

Planning Statement – Land adjacent to Abbey Vale and School House, St Bees, Cumbria CA27 0DS

Proposal: Permission in Principle for residential development



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1.0 Introduction

- 1.1 This planning statement has been prepared in support of a planning application for residential development on land adjacent to Abbey Vale and School House, St Bees.
- 1.2 The application is submitted as Permission in Principle, covering matters only relating to the principle of the development. The purpose of this statement is to set out the planning case in support of the development of the site, and it should be read in conjunction with the plan submitted.
- 1.3 Section 2 of this Statement will set out the site's context, Section 3 covers the proposed development, Section 4 relates to the planning history of the site and surroundings, Section 5 will set out the planning policy context against which the application must be considered and undertakes a planning assessment of the proposed development, Section 6 cover the Permission in Principle application and section 7 will draw together the conclusions.

2.0 The Site

- 2.1 The application related to an area of school curtilage land extending to 0.24 hectares which lies adjacent to St Bees School buildings. The development adjoins Abbey Vale to the northwest across the B5345, to the northeast it adjoins agricultural land within the School ownership, St Bees School House to the southeast and other School curtilage & buildings to the southwest.
- 2.2 The site has previously been used by the School as a pitch and putt practice area and included a small building used for golf storage. The School owns and operates the Golf Course in the village adjacent to the beach. The area is now no longer used as all golf activities are on the golf course since the School closure. The topography of the land raises towards the northwest of this site and it is contained by hedgerows to the southwest and northwest boundaries, and stone walls to the northeast and southeast.
- 2.3 The application site is situated within the established boundary of the village. It is located within the Copeland Borough Council Settlement Boundary as adopted in 2004 and retained by the Council in June 2015 as part of the Copeland Local Plan 2013 – 2028. It is within close distance of the main village centre, which benefits from the services of a shop/post office, Primary School, Train Station, Priory Church, 4 pubs, a playpark, beach front, swimming pool and golf course.
- 2.4 It is located close to the Whitehaven settlement boundary (1.8miles away) and is therefore close to the local amenities of Whitehaven consisting of the West Cumberland Hospital, Senior Schools, supermarkets and shops. Whitehaven is the Main Service Centre in the Borough as detailed in the Copeland Local Plan.
- 2.4 The A595 which runs through Copeland can be joined 2.5miles from the site and provides easy access to both Sellafield and Whitehaven and continues north towards Carlisle, and Egremont and Sellafield to the south. The A595 links to the A66, 13 miles north of the site which connects to Penrith and Junction 40 of the M6 to the east.

- 2.5 In summary therefore, the site is situated within a long-established residential area that is within reach of the best range of facilities that the Borough can offer.
- 2.6 St Bees has a Conservation Area, which is adjacent to the south-eastern boundary of the site, and there are no Tree Preservation Order's on or directly adjacent to the site.
- 2.7 There are no Listed Building's on the site. The nearest Listed Building is Abbey Farmhouse which is a domestic property located 85m to the southwest of the application site. This however is not impacted in any way by the site however due to the topography and other School curtilage buildings which are located in between the two.



- 2.8 The site is located in an area that the Environment Agency Flood Map for Planning has noted as Flood Zone 1, and as such have a low probability of flooding.

3.0 The Proposed Development

- 3.1 The application is for Permission in Principle and therefore all details regarding access, scale, layout, landscaping and appearance of the residential development proposed on the site would be covered within a subsequent technical details consent, if this is approved.
- 3.2 While access is not a matter forming part of the application at this stage, the proposed dwelling would utilise the frontage onto the B5345 which could direct serve all dwellings independently, as noted on the indicative layout.
- 3.3 Again while not forming part of the application at this stage, the proposed scale of the development is likely in the form of 3 dwellings on the site as detailed in the indicative layout, which is what the site would be suitable for given the size and layout, and surrounding density of dwellings.

