

Land adjacent to Bowrie Fauld, Smithy Banks, Holmrook, Cumbria

Planning Statement

B030698

Mrs T Knutsford

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1.0 INTRODUCTION

- 1.1.1 This Planning Statement ('Statement') has been prepared by Tetra Tech Planning on behalf of Mrs T Nutsford in support of an outline planning application for residential development, with all matters reserved for subsequent approval, except for access. The application is submitted to Copeland Borough Council (the 'Council') as Local Planning Authority.
- 1.1.2 The application is a re-submission of planning permission 04/18/2297/001, which was approved by the Council on 19th December 2018. This permission is set to expire on the 19th December 2021.
- 1.1.3 The proposal is detailed in the drawings and documents listed below;
- Application Form;
 - Location Plan at scale 1:2500;
 - Block Plan / proposed indicative layout at scale 1:1250;
 - Proposed access arrangements at scale 1:500;
 - Proposed planting to site boundaries, details comprising Planting Plan and Plant specifications and schedules;
 - Updated Preliminary Ecological Appraisal and Hedge Survey;
 - Access Appraisal;
 - Flood Risk Assessment; and
 - Drainage Strategy and Design.
- 1.1.4 This Statement also includes a Design and Access Statement, which is found in Section 9

2.0 SITE AND SURROUNDING AREA

- 2.1.1 The application site extends to 1.41 ha of land and forms the eastern part of OS Field No 5047. The location and extent of the land are shown on the Location Plan and Block Plan, which accompany the application.
- 2.1.2 The site is located adjacent to the west of existing residential properties of Smithy Bank. The southern boundary of the site is the B5344, which is the main access route to existing development comprising Hill Green, Church Stile and Drigg. Agricultural fields are adjacent to the west and north.
- 2.1.3 The site is situated within Flood Zone 1 and is not the subject of any landscape, ecological environmental or historical protection designations.
- 2.1.4 The site is identified in the Cumbria Landscape Character Guidance and Toolkit Map as landscape character Sub Type 5b “Low Farmland”. Key Characteristics of this Sub Type include undulating and rolling topography, intensely farmed agricultural pasture, large and rectangular fields bounded by hedges, hedgerow trees and fences, which criss-cross up and over the rolling landscape.
- 2.1.5 The site is generally level, used as pasture and bounded by hedges. The western end of the site is traversed, north to south, by an overhead telegraph wire supported by poles. An overhead cable, also supported by poles, follows the rear boundary of OS Field No 5047 generally in a northeast to southwest direction.
- 2.1.6 In terms of the wider context, the site is located on the southwestern side of Holmrook along the main route between Holmrook and Drigg. Whilst these are separate settlements, their proximity to one another means services are shared between residents. Both villages contain a range of services.
- 2.1.7 The Lake District National Park boundary lies east of the settlement of Holmrook and approximately 500m distance away from the planning application site.

3.0 PLANNING HISTORY

- 3.1.1 The planning history relating specifically to the application site is limited to the previous outline planning application for residential development as summarised below:
- 4/18/2297/001. Outline application for residential development with full details of access. Approved 19th December 2018.
- 3.1.2 The application was originally considered at the 29th August 2018 Planning Panel but it was deferred to allow for a site visit, which took place on 12th September 2018. The application was determined at the subsequent Planning Panel on 19th December 2018.
- 3.1.3 No changes have occurred on site since the determination of the application.
- 3.1.4 The adjoining dwellings at Smithy Bank, Holmrook were part of a modern development that received planning permission on 29th March 1990 under application 4/90/0045/0. This proposal was subject to subsequent reserved matters approvals.
- 3.1.5 The other nearest application of a similar scale was 4/19/2240/001, which was for an outline application for residential development for up to 16 dwellings proposed on land on the north side of the B5344 and located in Drigg, which was subsequently withdrawn.
- 3.1.6 There are no other relevant planning applications in the immediate surrounding area.

4.0 DESCRIPTION OF THE PROPOSALS

- 4.1.1. As described in the Introduction above, this is an outline proposal for residential development on Part of OS Field 5047. All Matters are reserved for subsequent approval, with the exception of the proposed means of access, details for which accompany this planning application.
- 4.1.2. It is envisaged that the dwellings could be a mix of single storey, one and a half storey and two-storey in height. The overall size of the dwellings will vary as the intention is to provide a well-balanced mix of housing, including both affordable and open market dwellings. The external finish of the dwellings would be comparable to those in the vicinity. The layout of the development will be open and would provide a mix of house types, ensuring that the development would not be uniform in appearance.
- 4.1.3. The Indicative Layout Plan also demonstrates how tree and hedge planting can be used to assimilate the development into both the broader landscape and its immediate environs. A lower density development allows for space between buildings and the introduction of planting within the site and along its boundaries. The planting includes native species, hedgerows, woodland blocks and individual species trees.
- 4.1.4. The north, east and southern boundaries of the site follow the existing site boundaries, which are defined by a mixture of hedgerows and post and wire fencing. The application proposes strengthening the existing boundaries with new native planting. A detailed planting plan and plant specification and schedules for the site boundaries accompanies the application.
- 4.1.5. Access to the proposed development will be via a 4.8m wide shared surface road onto the B5344. The proposal would require the installation of suitable vehicular visibility splays of 48.2m to the west and 44.4m to the east, which would be easily achievable. This is demonstrated on the submitted Proposed Access Arrangement drawing.
- 4.1.6. The site can be satisfactorily drained in respect of both foul and surface water as set out in the Drainage Strategy and Design submitted with this application. No issues arise in respect of flood risk as the site lies in Flood Zone 1.
- 4.1.7. There are also no issues in respect of ecology and hedges. Additional planting is proposed to the site boundaries to not only strengthen these but also provide biodiversity benefits. The detail of the proposed tree and hedgerow planting, which includes proposed woodland planting, is set out in the Planting Plan and the associated plant schedule.

