

Planning Statement

Outline Application for 1 Dwelling
Land to the East of Rheda Cross,
Rheda Park, Frizington



1. INTRODUCTION

- 1.1. This Planning Statement has been prepared by PFK on behalf of our client Dr W G McKay in support of his outline planning application for 1 dwelling on land to the east of Rheda Cross, Rheda Park, Frizington CA26 3TA.
- 1.2. Rheda Cross is a bungalow set within a large plot in Rheda Park. Rheda Park has a private access road that runs between the B5294 Bowthorn Road and Mill Street. Frizington is approximately 1 mile to the north-east and Cleator Moor is approximately 1.5 miles to the south-west.
- 1.3. The outline application is supported by the following information –
 - Location Plan
 - Indicative Site Plan
 - Arboricultural Impact Assessment

2. THE SITE

- 2.1. Rheda Cross is a bungalow set within a large plot in Rheda Park. Rheda Park has a private access road that runs between the B5294 Bowthorn Road and Mill Street. Frizington is approximately 1 mile to the north-east and Cleator Moor is approximately 1.5 miles to the south-west.
- 2.2. Rheda Park is a private estate of executive homes that are all set back from the road within large driveways and grounds. Rheda Mansion, known as the 'Big House', was historically located within Rheda Park; however, the building fell into disrepair and was demolished in the 1950s. Rheda Cross was built on the exact location of the demolished Rheda Mansion. The plot encompasses the immediate landscaped gardens of the former mansion and retains some original hard and soft landscaping features.
- 2.3. The application site is not located within a conservation area; however, Cross Lacon which is a scheduled ancient monument and a grade II* listed building is located in the garden of Rheda Cross adjacent to the existing timber stable building and within sight of the bungalow. Cross Lacon is one of several types of Christian crosses that were erected during the medieval period, mostly from the 9th to 15th centuries AD. The monument is well-preserved and provides an insight into the routeways and religious customs during the medieval period.
- 2.4. Cross Lacon was originally located on roadside of the B5294 between Frizington and Cleator Moor where it marked a resting place for coffins travelling to St Bees. The owner of Rheda Mansion moved the monument from its original position in 1911. It

was moved to the garden of the property for safekeeping and has since been moved once more within the garden to the position it is in today.

2.5. There are a number of trees within the application site which are protected by a Woodland Tree Preservation Order. The outline application has been submitted with an Arboricultural Survey which suggests that none of the trees are of high quality or individual value. The Indicative Site Plan shows how the site can be appropriately developed with limited tree removal.

2.6. The application site is located in Flood Zone 1 and is not at risk of flooding. There are no known surface water issues affecting the site.

Planning History

Planning Application Reference 4/88/0204/0

2.7. Outline planning permission was granted in April 1988 for the erection of 1 dwelling on land adjacent to Rheda Cross. The plot was located to the east of Rheda Cross, adjacent to Moorlands. The proposed dwelling will be located on the same site as the previous application.

2.8. Planning Application Reference 4/89/0193/0

2.9. Outline planning permission was also granted in May 1989 for the erection of 1 dwelling on the opposite side of Rheda Cross. The plot was located to the north of The Cottage and Westerlea and shared the secondary driveway with these properties.

3. THE PROPOSAL

- 3.1. Outline planning approval is sought for 1 dwelling with all matters reserved.
- 3.2. The proposed dwelling will be located to the east of Rheda Cross, between the existing bungalow and Moorlands. The dwelling will have its own access point onto the Rheda Park private road.
- 3.3. The plot is well contained by existing features and is large enough to accommodate a single dwelling. Whilst appearance and scale are reserved matters, it is considered that the site can be developed in a way which will respect the character of Rheda Park and reflect the existing street scene through use of appropriate mass, scale, form, layout, high quality design and use of materials.
- 3.4. The topography and existing vegetation are such that the proposed dwelling will blend with its surroundings and complement the existing ambience and spacious feel of the area.

