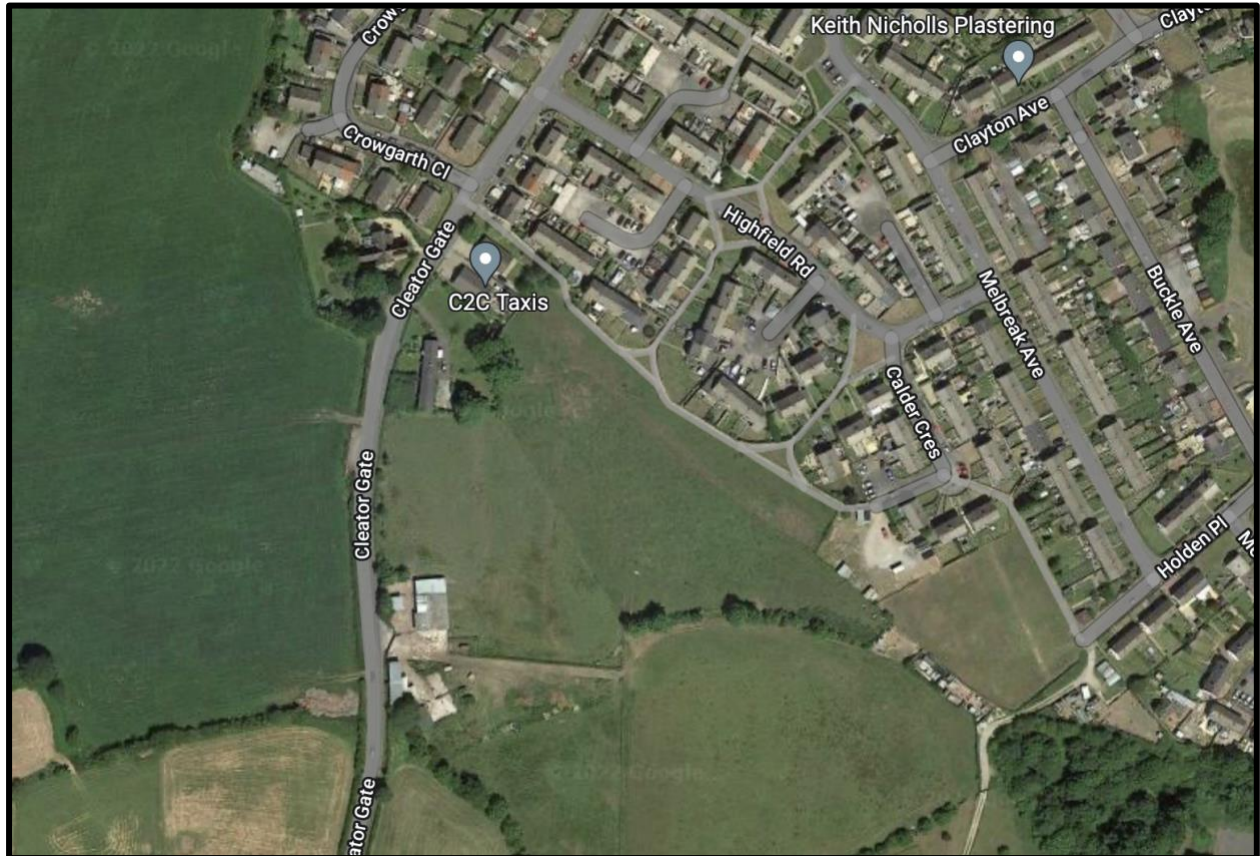


Planning Statement – Land to the east of Jacktrees Road, Cleator Moor

Proposal: Residential Development consisting of 64 dwellings



Gleeson Homes Ltd

December 2022

SRE Associates - Planning and Development Consultancy

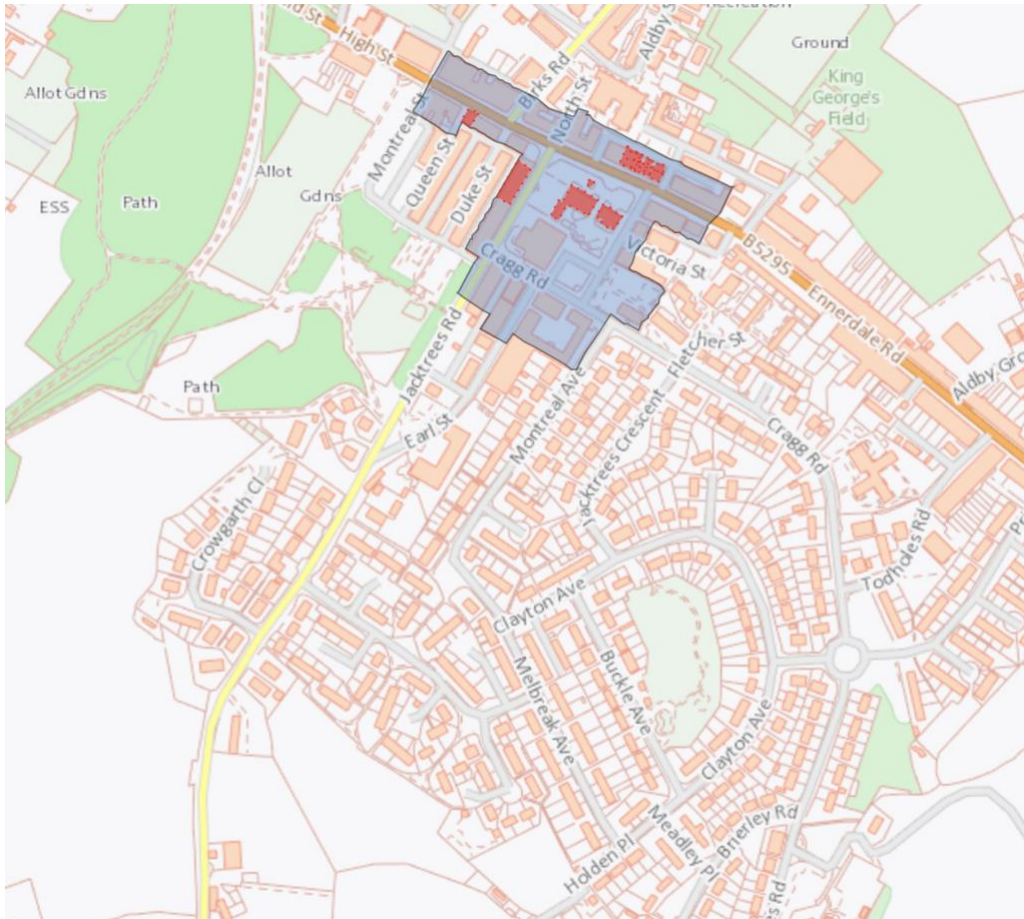


1.0 Introduction

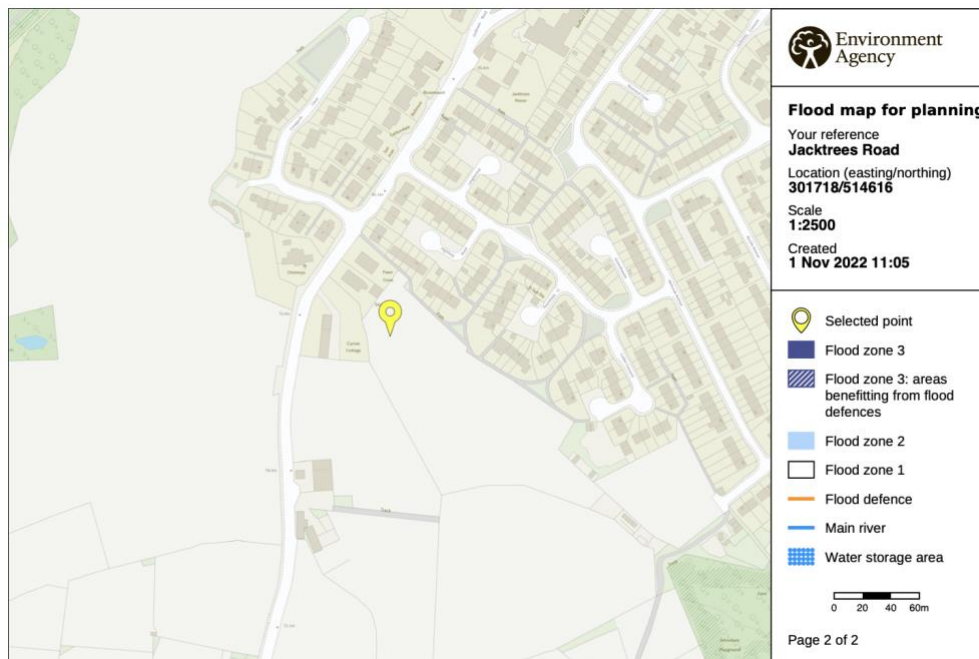
- 1.1 This planning statement has been prepared on behalf of the applicant in support of a planning application for residential development on land to the east of Jacktrees Road, Cleator Moor.
- 1.2 The application is submitted in full, covering matters relating to the principle of the development and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