5.0 PRE-APPLICATION ENGAGEMENT

- 5.1.1 A request for pre-application advice was sent to the Council on 17th August 2021 seeking advice on the possibility of renewing the proposals via a new planning application, noting the extant permission has an expiration date of 19th December 2021. The letter noted the policy changes at the local and national level since the granting of the extant permission. The Council's response is included in full at Appendix 1.
- 5.1.2 The Council responded on the 19th August 2021 in which they stated that the previous application was determined during a period when the Council was unable to demonstrate a five-year housing land supply. As of November 2020, the Council are now able to demonstrate this. As such, the Interim Housing Policy which was relevant at the time of the previous application has since been revoked. It also noted the following aspects:
- the Interim Housing Policy has been revoked due to the Council being able to demonstrate a five-year supply of housing, however, policies relating to development boundaries are still considered to be out of date and any application on the site would be assessed under the presumption in favour of sustainable development;
 - the extant permission has already established the principle of development on the site and would be a material consideration should any new application be submitted prior to its expiration;
 - policies in the emerging Local Plan carry limited weight in the decision-making process; and
 - requested that any relevant documents and surveys should be updated in line with any changes to the national and local planning policy position.
- 5.1.3 Having reviewed the pre-application enquiry response, the only documents that are considered outdated from the previous submissions made under application 4/18/2297/001 relate to:
- an updated Ecology Appraisal as the previous documents are now over 3 years old;
 - an updated Planning Statement; and planning application form.

6.0 NATIONAL PLANNING POLICIES

The National Planning Policy Framework (July 2021)

- 6.1.1 The National Planning Policy Framework (NPPF) was originally published in March 2012 and most recently revised in July 2021. The NPPF sets out the Government's planning policies for England and how these should be applied. It is a material consideration in planning decisions.
- 6.1.2 At the heart of the Framework is the '*presumption in favour of sustainable development*', which is key for both plan-making and decision taking. The NPPF defines 'sustainable development' and highlights that it has three interrelated objectives;
- Economic: to help build a strong, responsive and competitive economy by ensuring that sufficient land of the right types is available in the right places at the right time;
 - Social: 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
 - Environmental: to protect and enhance our natural, built and historic environment through means such as improving biodiversity, adapting to climate change and more.
- 6.1.3 Paragraph 11 is of significance as it states that planning decisions should apply a presumption in favour of sustainable development. It also states that, for planning decisions in instances where there are no relevant planning policies, or the policies which are of significance in the determination of an application are out-of-date, permission should be granted unless:
- "The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the proposed development; or*
- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework as a whole"*
- 6.1.4 Paragraph 12 specifies that the presumption in favour of sustainable development does not alter the status of the development plan as the starting point for decision making.
- 6.1.5 Paragraph 38 states that Local Planning Authorities should take a positive approach to decision making on proposed developments, and that they should approve applications for sustainable development wherever possible.

- 6.1.6 Paragraph 39 relates to pre-application consultation and sets out that early engagement has significant potential to improve the effectiveness and efficiency of the planning system for all parties.
- 6.1.7 Paragraph 48 notes that local planning authorities may give weight to relevant policies in emerging plans according to the stage of its preparation (the more advanced its preparation, the greater the weight which may be given), the extent of unresolved objections to relevant policies (the less significant the unresolved objections the greater the weight) and the degree of consistency relevant policies in the emerging plan to the NPPF.
- 6.1.8 Section 5 of the NPPF relates to the delivery of housing and therefore is of significance to this application. Paragraph 60 notes the Government's objective is to significantly boost the supply of homes and notes the importance of ensuring a sufficient amount and variety of land can come forward where it is needed.
- 6.1.9 Paragraph 61 specifies
- "To determine the minimum number of homes needed, strategic policies should be informed by a local housing market assessment, conducted using the standard method in national planning practice"*
- 6.1.10 Paragraph 65 requires major housing developments to provide 10% of the units as affordable.
- 6.1.11 Paragraph 68 requires planning policies to identify a sufficient supply and mix of housing land sites, taking into account their availability, suitability and likely economic viability. Policies should also identify a supply of specific, deliverable sites for years 1-5 of the plan period; and specific, deliverable sites, or broad locations for growth, for years 6-10 and where possible years 11-15 of the plan period.
- 6.1.12 Paragraph 69 notes small and medium sized sites can make an important contribution to meeting an area's identified housing needs.
- 6.1.13 Paragraph 74 specifies that strategic housing policies should include a trajectory illustrating the expected rate of housing delivery over the plan period. It also states that local planning authorities should identify and annually update a supply of specific deliverable sites sufficient enough to deliver a minimum of five years' worth of housing against their housing requirement, or against the local housing need where the strategic policies are more than five years old (unless the strategic policies have been reviewed and found to not need updating). It also requires an appropriate buffer of:

- 5%, to ensure choice and competition;
- 10% where the local planning authority wishes to demonstrate a five year supply of deliverable sites through an annual position statement or recently adopted plan to account for any fluctuations ; or
- 20% where there has been significant under delivery of housing over the previous three years to improve the prospect of achieving the planned supply.

- 6.1.14 Paragraph 75 states that a five-year supply of housing, with the appropriate buffer, can be demonstrated where it has been established in a recently adopted plan, or in a subsequent annual position statement.
- 6.1.15 Paragraph 78 relates to housing in rural areas and requires planning decisions should support housing developments which reflect local needs.
- 6.1.16 Paragraph 79 seeks to promote sustainable development in rural areas by ensuring housing is located where it will enhance or maintain the vitality of rural communities. It also states that planning policies should identify opportunities for villages to grow and thrive, particularly where this would support local services.
- 6.1.17 Paragraph 104 requires transport issues to be considered from the earliest stages of the development process so that any potential impacts on transport networks can be addressed, that opportunities from existing or proposed transport infrastructure are realised, opportunities to utilise active and public transport can be identified, as well as other aspects. Paragraph 105 notes the planning system should actively manage patterns of growth to support these objectives.
- 6.1.18 Paragraph 110 states that, when assessing proposed developments, it should be ensured that appropriate opportunities to promote sustainable travel can or have been taken up, given the type of development and its location; safe and suitable access for all users can be achieved; the design of streets and other transport elements reflect current national guidance; and any significant impacts of development on the transport network or on highways safety can be cost effectively mitigated to an acceptable degree.
- 6.1.19 Paragraph 111 specifies that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative effects on the road network would be severe.

