



Introduction

This Planning Statement has been prepared by PFK Planning and Development on behalf of our client, Mr Steven Tyson, in support of their full planning application for the erection of 8 dwellings on land at North Lane, Haverigg, LA18 4LX.

The proposed development site is located less than 0.5 miles to the northwest of the seaside village of Haverigg. The site benefits from an existing established access onto North Lane and measures approximately 0.4 hectares. The hybrid application is supported by the following information:

- Location Plan;
- Proposed Site Plans;
- Proposed Floorplans and Elevations;
- Proposed Roof Plans;
- Proposed Sketches;
- Preliminary Ecological Assessment;
- Flood Risk Assessment and Drainage Strategy.

Site

The proposed development site is located less than 0.5 miles to the northwest of the seaside village of Haverigg. Haverigg lies on the Duddon Estuary and is a short distance from the town of Millom.

The village has a Blue Flag beach, a restored lighthouse, and is close to the Hodbarrow RSPB nature reserve on the edge of Hodbarrow Lagoon.

The site benefits from an existing established access onto North Lane and measures approximately 0.4 hectares. North Lane provides the main access to HMP Haverigg.

The site is located within Flood Zone 1 and there are no known surface water issues affecting the site. None of the surrounding properties are listed buildings, nor is the site located within a conservation area. There are no other constraints affecting the proposed development of this site.



Proposal

We are seeking planning permission for the erection of 8 dwellings on land at North Lane, Haverigg within the red-line boundary. Plots 1 and 2, 3 and 4, and 6, 7 and 8 will share a vehicular access onto North Lane. Plots 5 will have their own separate vehicular access. The application site follows the same area that is shown on the revised settlement boundary for Haverigg in the emerging Local Plan. The access road is a private road, which leads to the prison.

The design of the dwellings has considered the surrounding pattern of development, the orientation of existing properties and existing landscape features. Enhanced planting will ensure that the development is well contained and serve to mitigate against any visual impact.

The planning application is a resubmission of a hybrid planning application, also for 8 dwellings, with only 1 detailed in full. Following discussions with Officers at Copeland Borough Council, the hybrid application was withdrawn and a submission made of a full application.

Prior to the submission, pre-application advice was received on the proposed dwelling types and further amendments were made in relation to the chimney designs within plots 2 – 5, the glazed elements of the proposal were reduced and large flat roof dormers within the rear of a number of the properties were removed on the basis of Officer advice.

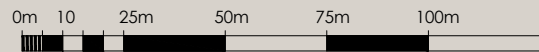
Proposal

Refer to the following drawings for each plot
22-15-P-03 to 09 - PLOT 01
22-15-P-10 to 16 - PLOT 02
22-15-P-17 to 23 - PLOT 03 & 04
22-39-P-03 to 09 - PLOT 05
22-15-P-24 to 30 - PLOT 06, 07 & 08



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PROPOSED SITE PLAN @ 1:500 △



Planning Policy

Copeland Local Plan 2013 – 2028

The Copeland Local Plan 2013 – 2028 Core Strategy and Development Management Policies DPD was adopted in December 2013. Policy ST1 Strategic Development Principles states that the following principles inform and underpin the Borough's planning policies:

- Economic and social sustainability;
- Environmental sustainability;
- Protect, enhance and restore the Borough's valued assets;
- Ensure the creation and retention of quality places.

Policy ST2 Spatial Development Strategy states that development will be located in the Borough's settlements at an appropriate scale, within defined settlement boundaries, in accordance with the settlement hierarchy. The settlement hierarchy identifies Haverigg as a 'Local Centre' and permits new housing within the defined physical limits of development as appropriate. The settlement hierarchy also states that small extension sites on the edges of settlements may be acceptable.

improvement of the Borough's existing housing stock, and the enhancement of the surrounding residential environment, to meet local housing needs, particularly in Whitehaven, the three smaller towns, and Local Centres.

Policy SS2 Sustainable Housing Growth states that house building to meet the needs of the community and to accommodate growth will be provided for by allocating sufficient land, seeking densities of 30 dwellings per hectare and aiming for 50% of development to take place on brownfield sites. At present, Copeland Brough Council have not formally allocated any land for housing development.

Policy SS3 Housing Needs, Mix and Affordability states that applications for housing development should demonstrate how the proposal helps to deliver a range and choice of good quality and affordable homes for everyone.

