



NOVEMBER
2021

Planning Statement

Land at North Park
Rheda, Frizington
(Phase 2)

Iceni Projects Limited on behalf of
KCS Agriculture Ltd

November 2021

ICENI PROJECTS LIMITED
ON BEHALF OF KCS
AGRICULTURE LTD

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Planning Statement
LAND AT NORTH PARK

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A1. DECISION NOTICE REF. 4/18/2426/001

1. INTRODUCTION

- 1.1 This Planning Statement has been prepared on behalf of KCS Agriculture Ltd (the “Applicant”), in relation to the land at North Park, Rheda – Phase 2 (the “Site”), in support of a -

Reserved matters planning application seeking approval of appearance, landscaping, layout and scale, associated with outline planning permission ref. 4/18/2426/001

This Statement

- 1.2 The purpose of this statement is to identify and address the main planning issues associated with the proposed development, demonstrating how the proposal is acceptable in the context of Copeland Borough Council’s (‘the Council’/‘CBC’) Development Plan and other material planning considerations.

- 1.3 The statement is structured as follows:

- Section 2 describes the application site and its surroundings;
- Section 3 describes the planning history associated with the site;
- Section 4 describes the proposed development;
- Section 5 identifies the planning policies relevant to the determination of the application;
- Section 6 assesses the proposal against the key planning considerations; and
- Section 7 concludes that planning permission should be granted.

- 1.4 Appendices to this statement comprise:

- Outline Planning Permission Decision Notice ref. 4/18/2426/001

- 1.5 This application has been submitted with the following supporting documents:

Plans prepared by Concept Support Ltd

- Site Plan External Works. Drawing No. RH SI 01
- Parking Plan. Drawing No. RH SI 02
- Location Block & Title Plan. Drawing No. RH SI 03

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- Managed Area & Adoption Plan. Drawing No. RH SI 04
 - Farm Courtyard. Drawing No. RH SI 05
 - The Green. Drawing No. RH SI 06
 - The Copse. Drawing No. RH SI 07
 - Proposed Floorplan – The Loughrigg. Drawing No. RH Lo 02
 - Proposed Elevations – The Loughrigg. Drawing No. RH L0 03
 - Proposed Floorplan – The Blencathra. Drawing No. RH BI 02
 - Proposed Elevations – The Blencathra. Drawing No. RH BI 03
 - Proposed Floorplan – The Ellerbeck. Drawing No. RH EI 02
 - Proposed Elevations – The Ellerbeck. Drawing No. RH EI 03
 - Proposed Floorplan – The Ennerdale. Drawing No. RH En 02
 - Proposed Elevations – The Ennerdale. Drawing No. RH En 03
 - Proposed Floorplan – The Glaramara. Drawing No. RH GI 02
 - Proposed Elevations – The Glaramara. Drawing No. RH GI 03
 - Proposed Floorplan – The Grisedale. Drawing No. RH Gr 02
 - Proposed Elevations – The Grisedale. Drawing No. RH Gr 03
 - Proposed Floorplan – The Landgdale. Drawing No. RH La 02
 - Proposed Elevations – The Langdale. Drawing No. RH La 03
 - Proposed Floorplan – The Lingmoor. Drawing No. RH Li 02
 - Proposed Elevations – The Lingmoor. Drawing No. RH Li 03
 - Proposed Floorplan – The Skiddaw. Drawing No. RH Sk 02
 - Proposed Elevations – The Skiddaw. Drawing No. RH Sk 03
 - Proposed Double Garage Plans & Elevations. Drawing No. RH DG 02

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- Proposed Boundary Treatment. Drawing No. RH Ma 02

Plans prepared by Eden Environment Ltd

- Proposed Layout. Drawing No. 14 Rev. 05
- Landscape Plan. Drawing No. 15. Rev. 03
- Planting Plan. Drawing No. 16. Rev. 02
- Plant Specification & Schedule. Document No.17
- Design Rationale. Document No. 18. Rev 02
- Shrub Planting Plan. Drawing No. 19. Rev 01

Documents prepared by Site Evolution Ltd & Tetra Tech Ltd

- Design & Access Statement
- Materials Schedule. Rev 01
- Highways Technical Note, Issue 03

2. SITE & SURROUNDINGS

- 2.1 The application site comprises approximately 2ha of greenfield land located to the north of land currently being built out by Genesis Homes, described as their 'Beckstones' housing development ('Phase 1 of North Park, Rheda'), which fronts onto the B5294, Meadowcroft Road. The site lies to the south west of Frizington between two established housing sites at Rheda Park and Rheda Close. To the north east is a single farmhouse, beyond which lies open countryside.



Figure 1. Aerial view of the site.