- 6.1.20 Paragraph 126 states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve, and that good design is a key aspect of sustainable development.
- 6.1.21 Paragraph 130 states that developments should function well and add to the overall quality of the area for the lifetime of the development; be visually attractive as a result of good design, layout and landscaping; be sympathetic to local character and history, including the surrounding built environment and landscape setting; establish 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.
- 6.1.22 Paragraph 131 notes the important contribution trees can make to the character and quality of urban environments and that they help combat climate change. IT encourages planting of these along roads in new developments.
- 6.1.23 Paragraph 134 states that developments which are not well designed should be refused.
- 6.1.24 Paragraph 159 seeks to direct development away from areas of high flood risk. Where this is unavoidable, the development should be made safe for its lifetime.
- 6.1.25 Paragraph 167 requires proposed developments to be accompanied by a site-specific flood risk assessment, where appropriate. Developments should also ensure that flood risk is not increased elsewhere. Developments should only be allowed in areas of flooding where it is demonstrated that:
- the most vulnerable development is located in areas of lowest flood risk within the site;
 - the development is appropriately flood resilient;
 - the development incorporates sustainable drainage systems, unless there is clear evidence this would be inappropriate;
 - any residual risk can be managed safely; and
 - safe access and escape routes are included, where appropriate.

- 6.1.26 Paragraph 169 encourages major developments to incorporate sustainable urban drainage systems, unless there is evidence that these would be inappropriate. These systems should also take account of advice from the Lead Local Flood Authority, have proposed minimum operating standards, have maintenance arrangements in place to ensure acceptable operational standards and provide multi-functional benefits, where possible.
- 6.1.27 Paragraph 174 seeks to ensure that developments contribute and enhance the natural environment through means such as protecting valued landscapes, protecting sites of biodiversity value, recognising the intrinsic beauty of the countryside and minimising the impacts on and providing biodiversity net gains.
- 6.1.28 In determining planning applications, paragraph 180 requires proposed developments to apply the following principles:
- should a proposed development result in significant harm to biodiversity which cannot be avoided, mitigated or (as a last resort) compensated for, then planning permission should be refused;
 - development on land within or outside a Site of Special Scientific Interest (SSSI) which would likely have an adverse impact on it should not normally be permitted; and
 - opportunities to improve biodiversity in and around developments should be integrated as part of the design, especially where this can secure biodiversity net gain enhancements.

7.0 LOCAL DEVELOPMENT PLAN

7.1.1 The current adopted development plan for the site comprises of the following documents:

- Copeland Local Plan Core Strategy and Development Management Policies DPD; and
- Saved Policies of the former Unitary Development Plan.

7.1.2 A review of the Council's adopted Policies Map has found that the site is not subject to any policy designations.

Copeland Local Plan Core Strategy and Development Management DPD (adopted 12th December 2013)

7.1.3 A review of the adopted development plan has found the following policies which are applicable to the proposed development:

- Policy ST1: Spatial Development Principles;
- Policy ST2: Spatial Development Strategy;
- Policy SS1: Improving the Housing Offer;
- Policy SS2: Sustainable Housing Growth;
- Policy SS3: Housing Needs, Mix and Affordability;
- Policy ENV1: Flood Risk and Coastal Management;
- Policy ENV5: Protecting and Enhancing the Borough's Landscapes;
- Policy DM10: Achieving Quality of Place;
- Policy DM11: Sustainable Development Standards;
- Policy DM12: Standards for New Residential Development;
- Policy DM22: Accessible Developments;
- Policy DM24: Development Proposals and Flood Risk;

- Policy DM25: Protecting Nature Conservation Sites, Habitats and Species; and
- Policy DM26: Landscaping.

Copeland Local Plan 2021-2038 focused Pre-Publication Draft Preferred Options Consultation (September 2020)

7.1.4 The Council held a consultation on the draft replacement Local Plan in September 2020, and it was published along with an emerging policies map. It is understood that a consultation will be held on the Publication Draft (reg) in early 2022. Whilst this document has limited weight due to its status, it is still a material planning consideration and demonstrates the direction of travel, given the fact that the current adopted Local Plan Core Strategy and Development Management DPD is out-of-date being 8 years old.

7.1.5 The draft document has been reviewed and the following policies are considered to be relevant:

- Policy DS2PO: Settlement Hierarchy;
- Policy DS3PO: Settlement Boundaries;
- Policy DS5PO: Development Principles;
- Policy DS7PO: Design Standards;
- Policy DS8PO: Reducing Flood Risk;
- Policy DS9PO: Sustainable Drainage;
- Policy DS10PO: Landscaping;
- Policy CC1PO: Reducing the Impacts of Development on Climate Change;
- Policy H1PO: Improving the Housing Offer;
- Policy H2PO: Housing Requirement;
- Policy H3PO: Housing Delivery;
- Policy H4PO: Distribution of Housing;
- Policy H6PO: New Housing Development;

- Policy H7PO: Housing Density and Mix;
- Policy H8PO: Affordable Housing;
- Policy H14PO: Rural Exception Sites;
- Policy N1PO: Conserving and Enhancing Biodiversity and Geodiversity;
- Policy N2PO: Biodiversity Net Gain;
- Policy N5PO: Landscape Protection;
- Policy CO4PO: Sustainable Travel;
- Policy CO5PO: Transport Hierarchy; and
- Policy CO7PO: Parking Standards.

