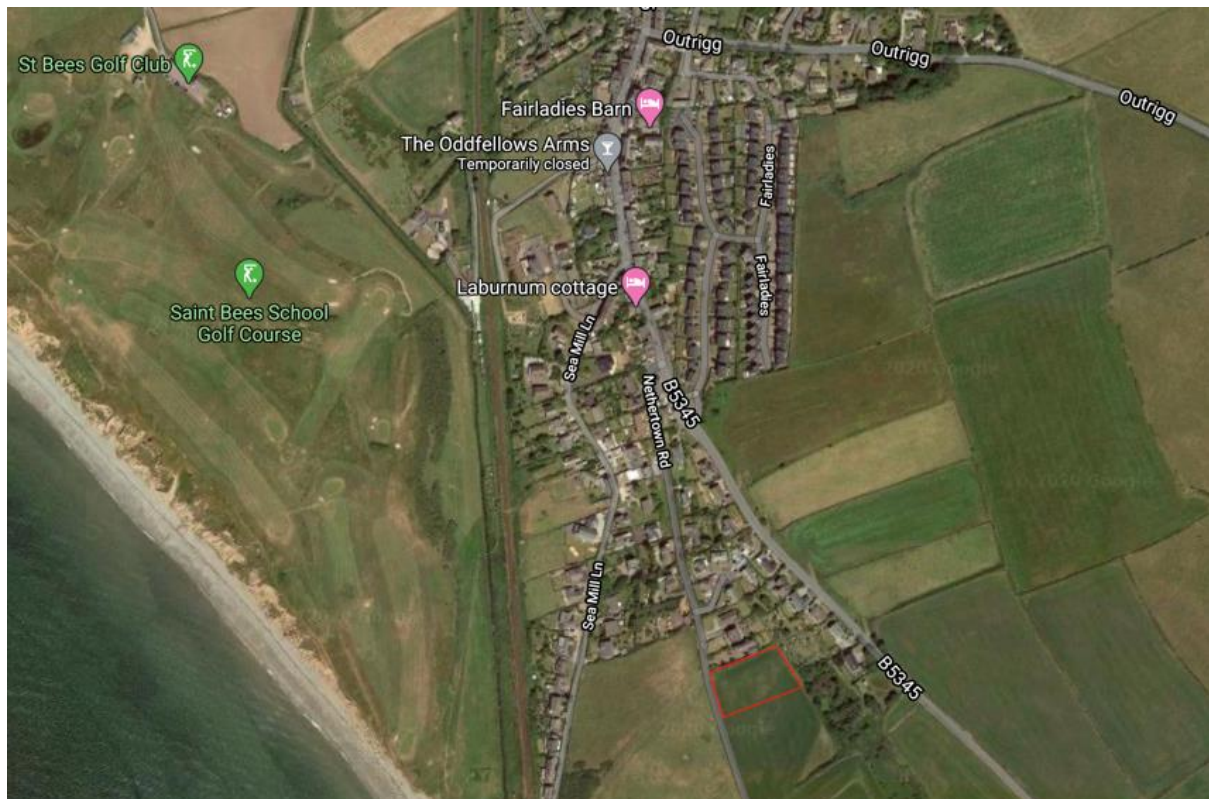


Planning Statement – Land to the east of Nethertown Road, St Bees, Cumbria

Proposal: Outline Planning Application for residential development



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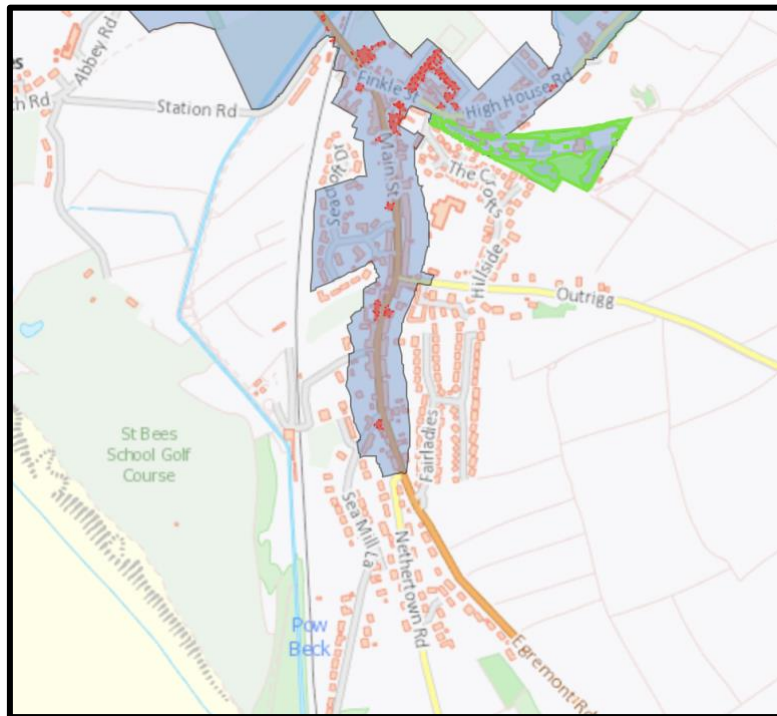
1.0 Introduction

- 1.1 This planning statement has been prepared in support of a planning application for residential development on land to the east of Nethertown Road, St Bees.
- 1.2 The application is submitted in outline, 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 indicative plan and access appraisal 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 agricultural land extending to 0.36 hectares at Nethertown Road, St Bees. The development adjoins the house and curtilage known as Southrigg to the north, Nethertown Road to the west, the garden curtilage of Headland View to the east and agricultural land to the south.
- 2.2 The site is currently in use as agricultural land. The topography of the land is generally flat to nearer to the road frontage but raises significantly towards the east of this site and it is contained by stone walls to the east and west, and post and wire fences to the north and south.
- 2.3 The application site is part of land adjacent to the settlement boundary of the village on two sides, from 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, Secondary 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 (2.0 miles 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. Whitehaven is accessible from St Bees via the train station.
- 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, for which the southern boundary is some distance along the Main Street to the north 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 81 Main Street, which is a domestic property located 0.4km to the north of the application site. This however is not impacted in any way by the site due to the distance 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 Outline Planning Permission, and therefore all details regarding scale, layout, access, landscaping and appearance of the residential development proposed on the site would be covered within a reserved matters application, if this is approved.
- 3.2 The access is as mentioned not a matter forming part of the application at this stage, but the proposed development would utilise the frontage onto the Nethertown Road, as noted on the indicative layout. An access appraisal is submitted with the application that confirms that the necessary visibility from the site can be achieved, and that the level of traffic along Nethertown Road, and the average speed of the traffic is low which ensures that the proposed small scale residential development will not have an adverse impact on highway conditions in the area.