- 3.4 The indicative layout of the proposed development has the three properties all fronting onto the B5345, with access, parking and turning space. All would have garden areas to the southeast.
- 3.5 The property will have a minimum of two in curtilage parking spaces, although plot could accommodate more parking for cars. The dwellings in the surrounding area are a range of detached, attached, single storey, two storey and three storey. The dwellings are most likely to resemble some on Abbey Vale however, which are split level, due to the topography of the site.
- 3.6 The application site is considered well related to the existing residential developments to the northwest and southwest, the road network and it is considered that the development of the site in the proposed form is possible without having any adverse impact on residential amenity to the surrounding properties. The aim of the proposal is to provide development plot available for purchase on ground which is unused by the School.

4.0 Planning history

- 4.1 There are no previous planning history directly on the application site, or any relevant applications near to the site.

5.0 Planning Policy and its application to the proposed development

- 5.1 Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 5.2 The Local Development Plan consists of policies within the Core Strategy and Development Management Policies DPD (December 2013). The policies in the following paragraphs are considered relevant to the proposed development.
- 5.3 The Local Plan sets out a long-term spatial vision and strategic objectives to support Copeland's vision which is "Working to improve lives, communities and the prosperity of Copeland". Although it was adopted before the updated NPPF (2019) it was adopted after the first NPPF that was published in March 2012 and therefore closely follows the principles of sustainable development, as defined by national policy and delivering sustainable housing in accordance with that policy.
- 5.4 As of the 9th May 2017, Copeland Borough Council announced that it cannot demonstrate a five-year supply of housing sites, with a supply of 2.3 years. Policies for the supply of housing set out within the Copeland Local Plan 2013 – 2028 (Core Strategy and Development Management Policies) will no longer be deemed up-to-date; and these policies carry less than full weight in decision-making. As an update to this, in the decision to Planning Appeal Ref:, the Planning Inspector stated that Copeland could at this point demonstrate a 3.2 year supply of housing sites, and therefore there is still not a five-year land supply in place and as such the Local Plan Policies continue to carry less weight. For reasons of clarity however, the Planning Policy section of this document included Policy text from the National Planning Policy Framework (NPPF as amended 2019), Copeland Local Plan, and the Copeland Borough

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Council Interim Housing Policy, which was created following the May 2017 statement regarding land supply, but is guidance and not an adopted Local Plan document.

Strategic Policies

- 5.5 **Policy ST1** of the core strategy sets out the fundamental principles that will achieve sustainable development. Amongst other things it seeks to ensure that development created a residential offer which meets the needs and aspirations of the Boroughs housing markers and is focussed on previously developed land away from greenfield sites.
- 5.6 **Policy ST2** sets a spatial development strategy whereby development should be guided to the Principal settlement and other centres and sustain rural services and facilities.
- 5.7 The above are the strategic policies with particular relevance to residential housing sites.
- 5.8 **Policy SS1** seeks to improve the housing offer of the borough by, amongst other things, by allocating housing sites to meet local needs in locations attractive to house builders and enhancing the general surrounding residential environment of the borough.
- 5.9 With regards to the above, it is noted that the site is within the vicinity of a number of residential properties. The proposed residential development can be built to a high standard, will have minimal impact on local amenity and improve the borough's housing stock in this desirable village location.

The Council abandoned progress on a previous housing allocations document with the lack of housing land supply being acknowledged, but this was intended to build on the Local Plan and Policy SS1 to identify sites that: -

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

It is considered that that site meets the above, given the location within a highly sustainable village, adjoining other dwellings and being a desirable location for new residential development of an appropriate scale.

Furthermore, residential development is directed towards St Bees as a Local Service Centre. The site is within the village's settlement boundary and therefore the principle of residential development is supported by both the NPPF and the Local Plan.