Copeland Borough Council Strategic Housing Market Assessments (SHMA) (November 2019 and October 2021)

- 7.1.6 Originally undertaken in November 2019, the Copeland SHMA concluded that the objectively assessed need for housing in the area should be 140 dwellings per annum as a minimum baseline figure, therefore the figure which would be used to calculate the Council's five-year housing land supply figure. However, the October 2021 SHMA concludes that consideration could be given to a figure of 200 dwellings per annum to help support economic growth – these figures being taken forward in the emerging Local Plan Policy H2PO. The Council wish to plan positively and pursue economic growth and support employment growth in the Borough.
- 7.1.7 The SHMA also states that the highest of the baseline forecasts points to a housing need of 146 dwellings per annum, whilst the number of homes linked to higher economic growth suggests a figure of 191 dpa, potentially going as high as 278 dpa.

Copeland Borough Council Five-Year Housing Land Supply Statement 2020/2021 (November 2020)

- 7.1.8 Published in November 2020, the document provides an up-to-date position of the Council's housing land supply and reflects the changes in the Government's standard housing methodology. It also includes a list of deliverable housing sites.

- 7.1.9 The document notes that, as the Core Strategy is more than five years old, the standard housing methodology should be used to calculate the areas housing need. However, the Five-Year Housing Land Supply Statement states that the housing need figure produced under the standard methodology underestimates housing need and demand in the Borough and provides a basis to support a higher requirement figure in the new Local Plan.
- 7.1.10 The Five-Year Housing Land Supply Statement goes on to set out that the Council is not seeking to produce an Annual Position Statement and the housing delivery test has been met as set out in the last published Housing Delivery Test results, therefore a 5% buffer is applicable.
- 7.1.11 The Five-Year Housing Land Supply Statement states there is compelling evidence that development will continue to come forward on windfall sites in Copeland over the next five years. When estimating how many homes will come forward on such sites, they have used an estimate of 37 dwellings per year on small windfall sites and 84 dwellings per year on large windfall sites based on past trends since 2013/14.
- 7.1.12 The statement concludes and sets out that the Council can demonstrate 55 years housing land supply against the Government's standard housing methodology and 6.35 years against the Copeland Strategic Housing Market Assessment 2019.

Copeland Borough Council Interim Strategic Housing Land Availability Assessment (SHLAA) (November 2019)

- 7.1.13 In accordance with Government guidance only sites with full or reserved matters approval are included in the housing land supply figures referred to in the above Five-Year Housing Land Supply Statement.
- 7.1.14 However, we note that the Council's online mapping feature for the SHLAA (November 2019) includes the application site as part of site ref Dh010 – this includes the field parcel adjacent to the west of the site amounting to a total of 2.82ha, which is also in our client's ownership. It is indicated that the Council consider this wider site to be 'part deliverable'.

8.0 PLANNING APPRAISAL

Principle of Development

- 8.1.1 Planning law requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.
- 8.1.2 As set out in the Council's pre-application response (dated 19th August 2021) to our pre-application enquiry, Policies within the Copeland Local Plan relating to development boundaries are still considered to be out of date, therefore a new application for this site would be assessed under paragraph 11 of the NPPF (i.e. against the presumption on favour of sustainable development).
- 8.1.3 Adopted Policy ST1 establishes the strategic development principles, which inform and underpin the planning policies in the area. The principles of specific relevance to this application are to:
- ensure development creates a residential offer which meets the needs and aspirations of the local housing market;
 - encourage development which minimises carbon emissions;
 - focus development on sites that are at the lowest risk from flooding, or where this is unavoidable, ensure the risk is minimised or mitigated;
 - minimise the need to travel;
 - ensure development provides or safeguards good levels of residential amenity;
 - accommodate traffic and access arrangements in ways that make it safe and convenient for pedestrians and cyclists to move around.
- 8.1.4 Adopted Policy ST2 sets out the spatial development strategy for the Borough, stating that development should be distributed according to the following principles:
- facilitating growth in the local economy;
 - concentrating development within the defined settlements at an appropriate scale and in accordance with the defined settlement hierarchy;

- restricting development outside the defined settlement boundaries; and
- directing most development to the 'Four Towns'.

- 8.1.5 The Policy also sets out the settlement hierarchy. A review of this Policy has found that Drigg and Holmrook are not listed as a Principal Town, Key or Local Service Centre. The hierarchy states that all other parts of the Borough classify as 'Outside settlement boundaries'.
- 8.1.6 Emerging Local Plan Policy DS2PO sets the proposed new settlement hierarchy for the Borough. In the emerging Policy, the settlements of Drigg and Holmrook are jointly listed as a 'Local Service Centre', which are noted as having a supporting role to the Borough's Towns and it is acknowledged that they contain a broad range of services. Local Service Centres operate independently to meet day to day needs or as a well-connected cluster, linked to a neighbouring town or village of a similar scale by a frequent public transport service and/or safe pedestrian routes a mile or less in length.
- 8.1.7 Emerging Policy DS3PO sets the settlement boundaries for the Borough. Although suspended, the previous Local Plan did not set boundaries for Holmrook and Drigg.
- 8.1.8 The Council have confirmed through their pre-application response that the policies relating to settlement boundaries are suspended. Consequently, applications should be considered under the presumption in favour of sustainable development, which explicitly states that planning permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits. This positive stance is also reflected in emerging Policy H6PO.
- 8.1.9 The application site is located on the edge of Holmrook along the B5344. The road provides the link between Holmrook with Drigg and has residential development located along its alignment. The site lies within an acceptable distance of a number of services and transport options, including Drigg railway station, which are accessible by foot and are predominantly located along the B5344.
- 8.1.10 The emerging Local Plan Proposals Map (Draft Appendices) under Policy DS3PO shows the application site is incorporated within the settlement boundaries for Drigg and Holmrook. Whilst this can only be afforded less weight in the determination of the application, we note that the Council will have assessed the existing settlement pattern in order to determine appropriate settlement boundaries for Drigg and Holmrook.