- 2.2 The site is situated within an established residential area and is close to local amenities including two schools, churches and a range of shops within Frizington. Frizington is one of the largest second tier settlements in the Borough of Copeland, and the site is easily accessible via car and bus (the nearest bus stop is located on the A5086 approximately 800/900 metres from the development site). Pedestrian connectivity to Frizington is achieved via connections to the existing footpath along Meadowcroft Road (which are being installed, and the footpath upgraded as part of the Genesis Homes scheme). The nearest rail station is a 30-minute cycle ride, providing services to the major Cumbrian towns including Barrow and Carlisle.
- 2.3 There are no Conservation Areas or Listed Buildings on or directly adjacent to the site. According to the Environment Agency Flood Map for Planning, the site is in Flood Risk Zone 1.

3. PLANNING HISTORY

- 3.1 From a review of the currently available CBC planning history records the following planning applications have been made at the site, and wider site which includes the Phase 1 scheme –

Table 1. Planning applications concerning land at North Park

Application Ref. Number	Applicant	Description of Development	Decision	Site area
Unknown	Genesis Homes & KCS Agriculture Ltd	Residential development for 140 dwellings	Withdrawn by the applicant	Entire North Park site (5.50 ha)
4/18/2426/001 Outline	Genesis Homes & KCS Agriculture Ltd	Outline application for residential development with full details of access and all other matters reserved	Approved – 23 January 2019	Entire North Park site (5.50 ha)
4/19/2261/OR1 Reserved Matters	Genesis Homes	Reserved Matters Application seeking approval of Appearance, Landscaping, Layout & Scale	Approved – 19 March 2020	Phase 1 of North Park (3.75ha)
4/20/2417/0B1 S73 application	Genesis Homes	Variation of planning condition 16 – site drainage layout of planning application 4/18/2426/001 (outline for residential development)	Approved 04 February 2021	Phase 1 of North Park (3.75ha)
4/21/2243/0B1	Genesis Homes	Variation of planning condition 1 attached to application ref. 4/20/2417/0b1 – variation of house designs to plots 39, 43, 50 and 54.	Approved 08 November 2021	Phase 1 of North Park (3.75ha)

- 3.2 We have set out below some of the key information and considerations that have come to light through the determination of the outline application and the reserved matters application on Phase 1 of the site, which have been taken into consideration in the preparation of this application.

Outline Planning Permission

Principle of Residential Development

- 3.3 Outline planning permission for the site at North Park, Frizington was granted in January 2019 for *'residential development with full details of access and all other matters reserved.'* It was noted in the committee report that the site is within the open countryside and outside of the current settlement boundary.
- 3.4 The committee report for the outline application commented that as the proposed development at North Park is in the open countryside without a defined need for being in this location, the proposal was contrary to Policy ST2 (Spatial Development Strategy) and Figures 3.2 and 3.3 of the Local Plan Core Strategy. Notwithstanding this, CBC could not demonstrate a five-year housing land supply in accordance with the National Planning Policy Framework (NPPF), therefore the application of the presumption in favour of sustainable development (para. 11 of the NPPF) was applied and the proposal was assessed against the CBC's Interim Housing Policy ('IHP', 2017) which interpreted sustainable development in the context of Copeland. Against the criteria set out within that policy document (13 criteria points, listed A-M), the proposal was found to be acceptable.

Approved access

- 3.5 The committee report notes that pedestrian and vehicular access to the site is proposed via the existing highway, the B5294 Meadowcroft Road, with a single spur to an internal road system set around several cul-de-sacs. The access arrangements were considered acceptable in highway safety terms. It was noted that the internal vehicle and pedestrian highways proposal was still subject to a final design. The Highways Authority did not raise any objection to the proposal.
- 3.6 A detailed access plan was approved under the outline planning application showing a single-entry point from the B5294 although Condition 1 on the Decision Notice states that *'the layout, scale, appearance, means of access thereto and landscaping shall be as may be approved by the Local Planning Authority.'* From a review of the application pack and committee report, it is understood that the need for further approval of access refers to the access to individual plots within the site i.e. details of the internal road system still required reserved matters approval. In addition, the committee report for the reserved matters application states *'for the avoidance of doubt, access to the proposed development from the B5294 was approved under planning application ref. 4/18/2426/001.'*

Reserved Matters Phase 1 Planning Permission

Approved number of dwellings

- 3.7 Although the description of development of the outline application did not specify a maximum number of residential units that could be delivered at the site, an indicative layout plan was submitted which showed one potential way in which a low-density development of 47 dwellings could be

accommodated at the site, however the Decision Notice subsequently issued did not list the indicative layout plan as an approved plan.

- 3.8 Considering this, the Phase 1 reserved matters application for 55 dwellings went on to be approved in March 2020, with the committee report confirming that the first reserved matters application complied with the outline permission as *'no planning conditions are imposed on the planning permission limiting the number of dwellings approved'*.

Low density, landscape led scheme

- 3.9 The reserved matters Phase 1 committee report went on to state that *'given the proposal has been designed to accord with the design principles in the Design & Access Statement and the themes of the Landscape and Visual Amenity Issues Brief Report, it is difficult to conclude that the current application cannot be considered pursuant to the approved outline permission.'* Indeed, as the aforementioned documents are listed in Condition 3 of the outline permission, it indicates that future reserved matters applications should comply with the key principles and themes of these documents i.e. a low density, landscape led scheme.

