Reference No: 2/2014/0857
Valid Date: 03/12/2014
Location: Proposed Housing Development
Ashfield Road South
Workington
Applicant: Mr Nick Thompson Allerdale Investment Partnership
Drawing Numbers: Site location plan – Drawing no. 1100

Site Access arrangements – Drawing no. TPMA1159-100

Newlands Lane / High Street Indicative Mitigation Scheme – Drawing no. TPMA1159-104 Date Stamped

Interim Geo-Environmental Report (WYG November 2014)

Interim Travel Plan (Curtins November 2014)

Ecological Appraisal (Wardell Armstrong – August 2014)

Proposed Development: Outline application for up to 290 dwellings

Recommendation: Approve

Subject to conditions and the completion of a Section 106 legal agreement to secure the following:

1. Provision of education contribution of £447,671
2. Provision of on-site public open space and Local Area of play.
3. Provision for future management of the Local Area of Play, amenity green space and landscaped areas to include transfer to and future maintenance by a private management company.
4. Submission of a final Travel Plan and agreement for the administration fee of £1,320 per ‘Review’.
5. Provision of 20% of the (up to) 290 units proposed across the whole site as affordable housing in perpetuity.
6. Junction improvement works at A596/Newlands Lane
7. Pedestrian/cycle linkages to and from and within the site.
<table>
<thead>
<tr>
<th>Issue</th>
<th>Conclusion</th>
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<tbody>
<tr>
<td>Principle of development</td>
<td>The site has been allocated for housing since 1999 in the Allerdale Local Plan, and it will contribute towards the Council’s current 5 year supply of deliverable housing land. The development also constitutes a sustainable location for residential development. Therefore, the principle of residential development at this location is deemed acceptable and the proposal is considered to be compliant with the provisions of policies S2, S3 and S5 of the Allerdale Local Plan (Part 1).</td>
</tr>
<tr>
<td>Scale, design and residential amenity</td>
<td>Officers are satisfied that acceptable levels of privacy and amenity could be achieved for both proposed and existing dwellings. Issues regarding layout, scale and appearance are reserved for approval later as ‘Reserved Matters’, and any potential issues regarding amenity and overlooking could be reduced by design and orientation of the proposed dwellings at the detailed design stage. This is in accordance with Policies S2, S4 and S32 of the Allerdale Local Plan (Part 1).</td>
</tr>
<tr>
<td>Landscape and visual impact.</td>
<td>Belts of trees are located within the site and adjacent to the boundaries. However, there are no tree preservation orders. The majority of the trees located adjacent to the northern boundary and south-east boundary are proposed to be retained. This forms a useful boundary treatment as a buffer with the existing housing developments at both Chaucer Road and Ellerbeck Lane. Trees are proposed to be removed along the frontage of the site with Ashfield Road South, however, replacement tree planting is proposed. Officers conclude that with the incorporation of the mitigation measures the proposed development would not have a significant adverse impact on landscape character and visual amenity. Therefore, the proposal is compliant with the provisions of Policies S32 and S33 of the Allerdale Local Plan (Part 1).</td>
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<tr>
<td>Highway issues</td>
<td>The application is in ‘Outline’ with access to be determined. Two access points are proposed. These are approximately opposite Crosthwaite Close and Laybourne Court. The access is considered acceptable. The site lies some distance from most of the Town’s facilities. However, there is a good network of pedestrian/cycle routes to local shops at Ashfield Road South / Newlands Lane junction, and St Gregory’s and Westfield Primary schools. The site is also well sited for the Lillyhall Employment and Tertiary Education Site and for access to Whitehaven/Cockermouth and Carlisle/Penrith, without the need to traverse the town.</td>
</tr>
<tr>
<td>Traffic and Transport Issues</td>
<td>There are good bus and train linkages available in the town centre. There is also good road linkage to the A596, thence A595/A66/M6 corridors. There is already sustainable transport provision within the Moorclose Phase 6 development on the opposite side of Ashfield Road South, and the new development needs appropriate cycle path connectivity. This would be a matter for the ‘Reserved Matters Application’ as the internal</td>
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layout is developed. The Moorclose area is also well served by the existing town circular bus service.

The application includes a Transport Assessment. This identifies that all junctions assessed operate within capacity with the exception of High St / Newlands Lane, where an indicative layout has been provided for a right turn lane which would be delivered in approximately 2020, assuming a 5 year build out period.

A Travel Plan can be secured by Condition / Legal Agreement. The Planning Obligation would also need to incorporate the junction improvement works, and pedestrian / cycle linkages.

In addition, Conditions are required regarding phasing, drainage and management of construction materials and parking. Officers conclude that the proposed development would not have a significant adverse impact on the local highway network in terms of both capacity and safety. On this basis it is considered that the proposed development is compliant with the provisions of policies S2, S5, and S22 of the Allerdale Local Plan (Part 1).

Local Flood Risk

The application is supported by a Flood Risk assessment which includes indicative proposals for the site drainage. Surface water will be dealt with by SuDS surface drainage techniques, including attenuation storage and discharge off site to a watercourse, Ellerbeck, at the Greenfield rate. A conventional engineered piped system is proposed which will lead to an attenuation pond at the SE corner of the site. A 10m ‘stand-off corridor’ is planned alongside Ellerbeck and this covers the Flood Zone 3. The SuDS pond must be located outwith Flood Zone 3 or a compensatory flood plain be created.

Given the topography of the site, which falls from Ashfield Road South to the SE corner, it will not suffer from overland flow events. Furthermore, other than alongside Ellerbeck the site is within Flood Zone 1. However, Ellerbeck / River Wyre does experience downstream flood events in Harrington. Therefore, attenuation is required to less than Greenfield ‘run-off’ rate.

