

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/25/2189/DOC
2.	Proposed Development:	DISCHARGE OF CONDITIONS 3 AND 4 OF PLANNING APPLICATION 4/25/2027/0B1
3.	Location:	DALELANDS, SANDWITH
4.	Parish:	Whitehaven
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change
6.	Publicity Representations &Policy	See Report
7.	Report: Site and Location: <p>This application relates to a plot of land which lies adjacent to the dwelling known as Dalelands in Sandwith. It covers an area of approximately 379 square metres and was previously utilised for residential curtilage.</p> <p>There are residential dwellings to the north and west, with an access road to the east and south.</p> Relevant Planning History: <ul style="list-style-type: none"> - Outline application for the erection of two dwellings, approved in June 2018 (application reference 4/18/2142/0O1 relates); - Erection of two detached dwellings, approved in June 2020 (application reference 4/20/2120/0F1 relates); - Erection of a two bed bungalow, approved in January 2023 (application reference 4/22/2278/0F1 relates). 	

- Variation of condition 2 of the planning application reference 4/22/2278/0F1. The variation is sought to allow a revision to both the scale and design of the proposed dwelling.

Proposal

This application seeks the discharge of conditions 3 and 4 of the planning approval reference 4/25/2027/0B1.

Condition 3

Prior to the first occupation of the dwelling hereby approved, full details of the surface water drainage scheme, including attenuation measures, must be submitted to and approved in writing by the Local Planning Authority. The approved scheme must become operational before the development is brought into use and must be so maintained thereafter.

Reason

To ensure a satisfactory scheme of surface water disposal from the site and in accordance with Policies DS6 and DS7 of the Copeland Local Plan. 4.

Condition 4

Prior to the first use of the development hereby approved, full details of both hard and soft landscape works must be submitted to and approved in writing by the Local Planning Authority. These works must include hard surfacing and means of enclosure as a minimum. Landscaping must be carried out in accordance with the approved details and retained as such at all times thereafter.

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 Policy DS5 of the Copeland Local Plan.

The following details have been submitted with this application: -

- Application Form
- Plot 3 - Working Site Plan
- Overall Site Drainage Plan
- Attenuation Calculations
- Greenfield Calculations
- Landscaping Plan

Consultee:

Nature of Response:



Cumberland Council

	Whitehaven Town Council	No objections.
	Highways and Local Lead Flood Authority	The Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) can confirm that:- Condition 3 – can be discharged Condition 4 – can be discharged
	United Utilities	23 rd June 2025 Further to our review of the submitted Drainage drawing titled "Plot 3 - Working Site Plan" (ref 18/07/938-33a), rev A dated 28/04/2025), United Utilities recommends that condition 3 is not discharged. This is because it is not clearly shown where surface water will ultimately be discharging too. 08 th July 2025 Further to our review of the submitted Overall Block Plan (ref 18/07/938-22b), rev B, dated 24/06/2025) and the previously submitted Drainage drawing titled "Plot 3 - Working Site Plan" (ref 18/07/938-33a), rev A dated 28/04/2025), United Utilities has no objection to condition 3 being discharged.
	Neighbour Responses:	
	1 letter of objection has been received raising the following concerns: <ul style="list-style-type: none">• The proposed dwelling is significantly larger than the approved dwelling;• The conditions on the application state that drainage should be detailed and this has not been done.	
	Planning Policies <p>Planning law requires applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.</p> Development plan: <p>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.</p> <p>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.</p> <p>The inherited the local development plan documents continue to apply to the geographic area of their sovereign Councils only.</p>	

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.

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

	<p>Other Material Considerations</p> <p>National Planning Policy Framework</p> <p>Assessment</p> <p>Condition 3 seeks to discharge the requirements for the development in terms of surface water drainage. The LLFA and United Utilities have confirmed that the submitted details are acceptable and sufficient to discharge this condition.</p> <p>Condition 4 relates to landscaping. The submitted scheme shows the provision of a grassed lawn and also the planting of a small hedgerow along the road frontage and also to the front elevation of the dwelling. This level of detail is considered to be proportionate to the scale of the development, ties in with the landscaping for the adjoining two plots and also maintains the required visibility splays from the site entrance.</p> <p>Conclusion</p> <p>Discharge conditions 3 and 4.</p>
8.	<p>Recommendation:</p> <p>Approve</p>
<p>Case Officer: S. Papaleo</p>	
<p>Date : 17/07/2025</p>	
<p>Authorising Officer: N.J. Hayhurst</p>	
<p>Date : 18/07/2025</p>	
<p>Dedicated responses to:- N/A</p>	