Mix of dwellings

- 3.10 The subsequent reserved matters application proposed 55 no. two, three, four and five bedroom detached and semi-detached single storey and two storey open market dwellings, meeting the identified general need for these types of properties (larger properties and bungalows) which were identified within the outline planning committee report.

Summary

- 3.11 From a review of the documents associated with the extant outline consent and reserved matters consent on the southern portion of the site, we would conclude that the key considerations for this reserved matters application are as follows:
- Providing a low density, landscape led scheme that accords with the principles set out in the Design & Access Statement and the themes of the Landscape and Visual Amenity Issues Brief Report, supplied with the outline application.
 - Providing a mix of dwellings that meets local demand, which could include a mix of larger properties suitable for families, and bungalows for a retiring population.
 - Devising a scheme which utilises the existing site access already established through the Genesis Homes scheme.

4. THE PROPOSED DEVELOPMENT

- 4.1 This section outlines the proposed development at North Park, Rheda - Phase 2, and should be read in conjunction with the supporting documentation, particularly the plans provided by Concept Support, Site Evolution Ltd and Eden Environment Ltd. The description of development is:

Reserved matters planning application seeking approval of appearance, landscaping, layout and scale, associated with outline planning permission ref. 4/18/2426/001

- 4.2 The proposal will include:

- 22 x generously sized dwellings comprising a mix of 4 bed homes and 3 bed bungalows.
- 9 x unique, individual house types, designed specifically for this site with elevational treatments, detailing and materials being considered on a plot-by-plot basis.
- Retained woodland area along the eastern boundary of the site.
- Significant amount of soft landscaping, including the provision of two circular 'greens' totalling over 1,000 sq.m in area, as well as trees, planting and hedgerow boundaries. These help to create the three distinct, yet linked, character areas – The Green, The Copse, and The Farm Courtyard.
- A mix of hard landscaping styles including a cobbled courtyard and shared paved surfaces to contribute to the character and setting of the development and create a strong public realm.

Key benefits

- Securing the build out of a consented outline scheme, only partially complete at this stage.
- The provision of an aspirational residential development addressing the need for larger family homes, and bungalows suitable for those seeking single storey accommodation.
- A development that provides a comprehensive landscape led scheme which includes high-quality public & private realm, to contribute to the character and setting of this low density, executive style development.
- Supporting the economy – through job creation during the construction phase and attracting new residents to the area who will support the local economy in the long term.

5. POLICY & LEGISLATIVE FRAMEWORK

5.1 This section provides an overview of Copeland Borough Council's Development Plan and other material considerations relevant to the consideration of these proposals, as required by Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended).

5.2 In the context of this application, planning policy operates at two levels:

- **National** | The Government produce the National Planning Policy Framework (2021) ('NPPF') and supporting guidance, in the form of National Planning Practice Guidance ('NPPG').
- **Local** | Copeland's Local Plan comprises of the Core Strategy and Development Management Policies, 'Saved' policies from an earlier local plan, and an interactive proposals map.

National policy

5.3 The revised National Planning Policy Framework ('NPPF'), published in 2021, sets out the Government's planning policies for England and how these are expected to be applied by Local Authorities and Applicants. Relevant extracts from the NPPF are summarised below.

Achieving sustainable development

5.4 Plans and decisions should apply a presumption in favour of sustainable development, and for decision-taking this means approving development proposals that accord with an up-to-date development plan without delay.

Decision-making

5.5 As outlined in paragraph 47, legislation dictates that planning applications should be determined in line with the Development Plan and within the statutory timescales, unless otherwise agreed. As such, a maximum 13-week determination period is expected for this application.

Achieving well-designed places

5.6 Planning policies and decisions should ensure that developments will function well and add to the overall quality of the area; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting; establish or maintain a strong sense of place; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development; and create places that are safe, inclusive and accessible (Chapter 12).

Local Policy – Copeland Borough Council Development Plan

- 5.7 The Copeland Local Plan is currently made up of the following adopted statutory planning documents which are used as the basis for determining planning applications:
- Copeland Local Plan 2013-2028 Core Strategy and Development Management Policies.
 - Copeland Local Plan 2001-2016 'Saved' Policies.
 - Copeland Local Plan 2013-2028 - Interactive Proposals Map.
- 5.8 According to the adopted interactive policies map, the site is identified as within the Open Countryside and is outside of the identified settlement boundaries.
- 5.9 The relevant policies when determining this application are listed below and described in more detail in Chapter 6.