This section of Ellerbeck is Ordinary Watercourse, and as such full details of the discharge and associated structures to Ellerbeck are required for approval. Furthermore, the use of SuDS principles to source controls and surface features with appropriate treatment are encouraged rather than engineered piped systems.

However, as this is an ‘Outline’ application these issues can be covered by condition, and dealt with at Reserved Matters / Condition Discharge stage.
Foul and Surface water drainage

Officers are satisfied that a suitable scheme for the management of foul drainage and surface water run-off from the site can be achieved, and this can be covered by Condition.

Open space and Play facilities

The illustrative development plans indicate that the scheme could create approximately 2.5ha of formal and informal public open space. This includes a green space corridor along the northern edge, plus an area of greenspace through the site, and a Local Equipped Area for Play.

Affordable Housing

The proposed development would provide 20% affordable housing and the applicant has agreed to its inclusion within the Section 106 agreement. This complies with policy S8 of the Allerdale Local Plan.

Heritage

It is not considered that there would be an adverse impact on Heritage assets. The site is not located in a conservation area. However, there are a number of Listed Buildings within 1.5km of the site. The closest, Schoose Farm is 0.6km to the North-East. A number of sites of archaeological interest are also within close proximity and an archaeological desk based assessment has been submitted.

Ecology

No risks to ecological assets are predicted. The site is located 1.8km to the south of the River Derwent’s Site of Special Scientific Interest (SSSI), which is also designated as a Special Area of Conservation (SAC). However, given the distance of almost 2km between the site and the River Derwent it is not considered that the SSSI raises the environmental sensitivity of the location. The site is also located 0.2km east of an area identified for ‘small blue butterflies’. However, an ecological appraisal has been submitted as part of the planning application and Officers consider that subject to the inclusion of the mitigation measures identified within this the development would not cause significant harm to protected species that may roost, forage or commute within the site.

Officers conclude that the proposed development would not have a significant adverse impact on ecology and therefore is compliant with the provisions of policies S35 and S36 of the Allerdale Local Plan (Part 1).

Contamination

It is considered that the issue regarding contamination and remediation schemes can be covered by Condition.

Community & social infrastructure

Cumbria County Council (CCC) has estimated that the proposed development would yield 54 primary aged children and 38 secondary aged children. There is a shortfall of 16 secondary places and 13 infant places as a direct result of this development. Therefore an education contribution of £447,671 is sought (£156,663 Primary contribution and £291,008 Secondary contribution). This has been calculated using the Department of Education (DfE) multiplier. The applicant has accepted the need for this contribution and has agreed to its inclusion within the Section 106 agreement.

CCC are also seeking an adult social care contribution of £41,137 based on the fact that of the 290 units proposed 170 units do not incorporate design mitigations. .e 170 units do not contain straight and sufficiently
wide staircases to accommodate a stair lift, plus sufficiently large entry level WC facilities that can easily incorporate a level entry shower, as set out in the Lifetime Homes Standard. CCC is therefore seeking this contribution to mitigate the cost of these potentially expensive adaptations.

Policy S10 of the Allerdale Local Plan provides the policy basis for considering the CCC adult social care contribution request. The policy does not require new residential development within the Allerdale Plan Area to incorporate Lifetime Homes Standards, it merely encourages it. Notwithstanding this, the affordable housing units would comply with these Standards meaning that in fact the applicant has exceeded the requirement of Policy S10.

The Department for Communities and Local Government (DCLG) has recently issued a consultation document in relation to a Housing Standards Review. This includes proposals that would enable Building Regulations to set optional standard, above the basic requirements, which can then be applied by a planning authority as a planning condition. However, DCLG has made it clear there will need to be a mechanism to limit planning authorities’ ability to impose technical standards beyond those which emerged from the Housing Standards Review.

Therefore, given the compliance with Policy S10 and Government’s position in the consultation document, there is no planning policy background to support the request from CCC. It is therefore considered that the request for the contribution cannot be sustained.

Proposal

The application seeks outline planning permission for the erection of up to 290 dwellings on a 10.94ha site located adjacent to Ashfield Road South in Workington. All matters are reserved apart from the point of vehicular access.

Therefore this application seeks only to establish the acceptability of the principle of residential development on the site and the means of access.

Matters pertaining to appearance, landscaping, layout and scale are all reserved for subsequent approval and would be considered as part of any future Reserved Matters application.

Site

The application site lies approximately 2km south of Workington town centre in the Moorclose / Westfield area, and to the southern side of Ashfield Road South. The site is currently undeveloped greenfield land that is generally flat with a slight slope along its southern boundary. Belts of trees are located within the site and adjacent to the boundaries. The residential area of Chaucer Road is located to the east, and the rear gardens of the properties on Ellerbeck Close plus open farm land are located to the
south. The playfields and sports area associated with the Moorclose Campus are situated to the west. A public right of way runs to the south of the site along Eller Beck.

**Relevant Policies**

**National Planning Policy Framework**

- Achieving Sustainable Development
- Meeting the challenge of climate change, flooding and coastal change
- Conserving and enhancing the natural environment
- Promoting sustainable transport
- Delivering a wide choice of high quality homes
- Requiring good design
- Promoting healthy communities

**Allerdale Local Plan (Part 1), Adopted July 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 S7 – A mixed and balanced housing market
Policy S8 – Affordable housing
Policy S21 – Developer contributions
Policy S22 – Transport Principles
Policy S24 – Green Infrastructure
Policy S27 – Heritage Assets
Policy S29 – Flood Risk and Surface Water Drainage
Policy S30 – Re use of land
Policy S32 - Safeguarding amenity
Policy S33 – Landscape
Policy S35 – Protecting and enhancing biodiversity and geodiversity
Policy S36 – Air, Water and Soil quality

Policy DM14 – Standards of good design
Policy DM17 – Trees, hedgerows and woodland

**Relevant Planning History**

SCR/2014/0048 – Screening opinion advised it was not an EIA Development – 23/12/14

**Representations**

Housing Needs Officer (ABC) The findings from the latest housing needs survey suggest the need for affordable housing in Workington and its
adjoining parishes of Seaton, Camerton, Winscales and Great Clifton is as follows:

- 34% - 3 bed houses
- 34% - 2 bed bungalows
- 12% - 4 bed houses
- 10% - 1 bed properties (excl. bungalows)
- 4% - 5 bed houses
- 4% - 1 bed bungalows
- 2% - 2 bed properties (excl. bungalows)

The number and tenure split of affordable provision should be in line with that specified in Policy S8 of the Allerdale Local Plan (July 2014).

