

**Planning Statement – Land adjacent to Belvedere, Wath Brow,
Cleator**

Proposal: Residential development of a single dwelling



Mr G Coan

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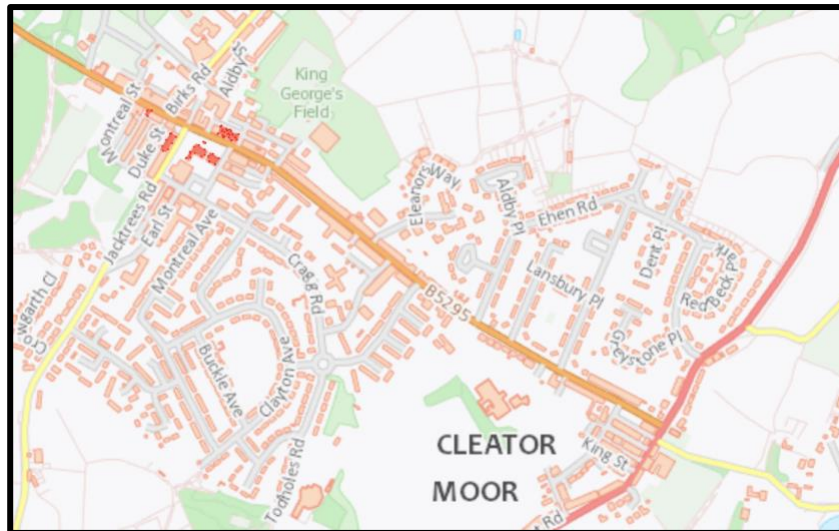


1.0 Introduction

- 1.1 This planning statement has been prepared on behalf of the applicant in support of a planning application for a single residential dwelling on land adjacent to Belvedere, Wath Brow, Cleator.
- 1.2 The application is submitted in outline, covering matters relating to the principle of the development. The purpose of this statement is to set out the planning case in support of the development of the site, and it should be read in conjunction with the plans submitted.
- 1.3 Section 2 of this Statement will set out the site's context, Section 3 covers the proposed development, Section 4 relates to the planning history of the site and surroundings, Section 5 will set out the planning policy context against which the application must be considered and undertakes a planning assessment of the proposed development and Section 6 will draw together the conclusions.

2.0 The Site

- 2.1 The application related to an area of land extending to 0.09 hectares which lies to the north of Belvedere. The development adjoins a stable block and agricultural land to the north and west (in the applicants' ownership), to the east it adjoins the curtilage of High Wath, with Merlewood further to the northeast, and to the south the application site adjoins the residential curtilage of Belvedere.
- 2.2 The site is currently agricultural and residential curtilage land. The topography of the land is generally flat, and it is contained by walls and hedgerows to all sides.
- 2.3 The application site is situated within the group of buildings at Wath Brow, which includes 7 residential dwellings and some modern and traditional agricultural buildings. It is located 160m from the Cleator Moor settlement boundary of previous Local Plan and is therefore close to the local amenities of Cleator Moor consisting of the Medical Centre, Primary Schools, churches, playparks, pubs, library, supermarket, and shops. Cleator Moor is a Key Service Centre in the Borough as detailed in the Copeland Local Plan.
- 2.4 The A595 which runs through Copeland can be joined 2.5m from the site and provides easy access north towards Carlisle, and Egremont and Sellafield to the south. The A595 links to the A66, 13 miles north of the site which connects to Penrith and Junction 40 of the M6 to the east.
- 2.5 In summary therefore, the site is situated within a long-established residential area that is within reach of the best range of facilities that the Borough can offer.
- 2.6 There are no Conservation Areas or Tree Preservation Order's on or directly adjacent to the site.
- 2.7 There are no Listed Building's on or near to the site. The nearest Listed Buildings are in Cleator Moor Town Square, some 800m to the northwest, as detailed on the Copeland GIS Map exert below:



- 2.8 The site is located in an area that the Environment Agency Flood Map for Planning has noted as Flood Zone 1, and as such have a low probability of flooding. The adjacent land to the south and east is in a Flood Zone 2 & 3, but neither the access nor the site of the dwelling is.