Core Strategy Policies

- Policy ST1 – Strategic development principles
- Policy ST2 – Spatial development strategies
- Policy ST4 – Providing infrastructure
- Policy ER87 – Principal town centres, local centre and other service areas – roles and functions
- Policy SS1 – Improving the housing offer
- Policy SS2 – Sustainable housing growth
- Policy SS3 – Housing needs, mix and affordability
- Policy SS5 – Provision and access to open space and green infrastructure
- Policy T1 – Improving accessibility and transport
- Policy ENV1 – Flood risk and management
- Policy ENV3 – Biodiversity and geodiversity
- Policy ENV5 – Protecting and enhancing the boroughs landscapes

Development Management Policies

- Policy DM10 - Achieving quality of place

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- Policy DM11 – Sustainable development standards
 - Policy DM12 – Standards for new residential development
 - Policy DM21 - Protecting community facilities
 - Policy DM22 – Accessible developments
 - Policy DM24 – Development proposals and flooding
 - Policy DM25 – Protecting nature conservation sites, habitats and species
 - Policy DM26 – Landscaping
 - Policy DM29 – Protection of trees

Saved Copeland Local Plan 2001 – 2016 Policies

- Policy TSP8 – Parking requirements

Other Material Considerations

- Copeland Borough Council Housing Strategy 2018-2023
- Copeland Borough Council -Strategic Housing Market Assessment and Objectively Assessed Need
- Cumbria Development Design Guide

6. KEY PLANNING CONSIDERATIONS

6.1 This section assesses the proposals, highlighting the key planning considerations relevant to the determination of the application, by taking each element of the scheme in turn:

- Principle of the development;
- Housing mix;
- Design, landscape and visual impact;
- Impact on neighbouring amenity;
- Access and parking; and
- Ecology and arboriculture.

Principle of Development

6.2 This application is a reserved matters application associated with extant outline planning permission ref. 4/18/2426/001. As such, the principle of a residential development on this site has already been established through the granting of the outline consent.

6.3 The outline planning permission was granted on the 23rd of January 2019, and as such, this reserved matters application is required to be submitted by the 23rd of January 2022, in order to comply with condition 2 of the outline consent.

Housing Mix

6.4 Policy SS3 of the Local Plan states that applications for housing development should demonstrate how the proposals help to deliver a range of good quality and affordable homes for everyone. It is confirmed that development proposals will be assessed according to how well they meet the identified need and aspirations of the Borough's individual Housing Market Areas as set out in the Strategic Housing Market Assessment (SHMA, 2019) including: creating a more balance mix of house types and tenures within the housing market area; including a proportion of affordable housing to meet any identified need; and establishing a supply of sites suitable for executive and high quality family housing, focussing on Whitehaven and its fringes as a priority.

6.5 The application site is located within the Whitehaven Housing Market Area in the Copeland Borough Council Strategic Housing Market Assessment and Objectively Assessed Housing Need. Within this area, the SHMA suggests a particular focus on the delivery of three-bedroom houses and high

demand for two bedroom and four bedroom, and larger dwellings, as well as a high demand for bungalows.

- 6.6 This application therefore proposes a mix of four-bedroom dwellings and bungalows, with nine different house types proposed in total. No affordable housing is proposed in accordance with the approved outline permission. This mix has been informed by the aforementioned SHMA and is considered consistent with the approved plans for North Park, Rheda - Phase 1.

Design, Landscape and Visual Impact

Policy context

- 6.7 Policy ENV5 states that the Borough's landscapes will be protected and enhanced by; protecting all landscapes from inappropriate change by ensuring that development does not threaten or detract from the distinctive characteristics of that particular area; that where the benefits of the development outweigh the potential harm, ensuring that the impact of the development of the landscape is minimised through adequate mitigation, preferably on-site; and supporting proposals which enhance the value of the Borough's landscapes.
- 6.8 Policy SS1 seeks to make Copeland a more attractive place to build homes and to live, through requiring new development to be designed and built to a high standard.
- 6.9 Policy DM10 expects high standards of design and the fostering of quality places. Development is required to respond positively to the character of the site and the immediate wider setting and enhance local distinctiveness. It is also stipulated that development should incorporate existing features and address vulnerability to and fear of crime and antisocial behaviour.
- 6.10 Policy DM12 outlines the requirements of the provision of open space and play provision.

Landscape Impact

- 6.11 The site is located in an area of Sub Type 5a Ridge and Valley landscape as defined in the Cumbria Landscape Character Guidance and Toolkit. The guidelines for development in this toolkit include; discouraging the further nucleation of the settlement pattern; ensuring new development makes a contribution to the character of the area by respecting the form of villages e.g. linear along ridge lines, creates new focal spaces and takes advantage of attractive long views; and, carrying out village enhancement schemes including townscape environmental improvements, tree planting and establishment of attractive green spaces.
- 6.12 The application site is currently open land, influenced by historic parkland character associated with the wider Rheda Park estate. In developing the site the application has sought to retain and enhance the landscape character of the site, and follow the guidelines within the toolkit by:

-
- Retaining existing trees within the site, and planting new trees, including feature statuesque trees with bespoke designed seating areas; gateway trees to mark the transition between character areas; and trees to create definition along the southern boundary, between the Phase 1 and Phase 2 areas of the site.
 - Addition of parkland railings, greens and hedgerow planting (including traditional Cumbrian trees and shrubs such as clipped hollies or yew) to strengthen the traditional feel of the development and provide consistency with the approach taken at Phase 1.
 - Retaining the woodland along the eastern boundary to soften the development's boundaries and retain the parkland character the site is known for.