Choice Based Lettings shows how many bids are received for each property type. Information is updated weekly, and shows that in Workington and adjoining parishes during 2013 and 2014 to date there is a significant preference for 2 bed flats and houses. This is in contrast to the relatively low need shown in the housing need surveys.

Local Highways Authority (CCC)

The application is in ‘Outline’ with access to be determined. Two access points are proposed. These are approximately opposite Crosthwaite Close and Laybourne Court. The site lies some distance from most of the Town’s facilities. However, there is a good network of pedestrian/cycle routes to local shops at Ashfield Road South / Newlands Lane junction, and St Gregory’s and Westfield Primary schools. The site is also well sited for the Lillyhall Employment and Tertiary Education Site and for access to Whitehaven/Cockermouth and Carlisle/Penrith, without the need to traverse the town.

In addition, there are good bus and train linkages available in the town centre. There is also good road linkage to the A596, thence A595/A66/M6 corridors. There is already sustainable transport provision within the Moorclose Phase 6 development on the opposite side of Ashfield Road South, and the new development needs appropriate cycle path connectivity. This would be a matter for the ‘Reserved Matters Application’ as the internal layout is developed. The Moorclose area is also well served by the existing town circular bus service.

The application includes a Transport Assessment. This
identifies that all junctions assessed operate within capacity with the exception of High St / Newlands Lane, where an indicative layout has been provided for a right turn lane which would be delivered in approximately 2020, assuming a 5 year build out period.

Analysis of reported accidents on the A596 has shown there is a cluster around the High St/Guard St (A596)/Park End Rd junction, roughly two per year. The development will create additional traffic through this junction. Therefore, the accident trends at this location need to be monitored as part of the Travel Plan process and any interventions be part of its Target/Penalty process.

The travel plan should be secured by Condition together with an administration fee of £1,320 per ‘Review’ through a Section 106 Agreement. The S106 agreement will also need to incorporate the junction improvement works, and pedestrian / cycle linkages. In addition, conditions are required regarding phasing, drainage, and management of construction materials and parking.

The County Council’s Planning Obligation’s Policy seeks to ensure that new housing designs can be easily adapted to meet the requirements of occupants should their needs change over time. If dwellings do not provide design mitigation the County Council requires the provision of a financial contribution as there is the potential for increased support services in the home. This is set out in the County Council’s Planning Obligations Policy.

Of the units proposed 170 units do not incorporate design mitigations. I.e. 170 units do not contain straight and sufficiently wide staircases to accommodate a stair lift, plus sufficiently large entry level WC facilities that can easily incorporate a level entry shower. Therefore, a contribution of £41,137 is required.

Extra care is a purpose built scheme for older people with support and care needs. Within the Cumbria County Council Extra Care Housing Strategy, there is a requirement for at least 380 extra care housing units to be delivered in Allerdale. Of this requirement, it identifies a minimum need for 116 units in Workington. At present there are no Extra Care Housing units in Workington. Therefore, Cumbria County Council is interested in exploring the suitability of this site for some provision within the overall housing mix.
Environmental Health  No objections subject to conditions requiring (a) site investigation works carried out to establish the degree and nature of contamination; b) submission of a remediation scheme; c) implementation of the remediation scheme; d) reporting of unexpected contamination. In addition, a Condition is required regarding full details of noise mitigation measures to be submitted, plus a Construction Management Plan.

United Utilities  In accordance with the National Planning Policy Framework and Building Regulations, the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way. Therefore, they advise that conditions should be attached regarding surface water and foul water drainage.

Environment Agency  Recommend conditional approval as follows:

1. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The approved scheme shall:
   - Confirm there will be no SuDS/bundling or land raising within Flood Zones 2/3.
   - Indicate the maximum allowable discharge rate from the impermeable area of development site shall be restricted to the pre-development greenfield runoff rate (Qbar) rate of 7 litres per second per ha.

   Reasons: To protect the water environment and prevent the increased risk of flooding, both on and off site.

   Any flows from any areas of the site including permeable areas in excess of 7 litres/second will be attenuated on site in a detention basin/balancing pond for all events up to and including the 1 in 100 year event including a 30% allowance for climate change.

2. If during development, contamination not previously
identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reasons: National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Government policy also states that planning policies and decisions should ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).

Building Control

No objections on access issues for disabled people into the dwellings.

CCC (Historic Environment)

The archaeological desk based assessment indicates that there is some potential for currently undiscovered archaeological assets to survive on site that would be disturbed by the ground works of the proposed development. Although the archaeological desk-based assessment is helpful in assessing the potential of the site, by its nature it cannot establish whether assets from the prehistoric period survive there.

In a second consultation response the Historic Environment Officer comments that a non-intrusive evaluation survey has been submitted. This has not highlighted archaeological remains that might be of such significance as to warrant preservation in situ. However, the survey has revealed some anomalies that might be archaeological in nature, and these features will be disturbed by the proposed development.