Development proposals will be assessed according to how well they meet the identified needs and aspirations of the Borough's individual Housing Market Areas as set out in the Strategic Housing Market Assessment.

Planning Policy

Copeland Local Plan 2013 – 2028 (Continued)

Policy ENV5 Protecting and Enhancing the Borough's Landscapes states that the Borough's landscapes will be protected and enhanced by:

- a) Protecting all landscapes from inappropriate change by ensuring that development does not threaten or detract from the distinctive characteristics of that particular area;
- b) Where the benefits of the development outweigh the potential harm, ensuring that the impact of the development on the landscape is minimised through adequate mitigation, preferably on-site;
- c) Supporting proposals which enhance the value of the Borough's landscapes.

Policy DM10 Achieving Quality of Place states that the Council will expect a high standard of design and the fostering of 'quality places'.

town centres or at sites adjacent to public transport routes

- b) 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 provision, orientation, proportion, scale and massing of buildings
 - Careful attention to the design of spaces between buildings
 - Careful selection and use of building materials which reflects local character and vernacular
- c) Incorporate existing features of interest
- d) Address vulnerability to and fear of crime and anti-social behaviour
- e) Create and maintain reasonable standards of general amenity

Planning Policy

Copeland Local Plan 2013 – 2028 (Continued)

Policy DM11 Sustainable Development Standards states that the Council will ensure that development proposals reach high standards of sustainability by:

- Requiring housing to be of an appropriate density – generally at least 30 dwellings per hectare;
- Encouraging developers to achieve high energy efficiency standards in relation to the Code for Sustainable Homes and BREEAM;
- Requiring renewable energy generating technology on site in developments of 10 or more dwellings;
- Orientating and designing buildings to maximise solar gain, so far as practicable without compromising wider design and quality of place objectives;
- Encouraging construction materials to be sourced, where possible, from local and sustainable sources of production;

be incorporated in all developments;

- Ensuring surface water is managed appropriately, with the inclusion of Sustainable Drainage Systems where possible.

Policy DM12 Standards for New Residential Developments states that proposals for new residential developments should incorporate:

- Car parking provision in accordance with adopted residential parking standards;
- Minimum separation distances elevation;
- A minimum of 0.4ha of public space for every 200 dwellings pro-rata on developments of 10 or more dwellings;
- All new development should be designed to Lifetime Homes and (on developments of ten dwellings or more) Building for Life standards.

Planning Policy

Copeland Local Plan 2013 – 2028 (Continued)

Policy DM22 Accessible Developments states that the Council will require development proposals to be accessible to all users and accord with the following principles:

- a) The layout of the development responds positively to existing movement patterns in the area by providing or contributing towards:
 - Permeable and legible layouts which are convenient for access into and through the site for pedestrians, cyclists and disabled people
 - Access for public transport
 - Access for emergency and service vehicles
- b) Incorporate innovative approaches to managing vehicular access and parking with:

- Standards incorporated into the design of the development which manage traffic access and speeds without excessive engineering measures
- Incorporate car parking, through a variety of on street and off-street arrangements which avoid vehicles dominating the street scene, whilst meeting adopted car parking standards which reflect the needs of the Borough in its rural context.

Policy DM26 Landscaping states that all development proposals will be assessed in terms of their potential impact on the landscape.

Proposals will be assessed according to whether the proposed structures and associated landscaping relate well in terms of visual impact, scale, character, amenity value and local distinctiveness and the cumulative impact of developments will be taken into account as part of this assessment.

Development proposals, where necessary, will be required to include landscaping schemes that retain existing landscape features, reinforce local landscape character and mitigate against any adverse visual impact.

Planning Policy

5-Year Housing Land Supply

The Copeland Local Plan 2013 – 2028 was adopted prior to the revised National Planning Policy Framework (NPPF) in July 2018. The NPPF explains that in regard to plans which were made prior to the publication of the Framework:

“...existing policies should not be considered out-of-date-simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)”.

The supply of available and deliverable sites for housing within the Borough is a material consideration in determining the weight to accord to relevant policies in the Copeland Local Plan. Paragraph 11 in the NPPF explains that where the policies which are the most important for determining the application are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

In November 2020, Copeland Borough Council published a new 5-Year Housing Land Supply Position Statement. This confirms that the Council is now able to demonstrate a five-year housing land supply and with that, the Interim Housing Policy from May 2017 is no longer up to date and has been revoked.