2.0 The Site

- 2.1 The application related to an area of land extending to 2.08 hectares which lies to the east of Jacktrees Road. The development adjoins further agricultural land to the east, and south, to the west it front Jacktrees Road, and to the north it adjoins the residential curtilages of dwellings on Highfield Road and Thornfield Close.
- 2.2 The site is currently agricultural land. The topography of the land is fairly flat but raises up towards the north of the site, and it is contained by hedgerows and a post and wire fence to the sides of the field.
- 2.3 The application site is situated adjacent to the established Local Plan settlement boundary for Cleator Moor and is therefore close to the local amenities in the town consisting of the Primary Schools, playparks, social club, pubs, shops and supermarket. It is located 1.6 miles from the A595 which provides bus route access to Whitehaven which is the Main Service Centre in the Borough as detailed in the Copeland Local Plan.
- 2.4 The A595 to the west 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 There are no Conservation Areas or Tree Preservation Order's on or directly adjacent to the site.
- 2.7 There are no Listed Building's on or near to the site. The nearest Listed Building and Conservation Area is in the Square in Cleator Moor, as detailed on the Copeland GIS map below:



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



3.0 The Proposed Development

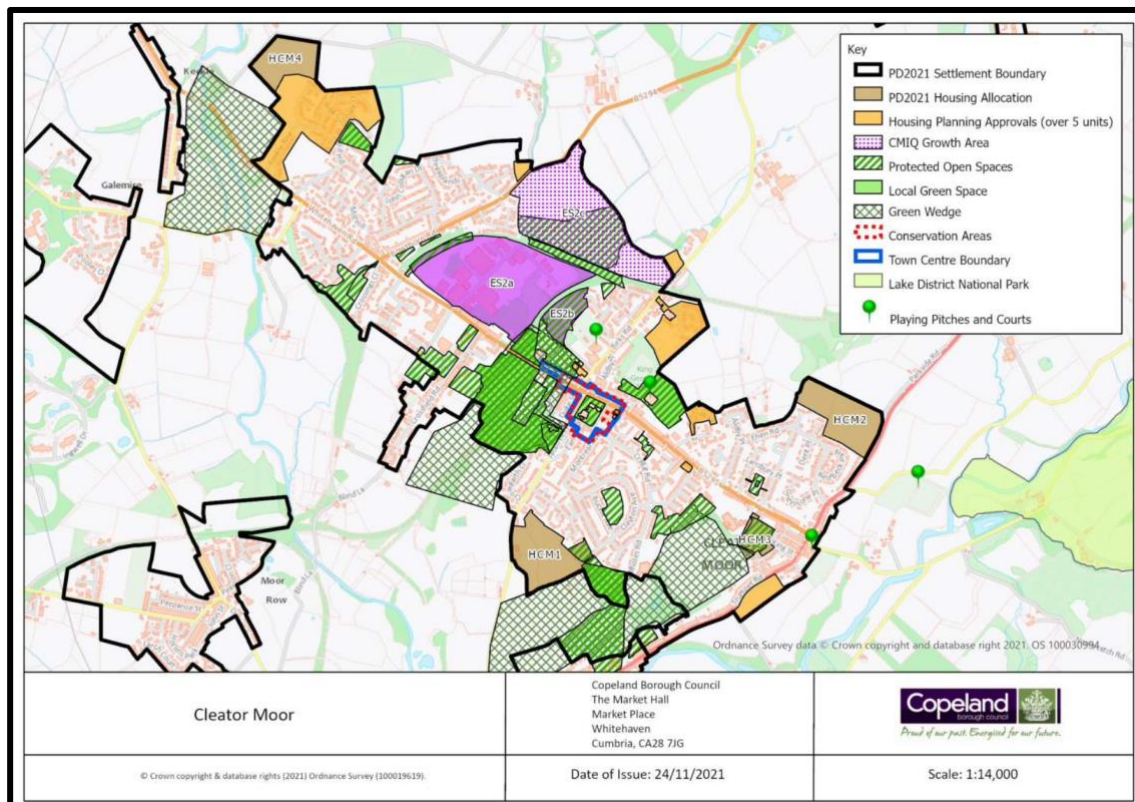
- 3.1 The application is a full planning application therefore covering the principle of development and all details regarding access, scale, layout, landscaping and appearance of the residential development proposed on the site and all associated infrastructure.
- 3.2 For access, the proposed dwellings would utilise a new point of access from Jacktrees Road. The visibility splay required for the access are detailed on a submitted plan, showing 2.4m x 43m splays.
- 3.3 The proposed scale of the development is 64 dwellings on the site, which is detailed on the submitted site layout plans, which demonstrates adequate separation between all dwellings proposed, and the existing dwellings on Jacktrees Road, Highfield Road, Thornfield Close and Calder Crescent.
- 3.4 The layout of the proposed development would see the main access fairly central onto the Jacktrees Road frontage. Four estate road lead off from the central access, which turns to the south and leads up to the southern boundary.
- 3.5 The proposed dwellings are a mix of 2, 3 and 4 bed houses, including 4 bungalows, and a mixture of detached and semi-detached properties. Some of the properties have render elevations and some have red brick elevations with a view to providing continuity with the surrounding dwellings.
- 3.6 The properties will all have in curtilage parking spaces, and there are a number of additional visitor spaces spread around the site. The existing dwellings in the surrounding area include a range of detached, attached, single storey and two storey properties.
- 3.7 The application site is considered well related to the existing residential developments to the north, 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.
- 3.8 Further land to the south may come forward for residential development at a later date, subject to confirmation of the ground conditions, so the central access road currently leads to the boundary. If the additional area of land does not, the properties along the southern boundary of the application site have been designed to front outwards from the site, should this form the eventual site boundary.