- 8.1.11 Furthermore, the existing planning permission for the site granted under application 04/18/2297/001 is given recognition within the proposed defined settlement limits. We note that there are no previous settlement boundaries for Drigg and Holmrook in the current adopted Core Strategy Local Plan.
- 8.1.12 The principle of residential development on the site has firmly been established by the approval of permission 4/18/2297/001, which is extant at the time of writing. The Council have explicitly stated in their pre-application enquiry response that submitting this application before the expiration of the previous permission would constitute a material consideration for this application.
- 8.1.13 In the Officer's report on the extant planning permission to the Council's Planning Panel, it was noted that the whilst the principle of housing development in general was supported by strategic policies ST1 and ST2, and policies SS1, SS2 and SS3, the proposed development would be contrary to Policy ST2 and would need to be assessed against the Interim Housing Policy (now revoked) and the NPPF. It considered the proposals were:
- "modest in scale and would occupy a small site adjacent to the settlement of Holmrook. The development is considered to be of an appropriate size and scale to the character and role of the settlement. The edge of settlement location reduces the need to travel as the site is within close proximity to a number of services...Holmrook is adjacent to Drigg and is connected by a continuous footpath; when the two villages are considered together they provide a range of services, including a railway station, most of which are accessible on foot...It is therefore considered that the development would be in accordance with the aims and objectives of the NPPF which set a presumption in favour of sustainable development"*
- 8.1.14 The application site, along with the field parcel adjacent to the west, form part of site reference Dh010 in the 2019 SHLA. It is indicated that this wider parcel is considered to be part deliverable by the Council, however there is no further explanation or breakdown to this which is publicly available.
- 8.1.15 In essence, the principle of residential development has previously been found to be acceptable on this site by the Council and has been established through the granting of permission 4/18/2297/001. The application site represents a sustainable and appropriate expansion to Holmrook, which the Council appear to have recognised by virtue of the site's inclusion in the emerging settlement boundaries.
- 8.1.16 In light of the above, it is considered that the principle of residential development on the site is acceptable.

Housing Assessment

- 8.1.17 The adopted Core Strategy contains a requirement for a minimum of 230 dwellings per year to be delivered over the first 5 years of the Plan period, with an uplift to provide an additional 30% on top of the basic requirement, equating to 300 dwellings per annum in the latter 10 years.
- 8.1.18 The main goal of adopted Policy SS1 is to improve the housing offer in the Borough. It states the Council will work to make Copeland a more attractive place to build homes through measures including allocating sites to meet local needs in appropriate locations and renovating the existing housing stock.
- 8.1.19 Adopted Policy SS2 relates to housing growth in the Borough and states house building to meet the needs of the community and accommodate growth will be provided through means such as allocating sufficient land for development to meet the identified needs, allocating land in accordance with housing targets of 230-300 dwellings per year, seeking densities of over 30 dwellings per hectare, with detailed density requirements determined in relation to the character and sustainability of the surrounding area.
- 8.1.20 Adopted Policy SS3 is of significance as it specifically relates to applications for housing. It states that applications of this development type should demonstrate how the proposal helps to deliver a range and choice of good quality affordable homes for all. Proposals for residential development will be assessed according to how well they meet the identified needs and aspirations of the relevant housing market areas by:
- creating a more balanced mix of housing types and tenure in the market area (with reference to the SHMA); and
 - including a proportion of affordable housing which makes the maximum contribution to meeting the needs of the housing market area.
- 8.1.21 The Policy justification text provides a figure of 15-25% affordable housing to be provided, subject to viability.
- 8.1.22 Emerging policy H2PO sets the minimum housing requirement of 2,510 dwellings (an average of 140 dwellings per annum), and a target of 3,600 dwellings (an average of 200 dwellings per annum to plan for economic growth) to be delivered over the plan period between 2017 to 2035.

- 8.1.23 Emerging Policy H4PO sets out the distribution of housing across the Borough, directing 504 dwellings (20% of the overall housing requirement) to be delivered across all the Local Service Centres as a minimum, and 720 dwellings to be delivered to pursue economic growth. The Policy explicitly refers to Drigg and Holmrook as a Local Service Centre where new housing development will be focused as discussed above.
- 8.1.24 Emerging Policy H8PO requires 10% of dwellings for proposals of 10 units or more, or on sites more than 0.5 hectares in size, to be affordable housing units. This should be split 40% market discount sales and 60% affordable or social rented.
- 8.1.25 Whilst the Government's standard housing methodology has calculated a figure for the Borough to deliver 84 dwellings per annum (5% buffer applied), this is considered a minimum housing figure that should be delivered as evidenced by the recent SHMA. This is set against the historic annual average number of dwelling completions of 137 units per annum (see Table 4: Previous Completions 2013/14 to 2019/20 covering the current Core Strategy Period in the Five-Year Housing Land Supply Statement) and the annual average number of planning permissions granted of 408 dwelling units per annum (see Table 5: Previous approvals 2013/14 to 2019/20 covering the current Core Strategy period in the Five-Year Housing Land Supply Statement).
- 8.1.26 One of the core goals of the NPPF is to significantly boost the supply of housing and we note from the Council's emerging Local Plan the desire for economic growth, which would require a higher minimum housing figure. The proposed figure of 84 dwelling units using the Government's standard methodology would be wholly inadequate to meet historic patterns of delivery or to meet future economic aspirations as well as the necessary flexibility needed in the housing market to avoid unacceptable levels of house price inflation.
- 8.1.27 It is clear from the emerging Local Plan that the Council wishes to focus on economic growth and deliver significantly more housing than the minimum national requirement of between 140 to 200 dwellings per annum. This planning application would therefore seek to support the delivery of the Council's emerging policy to increase the supply of housing. The renewal of the planning permission granted under application 4/18/2297/001 would therefore align not only with the Council's identified housing aspirations for the area as set out in emerging Policy H2PO but also their latest Strategic Housing Market Assessment (October 2021) and Interim SHLAA (November 2019). It would also contribute towards meeting national planning and housing goals.

8.1.28 With regards to affordable housing, the final number of dwellings, that would be provided on site will be determined at the reserved matters stage, and this will also determine the number of affordable units which will be provided. We note from the previous application that a planning condition was included on the decision notice requiring the applicant to enter into a S106 agreement should any detailed planning application or reserved matter be submitted on the site for 10 or more dwellings to cover affordable housing contributions. We propose to replicate this condition for this application.