4. PLANNING POLICY

Copeland Local Plan 2013 - 2028

- 4.1. The Copeland Local Plan 2013 – 2028 Core Strategy and Development Management Policies DPD was adopted in December 2013.
- 4.2. Policy ST1 Strategic Development Principles states that the following principles inform and underpin the Borough’s planning policies:
- Economic and social sustainability;
 - Environmental sustainability;
 - Protect, enhance and restore the Borough’s valued assets, and
 - Ensure the creation and retention of quality places.
- 4.3. Policy ST2 Spatial Development Strategy states that development will be located in the Borough’s settlements at an appropriate scale, within defined settlement boundaries, in accordance with the Borough’s settlement hierarchy. The settlement hierarchy explains that development providing homes to meet the defined needs of the population will be permitted outside of the settlements.
- 4.4. Policy SS2 Sustainable Housing Growth states that house building to meet the needs of the community and to accommodate growth will be provided for by allocating sufficient land, seeking densities of 30 dwellings per hectare and aiming for 50% of development to take place on brownfield sites. At present, Copeland Brough Council have not formally allocated any land for housing development.
- 4.5. Policy ENV4 Heritage Assets states that the Council will protect listed buildings, conservation areas and other townscape and rural features considered to be of

historic, archaeological or cultural value. The proposed dwelling will not adversely affect the setting or significance of the monument. The existing setting comprises the cultivated garden and stables of Rheda Cross and this will remain unchanged following the development of the dwelling. The garden is not the historic setting of the monument and it makes no contribution to the significance of the heritage asset.

4.6. Policy ENV5 Protecting and Enhancing the Borough's Landscapes states that the Council will:

- Protect all landscapes from inappropriate change by ensuring that development does not threaten or detract from the distinctive characteristics of that particular area;
- Ensure that adequate on-site mitigation is provided where the benefits of the development outweigh the potential harm, and
- Support proposals which enhance the value of the Borough's landscapes.

4.7. Policy DM10 Achieving Quality of Place states that the Council will expect a high-quality design and the development of quality places. The policy explains that developments should respond positively to the character of the site, the immediate and wider setting and enhance local distinctiveness through:

- An appropriate size and arrangement of the development;
- Careful attention to the design of spaces between buildings;
- The appropriate provision, orientation, proportion, scale and massing of buildings, and
- Careful selection and use of building materials which reflect local character and vernacular.

- 4.8. Policy DM10 also requires development proposals to incorporate existing features of interest including landscape, topography, local vernacular styles and building materials. In addition to this, the policy requires that development should create and maintain reasonable standards of general amenity. The new dwelling will respond positively to the local context and the existing built form of Rheda in relation to density, character, height, scale, massing and use of sensitive materials.
- 4.9. Policy DM12 Standards of New Residential Developments states that new development should include car parking provision in accordance with adopted residential parking standards and minimum separation distances.
- 4.10. The Copeland Local Plan 2013 – 2028 was adopted prior to the revised National Planning Policy Framework (NPPF) in July 2018. The NPPF explains that in regards to plans which were made prior to the publication of the Framework:
- ‘...existing policies should not be considered out-of-date-simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).’
- 4.11. The supply of available and deliverable sites for housing within the Borough is a material consideration in determining the weight to accord to relevant policies in the Copeland Local Plan. Paragraph 11 in the NPPF explains that where the policies which are the most important for determining the application are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

5-Year Housing Land Supply

- 4.12. In November 2020, Copeland Borough Council published a new 5-Year Housing Land Supply Position Statement. This confirms that the Council is now able to demonstrate a five-year housing land supply and with that, the Interim Housing Policy from May 2017 is no longer up to date and has been revoked.
- 4.13. However, the Position Statement explains that the policy in the Core Strategy relating to settlement boundaries (Policy ST2 Spatial Development Strategy – Points B and C) is still considered to be out of date.
- 4.14. Therefore, applications for development outside of the settlement boundaries in the Core Strategy will be determined in accordance with the NPPF, other policies relevant to the proposal and relevant material considerations.
- 4.15. Points B and C of Policy ST2 are considered to be out of date as the Preferred Options Draft of the new Copeland Local Plan indicates that in order to meet housing needs identified in the SHMA over the period 2017-2035 (140 dwellings per year), development will be required outside of the settlement boundaries. Given this, the policy does not accord with the NPPF which requires local planning authorities to significantly boost housing delivery.