Therefore, conditional approval is recommended.

The Coal Authority

Recommend a planning condition should require that further intrusive site investigation works should be undertaken prior to commencement development, as recommended in the Interim Geo-Environmental Interpretative Report.

In the event that the site investigations confirm the need for
remedial works to treat the mine entries and areas of shallow mine workings to ensure the safety and stability of the proposed development, this should also be conditioned to ensure that any remedial works identified by the site investigation are undertaken prior to commencement of the development.

A condition should therefore require prior to submission of the reserved matters stage:
- The submission of a scheme of intrusive site investigations in the north-western corner of the site for approval;
- The undertaking of that scheme of intrusive site investigations in the north-western corner of the site;
- The submission of a report of findings arising from the intrusive site investigations in the north-western corner of the site;
- The submission of a scheme of remedial works in the north-western corner of the site for approval;

A condition should also require prior to the commencement of development:
- Implementation of all identified remedial works.

Public footpath 262016 follows an alignment along the southern boundary of the proposed development site and must not be altered or obstructed during or after the development has been completed.

Neighbour consultation letters have been sent out, and the application has been advertised in the local press (Times and Star – 12th December 2014)

3 letters of objection have been received. These state that there will be disruption to local wildlife as there are red squirrels in the area and the proposal will also disrupt owls and bats. There are concerns that loss of trees will lead to a substantial reduction in the habitat available.

Furthermore, comments are made that available brownfield sites should be used before Greenfield Sites are even considered. Concerns are also raised regarding increased traffic flow on Ashfield Road as this is a minor road that already carries a significant amount of traffic including HGVs.
Main Issues:

Principle of development and sustainability

The site has been allocated for housing since 1999 in the Allerdale Local Plan (saved Policy WKHS1). Policy HS3 of the Allerdale Local Plan (1999) states that as the site has been allocated for housing in previous Local Plans the allocation will be carried through to the 1999 Local Plan, and proposals for residential development will be approved subject to the relevant policies of the local plan.

Policy S5 of the Allerdale Local Plan Part 1 (July 2014) states that new development will be concentrated within the physical limits of defined settlements. The proposed development site lies within the defined settlement limit for Workington. Notwithstanding the recent adoption of the Local Plan in July 2014 the defined limits for individual settlements continue to be derived from the Allerdale Local Plan 1999. The local planning authority (LPA) is currently in the process of reviewing settlement limits as part of the site allocations process but this development plan document, Allerdale Local Plan (Part 2), is some way from adoption.

Workington is identified as the Principal Service Centre within the newly adopted Local Plan. Policy S3 states that provision will be made for the delivery of at least 5,471 net additional dwellings over the plan period 2011 – 2029. New development will be located in accordance with the spatial strategy and will be concentrated within the towns and villages in the settlement hierarchy. The scale of development proposed will be expected to be commensurate to the size of the settlement and reflect its position in the settlement hierarchy. With regards to Workington, which is the Principal Centre, 35% is to be provided. This is a total of at least 1,915 (an annual figure of 106) to be provided within Workington.

To address this, the Five Year Housing Land Supply Statement identifies deliverable sites which could accommodate the housing requirement. This includes sites from previous Local Plan allocations, including the application site. It has therefore been acknowledged that the site is a deliverable housing site and provides an important contribution in enabling the Council to meet its five year housing land supply. Therefore, it is considered that the principle of large scale residential development is acceptable on the site. If approved the proposed development would yield up to 290 dwellings and this is considered to be proportionate to the size and role of Workington as a Principal Service Centre.

In summary, the proposed development constitutes a sustainable location for residential development and is considered to be of a scale that is compliant with both the spatial strategy and settlement hierarchy. It would also make a valuable contribution towards the fulfillment of the housing supply target. It is therefore considered to be compliant with the provisions of Policies S2, S3 and S5 of the Allerdale Local Plan (Part 1).

Housing mix and density

The proposed development entails the accommodation of up to 290 dwellings on the site.
The design details are reserved matters but the indicative layout plans illustrate a mixed development comprising a range of detached, semi-detached and terraced properties ranging from two, three and four bedroom units. The development is proposed to predominantly comprise 2-storey dwellings in order to reflect the character of the locality. However, two and a half and three storeys are also proposed.

The NPPF stresses the importance of providing choice in housing developments being brought forward and officers acknowledge that it is important to meet demand in the different sectors of the housing market. Supporting text to Policy S7 of the Allerdale Local Plan states that it is important that homes are provided to meet the aspirations of local people and to attract new people to live in the area in order to support economic objectives. It also states that the housing needs of different types of households should be fulfilled by providing the right types and mix of housing.

While national policy no longer requires a minimum density of housing development, a key objective of the Council is to ensure effective and efficient use of land. The proposed density reflects the character of the surrounding residential area and represents an efficient use of the site, as sought by Policies S2 and S4, while at the same time allowing for the provision of on-site open space.

**Effect on privacy and residential amenity of adjacent properties**

Policies S2, S4, S32 and DM14 seek to ensure that new development secures a satisfactory standard of amenity for existing and future residents.

This application seeks outline approval only and matters of layout, scale, landscaping and appearance are reserved for subsequent approval. Therefore in considering potential impacts on privacy and residential amenity at this stage, the local planning authority must be sufficiently assured that the site could be developed while achieving acceptable levels of privacy and amenity for both proposed and existing dwellings.

Officers are satisfied that spatially an acceptable development can be achieved in terms of the standard of housing for future occupiers on this site, while not adversely affecting the residential amenity of surrounding neighbouring properties.

There will be some noise and disturbance to neighbouring properties during the construction phase of the development. However, this impact may be controlled under a planning condition to minimise disturbance and safeguard residential amenity.

