

COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/16/2339/OR1	
2	Proposed Development:	RESERVED MATTERS APPLICATION FOR ACCESS, PLOT LAYOUT, SURFACE AND FOUL WATER DRAINAGE	
3.	Location:	FORMER COUNCIL DEPOT, THE OLD QUARRY, HOLBORN HILL, MILLOM	
4.	Parish:	Millom	
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Off Coalfield - Data Subject To Change	
6	Publicity Representations &Policy	Neighbour Notification Letters.	Yes
		Site Notice	Yes
		Press Notice:	No
		Consultation Responses	See Report
		Relevant Policies	See Report
7	Report:	<p>This application relates to an area of land known as the former Council Yard at Holburn Hill, Millom. The site is bounded by residential development to the west and to the south, and the only road leading to the Pannatt Hill estate to the north and east. The land is at a significantly lower level than the surrounding residential development and is currently accessed from the South of the site from Holburn Hill. The site is a former quarry of 0.35ha in area, previously used as a highway depot and is currently vacant.</p> <p>Outline planning permission was previously granted in July 2008 for residential development at this site under reference 4/08/2261/001 which was subsequently renewed under reference 4/11/2344/001 for the erection of 8 detached dwellings</p> <p>PROPOSAL</p> <p>This application seeks the approval of Reserved Matters for the proposed access, plot layout, and the</p>	

surface and foul water drainage for the development of the whole site which comprises 8 units.

The proposed layout plan submitted with the application replicates the layout that was submitted with the previous outline application. The scheme will relocate the existing access from the south of the site from Holburn Hill to the east of the site from Bay View. The proposed layout shown on the plans only seeks approval for the road layout and plot boundaries, to ensure they are satisfactorily defined to enable the sale of the plots to individual self-builders. The proposed house types will be confirmed for each dwelling by way of subsequent applications. In terms of drainage arrangements it is proposed that the surface and foul water will be drained to a combined sewer located within the carriageway on Bay View, and the surface water will be controlled to ensure a discharge rate of 6 l/s.

CONSULTATION

Cumbria Highways

Initially Cumbria Highways stated that they had no objection in principle to this application but would recommend that conditions are placed on any consent granted relating to visibility splays, footways and the existing boundaries in the interest of highway safety.

Following the submission of an amended plan showing the proposed visibility splays at the site Cumbria Highways have again confirmed that the Highway Authority has no objection to this application but recommend that conditions are placed on any consent granted relating to the need for footways and ramps at the site entrance.

Cumbria County Council - Lead Local Flood Authority

Cumbria County Council as the Lead Local Flood Authority have confirmed that they have no objection in principle to the proposed development, however it is noted within the proposed drainage layout drawing a lack of gullies upon the access road. It is further stated that water originating from the proposed development should not discharge onto the adopted highway, therefore the approval of the drainage arrangement for the proposal should be subject to condition which requires development to be carried out in accordance with the drainage details shown on the submitted plan.

United Utilities

United Utilities have requested that a condition relating to the proposed drainage layout and manhole construction details is carried out in accordance with the approved plans, unless otherwise agreed in writing.

Cumbria County Council – Spatial Planning Team

No comments have been received in relation to this application from the Cumbria Highways Spatial Planning Team.

Flood and Coastal Defence Engineer

The Council's Flood and Defence Engineer has stated that as the drainage for the site is to be put forward for adoption, approval for the layout and discharge rates for both the surface water and foul sewage will need the approval of United Utilities, therefore offers no comments on this application.

Millom Town Council

Millom Town Council have stated that concerns were expressed over the suitability of the site for development. They have also stated that it has been observed and reported that plastic sheeting is being used on the ground surface at the site.