3.0 The Proposed Development

- 3.1 The application is an outline planning application with all details regarding access, scale, layout, landscaping and appearance of the residential development proposed on the site would be covered within a subsequent reserved matters application, if this outline is approved.
- 3.2 The proposed dwelling however would utilise the access from the Wath Brow road which currently serves Belvedere. It is likely that this point of access will be altered to improve the visibility for both the existing and proposed dwellings, by setting the walls further back into the site. The land on both sides of the access is within the applicant's ownership, which will provide suitable visibility splays.
- 3.3 Again while not forming part of the application at this stage, the proposed scale of the development is a single dwelling on the site, which is all the site would be suitable for given the size and layout. This would provide suitable separation from the existing dwellings of Belvedere, High Wath and Merlewood.
- 3.4 The layout of the proposed development would likely take a similar orientation to the adjacent dwellings of Belvedere, High Wath and Merlewood, having front and rear elevation to the east and west elevations, with garden land to the east and access, parking and turning area to the west.
- 3.5 The property will have a minimum of three in curtilage parking spaces, although the plot could accommodate more parking for cars. The dwellings in the existing group are of mixed types. High Wath is more of a traditional two storey dwelling, Merlewood is a bungalow and Belvedere is a converted two storey barn set up with under build and storage space below.

- 3.6 The application site is considered well related to the existing residential properties at Wath Brow (Belvedere and High Wath in particular), but also to the road network, the wider Cleator Moor area and it is considered that the development of the site in the proposed form is possible without having any adverse impact on residential amenity to the surrounding properties. The aim of the proposed development is to provide a new dwelling for the applicant's son who resides in the existing property at Belvedere.

4.0 Planning history

- 4.1 There is no previous planning history directly on the application site.

5.0 Planning Policy and its application to the proposed development

- 5.1 Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 5.2 The Local Development Plan consists of policies within the Core Strategy and Development Management Policies DPD (December 2013). The policies in the following paragraphs are considered relevant to the proposed development.
- 5.3 The Local Plan sets out a long-term spatial vision and strategic objectives to support Copeland's vision which is "Working to improve lives, communities and the prosperity of Copeland". Although it was adopted before the updated NPPF (2019) it was adopted after the first NPPF that was published in March 2012 and therefore closely follows the principles of sustainable development, as defined by national policy and delivering sustainable housing in accordance with that policy.

Strategic Policies

- 5.4 **Policy ST1** of the core strategy sets out the fundamental principles that will achieve sustainable development. Amongst other things it seeks to ensure that development created a residential offer which meets the needs and aspirations of the Boroughs housing markets and aims to focus housing on previously developed land rather than greenfield sites.
- 5.5 **Policy ST2** sets a spatial development strategy whereby development should be guided to the Principal settlement and other service centres to help sustain services and facilities.
- 5.6 The above are the strategic policies with particular relevance to residential housing sites.
- 5.7 **Policy SS1** seeks to improve the housing offer of the borough by, amongst other things, by allowing housing sites to meet local needs in locations attractive to house builders and enhancing the general surrounding residential environment of the borough.
- 5.8 With regards to the above, it is noted that the site is within the vicinity of residential properties in Cleator Moor, and is within easy walking distance of the amenities in the settlement.

The Council has previously acknowledged that there is a need to identify sites that: -

- Met the needs of the Local Plan and the NPPF (2012);
- Provided sustainable development;
- Help to meet the needs of Copeland and provide a sound basis for economic growth.

It is considered that that site meets the above, given the location on the edge of a recognised main town, adjoining other residential properties and being a desirable location for new residential development of an appropriate scale.

5.9 **Policy SS3** requires housing development proposals to demonstrate how the proposal helps to deliver a range and choice of good quality and affordable homes for everyone. This is assessed by how well a proposal meets the identified needs and aspirations of the Borough's individual Housing Market Areas as set out in the Strategic Housing Market Assessment (SHMA). The aim of the policy is therefore to: -

- Create a more balanced mix of housing types and tenure within that market area, in line with the evidence provided in the SHMA;
- Include a proportion of affordable housing which makes the maximum contribution (consistent with maintaining the viability of the development) to meeting identified needs in that market area.

5.10 **Policy ENV1** sets out an approach to ensure that new build development is not prejudiced by flood risk, by permitting new build on sites outside areas at risk of flooding, and ensuring that new development does not contribute to increased surface water run-off through measures such as Sustainable Drainage Systems.