National Planning Policy Framework

- 4.16. The revised NPPF was published in July 2018 and updated in February 2019.
- 4.17. Paragraph 7 of this revised document confirms that the purpose of planning is to “contribute to the achievement of sustainable development”.

- 4.18. Paragraph 8 explains that to achieve sustainable development the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways:
- An economic objective;
 - a social objective, and
 - an environmental objective.
- 4.19. So that sustainable development is pursued in a positive way at the heart of the framework is a presumption in favour of sustainable development. Paragraph 11 states that plans and decisions should apply a presumption in favour of sustainable development.
- 4.20. Paragraph 59 states that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land comes forward where it is needed.
- 4.21. Paragraph 68 explains that small and medium sized sites can make an important contribution to meeting the housing requirements of an area and are often built out relatively quick. This paragraph also states that local planning authorities should support the development of windfall sites, giving great weight to the benefits of using suitable sites within existing settlements for homes.
- 4.22. Paragraph 77 states that in the rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local housing need.

4.23. Paragraph 78 states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. In smaller settlements, development in one village may support services in another village nearby.

4.24. Paragraph 117 states that planning policies should promote an effective use of land in meeting the need for homes and other uses.

4.25. Paragraph 118 states that planning policies and decisions should “promote and support the development of under-utilised land”.

4.26. Paragraph 122 states that planning policies and decisions should support development that makes efficient use of land taking into account:

- Identified need for different types of housing;
- local market conditions and viability;
- availability and capacity of infrastructure and services;
- the desirability of maintaining an area’s prevailing character and setting, and
- the importance of well-designed, attractive and healthy places.

4.27. Paragraph 127 requires developments to:

- Function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- be visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

- be sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change;
- establish or maintain a strong sense of place and create attractive, welcoming and distinctive places to live, work and visit, and
- optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development.

4.28. Paragraph 193 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. As mentioned earlier, it is considered that the proposed dwelling will not adversely affect the setting or significance of the monument.

5. PLANNING ASSESSMENT

- 5.1. As Parts B and C of Policy ST2 are considered out of date (on the basis that development is required beyond the settlement boundaries to meet identified need), the provisions of Paragraph 11 of the NPPF are engaged.
- 5.2. Paragraph 11 explains that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 5.3. We consider that the benefits of granting permission for a single dwelling outweigh any adverse impacts from the removal of a limited number of trees within the Woodland TPO area.
- 5.4. Paragraph 78 of the National Planning Policy Framework states that housing should be located where it will enhance the or maintain the vitality of rural communities. Where there are groups of smaller settlements, development in one village may support services in a village nearby.
- 5.5. The development proposal conforms to Paragraph 78 as Rheda Park is located approximately 0.7 miles (15 minutes walking distance) from Main Street, Frizington which has a wide range of local services. These include a primary school, library, post office, butchers, grocers, pharmacy, newsagents, and several hot food

takeaways. From Rheda Park there is a mix of informal and formal footpaths running along the B5294 that link the estate to Frizington. As such, Frizington and Rheda are a ‘settlement cluster’ and the proposed location for development is sustainable.

