

Cumberland Council

Delegated Planning Application

Reference No:	FUL/2025/0022
Valid Date:	7 February 2025
Location:	Vacant Field, Adjacent to Lonning House, Threapland, Wigton, CA7 2HQ
Applicant:	Katherine Norman
Proposed:	3 bed-roomed bungalow with detached garage
Recommendation:	Refused

Site Description

The site is situated within the village of Threapland, on its eastern edge. The site is currently undeveloped and its lawful use is considered to be a paddock/field. An agricultural contracting business is situated to the NW of the site, with residential dwellings to the west. Access to the site is proposed from the highway serving the village.

Site History

PPA/2024/0010- Two new dormer bungalows - opinion offered - 05/03/2024

Proposal

The application seeks planning permission for the erection for a self-build three bed bungalow with detached garage.

Consultation Responses

Bothel & Threapland Parish Council - no response to date

Highways & LLFA - no objections subject to conditions regarding visibility splays, access drive materials, highway boundary treatment, surface water discharge and drainage measures, and access gates opening inwards.

Environmental Health - no objections subject to standard land contamination and construction and demolition method statement conditions.

Minerals & Waste - no response to date

United Utilities - no objections subject to drainage hierarchy being followed.

A site notice has been displayed at the site and adjoining properties have been consulted. Four representations have been received, two in support of the application and two opposing it. Supporting representations relate to the creation of affordable housing for residents of the village, and enhancement of current dwellings within the village. The objections relate to access and poor visibility in both directions.

Duties

Does the site affect the setting of a listed building?

No

Is the site within a designated conservation area?

No

Is the site within a designated Area of Outstanding Natural Beauty?

No

Is the development likely to have a significant effect upon a Natura 2000 designation?

No

Environmental Impact Assessment

The Town and Country Planning (Environmental Impact Assessment) Regulations 2017

- The development is neither within Schedule 1 nor 2 and, as such, is not EIA development.

Development Plan Policies

Allerdale Local Plan Part 1 (2014)

Policy S1 Presumption in Favour of Sustainable Development

Policy S2 Sustainable Development Principles

Policy S3 Spatial Strategy and Growth

Policy S4 Design Principles

Policy S5 Development Principles

Policy S6 Area based

Policy S7 A Mixed and Balanced Housing Market

Policy S29 Flood Risk and Surface Water Drainage

Policy S30 Reuse of Land

Policy S32 Safeguarding Amenity

Policy DM14 Standards of Good Design

Allerdale Local Plan Part 2 (2020)

Policy SA2 Settlement Boundaries

Policy SA4 - Custom and Self-Build Housing

Other Material Considerations

National Planning Policy Framework (NPPF) (2024)

Weighting

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise. This means that the Allerdale Local Plan (Part 1) 2014 and the Allerdale Local Plan (Part 2) 2020 policies have primacy.

Assessment

Principle

Local Plan policy S1 'Presumption in Favour of Sustainable Development' confirms that "the Council will take a positive approach... in favour of sustainable development" and that it will "secure development that improves the economic, social and environmental conditions in the area..."

Policy S3 of the Allerdale Local Plan sets the framework for development across the plan area providing a settlement hierarchy which sets out the role of settlements. Threapland is outside of any defined settlement. Therefore it is not included in the settlement hierarchy, and is limited to the following development proposals;

- a. Housing essential for rural workers in the operation of a rural based enterprise;
- b. Housing following the rural exceptions policy;
- c. An appropriate diversification of an existing agricultural or land based activity;
- d. The optimal viable use of a heritage asset or appropriate enabling development to secure the future of heritage assets;
- e. A recreation or tourism proposal requiring a countryside location;
- f. Facilities essential to social and community needs;
- g. The replacement of an existing dwelling;
- h. A suitably scaled extension to an existing building;
- i. The conversion or reuse of a suitable existing building;
- j. Other development requiring a countryside location for technical or operational reasons.

The proposal as submitted does not meet any of the above criteria and is therefore contrary to policy S3 of the Allerdale Local Plan.

Presently, the published 5 year land supply for the former Allerdale area is 4.6 years. A 5 year land supply is a supply of specific deliverable sites sufficient to provide 5 years worth of housing (and appropriate buffer) against a housing requirement set out in the adopted Local Plan in accordance with Paragraph 78 of the National Planning Policy Framework (NPPF). If a Local Planning Authority cannot demonstrate a 5 year house land supply, the presumption in favour of sustainable development will apply, as set out in paragraph 11d of the NPPF. In considering the sustainability of the site, residents of the dwelling would be highly reliant on the use of a car to make journeys to access services that are not provided within the village of Threapland, resulting in a proposal that is highly car dependent with no demonstrable need. In this respect, the proposal is not considered sustainable and does not accord with para 11d of the NPPF.