- 3.3 While also 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. This would also match the adjacent residential development to the north of the site on Nethertown Road and would provide properties consistent with the size of dwellings and curtilage to the east of the site on Egremont Road.

- 3.4 The indicative layout of the proposed development has the three properties all fronting onto Nethertown Road, with parking and turning space within each plot. All would have garden areas to the east of the dwellings in similar form to the adjacent properties to the north on Nethertown Road.
- 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 generally in the form of detached two storey dwellings.
- 3.6 The application site is considered well related to the existing residential developments to the north and east, 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 proposed development would also not be visible as part of the of the skyline in this part of the village.

4.0 Planning history

- 4.1 There are no previous planning applications on the site with the recent history.

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 Copeland Borough Council have recently released a 5-year land supply position statement which concludes that they currently have a 6.35 year housing land supply, following 3 years of sub-5 year supply. This updated position has led to the removal of the Interim Housing Policy, which had been in place since 2017 as Copeland's primary decision-making document.
- 5.5 The settlement boundaries currently forming part of the Copeland Local Plan however have not been reviewed or updated in many years (referenced verbally in a Copeland Borough

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Council Planning Panel meeting as reviewed in 2004). This position is confirmed in the Housing Land Supply position document which states:

'As the Council is now able to demonstrate a 5 year supply of deliverable housing sites, the Interim Housing Policy has been revoked. As the policy in the Core Strategy relating to development boundaries (Policy ST2 B and C) is still out of date, albeit for a different reason, applications for development outside the settlement boundaries in the Core Strategy will be determined in accordance with the National Planning Policy Framework, other policies relevant to the proposal and relevant material considerations.'

