

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/24/2354/DOC
2.	Proposed Development:	DISCHARGE OF CONDITIONS 7 AND 8 OF PLANNING APPLICATION 4/24/2096/0F1
3.	Location:	MELLENDENE, HIGH HOUSE ROAD, ST BEES
4.	Parish:	St. Bees
5.	Constraints:	ASC;Adverts - ASC;Adverts, Conservation Area - Conservation Area, Coal - Standing Advice - Data Subject To Change, Outer Consultation Zone - Sellafield 10KM, PROWs - Public Right of Way
6.	Publicity Representations &Policy	See Report
7.	Report: Site and Location <p>This application relates to the detached bungalow, known as Mellendene, which fronts onto High House Road, located within the north east of St Bees. The existing bungalow is in a dilapidated state and is sited at an elevated level above the adjacent highway. The application site is significantly sloping, is located within the St Bees Conservation area, and is bounded to by residential dwellings with open countryside to the rear of the site.</p> Relevant Planning History <p>4/24/2096/0F1 – Demolition of existing detached bungalow and erection of replacement dwelling including erection of detached garage and alterations to existing access – Approved.</p> <p>4/24/2212/DOC – Discharge of condition 5 of planning application 4/24/2096/0F1 –</p>	

Approved.

4/24/2366/0B1 – Variation of pre commencement conditions 3 (sustainable water drainage scheme), condition 4 (measures to prevent surface water discharging onto or off the highway) and condition 6 (land for parking vehicles engaged in construction operations) of planning application 4/24/2096/0F1 - Demolition of existing detached bungalow and erection of replacement dwelling including erection of detached garage and alterations to existing access – Ongoing.

Proposal

In May 2024, planning permission (ref: 4/24/2096/0F1) was approved for the demolition of the existing detached bungalow and the erection of a replacement dwelling including detached garage and alteration to the existing access at this site. This current application seeks to discharge conditions 7 and 8 attached to planning approval 4/24/2096/0F1. These conditions state:

Prior to Erection of External Walling Conditions:

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

Reason

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

Prior to First Use/Occupation Conditions:

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

Reason

To ensure a satisfactory appearance of the development in the interests of visual amenity and to safeguard the heritage asset.

This application seeks to discharge the requirements of these two conditions.



Cumberland Council

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

- Application form, received by the Local Planning Authority on 17th October 2024.
- External Materials Details, received by the Local Planning Authority on 17th October 2024.
- PV Panel System Details, received by the Local Planning Authority on 17th October 2024.

Consultation Responses

Conservation and Design Officer

Conclusion: No objection

Assessment:

- This house is not replacing a heritage asset and is not in a historic style. The building it's replacing makes a negative impact on the conservation area, and therefore there is some flexibility with the proposed material palette, justified by the general quality of the architecture.
- The proposed palette of external materials appears suitable for the approved dwelling.
- The proposed in-roof PV system also appears to have an appropriate appearance that will not cause harm to the character and appearance of the conservation 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

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

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

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

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

Copeland Local Plan 2021 - 2039 (LP):

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

Borough Council.

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

Planning approval 4/23/2119/0F1 was determined under the previous Local Plan, however this current discharge of conditions application is being considered under the Copeland Local Plan 2021-2016 as this now forms the development plan.

The following policies are relevant to this application:-

Strategic Policy DS1: Settlement Hierarchy

Strategic Policy DS2: Settlement Boundaries

Policy DS4: Design and Development Standards

Policy DS5: Hard and Soft Landscaping

Strategic Policy DS6: Reducing Flood Risk

Policy DS7: Sustainable Drainage

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 N1: Conserving and Enhancing Biodiversity and Geodiversity

Strategic Policy N2: Local Nature Recovery Networks

Strategic Policy N3: Biodiversity Net Gain

Strategic Policy BE1: Heritage Assets

Policy BE2: Designated Heritage Asset

Strategic Policy CO4: Sustainable Travel

Policy CO5: Transport Hierarchy

Policy CO7: Parking Standards

Other Material Planning Considerations

National Planning Policy Framework (2023)

National Design Guide (NDG).

Cumbria Development Design Guide (CDG)

Strategic Housing Market Assessment 2021 (SHMA)

Copeland Borough Council Housing Strategy 2018 – 2023 (CBCHS)

The Cumbria Landscape Character Guidance and Toolkit (CLGC)

Copeland Borough-Wide Housing Needs Survey (2020)

Planning (Listed Building and Conservation Areas) Act 1990

Conservation Area Design Guide SPD (Adopted December 2017)

Assessment

The application seeks to discharge the requirements of condition 7 and 8 attached to the previous planning permission at this site. These are assessed separately below:

Condition 7:

This condition seeks to discharge the requirements for the development to provide details of external materials for the proposal. The Council's Conservation Officer has confirmed that the proposed palette of external materials appears suitable for the approved dwelling.

Based on the details submitted within this application, the information provided is considered to be satisfactory. The materials proposed are acceptable for this site and in the context of the surrounding area.

It is therefore confirmed that condition 7 can be discharged.

Condition 8:

This condition seeks to discharge the requirements for the development to provide details of the solar panels to be used within this development. The Council's Conservation Officer has confirmed that the proposal in-roof PV system are of an appropriate appearance that will not cause harm to the character and appearance of the conservation area

Based on the details submitted within this application, the information provided is considered to be satisfactory. The proposed solar panels are acceptable for this site and in the context of the surrounding area.

It is therefore confirmed that condition 8 can be discharged.

8.	Recommendation: Approve discharge of condition 7 & 8	
Case Officer: C. Burns		Date : 26.11.2024
Authorising Officer: N.J. Hayhurst		Date : 28.11.2024
Dedicated responses to:- N/A		