4.0 Planning history

- 4.1 There is no previous planning history directly on the application site.
- 4.2 The following applications are located on the application site, but are not considered relevant to the proposal:
 - 4/95/0378/0 – Environmental improvement to reinstate as agricultural land – Field 8245 Jacktrees Road Cleator Moor – Approved

- 4/95/0822/0 – Renewal of planning permission for further 12 months for environmental improvement to reinstate as agricultural land – Field 8245 Jacktrees Road Cleator Moor – Approved
- 4/96/0937/0 – Extension of time for environmental improvement to reinstate as agricultural land – Field 8245 Jacktrees Road Cleator Moor – withdrawn
- 4/07/2217/0 – Two cattle sheds – Land at Jacktrees Road - refused

4.3 Within the Copeland Local Plan 2021 – 2038 Publication draft January 2022, the site was noted as HCM1, a housing allocation:



Strategic Policy H5PU: Housing Allocations			
 The following sites are allocated for housing over the Plan period 2021-2038. The yields identified are indicative only and alternative yields will be accepted where appropriate.			
Settlement	Site Ref (SHLAA reference is shown in brackets)	Address	Indicative Yield (dwellings – based on 25dph unless otherwise stated)
Towns			
Whitehaven	HWH1 (WE032 & WE001)	Land at West Cumberland Hospital and Sneckyeat Rd	127
	HWH2 (WH011a)	Red Lonning and Harras Moor*	370 ⁶³
	HWH3 (WS013)	Land at Edgehill Park Phase 4	120
	HWH4 (WW018/WW022)	Land south and west of St Mary's School	60
	HWH5 (WW014)	Former Marchon Site North*	532
	HWH6 (WW019a)	Land South of Waters Edge Close	35
Cleator Moor	HCM1 (CM028 & CM038)	Land at Jacktrees Road	127
	HCM2 (CM082a)	Land north of Dent Road	96
	HCM3 (CM008b)	Former Ehenside School	40
	HCM4 (CM025a)	Land at Mill Hill	81
Egremont	HEG1 (EG014, EG036 & EG050)	Land north of Ashlea Road	108
	HEG2 (EG008, EG025 & EG032)	Land at Gulley Flatts	170
	HEG3 (EG007)	Land to south of Daleview Gardens	141

- 4.4 As noted in the above the text, the site is listed as having an indicative yield of 127 dwellings. This however includes the additional area to the south, for which further ground investigations are on-going to confirm its suitability for development.

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 (2021) it was adopted after the first NPPF that was published in March 2012 and therefore closely follows the principles of sustainable development, as defined by national policy and delivering sustainable housing in accordance with that policy.