Visual Impact

- 6.13 In visual terms the development maintains the low-density approach associated with Phase 1 which helps to minimise the visual impact of the scheme; the density is calculated as 10.5 dwellings per hectare (22 dwellings on 2.1ha), which is lower than the Genesis scheme, at 14.1 dwellings per hectare.
- 6.14 The development will result in some altered views from dwellings at Rheda Park due to the proposed positioning of dwellings. For example, from The Green looking westwards, the land falls gently towards the boundary with Rheda Park where existing single storey dwellings are placed sporadically just within the woodland immediately beyond the site boundary. However mature existing trees and landscaping will partially filter views in and out of this location. Against the parkland boundary to the north, new hedgerows and tree planting will strengthen landscape character while simultaneously softening views into the development from afar.
- 6.15 This will be further supported by replacement and supplemental parkland tree planting within the landscape immediately to the north of the site, which is scheduled to be completed in the Winter 21 planting season and will be carried out by the applicant independently of this application.

Design

- 6.16 The proposed development has been designed as three-character areas, comprising of The Green, The Copse and The Farm Courtyard.

The Green

- 6.17 Plots set around The Green squarely face each other across the open space. This generous open space is of high visual amenity in which a feature tree, with circular seat beneath, are located. Although the roads curve through The Green, three sides of the open space are defined by straight boundaries of traditional iron railings, creating a semi-formal appearance.

The Copse

- 6.18 Dwellings in The Copse are laid out more informally than The Green, along a sinuous shared surface road and facing into a central open space. Unlike The Green, there is no hierarchy of dwellings here, and many of the plots are spacious single-storey bungalows.

The Farm Courtyard

- 6.19 In this character area, the buildings are slightly closer together and carefully positioned to create an impression of a converted farm development set around a paved yard. Plot 4 (The Farmhouse) is the primary building within the Farm Courtyard grouping, with larger floor-to-ceiling heights and more opulent architectural detailing. In contrast, Plots 2, 3, 5 & 6 have less “status” than Plot 4 because their simple architectural detailing is reminiscent of converted farm buildings or workers cottages. These plots visually read as though each pair of dwellings is one single building rather than two detached properties.

Summary

- 6.20 The character areas are distinct yet linked and are complemented by a broad palette of high-quality materials (see separate detailed materials schedule provided) which complement the materials used in Phase 1 of the wider scheme. The scheme also utilises a mix of boundary treatments to a similar effect; they are treatments which can frequently be seen within the historic Rheda estate, across the Genesis scheme and within local Cumbrian villages. Shared surface roads are used throughout Phase 2 due to the low number of dwellings, and the lack of footpath both reduces the visual impact of the highway and contributes towards the rural feel of the development, further helping the scheme to assimilate with Phase 1.
- 6.21 The scheme also incorporates two traditional ‘greens’ which contribute to the quantum of open space proposed, considerably exceeding the open space required by Policy DM12.

Impact on neighbouring amenity

- 6.22 Policy DM12 outlines the minimum distance standards for new residential development.
- 6.23 Within Phase 2, the required minimum interface distances are achieved between the proposed dwellings, and between the existing neighbouring dwellings and the proposed dwellings. In addition, minimum distances between gable walls of plots are a very generous 4m in all instances.
- 6.24 Particular regard is had for the existing dwellings at Rheda Park that border the western boundary of the site. The proposed properties nearest to this boundary will be spacious single-storey bungalows set within generously sized plots. They are carefully positioned to avoid direct overlooking into existing dwellings and their reduced height and massing respects existing residents. This meets the design principles established at the outline stage, particularly design principle 9 - ‘Houses on western

boundaries will be set back with large gardens to provide sufficient separation from existing housing and additional planting to soften any views of the new development’.

- 6.25 Whilst the properties that back onto Phase 1 of the site are two storeys in height, the offset distances considerably exceed the required standards and as such, their impact on these emerging properties is also minimal.