Design

8.1.29 Adopted Policy DM11 requires housing developments to be of an appropriate density, which should generally be 30 dwellings per hectare, however it notes that lower densities would be acceptable where it reflects the local context. Policy DM10 requires proposed developments to be a high standard of design through means such as responding positively to the character of the site, the immediate and the wider setting.

8.1.30 Emerging Policy H6PO states that planning permission will be granted for housing development on allocated and windfall sites providing that all of the following criteria are met:

- a) The design, layout, scale and appearance of the development is appropriate to the locality;
- b) An acceptable level of amenity is provided for future residents and maintained for existing neighbouring residents in terms of sun-lighting and daylighting;
- c) Privacy is protected through distance or good design;
- d) The development will have no unacceptable overbearing impact upon neighbouring residents due to its scale, height and/or proximity;
- e) The layout promotes walking and where appropriate cycling, linking with existing footpaths and cycleways;
- f) Adequate external amenity space is provided, including for the storage of waste and recycling bins in a location which does not harm the streetscene;
- g) Adequate space for parking is provided, with preference given to parking spaces behind the building line to reduce street clutter; and

h) The proposal does not constitute inappropriate development of a residential garden which would harm the character of the area.

- 8.1.31 Emerging Policy H7PO seeks to ensure that housing development should make the most effective use of land regarding its density, with consideration given to the shape and size of the site, the requirement for open space, the surrounding area and the character of the site.
- 8.1.32 The application is submitted in outline with all matters reserved except for access. The approach to density, as illustrated in the Layout Plan, has been influenced and has sought to reflect the character of Holmrook, including its landscape context, rather than achieve a pre-determined and standardised density target. Although illustrative, the layout of the proposed development, has also sought to emulate the context of the surrounding area.
- 8.1.33 The full design and layout of the scheme will be submitted as part of a future reserved matters, with the design principles as set out on the Illustrative Layout Plan being of significant note. Nonetheless the proposal indicates that a satisfactory arrangement can be created on the site with well-spaced dwellings that will ensure the design, layout, scale and appearance of the development is appropriate to the location.
- 8.1.34 In addition, an acceptable level of amenity would be provided for future residents and maintained for existing neighbouring residents in terms of sun-lighting and daylighting and privacy is protected through distance or good design. The illustrative layout shows that a development could be designed so as to have no unacceptable overbearing impact upon neighbouring residents due to its scale, height and/or proximity.

Highways and Access

- 8.1.35 Adopted Policy DM22 is of significance as it requires all developments to be accessible to all users and accord with a series of principles, including: the layout should respond positively to the existing patterns of movement by contributing or providing permeable layouts, access to public transport and emergency vehicles; and incorporate innovative approaches to managing vehicular access and parking arrangements.
- 8.1.36 Emerging Policy C04PO seeks to encourage the use of sustainable modes of transport. Linking to this, emerging Policy C05PO sets out the transport hierarchy, which places a priority on pedestrians first, followed by cyclists, public / community transport, car sharing and all other forms of transport.

- 8.1.37 Emerging Policy CO7PO requires all new developments to provide adequate parking provision in accordance with the Cumbria Design Guide.
- 8.1.38 Access to the site is proposed to be achieved via a 4.8m wide shared surface road. The Proposed Access Plan demonstrates the access point would have visibility splays of 48.2m to the west and 44.4m to the east. This is the same arrangements as the previous planning permission granted under reference 4/18/2297/001.
- 8.1.39 The development of the site is not anticipated to generate significant amounts of traffic movements. The site would also be accessible to local services, and Holmrook is proposed to be defined as a Local Service Centre which would support the higher order settlements in the Borough. It would therefore be a sustainable location in transport terms.
- 8.1.40 It is understood that no significant changes will have occurred in the surrounding area since the determination of the previous planning permission granted under reference 4/18/2297/001, which would have made any substantial difference to highway safety. We note that during the determination of the previous application, Cumbria Highways requested additional information. As a result, an access appraisal was produced, which determined that the access arrangements were satisfactory, with safe access splays, and that the additional traffic movements generated by the proposed development could be accommodated by the local network. This appraisal is also submitted with the application.
- 8.1.41 The illustrative Layout Plan shows that adequate space for parking could therefore be provided, with preference given to parking spaces behind the building line to reduce street clutter.
- 8.1.42 In conclusion, it is considered that the proposed development will not result in any significant impacts on highways, that the access arrangements are acceptable and that the proposed development would therefore be in conformity with the relevant highways and transport policies.

Ecology

- 8.1.43 Adopted Policy DM25 requires all development proposals to protect the biodiversity value of land and buildings, minimise the fragmentation of habitats, maximise opportunities for conservation / restoration / enhancement of habitats. Any development proposals which would cause direct or indirect adverse impacts on locally recognised sites of biodiversity will not be permitted unless the benefits of development outweigh the impacts and prevention, mitigation and/or compensation measures are provided.

- 8.1.44 Emerging Policy N1PO requires proposed developments to demonstrate that a series of steps have been followed sequentially with regards to conserving and enhancing biodiversity and geodiversity. These are: avoidance of any negative impacts, mitigation of any impacts where they cannot be avoided, and compensation where mitigation is not possible or viable. Permission will be refused if significant harm cannot be avoided, mitigated or compensated for.
- 8.1.45 Emerging Policy N2PO requires all development to provide a minimum 10% biodiversity net gain over and above existing site levels This should be provided on site where possible.
- 8.1.46 The application is accompanied by an updated Ecological Appraisal, prepared by Tetra Tech in 2021. This updated report has referred to and reviewed the Ecological Appraisal prepared by OpenSpace which supported the previous application, as well as the Illustrative Layout Plan and Planting Schedule.
- 8.1.47 The Appraisal concludes that the proposed development, due to its small scale, is not considered to negatively impact any Local Wildlife Sites, County Wildlife Sites nor any SSSI, and no further assessments are required. It also found considered that a 1m buffer should be provided to protect any existing hedgerows on site.
- 8.1.48 In terms of protected species, the updated report has assessed the suitability of the site to these and makes a series of recommendations to ensure there are no impacts, including:
- reasonable avoidance measures should be deployed on site to minimise and mitigate any impacts to Great Crested Newts;
 - hedgerows should be protected from external light spill to protect any foraging and commuter bats;
 - vegetation clearance and/or soil stripping should be carried out under the supervision of an ecological clerk of works;
 - undertaking of a pre-works badger survey;
 - any clearance works should be carried out outside of the main breeding bird season. If this is not possible then potential nesting habitat should be checked by a suitably qualified person prior to any removal; and
 - production of an invasive species method statement.