Strategic Policies

- 5.4 **Policy ST1** of the core strategy sets out the fundamental principles that will achieve sustainable development. Amongst other things it seeks to ensure that development created a residential offer which meets the needs and aspirations of the Boroughs housing markers and is focussed on previously developed land away from greenfield sites.
- 5.5 **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.
- 5.6 The above are the strategic policies with particular relevance to residential housing sites.
- 5.7 **Policy SS1** seeks to improve the housing offer of the borough by, amongst other things, by allocating housing sites to meet local needs in locations attractive to house builders and enhancing the general surrounding residential environment of the borough.
- 5.8 With regards to the above, it is noted that the site is within the vicinity of a number of residential properties on the edge of Cleator Moor. The proposed residential development will be built to a high standard, will have minimal impact on local amenity and improve the borough's housing stock in this residential location of the town.
- 5.9 **Policy SS3** requires housing development proposals to demonstrate how the proposal helps to deliver a range and choice of good quality and affordable homes for everyone. This is assessed by how well a proposal meets the identified needs and aspirations of the Borough's individual Housing Market Areas as set out in the Strategic Housing Market Assessment (SHMA). The aim of the policy is therefore to: -
- Create a more balanced mix of housing types and tenure within that market area, in line with the evidence provided in the SHMA
 - Include a proportion of affordable housing which makes the maximum contribution (consistent with maintaining the viability of the development) to meeting identified needs in that market area
- 5.10 **Policy SS5** sets out the Council's position in relation to the provision and access to open space and green infrastructure. This aims to protect against the loss of designated open space, set the minimum open space standards for new development and promote the establishment, improvement and protection of green infrastructure.
- 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 open agricultural land. 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, given the two previous Copeland Borough Council site allocations document where it has been proposed for housing allocation (in 2015 and 2022), 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 have been taken into account in the design and layout of the proposed development. The proposed layout is considered appropriate in form, design and size, and also the size is laid out at an appropriate scale for the site and context of the adjacent dwellings.

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 As previously detailed, the layout confirms that the proposed dwellings would meet all of the above separation distances, in respect to the other proposed dwelling and the existing dwellings adjoining the site to the north and west.

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. It is also accompanied by a Flood Risk Assessment and Drainage Strategy document.

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, which provides a suggested level of parking for housing development.
- 5.24 In curtilage and visitor parking is included in the layout across the site development, designed to the standards of Cumbria County Council. It is therefore considered that any proposed layout meets the 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 Cleator Moor and allow sustainable transport links across the Borough. The proposal therefore meets the aims of local plan policies DM12 and DM22.

Ecology and Trees

- 5.27 **Policy DM28** requires development proposals which are likely to affect any trees within the Borough will be required to include an arboriculture assessment as to whether any of those trees are worthy of retention and protection by means of a Tree Preservation Order. As such the planning application is accompanied by a Tree Report, which identifies all of the trees on the site and assess their quality and the need or possibility for retention.

Principle – National Planning Policy Framework (“NPPF”) (as revised July 2021)

5.28 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.

5.29 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.

5.30 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."

5.31 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."

5.32 Paragraph 62 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)."*

5.33 Paragraph 104 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 105 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*

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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.”

- 5.34 The proposed site adjoins the built area of Cleator Moor. This is a Key Service Centre within previously adopted versions of the Local Plan. The proposed development of 64 dwellings is considered appropriate to the size, character and role of the settlement. The submitted application will not cause any significant increase in terms of traffic within the locality from the development. With regards to walking to facilities, as stated above the proposed development site is located within walking distance of the significant facilities and services found within the Cleator Moor settlement. The proposed development is situated adjacent to existing housing, and the existing settlement boundary, and is therefore a logical extension of the town.

6.0 Conclusion

- 6.1 The proposed application provides the opportunity for 64 residential dwellings on a site that is considered suitable for residential use.
- 6.2 The land had previously been considered suitable for residential development twice in the Copeland Local Plan process recently.
- 6.3 The proposed development has been sensitively designed to take into account the site characteristics, surroundings, wider location and separation distances.
- 6.4 It is considered that any impact on the adjacent dwellings outside of the site has been minimised by the proposed layout.
- 6.5 It is contended therefore that the proposed development is acceptable and is in accordance with both national and local planning policy, and therefore should be approved.

Simon Blacker MRTPI