Self and Custom Build

Policy SA4 of the Allerdale Local Plan (part 2) seeks to support custom and self-build proposals provided -

- The development proposed complies with policy S3 and other relevant policies, is well related and commensurate to the size of the settlement; and
- It can be demonstrated that the plot(s) can be adequately serviced in terms of highway access, drainage and other utilities and comply with other relevant Local Plan policies

The Self-build and Custom Housebuilding Act 2015 and the Self-build and Custom Housebuilding (Register) Regulations 2016 place a duty on relevant local planning authorities to keep a register of individuals and associations of individuals who are seeking to acquire serviced plots of land in the authority's area in order to build houses for those individuals to occupy as homes. It is required that local planning authorities have regard to each self-build and custom housebuilding register that relates to their area when carrying out their planning, housing, land disposal and regeneration functions.

Housing and Planning Act 2016 places a duty on a relevant local planning authority to grant permissions for enough serviced plots of land to meet the demand for self-build and custom housebuilding in the authority's area arising in each defined base period. It is confirmed that the demand for self-build and custom housebuilding arising in an authority's area in a base period is the demand as evidenced by the number of entries added during that period to the Self-build Register of the relevant local planning authority.

The Council maintains a self-build register for individuals to register their interest in self or custom build. The data from the register will give an indication of the local demand and will be used to develop policy accordingly. Preferred location for self-build and custom building of those currently on the register:

- Broughton - three households
- Broughton Moor - two households
- Cockermouth - one household
- Dearham - one household
- Maryport - one household

- Oughterside - one household
- Pardshaw - one household
- Seaton - six households
- Workington - one household

It is accepted that the Register does not fully capture the demand levels, with anecdotal evidence existing that numerous parties not on the register having developed self-build homes within the former Allerdale area. Individuals building their own home are well established in the former Borough and this is reflected both in windfall development and the land supply that features individual or small sites suitable for self or custom build.

The development is in clear conflict with the provisions of policies S1, S2 and S3 of the Allerdale Local Plan (part 1). Therefore, the provisions of Policy SA4 of the Allerdale Local Plan (part 2) does not weigh in favour of the development.

Access

Access to the site is proposed from directly from the highway serving the village. Highway colleagues have been consulted on the application and, following amendments demonstrating visibility can be achieved, raise no objections to the proposal from a highway safety perspective subject to standard highway conditions being imposed. The proposed access is therefore considered acceptable.

Siting, Layout & Design

The proposed dwelling forms a three bed dormer bungalow with detached garage to the north of the plot. Both the dwelling and the garage would be set back within the site, enabling the provision of the access, parking and turning area to the front. A garden area is proposed to the rear. The property has been designed with a modest appearance fronting the highway, with only Velux windows serving the roof space on this SW elevation. To the rear, the NE elevation is more contemporary in its appearance, with high levels of glazing and a projecting element proposed. Two dormer windows are also to be included within the roof slope of this elevation. Externally, the property would be completed in render and facing brick, with upvc windows and doors, under a tiled roof.

Overall, the siting, layout and design of the proposal is considered acceptable and would achieve a satisfactory visual relationship with existing development within the locality.

Residential Amenity

The proposal would not result in any adverse affects in terms of residential amenity to the occupants of existing neighbouring properties and therefore complies with policy S32.

Drainage

The application confirms foul sewage would be disposed via the main sewer with surface water disposed to a soakaway on site. Officers are satisfied that adequate drainage could be achieved at the site and could be secured via condition.

Biodiversity Net Gain

A Biodiversity Net Gain Exemption Statement has been provided with the application confirming the proposal is for a self-build dwelling which would fall under the provided exemptions.

Balance and Conclusions

The delivery of a single dwelling falls significantly short of a meaningful supply of housing and, in the absence of a demonstrable specific need for the development in this location, little benefit can be gained from its delivery. In contrast the adverse impacts of the development on land considered to be in an unsustainable location are significant and demonstrably outweigh the benefits, when assessed against the policies in the Local Plan and National Planning Policy Framework taken as a whole. The principle of the development is considered not acceptable.

Conditions / Reasons for Refusal

Dwg No. DS/KN/P/2/25 - Proposed elevations & floor plans

Dwg No. DS/KN/P/2/25 - Proposed Garage Elevations

Dwg No. DS/AN/P/2/25 Rev B - Site Location & Block Plan

Pro-active Statement / Notes to Applicant

Statement

Application Refused Following Discussion – Where there is no Way Forward

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against, primarily, the development plan policies, any duties applicable and also all material considerations, including Local Plan policy, the National Planning Policy Framework and any stakeholder representations that may have been received. In this context, having identified matters of concern with the proposal and discussed those with the applicant, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and, due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.