However, the Position Statement explains that Policy ST2 Spatial Development Strategy (specifically Points B and C relating to the settlement boundaries) is still considered to be out of date.

Therefore, applications for development outside of the settlement boundaries in the Core Strategy will be determined in accordance with the NPPF, other policies relevant to the proposal and relevant material considerations. Points B and C of Policy ST2 are considered to be out of date as the Preferred Options Draft of the new Copeland Local Plan (published September 2020) indicates that in order to meet housing needs identified in the SHMA over the period 2017-2035 (140 dwellings per year), development will be required outside of the settlement boundaries. Given this, the policy does not accord with the NPPF and the provisions of Paragraph 11 are engaged.

Planning Policy

Emerging Copeland Local Plan 2021 - 2038

Copeland Borough Council are currently in the process of preparing a new Local Plan and consulted on their Pre-Publication Draft in January 2022.

Similarly, to the current Local Plan, Haverigg is identified as a Local Service Centre with the Pre-Publication Draft. Local Service Centres are described as operating independently to meet day-to-day needs as well as operating as a connected cluster, linked to a neighbouring town or village of a similar scale by a frequent public transport service and/or safe pedestrian routes.

Furthermore, the Pre-Publication Draft of the new Copeland Local Plan shows an extension to the settlement boundary to the northwest of the village. This proposed extension incorporates the land that is the subject of this hybrid application.

The revised NPPF was published in July 2018 and was most recently updated in July 2021.

Paragraph 7 of this revised document confirms that the purpose of planning is to “contribute to the achievement of sustainable development”.

Paragraph 8 explains that to achieve sustainable development the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways:

An economic objective;

a social objective, and

an environmental objective.

Planning Policy

National Planning Policy Framework (Continued)

So that sustainable development is pursued in a positive way at the heart of the framework is a presumption in favour of sustainable development. Paragraph 11 states that plans and decisions should apply a presumption in favour of sustainable development which means “approving development proposals which accord with an up-to-date development plan without delay”.

Paragraph 60 states that to support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land comes forward where it is needed.

can make an important contribution to meeting the housing requirements of an area and are often built out relatively quick.

This paragraph also states that local planning authorities should support the development of windfall sites, giving great weight to the benefits of using suitable sites within existing settlements for homes.

Paragraph 79 states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. In smaller settlements, development in one village may support services in another village nearby.

Planning Policy

National Planning Policy Framework (Continued)

Paragraph 119 states that planning policies should promote an effective use of land in meeting the need for homes and other uses.

Paragraph 120 states that planning policies and decisions should “promote and support the development of under-utilised land”.

Paragraph 130 requires developments to:

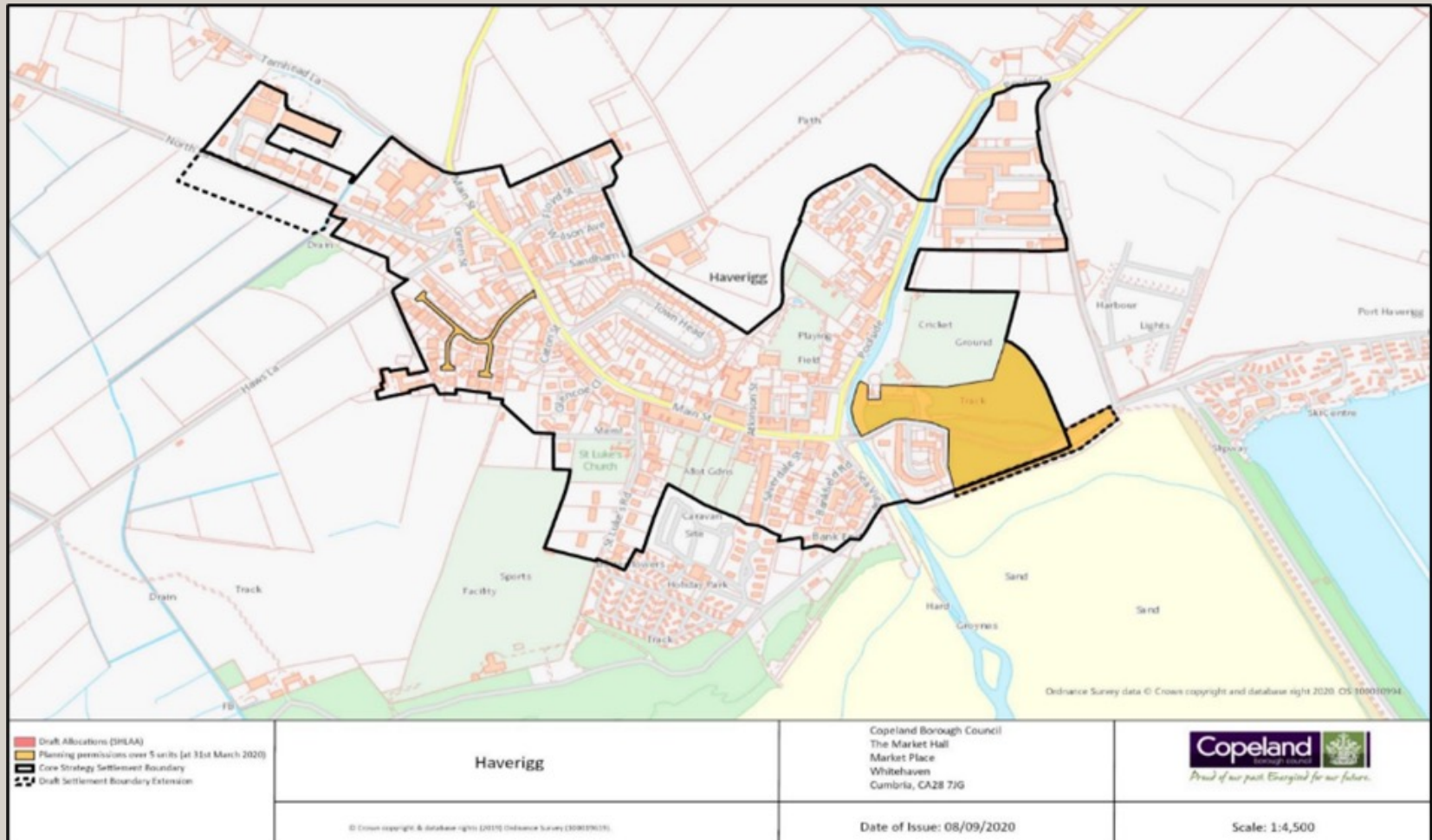
- Function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- Be visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

the surrounding built environment and landscape setting, and

- Establish or maintain a strong sense of place and create attractive, welcoming and distinctive places to live, work and visit.

We consider that the proposed development is in accordance with both local and national planning policy.

Planning Policy



Pre-Application Advice

Pre-Application Advice

The Pre-Application Advice sought from Copeland Borough Council in December 2021 explained that:

The proposed application site lies outside of, the existing settlement boundary for Haverigg therefore the proposal is in conflict with Policy ST2. Policy ST2 of the current Copeland Local Plan states that outside of the defined settlement boundaries, development is restricted to that which has a proven requirement for such a location.

The proposed site is located within an area currently marked as an extension to the existing settlement boundary for Haverigg within the Emerging Local Plan. Although this site is identified within the proposed settlement boundary for Haverigg, at this stage this cannot be given much weight in decision making and only gives an indication for the direction of growth over the next plan period. Further consultations are due to be carried out on the Emerging Local Plan in January 2022, if there are no objections to this extension the Local Planning Authority will then be able to attach some weight to this plan in decision making.

Copeland Local Plan relating to settlement boundaries are currently considered to be out of date, the application would be considered against paragraph 11 of the NPPF which sets out that planning permission should be granted unless:

- i. The application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.*

In applying the provisions of paragraph 11 of the NPPF, the development of this site would boost the supply of housing in the area and would help to support the retention of local services. However, as the site is detached from the existing settlement boundary from Haverigg I would have concerns with regard to intrusion into the open countryside and the impact on the surrounding landscape. Whilst your pre application submission states that the development would be for up to six dwellings, I would suggest that this may be overdevelopment of this site and the Local Planning Authority would want to see a development which reflects the linear character of the built form of the area.

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Local Planning Authority will then be able to attach some weight to this plan in decision making.