5.11 The proposed development is located within Flood Zone 1 which the Environment Agency (EA) define as an area having less than 0.1% annual risk of flooding and is therefore at the lowest risk of flooding. While the River to the south of the Wath Brow road does lead to higher category flood zones adjacent to the application site, they do not encroach on it or the proposed and existing access for Belvedere.

5.12 **Policy ENV3** seek to ensure that new development will protect and enhance biodiversity and geodiversity.

5.13 There are no designations or information available which suggests that the site is subject to any biodiversity interest, nor is the applicant who is resident on the site aware of anything.

5.14 **Policy ENV5** relates to the protection and enhancement of the Boroughs landscapes. It seeks to ensure that landscapes are protected from inappropriate change through unsympathetic development.

5.15 It is considered that the proposed development, being of small scale set at a low land level, adjoining existing dwellings and agricultural buildings, is not an inappropriate change to the landscape.

Development Management Policies

Design

5.16 **Policy DM10** states the Council will expect high standard of design and the fostering of 'quality places' and development proposals will be required to: -

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- Respond positively to the character of the site and the immediate and wider setting and enhance local distinctiveness through an appropriate size and arrangement of development plots, the appropriate scale and massing of houses;
- Incorporate existing features of interest including local vernacular styles and building materials;
- Address vulnerability to and fear of crime and anti-social behaviour by ensuring that the design, location and layout of all new development creates clear distinctions between public and private spaces, overlooked routes and spaces within and on the edges of development;
- Create and maintain reasonable standards of general amenity.

5.17 It is considered that the above principles have been taken into account in the design and layout of the proposed development. The proposed dwelling on the layout plan is considered appropriate in form, design and size, and also the size is at an appropriate scale for the site and context of the adjacent dwellings. In addition, the application site is set at a similar level to the adjacent road with several buildings in between, reducing the site visibility from any wider aspects.

Residential Amenity

5.18 **Policy DM12** requires new build residential properties to have: -

- a separation distance of at least 21 metres between directly facing elevations of dwellings containing windows of habitable rooms
- a separation of at least 12 metres between directly facing elevations of dwellings containing windows of habitable rooms and a gable or windowless elevation

5.19 It is noted that the layout confirms that the proposed dwelling would as detailed meet all of the above separation distances in relation to the applicants dwelling on site, and the adjacent properties outside of the site.

Drainage and Flood Risk

5.20 **Policy DM24** states where a proposed development is likely to be at risk from flooding or increases risk of flooding elsewhere, a Flood Risk Assessment (FRA) will be required to be submitted as part of the planning application. Development will not be permitted where it is found that there is an unacceptable risk of flooding; or the development would increase the risk of flooding elsewhere.

5.21 As mentioned above, the development area is located within a Flood Zone 1 in which the NPPF recognises that all uses types are therefore appropriate including residential new build.

Access and Transport

5.22 **Policy DM12** requires housing development to provide a car parking provision in accordance with adopted residential parking standards. Cumbria Highways have provided a Cumbria Development Design Guide but there are no adopted parking standards. The guidance provides a suggested level of parking for housing development.

- 5.23 The size of the proposed site can accommodate sufficient parking for a single dwelling. It is therefore considered that the proposed layout meets this criterion of Policy DM12.
- 5.24 **Policy DM22** requires development proposals to be accessible to all users by providing convenient access into and through the site for pedestrians, cyclists and disabled people, access for emergency and service vehicles, meeting adopted car parking standards which reflect the needs of the Borough in its rural context. Where necessary the potential transport implications of development will be required to be supported by a Transport Assessment and a Travel Plan to manage any significant transport implications.
- 5.25 The proposed development provides a safe, functional and inclusive access allowing good sustainability to the facilities in Distington and allow sustainable transport links across the wider Borough. It is also linked to the facilities in the village and the bus stops by a continual footpath link. The proposal therefore meets the aims of local plan policies DM12 and DM22.

Ecology

- 5.26 **Policy DM25** states that all development proposals should protect the biodiversity value of land and buildings minimise fragmentation of habitats. As the proposed site is already in use as a domestic access and an agricultural site, it is considered that the biodiversity value of the site will not change.

