CUMBERLAND COUNCIL

CONSULTATION RESPONSE

Proposal: PROPOSED RESIDENTIAL DEVELOPMENT OF NO.51 HOUSES AND BUNGALOWS INCLUDING INFRASTRUCTURE, LANDSCAPING AND BNG UPLIFT

Address: LAND AT FLOSH MEADOWS, CLEATOR

Reference: 4/26/2317/0F1

Date: 03/11/2026

Description: This site consists of fields adjacent to a farmhouse on the edge of Cleator. There have been several applications over a period of years for housing developments.

Conclusion: Request further information

Assessment:

- The site has already been the location of several applications for housing developments, which appears to establish the principle of development here.

Heritage effect

- The only heritage asset that is likely to experience some effect from the development is the grotto within the grounds of the grade II listed Church of St Mary. By my assessment, this should be considered to fall within the curtilage of the church be subject to the same level of protection.
- The 2026 NPPF requires that proposals affecting heritage assets should be accompanied by an assessment of significance, and effect on that significance.

Design quality

- I note that there are street trees from the site entrance northward up the main access road, but these are not present on the east-west orientated secondary street. Trees play an important role in bringing down temperatures during heatwaves. Given the significant amount of hard surfacing in these areas, particularly for the houses with their driveways on the south side, street trees and other planting here could play an important role in preventing overheating and improving the appearance of the streets.

Relevant Policies and Guidance:

Planning (Listed Buildings and Conservation Areas) Act 1990:

The Planning (Listed Buildings and Conservation Areas) Act 1990 establishes a need "in considering whether to grant listed building consent for any works [for the Local Planning Authority to] have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest" [**Section 16(2)**]. This requirement also applies to the granting of planning permission affecting a listing building or its setting [**Section 66(1)**].

National Planning Policy Framework (2026):

Chapter 14. Achieving Well-designed Places

Decision-making policy **DP3(1)** in the National Planning Policy Framework (NPPF) states that "Development proposals should respond to their context (history, character and features of their site and setting)…" This could take place through a range of ways, and not preclude innovation or change where appropriate.

DP3(2): Development proposals should reflect the principles of well-designed places described in Part 1 of the Design and Placemaking Planning Practice Guidance (PPG) (draft)

DP3(3): Development proposals should be refused where they conflict with DP3(1) or DP3(2), or any explicit design standards set out in the development plan (including local policies, guides, codes or masterplans). Substantial weight should be given to compliance with development plan policies when assessing design quality.

DP3(4): Where local design policies are absent or silent, the Design and Placemaking PPG should be used.

DP3(5): Substantial weight should be given to outstanding or innovative designs, so long as they are consistent with surrounding form and layout.

Decision-making policy **DP4(1):** Design quality should be considered throughout the development process, as outlined in Part 2 of the Design and Placemaking PPG (draft).

DP4(2): The local planning authority (LPA) should encourage use of design review and other design tools as appropriate (especially for significant and strategic sites), and take into account its recommendations.

The LPA should also ensure approved plans are clear, and not allow the quality of approved development to materially diminish between approval and completion.

Chapter 20. Conserving and Enhancing the Historic Environment:

Decision-making policy **HE4(1)**: Development proposals affecting the significance of a heritage asset, including its setting, should maintain or secure a use consistent with its conservation, and should conserve instead of harm (or minimise where not possible) that significance.

HE4(2): Any harm to the significance of a *designated* heritage asset (including from development within its setting) should have clear and convincing justification.

HE5(1): Proposals affecting heritage assets should be accompanied by an assessment of significance (including the contribution of setting) and of potential effect on significance. Detail should be proportionate to the assets' importance, and no more than necessary to understand the potential effect. This should draw on the Historic Environment Record, and appropriate expertise where necessary.

HE5(2): Assessments of these effects on significance should identify whether the proposals would have a positive effect, no effect, a harmful effect, or result in total loss of significance.

HE6(1): Substantial weight should be given to conserving the significance of a designated heritage asset, irrespective of the potential effect on significance.

HE6(3): “Any harm to a designated heritage asset will be a matter of considerable importance and weight…”

HE6(4): Harm to the significance of a designated heritage asset should be weighed against the public benefit.

HE6(5): Substantial harm to a designated heritage asset is grounds for refusal unless it is necessary to achieve substantial public benefits, or all of a list of conditions apply (see full text).

Copeland Local Plan 2021-2038 (2022):

BE1: Heritage Assets

Decision-making should provide for the preservation and enhancement of built heritage assets by:

- Requiring a heritage impact assessment or heritage statement where the proposal would affect a heritage asset;
- Giving great weight to the conservation of Copeland’s designated heritage assets when decision making;
- Ensuring that new development is sympathetic to local character and history;
- Supporting proposals that increase the enhancement, promotion and interpretation of Copeland’s architectural and archaeological resources;
- Strengthening the distinctive character of Copeland’s settlements, through the application of high-quality design and architecture that respects this character and enhances the setting of heritage assets.

BE2: Designated Heritage Assets

- Development should preserve or enhance designated heritage assets (or important archaeological sites) and their settings. The more important the asset, the greater weight that will be given to its conservation. Proposals that better reveal the significance of heritage assets will be supported in principle. Any harm to, or loss of, the significance of a designated heritage asset will require clear and convincing justification.

DS6: Design and Development Standards

- All new development must meet high-quality standards of design. This can include:
    a) Making use of existing buildings where practicable and deliverable, except where these have a negative impact upon the street scene;
    b) Creating and enhancing locally distinctive places, sympathetic to surrounding context and landscape character;
    c) Using good quality building materials that reflect local character, sourced locally where possible;
    d) Contributing towards good health and wellbeing through good design of green spaces and providing high residential amenity;
    e) Creating layouts that encourage active travel
    f) Providing safe, accessible and convenient pedestrian routes and safe access for refuse and recycling vehicles.

Sammy Woodford, Conservation and Design Officer