- 8.1.49 In line with national and emerging planning policy, the report recommends a series of measures be included and implemented on the site to secure net gains in biodiversity – full details can be found in the Ecology Appraisal.
- 8.1.50 The planting plan and planting schedule were utilised to inform the illustrative layout plan. The plans include significant quantities of native species vegetation planting along the boundaries of the site and within. These measures will contribute significantly towards net gains in biodiversity, along with the measures as set out in the Ecological Appraisal.
- 8.1.51 In light of the above, the proposed development is considered to be acceptable in ecology and biodiversity terms. The proposals will be assessed once again at the reserved matter stage where full details would be provided to the Council.

Flood Risk and Drainage

- 8.1.52 Adopted Policy ENV1 relates to flood risk and specifies that development will only be permitted on sites located outside of areas at risk of flooding and seeks to ensure that new development does not contribute to increased surface water run-off through measures such as sustainable urban drainage systems, where they are practical.
- 8.1.53 Policy DM24 also relates to flood risk and reiterates that development will not be permitted where there is an unacceptable risk of flooding, or where development would increase the risk of flooding elsewhere.
- 8.1.54 Provisions contained within Policy DM11 require developments to have high standards of sustainability through means such as ensuring surface water is managed appropriately with the inclusion of sustainable drainage systems where possible.
- 8.1.55 Emerging Policies DS8PO seeks to ensure that development in the Borough is not prejudiced by flood risk through means such as ensuring sustainable urban drainage systems are included in new developments in line with the requirements of emerging Policy DS9PO – which reiterates the need for sustainable drainage systems to be incorporated into developments.
- 8.1.56 As the proposals constitute a major development, the application is supported by a Flood Risk Assessment and a Drainage Strategy, both of which have been prepared by Kingmoor Consulting. These reports supported the previous application and are considered to be up-to-date for the purposes of this renewal of permission.

- 8.1.57 The Flood Risk Assessment determines that the site and its access infrastructure fall within Flood Risk Zone 1, and that the proposed development will not impact flood routing around the site boundary. Foul water is proposed to be discharged to the existing sewer network.
- 8.1.58 As set out in the submitted Drainage Strategy, surface water is proposed to discharge into on-site soakaways designed to accommodate the ground conditions and detailed design.
- 8.1.59 We note that the Flood and Coastal defence engineer for the Environment Agency had no objection on the previous application and that the development satisfies the relevant planning policies.
- 8.1.60 Given the submitted reports support the same form and type of development, it is considered the proposals remain aligned with the relevant planning policies relating to flood risk and drainage and are therefore acceptable.

Landscape

- 8.1.61 Adopted Policy DM26 states that all proposed developments will be assessed in terms of their potential impact on the landscape. It directs developers to review the Cumbria Landscape Character Assessment and Cumbria Historic Landscape Characterisation Document. It also states that proposals will be assessed according to whether they relate to the landscape in terms of their visual impact, scale, character, amenity value and local distinctiveness. Where necessary, they will be required to include landscaping schemes.
- 8.1.62 The goal of Policy ENV5 is to protect and enhance the Borough's landscapes through protecting all landscapes from inappropriate change by ensuring that development does not threaten or detract from the distinctive characteristics of the particular area.
- 8.1.63 Emerging Policy DS10PO requires the submission of a landscape scheme with all development proposals, where appropriate. It requires any vegetation / plant species in the scheme to be appropriate to the location.
- 8.1.64 Similar to Policy DM26, emerging Policy N5PO seeks to protect and enhance the Borough's landscapes by protecting them from inappropriate change and ensuring development does not detract from the area's distinctive characteristics.
- 8.1.65 As mentioned in the design section, although the application is submitted in outline format the development is proposed to be at a density which is similar and reflects the local context and be appropriate to the surrounding landscape.

8.1.66 Planting of native species including woodland blocks would be included across the site, to strengthen the site boundaries be similar to the character of the and be suitable in landscape terms. Full details on landscaping will be submitted to the Council at the reserved matter stage.

9.0 DESIGN AND ACCESS STATEMENT

9.1.1 The application is submitted in outline format, with all matters reserved with the exception of access. This section will set out a summary of the key components of the scheme and the design and access issues which have been considered.

9.1.2 As previously mentioned in this Statement, the proposed development is a resubmission of currently extant permission 04/18/2297/001. The aspects relating to design and access remain similar to what they were previously, and no physical changes have occurred on the site since the granting of permission in 2018.

Scale and Landscaping

9.1.3 Particular consideration has been given to the Cumbria Landscape Character Toolkit (CLCG), a review of which has found the site is lying within Landscape Character sub type 5B – Low Farmland. With regards to new development, the toolkit states that this should:

- consider opportunities to enhance and strengthen green infrastructure to provide a link between urban areas and the countryside;
- encourage environmental improvements along roadside settlements to strongly define gateways and entrances; and
- introduce roadside planting of deciduous and mixed species to enrich views from the road.

9.1.4 The Layout Plan illustrates a proposed residential development that reflects the aims of the CLCG. In addition, a lower density development also allows for more space between buildings and the site boundary, hence more opportunities for landscaping and planting. The Illustrative Layout Plan demonstrates how tree and vegetation planting could be provided in the proposed development to assimilate the development into the local landscape context.

9.1.5 Although full details will be finalised as part of the reserved matters, this application is accompanied by a Planting Plan and Planting Schedule, produced by Eden Environments Ltd, which details the arrangements along the site boundaries. These plans have considered the CLCT and have included planting arrangements and species which are appropriate for the area.