Officers conclude that an acceptable scheme in terms of layout and design could be achieved and therefore the requirements of Policies S2, S4, S32 and DM14 can be met.

**Impact of the proposed development on highway network.**

An assessment of the impact of the proposed development on the highway network has been undertaken by the applicant. This is set out in the Transport Assessment (TA) submitted with the application.
Access to the site is proposed via two priority controlled junctions taken from Ashfield Road which would enable a loop road to be formed within the site. The proposed access junctions are shown to have a 5.5m wide carriageway with 3m footways on either side. Ashfield Road South is subject to a speed limit of 30mph, and Drawing no. TPMA1159_100 demonstrates that visibility splays of 2.4m x 43m can be achieved in both directions. This is in accordance with design guidance in ‘Manual for Streets’ which advises that access junctions onto a 30mph street should achieve a visibility splay with an ‘x’ distance of 2.4m and a ‘y’ distance of 43m.

The location of the site access points from Ashfield Road were agreed by the applicant following discussions with the Local Highways Authority and reduce any potential conflict between the existing vehicular access junctions and the existing bus stops.

Pedestrian access into the site will be via the proposed footways adjacent to the vehicular access points. New footways are proposed to be provided within the limits of the site boundary along the frontage of Ashfield Road South. A network of cycleways and pedestrian footways are also proposed, and these would provide a safe and convenient access to areas of public open space within the site. It is proposed that the site will provide comprehensive vehicle, cycle and pedestrian connections both within the site and beyond the site boundary. This will ensure that the development is accessible for all and integrates well into its surroundings.

Junction capacity analysis has been undertaken, and the TA identifies that all junctions assessed operate within capacity with the exception of High St / Newlands Lane. Newlands Lane/High Street (A596) junction takes the form of a 3-arm priority junction. The assessment indicates that the junction currently operates with a level of queueing on the High Street North arm as vehicles wait to turn into Newlands Lane. Therefore, a sensitivity assessment has been undertaken which incorporates a right turn lane into the junction. The results show that with an additional right turn lane on the A596, the minor impact that the development would have would be comfortably mitigated and reduce queueing to a lower level than shown in the 2014 observed scenario. An indicative layout has been provided for a right turn lane which would be delivered in approximately 2020, assuming a 5 year build out period.

Analysis of reported accidents on the A596 has shown there is a cluster around the High St / Guard St (A596)/Park End Rd junction, roughly 2 per year. The development will create additional traffic through this junction. Therefore, the accident trends at this location need to be monitored as part of the Travel Plan process and any interventions be part of its Target/Penalty process.

An interim Travel Plan has been submitted in support of the application. This includes a list of potential measures that could be implemented to encourage people to choose alternative transport modes over single occupancy car use, and where possible reduce the need to travel at all. It also includes a management strategy for producing a final Travel Plan in the future.

Officers consider that the submission of a final travel plan can be secured by Condition together with a planning obligation through a S106 legal agreement for the administration.
fee of £1,320 per ‘Review’. The planning obligation will also need to incorporate the junction improvement works, and pedestrian / cycle linkages.

In addition, it is considered that additional highway Conditions will be required on any planning approval regarding the phasing of the development, drainage, management during the construction period, and parking.

Concerning the issue of sustainability, the site lies some distance from most of the Town’s facilities, however there is a good network of pedestrian/cycle routes to local shops at Ashfield Road South / Newlands Lane junction, and St Gregory’s and Westfield Primary schools. The site is also well sited for the Lillyhall Employment and Tertiary Education Site and for access to Whitehaven/Cockermouth and Carlisle/Penrith, without the need to traverse the town.

In addition, there are good bus and train linkages available in the town centre. There is also good road linkage to the A596, thence A595/A66/M6 corridors. There is already sustainable transport provision within the Moorclose Phase 6 development on the opposite side of Ashfield Road South, and the new development requires appropriate cyclepath connectivity. This would be a matter for the ‘Reserved Matters Application’ as the internal layout is developed. The Moorclose area is also well served by the existing town circular bus service. The residents and visitors to the site will be able to use the bus stops which are within approximately 230m from the centre of the site and access the existing bus services which run along Ashfield Road South. This will encourage the use of sustainable modes of transport.

The local highway authority is satisfied with the proposed access arrangements and junction layout and concurs with the content and findings of the TA. On this basis there are no objections to the proposed development subject to the inclusion of the conditions recommended relating to the submission of technical details.

Officers conclude that the proposed development would not have a significant adverse impact on the local highway network and the applicant has offered to implement a Travel Plan. An interim Travel Plan has been submitted in support of the application that includes measures to maximise the use of sustainable transport modes. On this basis the proposed development is considered compliant with the provisions of Policies S2, S5 and S22 of the Allerdale Local Plan (part 1).

**Landscape and visual impact**

It is acknowledged that the proposed development would alter the land cover within the site from greenfield land to a residential development, and therefore some landscape impact would be incurred as a result of the proposal. However, existing landscape features such as trees and hedges are proposed to be retained along the boundaries to the east and south. This will maintain a buffer of space between the new development and existing residential areas to the east and south (Chaucer Road area and Ellerbeck Close), and will maintain a degree of visual separation between new and existing development along these boundaries which are currently characterised by plantation trees and hedgerows. Where tree retention is not feasible on this boundary new planting
Trees are proposed to be removed from within the site and along the boundary with Ashfield Road South. However, it is proposed that the development would be set back from the main road frontage in order to allow for a strip of soft landscape. The development is also proposed to be set back from Eller Beck. The Design and Access Statement that was submitted in support of the application recommends that the development is set back 10m from the beck in mitigation for potential presence of protected species. There is an area of flood risk adjacent to the beck which would be covered by this set back area.