Access and parking

Access

- 6.26 Vehicular and pedestrian access to Phase 2 is provided from an existing spine road running through Phase 1 and connecting to the B5294 in accordance with the outline planning approval. Once you enter Phase 2, the access road becomes a shared surface. The absence of footways reduces the visual impact of the highway infrastructure, encourages traffic calming and enhancing the semi-rural nature of the development. This is enhanced by the surface strips which are also laid out as grass, continuing the rural theme.
- 6.27 A variety of surface finishes will be utilised across the site, including tarmac, pavors and a cobbled surface to create a courtyard. This will help to distinguish different areas of the scheme and promote slow vehicle speeds closest to the dwellings and encourage collective use of open spaces, by increasing the perception of pedestrian priority.
- 6.28 The proposals for the access arrangements into the site were already presented to, and discussed with, the highways authority in June 2021, by Highways Consultant, Tetra Tech. Development proposals were not finalised at that stage but for a theoretical development of 15 to 20 units, the report sought clarification on the need for an emergency vehicle access (‘EVA’) and the adequacy of the recently constructed road through Phase 1 to serve Phase 2. It was confirmed by the highways authority that an EVA would not be a firm requirement and that the current Phase 1 road, measuring 4.8m wide would be adequate to serve Phase 2 if it was between 15-20 dwellings.
- 6.29 Now the proposals have been confirmed, and the final number of dwellings proposed total 22, Tetra Tech consider that the existing access through the site remains adequate, and an EVA will not be supplied. An updated report considering the revised proposals has been prepared by Tetra Tech and submitted in support of this application.

Parking

- 6.30 All of the dwellings will be provided with a minimum of four parking spaces, which are all located off the highway. This complies with the requirements within the Cumbria County Council Design Guide. A parking plan has been provided within the application pack.

Ecology & Arboriculture

- 6.31 Policy ENV3 seeks to ensure that new development will protect and enhance biodiversity and geodiversity in the locality. An ecological appraisal was prepared in support of the outline application, and the layout of this proposed reserved matters application incorporates the mitigation measures and recommendations of the ecological appraisal. The relevant measures include:
- Retained woodland to the eastern boundary with additional woodland planting in the vicinity of Home Farm.
 - A new village green at its centre, and also the highest point of the development, containing a feature tree.
 - An informally laid out 'copse' of trees adjacent to Rheda Park that provides a landscape character transition between existing and new developments, and a habitat.
 - Strong public realm landscaping with supplemental landscaping and tree planting in further public spaces across the development, providing biodiversity enhancement.
 - Extensive use of hedges that provide nesting and foraging sources.
 - A new species-rich hedgerow and tree to the northern boundary, to soften views of the development from the north, to help restore the parkland character and to support bat foraging/commuting by connecting the eastern and western sides of the site.
 - A lighting scheme to be agreed in due course to ensure it does not interfere with bat commuting pathways.
- 6.32 Collectively, these measures ensure that the scheme meets the requirements of Policy ENV3.

7. SUMMARY & CONCLUSIONS

- 7.1 This Planning Statement has been prepared on behalf of KCS Agriculture Ltd (the “Applicant”), in relation to the land at North Park, Rheda - Phase 2 (the “Site”), in support of a -

Reserved matters planning application seeking approval of appearance, landscaping, layout and scale, associated with outline planning permission ref. 4/18/2426/001

- 7.2 The proposal will include:

- 22 x generously sized dwellings comprising a mix of 4 bed homes and 3 bed bungalows.
- 9 x unique, individual house types, designed specifically for this site with elevational treatments, detailing and materials considered on a plot-by-plot basis.
- Retained woodland area along the eastern boundary of the site.
- Significant amount of soft landscaping, including the provision of two circular ‘greens’ totalling over 1,000 sq.m in area, as well as trees, planting and hedgerow boundaries. These help to create the three distinct, yet linked, character areas – The Green, The Copse, and The Farm Courtyard.
- A mix of hard landscaping styles including a cobbled courtyard and shared paved surfaces to contribute to the character and setting of the development and create a strong public realm.

- 7.3 The proposal complies with the outline planning permission as it:

- Provides a low density, landscape led scheme that accords with the principles set out in the Design & Access Statement and the themes of the Landscape and Visual Amenity Issues Brief Report, supplied with the outline application.
- Provides a mix of dwellings that meets local demand, include a mix of larger properties suitable for families and bungalows for those seeking single storey accommodation.
- Utilises the existing site access already established through the Phase 1 scheme under construction.

- 7.4 As the proposals comply with the outline permission, and the application has been submitted with all necessary supporting technical documentation and plans, we trust that the application can be approved without delay.

Appendix. Decision Notice Ref. 4/18/2426/001

Town and Country Planning Act 1990 (As amended).

4/18/2426/001

NOTICE OF GRANT OF OUTLINE PLANNING PERMISSION

WYG

Unit 6 Lakeland Business Park
Lamplugh Road
COCKERMOUTH
Cumbria CA13 0QT
FAO Ms J Diamond

OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT WITH FULL DETAILS OF ACCESS
AND ALL OTHER MATTERS RESERVED
LAND AT NORTH PARK, RHEDA, FRIZINGTON

Genesis Homes Ltd and KCS Agriculture

The above application dated 28/09/2018 has been considered by the Council in pursuance of its powers under the above mentioned Act and OUTLINE PLANNING PERMISSION HAS BEEN GRANTED subject to the following conditions:

1. The layout, scale, appearance, means of access thereto and landscaping shall be as may be approved by the Local Planning Authority.