- 5.6. The Rheda Park estate has historically developed from the siting of the former Rheda Mansion and its associated buildings (The Dower House, Stables, East Lodge and West Lodge). Rheda Mansion was demolished in the 1960s and Rheda Cross (a large, detached bungalow) was built in its place.
- 5.7. Residential development along the main driveway and within cul-de-sacs stemming from the drive has gradually built up from the 1970s. Rheda does not have a defined settlement pattern and could not be described as “linear” like the neighbouring villages of Frizington and Rowrah.
- 5.8. The proposed site would provide a logical and appropriate ‘infill’ site along the main drive of Rheda Park. The proposed development will carefully consider the built form of Rheda Park and will be of a high-quality design that reflects the existing pattern of development.
- 5.9. The development will be set back from the road behind an existing mature tree screen. The proposal will retain over 75% of the trees on site and only remove those which have been identified as dead, dying, dangerous or low quality (further information provided within the Design and Access Statement).
- 5.10. The principle of development in this location is therefore in accordance with both local and national planning policy.

6. DESIGN AND ACCESS STATEMENT

Access

- 6.1. Access is a reserved matter; however, the proposed dwelling will have its own access point and parking provision. The dwelling will have a direct access point onto the road that runs through Rheda Park.

Amount

- 6.2. The development proposal includes the erection of 1 dwelling.

Scale and Appearance

- 6.3. The appearance of the proposed dwelling is a reserved matter; however, the dwelling will respect the character of Rheda Park and reflect the existing street scene through use of appropriate mass, scale, form, layout, high quality design and use of materials.
- 6.4. The setting of the grade II* monument and the hard landscaping associated with the former Rheda Mansion will be carefully considered in the design of the proposed dwellings. Officers and members from Copeland Borough Council will retain control of the design, scale, massing and materials of the proposed dwellings by way of a reserved matters application.

Layout

- 6.5. The layout of the site is a reserved matter; however, the dwelling will reflect the existing built form of Rheda Park and be set back from the road behind an existing mature tree screen (please see Indicative Site Plan).

Trees and Landscape

- 6.6. The development proposal includes the removal of a limited number of trees within and around the location of the dwelling. The trees to be removed include four Category C trees (TR570, TR573, TR574, TR576) which are considered to be trees of low quality. All of the Category U trees will be removed which are considered to be those in such a condition that they cannot realistically be retained as living tree (i.e., dead, dying, or dangerous).
- 6.7. In order to remove T579 (Category U) in a safe and controlled manner, the removal of T580, T581, T582, T583 and T584 is likely to be required (please see the Survey Data Table in the Arboricultural Impact Assessment). These trees are located immediately to the north of the proposed location for the dwelling.
- 6.8. Out of the 132 trees identified on the site, 32 trees will be removed in total (23 Category U, 8 Category C and 1 Category B). This represents approximately 24% of the trees. We therefore consider that the development proposal will have a limited impact on the Woodland TPO.
- 6.9. At the reserved matters stage of the proposed development, consideration will be given to siting services underneath hardstanding in order to reduce any potential damage to the Root Protection Areas of the retained trees.
- 6.10. Other construction methods that will be considered for the Root Protection Areas include the use of hand dug trenches to ensure that no roots greater than 25mm diameter are severed or damaged. The use of geocell/geotextile cellular confinement systems will also be considered for the load-bearing areas.

6.11. Any reserved matters application will also include proposals for replacement planting to mitigate the loss of the trees.

Use

6.12. The application site will be for residential use.

7. CONCLUSION

- 7.1. Outline planning approval is sought for 1 dwelling with all matters reserved on land to the east of Rheda Cross, Rheda Park, Frizington. Rheda Cross is a bungalow set within a large plot in Rheda Park. Rheda Park has a private access road that runs between the B5294 Bowthorn Road and Mill Street.
- 7.2. The proposed dwelling will be located adjacent to Rheda Cross, between the existing bungalow and Moorlands.
- 7.3. It is considered that the site can be developed in a way which will respect the character of Rheda Park and reflect the existing street scene through use of appropriate mass, scale, form, layout, high quality design and use of materials.

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