The explanation to the above is detailed as:

'These parts of the policy are considered to be out of date as the Preferred Options Draft of the Local Plan indicates that in order to meet housing needs identified in the SHMA over the period 2017-2035 (140 dwellings per year), development will be required outside the settlement boundaries in the Core strategy. Given this, the policy does not accord with the NPPF which requires local authorities to significantly boost housing delivery.'

Strategic Policies

- 5.6 **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. As detailed above however, this policy that relates to the settlement boundaries is considered out of date until such time that the settlement boundaries are fully reviewed and adopted in a new Local Plan document.
- 5.8 The above are the strategic policies with particular relevance to residential housing sites.
- 5.9 **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.
- 5.10 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 adjacent to the village's settlement boundary and therefore the principle of residential development is supported by both the NPPF and the Local Plan.

- 5.11 **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
- 5.12 **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.
- 5.13 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.
- 5.14 **Policy ENV3** seek to ensure that new development will protect and enhance biodiversity and geodiversity.
- 5.15 The proposed development is currently open grassed 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.
- 5.16 **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.
- 5.17 It is considered that the proposed development, being small scale, adjoining existing dwellings and being adjacent to a settlement boundary is not an inappropriate change to the landscape.
- 5.18 A longer range view of the site in the landscape is included below, which shows that the development will not form part of the skyline as the adjacent Southrigg does not:



Development Management Policies

Design

5.19 **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.

5.20 It is considered that the above principles can be taken into account in any subsequent submission for reserved matters regarding scale, layout, landscaping and appearance.

Residential Amenity

5.21 **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

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

5.22 While only submitted in outline, the indicative layout confirms that the proposed dwellings would as detailed meet all of the above separation distances.

Drainage and Flood Risk

5.23 **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.

5.24 The development area is located within a Flood Zone 1 in which the NPPF recognises that all uses types are therefore appropriate.

Access and Transport

5.25 **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.

5.26 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.

5.27 **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.

5.28 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. The proposal therefore meets the aims of local plan policies DM12 and DM22.

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

5.29 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.

5.30 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.

- 5.31 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."

- 5.32 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."
- 5.33 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)."
- 5.34 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.
- 5.35 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.

- 5.36 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.
- 5.37 It is considered from the above that the proposed development site is appropriate in terms of a location when judged against the wording of the National Planning Policy Framework regarding location principle. As previously mentioned, this is the primary decision-making policy on this issue given the acknowledged time since a review of the settlement boundaries in Copeland.

Copeland Landscape Settlement Study

- 5.38 The Copeland Landscape Settlement Study, which should be used to determine how the landscape policy in the Local Plan is interpreted. Within this document is a detailed appraisal of St Bees. The text on St Bees in particular is noted below:

‘St Bees

Key Characteristics and Qualities

Coastal settlement that follows the sides of the Pow Beck valley. A broad swathe of green space separates the two parts of the village and connects the valley landscape to the coast. In long views from south of Whitehaven the church tower is evident.

St Bees appears to nestle in the valley bottom, it’s character defined by the high downland that surrounds the village. Skylines are generally undeveloped.

Holiday parks and new housing estate development are prominent in the northern part of the village. Originally confined to the valley bottom, more recent expansions have encroached on coastal slopes.

6.0 Conclusion

- 6.1 The proposed development provides the opportunity for additional dwellings on a site that is considered suitable for residential use.
- 6.2 The latest Copeland Land Supply Position Statement concludes that development outside of the existing settlement boundaries is required to meeting the identified housing need.
- 6.3 St Bees is in the Local Service Centre tier of settlements in the Copeland Local Plan Preferred Options document, of which 20% of the housing development over the plan period will be from.
- 6.4 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.

Simon Blacker MRTPI