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. Detailed plans and drawings with respect to the matters reserved for subsequent approval shall be submitted to the Local Planning Authority within three years of the date of this permission and the development hereby permitted shall be commenced not later than the later of the following dates:-

- a) The expiration of THREE years from the date of this permission

Or

- b) The expiration of TWO years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last

such matter to be approved.

Reason

To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

3. 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: -
- Site Location Plan, scale 1:2500, reference Rheda 13 Rev 01, received on 28th September 2018
 - Access Plan A103335 C001, scale 1:500, reference C001, received on 28th September 2018
 - Phase 1 Desktop Study Report, compiled by Geo Environmental, reference 2017-2566, dated 31st May 2017
 - Planning Statement A109666
 - Design and Access Statement September 2018
 - Transport Assessment Report, compiled by WYG, reference A103335, dated November 2017
 - Interim Travel Plan Report, compiled by WYG, reference A103335, dated November 2017
 - Flood Risk and Drainage Statement A109666
 - Landscape and Visual Amenity issues brief report, prepared by Eden Environment Ltd, dated September 2018
 - Preliminary Ecological Appraisal, compiled by WYG, reference A103720, dated November 2017
 - Archaeological Assessment A107463
 - Bat Survey A103720
 - Tree Survey EES17-082 V2

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.

4. The carriageway, footways, footpaths and cycleways associated with the development shall be designed, constructed, drained and lit to a standard suitable for adoption and in this respect further details, including longitudinal cross sections, shall be submitted to the Local Planning Authority for approval prior to the commencement of development. No work shall be commenced until a full specification has been approved in writing by the Local Planning Authority. These details shall be in accordance with the standards laid down in the current Cumbria

Design Guide. Any works so approved shall be constructed before the development is complete.

Reason

To ensure a minimum standard of construction in the interests of highway safety, in accordance with the National Planning Policy Framework and to support Local Transport Plan policies LD5, LD7, LD8 and policies ST1, T1 and DM22 of the Copland Local Plan.

5. No dwellings shall be occupied until the approved estate roads including footways and cycleways to serve such dwellings have been constructed in all respects to base course level and street lighting where it is to form part of the estate road has been provided and brought in to full operational use.

Reason

In the interests of highway safety, in accordance with the National Planning Policy Framework and to support Local Transport Plan policies LD5, LD7, LD8 and policies T1 and DM22 of the Copland Local Plan.

6. There shall be no vehicular access to, or egress from the site other than via the approved access, unless otherwise agreed by the Local Planning Authority.

Reason

To avoid vehicles entering or leaving the site by an unsatisfactory access or route, in the interests of road safety in accordance with the National Planning Policy Framework and to support Local Transport Policies LD7, LD8 and policies T1 and DM22 of the Copeland Local Plan.

7. A detailed scheme for any road signage associated with the development shall be submitted to the Local Planning Authority for approval prior to the first occupation of the site. These details shall be in accordance with the standards laid down in the Cumbria Design Guide. Any works approved shall be constructed before the development is complete.

Reason

To ensure a minimum standard of construction in the interests of highway safety in accordance with the National Planning Policy Framework and to support Local Transport Plan Policies LD5, LD7 and LD8 and in accordance with policies T1 and DM22 of the Copeland Local Plan.

8. Prior to the commencement of development a scheme of vehicle management associated with the construction of the development including details of parking for staff and visitors to the site, turning areas and areas for loading and unloading of vehicles shall be submitted to and approved in writing. The development of the first property shall not be commenced until the scheme has been implemented in full. The site area shall be retained for the duration of the construction period.

Reason

To ensure that construction vehicles can be safely accommodated within the development site to prevent obstruction of the highway in accordance with Local Transport Plan policies LD7, LD8 and Policy DM22 of the Copeland Local Plan.

9. Ramps shall be provided on each side of every junction to enable wheelchairs and pushchairs to be safely manoeuvred at kerb lines. Details of all such ramps shall be submitted to, and approved in writing, by the local planning authority prior to the first occupation of the site. Development shall be carried out in accordance with the approved details and shall be constructed before the development is complete.

Reason

To ensure that pedestrians and people with impaired mobility can negotiate road junctions safely in accordance with policy DM22 of the Copeland Local Plan.

10. Prior to commencement of development full details of the highway surface water drainage system shall be submitted to and approved in writing by the local planning authority. The approved works shall be implemented in full and retained for the lifetime of the development.

Reason

In the interests of highway safety and surface water management and in accordance with policies DM22 and ENV1 of the Copeland Local Plan.

11. No development shall take place until full details of hard and soft landscaping works, including root protection and mitigation methods for any trees and hedgerows which are to be retained, have been submitted to and approved in writing by the local planning authority. These works shall be carried out in accordance with a programme as agreed with the local authority.

Reason

To ensure a satisfactory form of landscaping in the interests of the visual appearance and character of the area, in accordance with policy DM26 of the Copeland Local Plan.

12. Prior to the commencement of any landscaping works, a landscape management plan, including measures for the treatment and disposal of non-native invasive species, shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason

In order to protect and safeguard the amenity of the area in accordance with Policy DM26 of the Copeland Local Plan.