The indicative plan also indicates that within the site some spatial elements such as public open space could be included within the development area. However, this is not a fixed parameter as it would need to be defined by the detailed design at the 'Reserved Matters’ stage. It is also likely that development would include a site-wide Sustainable Drainage System (SuDS) which may include some form of attenuation feature as water drains towards / into Eller Beck.

A Tree Survey has been submitted as part of the planning application to consider the environmental and amenity value of all trees on and adjacent to the site which could be affected by the scheme. The site is generally open and has been planted in the last 20-30 years with a mix of mainly native species trees along the majority of its boundaries. The largest and more mature trees of oak and ash are found along the boundary with Ellerbeck Close, outside of the planning application site. The majority of the trees that are subject to the Tree Survey report are semi mature with a few mature specimens located to the north of Ellerbeck Close. There are no Tree Preservation Orders on any of the trees on the site, nor is the land within a Conservation Area or an Area of Outstanding Natural Beauty (AONB).

As discussed above, several woodland areas within the site and along the north west, north east and south east boundaries are proposed to be removed. The Tree Survey report identifies that all of the trees which are to be removed are Category B and are deemed to be of 'moderate quality'. The removal of these trees is required to enable access / improve visibility along the northern boundary, enable the scheme to relate well to the surrounding residential areas, and to ensure that it will be a viable development.

Policy DM17 states that the Council will normally resist proposals that involve the removal of existing trees, hedgerows and woodland, unless acceptable mitigation or compensation measures can be secured, for example by enabling replacement planting which maintains the character and local amenity of the area. With regards to the current application it is considered that the removal of the trees will have a nominal impact on views of the site from the south, will thin out the canopy along the northern boundary and will be mitigated by the addition of new open spaces. In addition, the proposed replacement planting will help to maintain the local amenity and the character of the area. This is in accordance with Policy DM17 which requires that wherever possible, existing trees and woodland that are considered important to the local community, contribute positively to the character of the area and/or are of nature conservation value will be protected. The trees that are to be removed make some contribution to the local character of the area, however, this is not considered to be significant. It is also
acknowledged that the trees to be removed are not of the highest quality, plus the site is not within the Conservation Area and there are no Tree Preservation Orders. It has been necessary to remove a number of trees in order to optimise the developable area and ensure that the development opportunity is maximised. Policy DM17 concludes that the removal of trees may be permitted where it can be demonstrated that the economic viability of the development is prejudiced and there are proposed wider benefits that outweigh the loss incurred. The removal of the semi mature, Category B trees is therefore considered to be acceptable in these circumstances and will be mitigated in the form of new planting. A number of mitigation measures are also proposed during the construction period to reduce the impact on the remaining trees, including the installation of protective barriers.

In summary, it is considered that the proposed wider benefits of the scheme outweigh the loss incurred and the loss of trees can be mitigated to ensure that the character, local amenity and nature conservation interest in the local area can be maintained. This is in accordance with Policy DM14 and DM17 of the Allerdale Local Plan.

Ecology

A Preliminary Ecological Appraisal has been submitted in support of the application. This confirms that an Extended Phase 1 Habitat Survey has been undertaken.

The Appraisal concludes that although a number of statutory and non-statutory designated sites are located within a 2km search radius of the land, the development works are unlikely to have a significant effect on these features. The survey did however identify that an ‘indirect impact’ could be had on the Harrington Reservoir Local Nature Reserve to the south west, if pollution prevention measures are not put in place along Eller Beck.

The desk studies and field surveys found no evidence to suggest the presence of badgers, breeding birds, red squirrels, hedgehogs, water voles, reptiles, amphibians or otters on the site. However, it was recognised that the site and surrounding area could offer a suitable habitat for these species and the development could have a potential indirect impact on either these species or the existing habitats. Furthermore, the hedgerow adjacent to the southern boundary is likely to support a diverse range of species. Therefore, these hedgerows should not be adversely impacted upon by the proposed development. The accompanying Tree Survey notes that this area offers the potential to replace any loss of habitat and could provide better structured woodland.

It is also considered that the woodlands surrounding and within the site could offer good value habitats for foraging and commuting bats and the site does also have the potential to offer breeding habitat for a number of bird species. A bat Survey has also been undertaken and concluded that moderate bat activity levels were recorded within the site. A Red Squirrel Report was also produced and indicated that there was at least an occasional presence of red squirrels in the area.

To mitigate against any potential impact on these species, development should aim to deliver an appropriate level of landscape planting.
Geo-Environmental / Contamination

Concerning contamination / land stability / and soil or water pollution, a Desk Study and Ground Investigation Assessment has been submitted as part of the planning application. The Assessment identified that there were no significant sources of soil contamination on the site and the potential risks from ground contamination were concluded to be very low.

The scheme has also been specifically designed around the three coal mining locations which were reviewed in the Phase 1 Desk Study Report and recorded by the Coal Authority. Due to the uncertainties associated with the location and number of the mine shafts, it is concluded that additional ground investigation works should be undertaken to locate these. In the meantime, it is recommended that an allowance for capping and grouting the three shafts should be incorporated within the latter phases of the development.

The Council’s Environment Protection team have considered the studies and no objections are raised to the principle of the development subject to pre-commencement conditions.

Therefore, it’s considered that the development complies with Policies S2 and S30 of the Local Plan.

Flood risk and drainage

Policy S29 states that development should be avoided in locations that would be at risk of flooding or where it would increase the level of flooding elsewhere. It also states that developers should separate surface water from foul drainage to remove pressure on foul drainage system and that all new developments seek to incorporate Sustainable Drainage Systems (SuDS) in preference to discharge to local watercourses or the main sewer.