Other

Three letters of concern have been received by the Local Planning Authority in relation to this application. The concerns highlighted are as follows:

- The adjacent road is a bad road for passing and is the only way into and out of Pannatt Hill. Therefore it has been requested that this road is widened as part of this development.
- Query about how residents of Pannatt Hill will access their properties whilst the main drain for the proposed dwelling is placed outside the fish and chip shop as the road itself is only 4.5 metres wide? This road is the only access to Pannatt Hill and will cause major disruptions to the area in order for the trench to be excavated.
- Concerns with the contaminated land at the quarry which will be disrupted on excavation
- There could be a possibility of a build-up of methane gas
- On the Pannatt Hill side there is a metal girder reinforcing the bank which someone in the past thought this was necessary.
- A tree was previously removed from the top of the bank but the root was left, it would appear that this was not removed in case the bank collapsed.
- The access is not safe as there are four feeder roads at this junction namely Pannatt Hill, Bay View, Churchill Drive and Church Walk

Following the submission of additional information and amended plans from the applicant's agent all

neighbours have been reconsulted on the additional information, no further comments have been received in relation to this application

PLANNING POLICY

National Planning Policy Framework

The National Planning Policy Framework, which came into effect in March 2012, sets out the Government's new planning policies and introduces a presumption in favour of sustainable development

Paragraph 17 of the NPPF covers 12 key principles of the planning framework. One principle states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings

It is a material consideration in determining planning applications and requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise.

Copeland Local Plan

The Core Strategy and Development Management Policies DPD (now referred to as the Copeland Local Plan 2013 – 2028) which replaces most of the Policies in the Local Plan 2001-16 was adopted in December 2013.

The Policies in the Core Strategy and Development Management Policies DPD are a material consideration when determining planning applications

Policy ST1 of the Core strategy sets out the fundamental principles that will achieve sustainable development. Among other things it seeks to ensure that development creates a residential offer which meets the needs and aspirations of the Boroughs housing markets and is focused on previously developed land away from Greenfield sites.

Policy ST2 sets a spatial development strategy whereby development should be guided to the principle settlement and other centres and sustain rural services and facilities. Millom is identified as one of the key centres where new development is considered to be acceptable

Policy SS1 seeks to improve the housing offer across the Borough

Policy SS2 seeks to achieve sustainable housing growth by focussing new housing development within accessible locations to meet the needs of the community

Policy SS3 requires developers to demonstrate the provision of a balanced mix of housing types. It sets out that development proposals should be assessed according to how they meet identified needs and aspirations of housing need as set out in the SHMA, including the needs of older people

Development Management Policies

The Development Management policies are set out to provide further detail on how the Core Strategy will be implemented. The following policies are relevant to this development:-

Policy DM10 requires new development to be of a high standard of design to enable the fostering of 'quality places'. In doing so, development should respond positively to the character of the site and its immediate and wider setting, paying careful attention to scale, massing and arrangement. Likewise, development should create and maintain reasonable standards of general amenity.

Policy DM12 sets out specific design standards for new residential development, including the need to retain appropriate separation distances.

ASSESSMENT

The site has previously been approved in outline for residential development, which has established the principle of development. The site is within the defined development boundary for Millom, which is identified as one of the key service centres where new development should be focussed. The total number of 8 dwellings and the site area is consistent with the previous outline permission. The site has also been previously developed and the policies within the Local Plan set out a preference for Brownfield development over Greenfield sites.

This application only seeks the approval of Reserved Matters for the access, plot layout and the surface and foul water drainage for the development. The applicant has indicated that the proposed plots will still be developed for self-builders, meaning the proposed house types will be confirmed for each dwelling by way of subsequent applications.

Initially, concerns were raised by Cumbria Highways relating to the proposed access to the site; it was therefore recommended that a condition be placed on any decision notice for this application requiring visibility splays to be provided at the site. This was subsequently addressed as the agent for the application submitted an additional plan showing the required visibility splays of 43 metres. Furthermore, it was stated by Cumbria Highways that as part of this development, footways should be provided that link continuously and conveniently to the nearest existing footways, providing pedestrian walkways within and to the site. Ramps should also be provided on each side of every junction to enable people with impaired mobility to safely manoeuvre the kerb lines at the site. It has therefore been deemed appropriate to secure this detail before development commences on site through a condition on the decision notice for this application.