13. No development shall take place until a construction method statement and management plan has been submitted to and approved in writing by the local planning authority. The approved statement shall be adhered to throughout the construction period. The statement must include details relating to:-
- formation of the construction compound;
 - the means of access and egress for demolition and construction traffic;
 - the loading and unloading of plant and materials;
 - the means of keeping the public highway free from obstruction and dirt;
 - the storage of plant and materials used in construction, including measures to prevent silt and other containments entering surface water drains and a scheme for recycling/disposing of waste resulting from construction works;
 - construction traffic routing.

Reason

To protect neighbour amenity and to protect the environment from pollution in accordance with policy ST1 of the Copeland Local Plan.

14. No construction work associated with the development hereby approved shall be carried out outside of the hours of 07.30 hours-18.00 hours Monday-Saturday, nor at any time on Sundays and bank holidays, unless otherwise agreed in writing by the local planning authority.

Reason

In the interests of neighbouring residential amenity and in accordance with policy ST1 of the Copeland Local Plan.

15. No dwelling within the development shall be occupied until details of proposed refuse collection arrangements have been submitted to and approved in writing by the Local Planning Authority. Following occupation of the first dwelling on the site, refuse collection shall be commenced and maintained in accordance with the

approved management and maintenance details approved by the local planning authority.

Reason

To ensure that adequate provision is made with the development for refuse collection arrangements in the interests of residential amenity and highway safety and in accordance with the National Planning Policy Framework and policy DM22 of the Copeland Local Plan.

16. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions, shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly. The development shall be completed in accordance with the approved details.

Reason

To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with the National Planning Policy Framework and National Planning Practice Guidance and in accordance with policies ST1 and ENV1 of the Copeland Local Plan.

17. Foul and Surface water shall be drained on separate systems

Reason

To secure proper drainage and to manage the risk of flooding and pollution in accordance with the National Planning Policy Framework and in accordance with policies ST1 and ENV1 of the Copeland Local Plan.

18. Prior to the first occupation of the development a Sustainable Drainage Management and Maintenance Plan shall be submitted to the Council and approved in writing for the life time of the development. The drainage shall be managed and maintained for the lifetime of the development.

The plan shall include:

1. arrangements for adoption by an appropriate public body or statutory undertaker, or management and maintenance by a development management company; and

2. 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.

Reason

To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development in accordance with the National Planning Policy Framework and policies ST1 and ENV1 of the Copeland Local Plan.

19. Prior to commencement of development a programme of further ecological survey and an accompanying Ecological Management Plan shall be submitted to and approved in writing by the Local Planning Authority in accordance with the recommendations set out in the Preliminary Ecological Appraisal prepared by WYG, reference A103720, dated June 2017. The survey shall be undertaken as agreed and the findings adhered to. The contents of the management plan shall be adhered during the construction of the scheme.

Reason

To ensure that adequate protection is given to protected species, in the interests of the environmental protection and in accordance with policy DM25 of the Copeland Local Plan.

20. Prior to commencement of development approved by this planning permission, a phase 2 ground investigation assessment shall be submitted to and approved, in writing, by the local planning authority and implemented for the development thereafter. This assessment should include the following components to deal with the risks associated with contamination of the site:
 1. A site investigation scheme, based on the desk study to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 2. The results of the site investigation and detailed risk assessment referred to in (1) and, based on these an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 3. Where required, a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason

National Planning Policy Framework (NPPF) states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at acceptable risk from, or being adversely affected by unacceptable levels of water pollution. Government policy also states that planning policies and decisions should also ensure that adequate site investigation information, prepared by a competent person, is presented.

21. No development shall commence within the site until the applicant has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.
The written scheme shall include the following components:
1. An archaeological evaluation;
 2. An archaeological recording programme, the scope of which will depend on the results of the evaluation;
 3. Where significant archaeological remains are revealed by the programme of archaeological work, a post-excavation assessment and analysis, preparation of a site archive ready for deposition at a store approved by the local planning authority, completion of an archive report and submission of the results for publication in a suitable journal.

Reason

To afford reasonable opportunity for an examination to be made to determine the existence of any remains of archaeological interest within the site and for examination and recording of such remains in accordance with Policy DM27 of the Copeland Local Plan.

Informative

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

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.

Approve in Outline

Please read the accompanying notice

23/01/2019

Pat Graham
Chief Executive

APPROVALS
(OUTLINE, FULL RESERVED MATTERS & HOUSEHOLDER)

DEVELOPMENT MANAGEMENT PROCEDURE (ENGLAND) ORDER 2010

PART 2

TOWN AND COUNTRY PLANNING ACT 1990

Appeals to the Secretary of State

- If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your Local Planning Authority's decision then you must do so within 6 months of the date of this notice.
- Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at www.planningportal.gov.uk/pcs.
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

Purchase Notices

- If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part V1 of the Town and Country Planning Act 1990.