The built development area of the site is within Flood Zone 1 which is regarded as being at ‘low risk’ in terms of flooding from fluvial sources. However, the 10-20m strip of the site along the bank of Eller Beck where housing is not proposed to be located is within Flood Zone 3.

A Flood Risk Assessment has been submitted in support of the application. The Assessment concludes that there will be no significant risk of fluvial flooding for the residential development and SuDS drainage techniques will be incorporated within the application site.

United Utilities advise that conditions should be attached to any planning permission regarding surface water and foul water drainage. In accordance with the National Planning Policy Framework and Building Regulations, the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.
The Environment Agency advise that a condition should be attached stating that no development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been approved. The approved scheme shall confirm that there will be no SuDS/bundling or land raising within Flood Zones 2/3. The scheme shall also indicate the maximum allowable discharge rate from the impermeable area of development site shall be restricted to the pre-development greenfield runoff rate (Qbar) rate of 7 litres per second per ha.

Officers consider that suitably worded conditions could be imposed to control the rates of surface water run-off from the site and ensure that the long term maintenance of any SUDS incorporated is secured. Collectively these would serve to abate the risk of surface water flooding. Therefore, officers are satisfied that the objectives of Policy S29 can be fulfilled.

In light of the above, it is considered that the proposal accords with the relevant national and local flooding policies, notably Policy S1 and Policy S29 of the Allerdale Local Plan.

Archaeology and Heritage

An Archaeological Desk Based Assessment has been submitted with the application. This concludes that there are no recorded designations or heritage assets within the site. It also notes that although several heritage assets were recorded within the wider study area, assuming that a 2 to 3 storey residential development is constructed on the site, this would cause no significant impact on these heritage assets, particularly as these are located approximately 1km from the site.

The archaeological desk based assessment indicates that there is some potential for currently undiscovered archaeological assets to survive on site that would be disturbed by the ground works of the proposed development. Therefore, a geophysical survey has been carried out. This survey has revealed some anomalies that might be archaeological in nature, and these features would be disturbed by the development. As such the Historic Environment Officer recommends Conditional approval of the application. The Condition shall specify that no development shall commence until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation.

Following the imposition of this condition it is considered that the development will be in accordance with Policy S5 and S27 of the Local Plan as it will not result in a significant harmful effect on heritage and archaeological assets in the area.

Public open space and Local Equipped Area for Play

The Design and Access Statement includes a site layout presented in an indicative form. This represents the most likely form of development to be delivered, however it does not preclude an alternative scheme being brought forward at Reserved Matters stage. The
Illustrative development plans indicate that the scheme could create approximately 2.5ha of formal and informal public open space, thereby enabling an attractive setting for the development and providing opportunities for casual recreation. The proposed public open space includes a green landscape corridor along the northern edge, an area of controlled green space through the site, as well as other formal and semi-natural spaces, including Local Equipped Area for Play (LEAP).

Officers consider that this level of provision is appropriate for the site and can be incorporated in a planning obligation on any planning approval.

Loss of informal open space.

Officers consider that the existing site constitutes a semi-natural open space and thus acknowledge that an element of harm would be inevitably be incurred as a result of its loss. However, this needs to be balanced against the fact that the site is not considered to be significant in landscape terms and this, together with the fact that the site is allocated for housing in the Allerdale Local Plan (1999). Furthermore, the newly adopted Local Plan (2014) states that the development of greenfield land will be necessary to meet identified the objectively assessed housing needs for the Allerdale Plan Area. This leads Officers to conclude that loss of the site as an open space resource does not constitute a sustainable ground for refusal. Furthermore, as discussed above, both Public Open Space and ‘Local Equipped Area for Play’ are proposed as part of the development scheme and this can be incorporated in a planning obligation on any planning approval.

Officers conclude that the proposed development would not have a significant adverse impact on existing open space in the town – in terms of capacity, usability and amenity – therefore is compliant with the provisions of Policies S2 and S5 of the Allerdale Local Plan (Part 1).

Provision of affordable housing

Policy S8 of the Allerdale Local Plan (Part 1) seeks to maximise the delivery of affordable housing across the Plan Area. It requires sites over 10 dwellings (or 0.3 hectares) to deliver 20% affordable housing within Workington. It also states that it shall be provided on site, apart from in exceptional circumstances.

Policy S8 also states that the Council will require the provision of affordable housing to be in clusters throughout the development so as to be indistinguishable from open market dwellings. The Council will normally seek a tenure split of 75% social rented and 25% intermediate affordable units, but will take into consideration the identified local need and site specifics, including viability.

The Council recognise that in some cases viability of housing sites can be marginal and therefore a flexible approach is required. Where the viability of schemes fall short of the policy requirements, the onus will be on the developer/landowner to clearly demonstrate the circumstances justifying a lower affordable housing contribution or a different tenure
The applicant has confirmed that 20% affordable housing will be provided on the site in accordance with Policy S8

The applicant has agreed to enter into a Section 106 Agreement regarding this provision. The type of affordable housing to be provided on site would be established at the detailed design (reserved matters) stage and be agreed formally prior to the commencement of development.

Officers are satisfied that the requirements of Policy S8 have been fulfilled.

**Impact on school capacity**

Cumbria County Council (CCC) is the local education authority and in this function it has considered the proposed development in the context of its impact on school capacity. CCC has estimated that the proposed development would yield 54 primary aged children and 38 secondary aged children

CCC advise that when considering the effects of development there will be a requirement to consider both baseline number on roll projections, combined with the effects of forthcoming development proposals.

When considering the capacity of local schools to accommodate the effects of this development CCC have taken into consideration the impact of four developments with planning approval. These are:

- 2/08/0879 – 651 units (Corus) – 131 primary aged children, 94 secondary aged children.
- 2/10/1054 – 94 units (Curwen Road) – 19 primary aged children, 14 secondary aged children.
- 2/12/0252 – 22 units (Moor Rd, Stainburn) – 4 primary aged children, 3 secondary aged children.
- 2/12/0311 – 150 units (Moor Rd, Stainburn) – 33 primary aged children, 22 secondary aged children.