- 5.10 **Policy SS3** requires housing development proposals to demonstrate how the proposal helps to deliver a range and choice of good quality and affordable homes for everyone. This is assessed by how well a proposal meets the identified needs and aspirations of the Borough's individual Housing Market Areas as set out in the Strategic Housing Market Assessment (SHMA). The aim of the policy is therefore to: -
- Create a more balanced mix of housing types and tenure within that market area, in line with the evidence provided in the SHMA
 - Include a proportion of affordable housing which makes the maximum contribution (consistent with maintaining the viability of the development) to meeting identified needs in that market area

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- 5.11 **Policy ENV1** sets out an approach to ensure that new build development is not prejudiced by flood risk, by permitting new build on sites outside areas at risk of flooding, and ensuring that new development does not contribute to increased surface water run-off through measures such as Sustainable Drainage Systems.
- 5.12 The proposed development is located within Flood Zone 1 which the Environment Agency (EA) define as an area having less than 0.1% annual risk of flooding and is therefore at the lowest risk of flooding. The site is therefore considered to be a low risk in terms of flooding.
- 5.13 **Policy ENV3** seek to ensure that new development will protect and enhance biodiversity and geodiversity.
- 5.14 The proposed development is currently overgrown and now unused curtilage land for the School. Therefore, the development proposed does not raise any obvious concerns on this subject. There are no designations or information available which suggests that the site is subject to any biodiversity interest.
- 5.15 **Policy ENV5** relates to the protection and enhancement of the Boroughs landscapes. It seeks to ensure that landscapes are protected from inappropriate change through unsympathetic development.
- 5.16 It is considered that the proposed development, being small scale, adjoining existing dwellings and being within a settlement boundary is not an inappropriate change to the landscape.

Development Management Policies

Design

- 5.17 **Policy DM10** states the Council will expect high standard of design and the fostering of 'quality places' and development proposals will be required to: -
- Respond positively to the character of the site and the immediate and wider setting and enhance local distinctiveness through an appropriate size and arrangement of development plots, the appropriate scale and massing of houses;
 - Incorporate existing features of interest including local vernacular styles and building materials;
 - Address vulnerability to and fear of crime and anti-social behaviour by ensuring that the design, location and layout of all new development creates clear distinctions between public and private spaces, overlooked routes and spaces within and on the edges of development;
 - Create and maintain reasonable standards of general amenity.
- 5.18 It is considered that the above principles can be taken into account in any subsequent submission.

Residential Amenity

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

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

5.20 While only submitted as Permission in Principle, the indicative layout confirms that the proposed dwelling would as detailed meet all of the above separation distances.

Drainage and Flood Risk

- 5.21 **Policy DM24** states where a proposed development is likely to be at risk from flooding or increases risk of flooding elsewhere, a Flood Risk Assessment (FRA) will be required to be submitted as part of the planning application. Development will not be permitted where it is found that there is an unacceptable risk of flooding; or the development would increase the risk of flooding elsewhere.
- 5.22 The development area is located within a Flood Zone 1 in which the NPPF recognises that all uses types are therefore appropriate. Surface water sewer systems are proposed to accommodate the 1:100 year event plus a 40% allowance for climate change in accordance with 2016 requirements.

Access and Transport

- 5.23 **Policy DM12** requires housing development to provide a car parking provision in accordance with adopted residential parking standards. Cumbria Highways have provided a Cumbria Development Design Guide but there are no adopted parking standards. The guidance provides a suggested level of parking for housing development.
- 5.24 The size of the proposed site could accommodate sufficient parking for the dwellings proposed on the indicative layout. It is therefore considered that any proposed layout can meet this criterion of Policy DM12.
- 5.25 **Policy DM22** requires development proposals to be accessible to all users by providing convenient access into and through the site for pedestrians, cyclists and disabled people, access for emergency and service vehicles, meeting adopted car parking standards which reflect the needs of the Borough in its rural context. Where necessary the potential transport implications of development will be required to be supported by a Transport Assessment and a Travel Plan to manage any significant transport implications.
- 5.26 The proposed development provides a safe, functional, permeable and inclusive access allowing good sustainability to the facilities in St Bees and allow sustainable transport links across the Borough. There is an existing pavement frontage along the site to the B5345, which provides a continual footway link to the centre of the village. The proposal therefore meets the aims of local plan policies DM12 and DM22.

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

- 5.27 The purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF states that sustainable development has three objectives social, economic and environmental.