Principle – National Planning Policy Framework (“NPPF”) (as revised February 2019)

- 5.27 The purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF states that sustainable development has three objectives social, economic and environmental listed within Paragraph 8.
- 5.28 The social and economic are as follows:

*“a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*

*b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being. “*

It is noted in the above that a central aim of the NPPF is to ensure that the right type of land is available in the right areas, to ensure that the correct housing is available to meet the needs of present generations.

- 5.29 Paragraph 11 covers the issue of the application of the presumption in favour of sustainable development.

*“For **decision-taking** this means:*

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:

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

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."

- 5.30 Paragraph 102 is regarding promoting sustainable transport, which is relevant to this proposal. *"Opportunities to promote walking, cycling and public transport use are identified and pursued."* This continues in paragraph 103 stating *"The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making."* As previously noted, this site is located on the edge of a sustainable settlement in the borough, within an existing group of buildings. Cleator Moor benefits from services such as schools, churches, pubs, medical centre, shops, and a supermarket. In addition, the site is within 300m of a bus stop which provides regular daily services to Whitehaven, Workington, and Egremont meaning that residents in this location can sustainably travel across the Borough. In addition, it is linked to the Cleator Moor settlement with a continuous pavement links for pedestrian safety.
- 5.31 Paragraph 79 is regarding the development of isolated homes in the countryside, and how planning policies and decisions should avoid this, with certain exceptions. However, on the basis of the information provided within this statement, it is considered that this is not an isolated development. It is one of several structures in the area, so therefore is not isolated in the site context and is only 160m away from the settlement boundary of the Copeland Local Plan for Cleator Moor. Finally, it is 300m from the north/south bus stops that will provide sustainable transport to all major nearby settlements, including Whitehaven and Workington as detailed above.

Copeland Borough Council Housing Land Supply Position Statement

- 5.32 In the Council's recent Housing Land Supply Position Statement, it states Copeland can now demonstrate a five-year housing land supply. However, this also states that Policy ST2 of the Copeland Local Plan 2013-2028 in so far as relating to development boundaries (Parts B and C) is out of date. This is on the basis that to meet the identified need for residential development outlined in the SHMA, development is required beyond the existing defined settlement boundaries. As such, in respect of decision making the provisions of Paragraph 11 of the NPPF are engaged.

On this basis the provisions of the presumption in favour of sustainable development outlined in Paragraph 11 of the national planning policy framework must be applied.

Cleator Moor is defined in the Copeland Local Plan 2013 – 2028 as a Key Service Centre where development should be focussed, reflecting its scale and function as a significant

settlement in the Borough. It is also proposed to retain this status in the future Local Plan currently being prepared. On this basis it is difficult to consider any planning argument that does not consider this site to be sustainable in terms of the guidance set out within the NPPF.

Copeland Borough Council Officer Pre-Application Advice

- 5.33 Regarding this particular site, the following is extract from pre-application advice given regarding the distance from the settlement boundary of Cleator Moor, post housing land supply position statement.

'In respect of the land identified, this is clearly located beyond the defined settlement boundary for Cleator Moor; however, as you state it is located within walking distance of a number of services etc. that are located within Cleator Moor. An established footway connects the identified land to Cleator Moor; therefore, it is reasonably arguable that despite being physically separate from the settlement, the land is in a sustainable location with better access to services than some of the more peripheral areas of Cleator Moor.'

Given the existing surrounding development and proximity to Cleator Moor, the development would not reasonably comprise isolated developed for the purposes of Paragraph 79 of the NPPF.'

No factors or planning guidance had changed or been adopted since this advice was provided, so this proposal should be considered similarly positively in accordance with advice from Copeland Borough Council Officers.

6.0 Conclusion

- 6.1 The proposed development provides the opportunity for a dwelling on a site that is considered suitable for residential use.
- 6.2 The site is continually linked to a major sustainable settlement in the Borough with a pedestrian pavement.
- 6.3 The proposed development has been designed to take into account the site characteristics, surroundings, wider location, and the existing building.
- 6.4 It is considered that any impact on anyone outside of the site has been minimised by the proposed layout.
- 6.5 It is contended therefore that the proposed development is acceptable and is in accordance with both national and local planning policy, and therefore should be approved.

Simon Blacker MRTPI