- 9.1.6 It is considered that the scale of the development is one which is appropriate to the site, and the level of proposed landscaping is sufficient to ensure that the integrity and character of the landscape is not undermined. Full details of both aspects will form the reserved matters.

Layout and Appearance

- 9.1.7 Matters relating to the layout and design will be subject to a future reserved matters application. However, the submitted Illustrative Layout Plan demonstrates how dwellings could be arranged on the site.
- 9.1.8 It is envisaged that the dwellings could be a mixture of heights and up to two-storeys as a maximum. The sizes of the dwellings will vary as it is intended to provide a mixture of housing on the site, including affordable and open market housing in line with local and national policy.
- 9.1.9 The external finishes and materials are envisaged to be appropriate to the setting and would be similar to the vernacular of the local area.

Access and Parking Provision

- 9.1.10 Access to the site is proposed to be achieved via a new junction on the B5344. The Indicative Layout Plan and Proposed Access Arrangements demonstrate that a 4.8m shared surface roadway. This would allow visibility splays of 2.4m x 44.4m to the east and 2.4 x 48.2m to the west.
- 9.1.11 The extant application originally proposed an access in the same location with a 4.5m width roadway, however following comments from Cumbria County Council Highways Officers, this was amended to the same arrangements, which are proposed now.
- 9.1.12 Regarding parking standards, including provision for visitor and disabled parking spaces, whilst this will be formalised at the reserved matters stage, it is anticipated that the dwellings will provide sufficient levels of parking, which will be in accordance with the relevant adopted parking standards and guidance.

10.0 SUMMARY AND CONCLUSIONS

- 10.1.1 This outline application is submitted to Copeland Borough Council to deliver residential development on a site adjacent to the village of Holmrook. The submitted plans illustrate how the proposed development can be satisfactorily delivered on the site at a relatively low density.
- 10.1.2 The application is a resubmission of planning permission 04/18/22970O1, which was approved by the Council on 19th December 2018 and remains extant at the time of writing this Statement.
- 10.1.3 The applicant's agent has engaged with Planning Officers at Copeland Borough Council for pre-application advice, which confirmed the changes made to Local Plan policies since the previous granting of planning permission. The response confirmed that the proposed development should be considered favourably in the determination of the renewed application.
- 10.1.4 The proposed development presents a suitable expansion to Holmrook. Indeed, the Council's emerging Local Plan policies and evidence base indicates the acceptance of the site as being suitable for residential development and has including the site within the emerging site boundaries.
- 10.1.5 Notwithstanding this, the principle of residential development has been firmly set and previously accepted by the Council through planning permission 04/18/22970O1.
- 10.1.6 This Planning Statement has demonstrated that the proposed development would help support an increase in the Council's supply of housing and support the Council's recent evidence relating to supporting economic aspirations for housing growth,
- 10.1.7 The proposed development would incorporate measures which would result in net gains in biodiversity, provide suitable landscaping in keeping with the setting of the site in the local area, and there would be no adverse effects in terms of highway safety. The development of the site is not anticipated to generate significant amounts of traffic movements. The proposed development would be suitably drained and there would be no adverse effects in terms of flood risk.
- 10.1.8 Given the existing planning policies relating to settlement boundaries have been suspended, NPPF paragraph 11 requires planning decisions to apply a presumption in favour of sustainable development. Given that there would be no protected areas or assets of particular importance and there would be no significant adverse impacts overall, there are no justifiable planning obstacles to supporting the proposed development. We therefore request that the renewal of planning permission be granted.

APPENDIX 1 – PRE-APPLICATION RESPONSE FROM COPELAND BOROUGH COUNCIL

Tetra Tech
Lakeland Business Park
Lamplugh Road
Cockermouth
CA13 0QT
FAO: Graham Hale

Please Contact: Christie M Burns
Officer Tel No: 07799131879
My Ref: PAA/21/0036
Date: 19 August 2021

Dear Mr Hale,

REQUEST FOR PRE-APPLICATION ADVICE

REFERENCE NUMBER: PAA/21/0036

RE: RENEWAL OF PLANNING PERMISSION 4/18/2297/001

AT: LAND ADJACENT TO BOWRIE FAULD, SMITHY BANKS, HOLMROOK

Thank you for your pre-application request which was received on the 17th August 2021.

As you have stated within your pre application advice letter the existing outline permission at this site expires on the 20th December 2021. This previous approval was granted when the Council could not demonstrate a 5 year land supply under the Interim Housing Policy. I would advise that as of the 26th November 2020 the Council have been able to demonstrate a five year supply of deliverable site therefore the Interim Housing Policy has now been revoked. However, I would advise that Policies within the Copeland Local Plan which relate to development boundaries are still considered to be out of date, therefore a new application for this site would be assessed under paragraph 11 of the NPPF. The principle of developing the site for residential purposes has however already been established by the previous outline permission. If the new outline application is submitted before the expiry of the existing outline consent this would also be taken into account as a material planning consideration in the determination of any application.

Your letter requesting advice also refers to a number of policies within the emerging Local Plan. Given the stage at which the emerging Local Plan is at I would advise that these policies currently carry little weight in decision making process.

In terms of the documentation previously submitted with this application all of the surveys and submitted documents will require an update for the proposed new application. I would suggest that the planning statement/design and access statement should be updated to reflect the new NPPF and the Council's current policy position. As part of the development of the emerging Copeland Local Plan the Council's evidence base has been recently updated, I would therefore advise that you use these documents to support the application, for example proposed housing need.

Please note that the advice in this letter is given in good faith on the basis of the information available at the present time. The advice may be subject to revision following further examination or consultation, or where additional information comes to light, and is therefore not binding on any future recommendation which may be made to the Council or any formal decision by the Council.

Response prepared by:	Date:
C. Burns Development Management – Planning Officer	19.08.2021
Response checked by:	Date:
N.J. Hayhurst Head of Planning & Place	20/08/2021