- 5.28 The social and economic are as follows:

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

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

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

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

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

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

The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

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

- 5.30 Paragraph 49 in the revised NPPF now states "in the context of the Framework – and in particular the presumption in favour of sustainable development – arguments that an application is premature are unlikely to justify a refusal of planning permission."
- 5.31 Paragraph 61 states that *"Within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes)."*
- 5.32 At present, Copeland Borough Council is unable to demonstrate a five-year supply of housing land. Paragraph 67 of the NPPF states that Strategic policy-making authorities should have a clear understanding of the land available in their area through the preparation of a strategic housing land availability assessment. From this, planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability. Planning policies should identify a supply of:
- a) specific, deliverable sites for years one to five of the plan period; and b) specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15 of the plan.

Therefore, housing applications should be considered in the context of sustainable development and relevant policies for the supply of housing are considered to be out-of-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

- 5.33 Paragraph 73 of the NPPF covers maintaining supply and delivery of housing. This states Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:
- a) 5% to ensure choice and competition in the market for land; or
 - b) 10% where the local planning authority wishes to demonstrate a five-year supply of deliverable sites through an annual position statement or recently adopted plan³⁸, to account for any fluctuations in the market during that year; or
 - c) 20% where there has been significant under delivery of housing over the planned supply.
- 5.34 Paragraph 102 is regarding promoting sustainable transport, which is relevant to this proposal. *"Opportunities to promote walking, cycling and public transport use are identified and pursued."* This continues in paragraph 103 stating *"The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making."* As previously noted, this site is located within a sustainable village, with access to principal settlement in the Borough via the train station. The site then benefits from the Whitehaven services such as the West Cumberland Hospital, Westlakes Science Park, schools, churches, supermarkets & shops.

Copeland Borough Council's Interim Housing Policy (2017)

- 5.35 Copeland Borough Council's Interim Housing Policy (2017) sets out the Council's current approach to determining planning applications for residential development in the absence of a 5-year supply of housing and up-to-date policies relating to housing in a Local Plan. This states that:

"The Council will continue to support applications that are in accordance with the development plan. However, in order to encourage sustainable development and boost housing delivery, a decision-making framework for planning applications that may not be fully in accordance with the development plan has been set out.

The Council will (in addition to the development plan and other material considerations) consider residential development proposals contiguous to the development boundary, or the existing built form of a settlement, against each of the following criteria:

- A. The scale of proposed development must be appropriate to the size, character and role of the settlement. In deciding whether the scale is appropriate, account will be taken of the cumulative impact of completions and permissions for the settlement concerned;
- B. The level of services and facilities in the settlement, as defined in the Village Services Survey (2017). To encourage sustainable development, preference will be given to schemes which are contiguous to settlements that have the greatest concentration of facilities and services. Information provided by applicants which seeks to update the survey will be a material consideration;
- C. Proposed development should not have a significant adverse impact on the capacity and safety of the highway network;
- D. Individual and cumulative impacts of development on infrastructure capacity (for example education, health provision, surface water management, adult social care), and landscape character should be mitigated.
- E. Proposed development should create safe and accessible environments that offer good access via a range of transport modes. Sites where it is possible to walk easily to a range of facilities will be considered more sustainable than sites that are further away and which would make car journeys more likely;
- F. Proposed development sites that fall within Flood Risk Zone 3a and 3b, as defined by Environment Agency's latest data, will be discounted unless robust evidence can prove that the flood zoning for the site is incorrect, or that there is a robust mitigation plan signed off by the Environment Agency;
- G. Proposed development should not have an adverse impact on the Lake District National Park, and should demonstrate how they conserve or enhance the natural beauty, wildlife and cultural heritage of the Lake District National Park, or its setting;
- H. Proposed development should, subject to viability, include a proportion of affordable housing which makes the maximum contribution to meeting identified needs in that market area;
- I. Proposed development for Executive Housing will be supported where it delivers significant and demonstrable economic, social, and environmental benefits;
- J. Proposed development should be of a high-quality design, enhancing local distinctiveness; and, where relevant, respecting the rural character of the settlement;
- K. Proposed development should not result in significant intrusion into the open countryside, or result in any settlements merging;
- L. Proposed development should not result in significant and demonstrable harm to the landscape character of Copeland, and applicants should have regard to those landscape areas as defined in the Cumbria Landscape Guidance and Toolkit (2011), or any subsequent update;