Concerns were also raised by United Utilities and Cumbria County Council, as the Lead Flood

	<p>Authority, in relation to the proposed drainage, particularly as the submitted plans did not detail the agreed maximum surface water discharge into the combined sewer. This issue was subsequently addressed through additional plans submitted by the applicant's agent. The submitted plans now show both the surface and foul water will be drained to a combined sewer located upon Bay View, however the surface water will be controlled to discharge at a rate of 6.5l/s. The development needs to be carried out in accordance with these drainage arrangements which can be achieved by the inclusion of an appropriately worded condition on any consent. This will ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding. Furthermore a condition relating to the requirement for a sustainable drainage management and maintenance plan has been requested by United Utilities has been placed on this decision notice in order to manage the risk of flooding and pollution during the lifetime of the development.</p> <p>On the basis of the above, I consider the application as amended represents an acceptable form of development which is compliant with the Policies of the adopted Copeland Local Plan and the guidance set out in the NPPF.</p>
8	<p>Recommendation:</p> <p>Approve Reserved Matters</p>
9	<p>Condition(s):</p> <ol style="list-style-type: none"> 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. <p>Reason</p> <p>To comply with Section 92 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 Access Road and Plot Layout, Scale 1:200, Drawing No: 459/01, received by the Local Planning Authority on the 29th September 2016 - Proposed Drainage Layout, Drawing No: K32716/A1/11, received by the Local Planning Authority on the 29th September 2016 - External Works Layout, Scale 1:200, Drawing No: K32716/A1/04B, received by the Local

Planning Authority on the 12th September 2016

- External Works Construction Details, Scale 1 200, Drawing No. K32716/A1/05, received by the Local Planning Authority on the 12th September 2016.
- Proposed Drainage Layout and Manhole Construction Details, Scale 1:20 & 1:200, Drawing No. K32716/A1/11B, received by the Local Planning Authority on the 13th December 2016.
- External Works Layout, Scale 1:200, Drawing No. K32716/A3/04A, received by the Local Planning Authority on the 9th December 2016

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

- 3 The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted drawing of "Proposed Drainage Layout and Manhole Construction Details", ref. K32716/A1/11 Rev B dated 13th December 2016 which was prepared by R G Parkins & Partners LTD For the avoidance of doubt and unless otherwise agreed in writing by the Local Planning Authority, surface water must drain at the restricted rate of 6.5 l/s into the combined sewer The development shall be completed in accordance with the approved details and maintained at all times thereafter.

Reason

To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding

- 4 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:
- Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
 - 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.

5. Footways shall be provided that link continuously to the nearest existing footway as part of the development and ramps shall be provided on each side of every junction to enable wheelchairs, pushchairs etc. to be safely manoeuvred at kerb lines. Details of all such footways and ramps shall be submitted to and approved by the Local Planning Authority in writing before development commences. Any details so approved shall be constructed as part of the development.

Reason

To ensure that pedestrians and people with impaired mobility can negotiate road junctions in relative safety

6. Prior to the commencement of any construction works an access shall be formed which provides visibility splays of 2.4m x 43m in accordance with the approved plan External Works Layout, Drawing No: K32716/A1/04B, received by the Local Planning Authority on the 12th December 2016. Once constructed the access shall be maintained in accordance with the approved details at all times thereafter.

Reason

To ensure that the new access road is constructed within a reasonable timescale in the interests of highway safety

Informative(s):

- 1 It is the applicant's responsibility to demonstrate the exact relationship between any United Utilities' assets and the proposed development. United Utilities offers a fully supported mapping service and we recommend the applicant contact our Property Searches Team on 03707 510101 to obtain maps of the site
- 2 The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848

Further information is also available on the Coal Authority website at:

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

[<http://www.gov.uk/government/organisations/the-coal-authority>](http://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:

Date :

13.01.17

Authorising Officer:

Date :

13/01/17

Dedicated responses to:-