On this basis I would advise that your client should hold off submitting an application for this site until around Easter time once the Council's position is established. If an application was to be submitted at this time, as policies within the Copeland Local Plan relating to settlement boundaries are currently considered to be out of date, the application would be considered against paragraph 11 of the NPPF which sets out that planning permission should be granted unless:

- i. The application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.*

Pre-Application Advice

ii. *Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.*

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From a review of the site constraints I would advise that the land is identified as a potential area for natterjack toads. I would therefore advise that any application will need to be supported by an appropriate ecology survey.

Planning Assessment

Principle of Development

As Parts B and C of Policy ST2 are considered out of date (on the basis that development is required beyond the settlement boundaries to meet identified need), the provisions of Paragraph 11 of the NPPF are engaged.

Paragraph 11 explains that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Development of the proposed site would not result in any adverse impacts that would significantly and demonstrably outweigh the benefit of providing additional housing within the village.

The development proposal conforms to Paragraph 78 as the site is located approximately 0.5 miles (15 minutes walking distance) from Main Street, Haverigg which has a wide range of local services. These include a primary school, post office, convenience store and several pubs and hot food takeaways. As such, Haverigg is a 'Local Service Centre' and the proposed location for development is sustainable.

Landscape Character

We only requested pre-application advice for part of the application site (the western parcel). As such, the Council had concerns about intrusion into the open countryside and the impact on the surrounding landscape due to the site being detached from the existing settlement boundary.

As such, we have extended the application site to include the land adjacent to the settlement boundary. We consider that the layout, scale and form of the proposed development is compatible with the established linear building pattern, the predominant character of the established housing in this location.

Planning Assessment

Landscape Character (Continued)

Existing landscape features will be retained, particularly along property boundaries where they have high public amenity value or help maintain privacy. Enhanced landscaping will also be used to help integrate the new development.

Design and Layout

Careful consideration has been given to the design and layout of the development. The materials will include the following:

- Walls – Stone Cladding and Smooth White Render
- Roof – Plain Smooth Concrete Tile
- Windows – Grey UPVC/Aluminum and Velux Rooflights
- Doors – Grey UPVC and Panelled Garage Door
- Vehicle Access – Asphalt Driveway

The design incorporates design features and external materials consistent with existing dwellings within the locality. The surrounding properties are a mixture of single-storey, dormer bungalows and two-storeys.

All of the properties have a contemporary 20th century appearance but are of different designs. As such, the proposed dwelling is not inappropriate to the emerging character of the approved development in the locality.

Given the location, scale, form and design of the proposed dwelling, unacceptable adverse impacts upon the existing and other proposed dwellings will not result through overbearing, loss of light, overlooking or overshadowing.

Planning Assessment

Access

5 new vehicular accesses will be created onto North Lane. Plots 1 and 2, 3 and 4, and 6, 7 and 8 will share a vehicular access onto North Lane. Plots 5 will have their own separate vehicular access.

Ecology

Nesting birds and amphibians are known to occur in the local area, there was however no conclusive evidence of any specifically protected species regularly occurring on the site or the surrounding areas which would be negatively affected by site development following the mitigation proposed.

All hedgerows around the perimeter of the site and between Field 1 and 2 are of poor quality and being <20m long, do not fall under the Hedgerow Regulations (1997) for classification as important.

The planting of trees along the site boundary (especially in-between sections of hedgerow) and landscaping will promote structural diversity in both the canopy and at ground level and will encourage a wider variety of wildlife to use the site than already occurs.



Summary and Conclusion

We are seeking full planning permission for the erection of 8 dwellings on land at North Lane, Haverigg.

The proposed development site is located less than 0.5 miles to the northwest of the seaside village of Haverigg. Haverigg has a wide range of local services including a primary school, post office, convenience store and several pubs and hot food takeaways. As such, Haverigg is defined as a 'Local Service Centre' with the Local Plan and is, therefore, a sustainable location for development.

We consider that the layout, scale and form of the proposed development is compatible with the established linear building pattern, the predominant character of the established housing in this location. Development of the proposed site would not result in any adverse impacts that would significantly and demonstrably outweigh the benefit of providing additional housing within the village.

The development proposal is in accordance with the requirements of the National Planning Policy Framework and the current and emerging Copeland Local Plans and represents a sustainable residential development.

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