- M. Major developments should be supported by a masterplan (to include a phasing scheme), which will demonstrate what proportion of development will be deliverable within the five-year supply period relevant to the date of determination of the planning application.
- 5.36 It is considered that the Interim Housing Policy has been met by the proposal as demonstrated below.
- 5.37 Criteria A and B of the Interim Housing Policy (2017) refer to the scale of proposed development must be appropriate to the size, character and role of the settlement, and in order to encourage sustainable development, preference will be given to schemes which are contiguous to settlements that have the greatest concentration of facilities and services.
- 5.38 Regarding the above criterion, the proposed site is located within St Bees. This is one of the largest villages within the Copeland Borough, and therefore is in a location that benefits from a range of services available within the area including schools, a shop, church, train station. The addition of 3 dwellings is also considered appropriate given the size of the settlement and character. The proposal therefore complies with criteria A and B.
- 5.39 In terms of Criterion C of the Interim Housing Policy (2017), the submitted application will not cause any significant increase in terms of traffic within the locality from the development, due to the size of the proposed development only representing a minor application. It is considered that suitable visibility can be achieved to the road frontage.
- 5.40 Criterion D covers cumulative impact of a development, and it is not expected that there will be any strain on infrastructure capacity, given that the application is for three additional dwellings.
- 5.41 With regards to walking to facilities, as stated above the proposed development site is located within walking distance of the facilities and services found within the St Bees settlement. This includes a shop, playpark, primary schools, church, pubs, public school and train station. Therefore, it is concluded that the application meets the criteria of point E.
- 5.42 In terms of criterion F of the Interim Housing Policy (2017), the site lies in Flood Zone 1 and therefore this is not relevant.
- 5.43 Criterion G is of no relevance to the proposal given the distance from the site to the Lake District National Park.
- 5.44 Criterion H is not relevant to the proposal given that the proposed number of units is under the threshold for the inclusion of affordable housing.
- 5.45 The proposed dwellings would likely be split level 3/4-bedroom detached properties, within an easy commute distance to both Sellafield site and Whitehaven. The proposal would therefore satisfy criterion I & J as it would deliver demonstrable economic, social and environmental benefits.
- 5.46 In terms of criterion K the proposed development is situated within the St Bees settlement boundary. Therefore, there is no intrusion into open countryside.
- 5.47 With regards to Criterion L, the site is only visible from within the close proximity due to the existing buildings in the area and general topography in this location. Therefore, there is no

significant and demonstrable harm to the landscape character of Copeland, and it is therefore considered to comply with Criterion L.

- 5.48 This is a small-scale site and therefore the content of Criterion M does not apply, but given that it is for a single dwelling, it would be delivered within the five-year period.

In the context of the above matters, it is clear that the proposed development entirely conforms with the requirements of the Copeland Interim Housing Policy.

6.0 Permission in Principle

- 6.1 The gov.uk guidance on the Permission in Principle states *'The scope of permission in principle is limited to location, land use and amount of development. Issues relevant to these 'in principle' matters should be considered at the permission in principle stage.'*

- 6.2 The above points are similarly covered in the Interim Housing Policy, but for clarity:

- Location: The site is within the St Bees settlement boundary, and therefore is in a suitable location.
- Land use: The site is adjacent to the Abbey Vale residential estate, and St Bees School buildings, within a Local Service Centre. Residential is therefore a suitable land use.
- Amount of development: The application has an indicative layout which shows 3 dwellings. This is a suitable number of properties on this size of site and is appropriate in the context of the size of St Bees village as a whole.

7.0 Conclusion

- 7.1 The proposed development provides the opportunity for additional dwellings on a site that is considered suitable for residential use.
- 7.2 The land is currently unused curtilage land for the School.
- 7.3 While the technical issues will be addressed by a subsequent submission, the proposed development can be sensitively designed to take into account the site characteristics, surroundings, wider location and separation distances.
- 7.4 It is contended therefore that the proposed development is acceptable and is in accordance with both national and local planning policy, and therefore should be approved.

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