessary.

APPENDIX 1

List of Conditions and Reasons

Standard Conditions

1. The development shall be carried out in accordance with the plans submitted and in accordance with the conditions attached to the outline planning permission reference 4/23/2076/001.

Reason

To comply with Section 92 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

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: -
 - Application Form, received on 24th September 2024
 - Site Location Plan, reference 22/07/1026 – 01a, received on 24th September 2024
 - Proposed Site Plan, reference 22/07/1026 – 03d, received on 24th January 2025
 - Phasing Plan, reference 22/07/1026 – 13b, received on 24th January 2025
 - Landscape Layout Plan, Drawing No: M3570-pp-01-V05, received by the Local Planning Authority on 24th January 2025
 - Derwent Cottages Plans and Elevations, reference 22/07/1026 – 07, received on 24th September 2024
 - Derwent Cottages Plans and Elevations, reference 22/07/1026 – 07a, received on 24th January 2025
 - The Ambleside Plans and Elevations, reference 22/07/1026 – 09, received on 24th September 2024
 - The Ambleside Plans and Elevations, reference 22/07/1026 – 09a, received on 24th January 2025
 - The Bowness Plans and Elevations, reference 22/07/1026 – 12, received on 24th September 2024
 - The Bowness Plans and Elevations, reference 22/07/1026 – 12a, received on 24th September 2024
 - The Eskdale Plans and Elevations, reference 22/07/1026 – 11, received on 24th September 2024
 - The Grasmere Plans and Elevations, reference 22/07/1026 – 08, received on 24th September 2024
 - The Langdale Plans and Elevations, reference 22/07/1026 – 05, received on 24th September 2024
 - The Patterdale Plans and Elevations, reference 22/07/1026 – 10, received on 24th September 2024
 - The Patterdale Plans and Elevations (plots 9 and 21 only), reference 22/07/1026 – 10, received on 24th January 2025
 - The Rydal Plans and Elevations, reference 22/07/1026 – 06, received on 24th September 2024

- External Material Schedule, reference 22/07/1026 – EMS, received on 24th January 2025
- Design and Access Statement, reference 22/07/1026 – DAS, received on 24th September 2024
- Plot Schedule, reference 22/07/1026, received on 24th January 2025

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 Occupation Conditions

3. No dwelling hereby approved shall be occupied until the vehicular access and parking requirements to serve that dwelling have been constructed in accordance with the approved plan and brought into use. The vehicular access and parking provisions shall be retained and capable of use at all times thereafter and shall not be removed or altered.

Reason

To ensure a minimum standard of access provision when the development is brought into use in accordance with the provisions of Policy CO7 of the Copeland Local Plan 2021-2039.

4. Prior to the first occupation of each dwelling hereby approved, the boundary treatment and landscaping on that occupied plot must be installed in accordance with the following approved plans:

- Landscape Layout Plan, Scale 1:500, Drawing No: M3570-pp-01-V05, received by the Local Planning Authority on January 2025
- Proposed Site Plan, Scale 1:1000, Drawing No: 22/07/1026 – 04d, received by the Local Planning Authority on January 2025

Once installed the boundary treatment must be retained in accordance with these approved details at all times thereafter.

Reason

To protect residential amenity in accordance with the provisions of Policy ST1 of the Copeland Local Plan 2013-2028.

Other Conditions

5. All landscape works must be carried out in accordance with the details illustrated on the approved Landscape Plan (M3570-pp-01-V05, received by the Local Planning Authority on 24th January 2025

The works shall be carried out in the first planting season following the completion of the development. Any trees or shrubs that die, are removed, or become severely damaged or diseased, within five years of planting must be replaced the following planting season with trees or shrubs of a similar size and species to those originally specified, unless varied by written consent from the Local Planning Authority

Reason

To enhance the appearance of the development in the interest of visual amenities of the area and to ensure a satisfactory landscaping scheme in accordance with Policies DS5 and N6 of the Copeland Local Plan 2021-2039.

6. The development hereby approved must be finished in strict accordance with the materials set out on the approved document 'External Material Schedule, Ref 22/07/1026 -EMS, dated 10th September 2024, and must be maintained as such at all times thereafter.

Reason

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