It is accepted, however, that 10 units of application 2/12/0252 (Moor Rd, Stainburn) are occupied. Plus 28 units of application 2/12/0311 (Moor Rd, Stainburn) are occupied. Therefore, 38 units have been occupied equating to 8 primary school pupils.

Therefore, With regards to primary education, when the effects of other developments are factored in, there is a shortfall of 13 infant places as a direct result of this development.

To mitigate the effects of 13 pupils the contribution would be worked out as follows:

13 pupils x DfE multiplier of £12,051 = £156,663 contribution (Primary)
With regards to secondary education, three further developments with planning approval have been taken into consideration. These are:

- 2/13/0183 – 75 units (‘Reserved Matters’ Main Rd, High Harrington) – 11 secondary aged children

It is accepted, however, that 41 units of application 2/13/0183 (Main Rd, High Harrington) are occupied. Plus, 1 unit of application 2/2013/0445 (Bellaport Gdns) is occupied. Therefore, 80 dwellings are occupied equating to 12 secondary school pupils.

Therefore, when the effects of other developments are factored in, there is a shortfall of 16 secondary places as a direct result of this development.

To mitigate the effects of 16 pupils the contribution would be worked out as follows:

16 pupils x DfE multiplier of £18,188 = £291,008 contribution (Secondary)

The secondary contribution would be used to provide additional school places at Stainburn Academy. The new academy is being built by the Education Funding Agency (EFA). The EFA will only build a school based on existing children and do not include potential children from housing developments in their calculations. The additional places are to be provided through developer contributions.

The new academy will be for 1,200 pupils. 1,050 of these pupils at year 7 – 11, and 150 will be 6th form pupils. As set out in CCC Planning Obligation Policy the calculation for secondary only considers the Year 7-11 year groups i.e. 5 years. The location of the new Workington Academy has just been decided by the EFA and will be at Stainburn site (1.2 miles away from the development). St Joseph’s Catholic School (secondary) will still be retained in addition to the new academy.

CCC consider the contribution requests to align with the tests set out within the National Planning Policy Framework and Regulation 122 of the CIL Regulations, with the mitigation being directly related to the proposed development.

With respect to the receipt of payment, CCC is willing to accept payment of the required contribution prior to the occupation of the 190th dwelling.

With respect to the use of the contributions received. That concerning secondary school places will be used to provide additional capacity at Stainburn Academy. The design of the school will facilitate a modest extension. In terms of primary school, the contribution is proposed to be used to provide additional places at the sites of Westfield Primary.
School or St Gregory’s Primary School. These schools are close to the development site and additional capacity delivered via the S106 would mitigate the effects of this development. The capacity of these schools was considered within the assessment of available school places when this application underwent consideration by CCC.

The applicant has accepted the need for this contribution, which totals £447,671, and has agreed to its inclusion within the Section 106 legal agreement. Therefore, officers are satisfied that the proposed development is policy compliant and would not have an adverse impact on school capacity.

**Adult Social Care**

Cumbria County Council have advised in their consultation response that they are seeking an adult social care contribution of £41,137. This is based on the fact that of the 290 units proposed 170 units do not incorporate design mitigations. i.e 170 units do not contain straight and sufficiently wide staircases to accommodate a stair lift, plus sufficiently large entry level WC facilities that can easily incorporate a level entry shower, as set out in the Lifetime Homes Standard. CCC is therefore seeking this contribution to mitigate the cost of these potentially expensive adaptations.

Policy S10 of the Allerdale Local Plan provides the policy basis for considering the CCC adult social care contribution request. The policy does not require new residential development within the Allerdale Plan Area to incorporate Lifetime Homes Standards, it merely encourages it. Notwithstanding this, the affordable housing units would comply with these Standards meaning that in fact the applicant has exceeded the requirement of Policy S10.

The Department for Communities and Local Government (DCLG) has recently issued a consultation document in relation to a Housing Standards Review. This includes proposals that would enable Building Regulations to set optional standard, above the basic requirements, which can then be applied by a planning authority as a planning condition. However, DCLG has made it clear that there will need to be a mechanism to limit planning authorities’ ability to impose technical standards beyond those which emerged from the Housing Standards Review.

Therefore, given the compliance with Policy S10 and Government’s position in the consultation document, there is no planning policy background to support the request from CCC. It is therefore considered that the request for the contribution cannot be sustained.

**Local Financial Considerations**

Having regard to S70 (2) of the Town and Country Planning Act the following local
finance considerations are relevant to the consideration of the application.

There will be benefits arising from the scheme through the New Homes Bonus scheme which is a material planning consideration. There will also be a financial contribution to education provision within Workington.

**Conclusion / Recommendation**

The proposal constitutes a sustainable form of development that would incur limited landscape, highways and infrastructure impacts whilst making a significant contribution to housing needs, including affordable housing. On this basis, the application is recommended for approval, subject to conditions and the completion of a Section 106 legal agreement.
Annex 1

Conditions

1. Before any works commence, details of the layout, scale and appearance, and landscaping (hereinafter called 'reserved matters') shall be submitted to and approved by the Local Planning Authority, in accordance with the phasing scheme as agreed under Condition 5 and the development shall be carried out as approved.
Reason: To enable the Local Planning Authority to assess all the details of the development, in accordance with the provisions of the Town and Country Planning (General Development Procedure) Order 1999.

2. The development hereby permitted shall be carried out in accordance with the following plans:
   Site location plan – Drawing no. 1100
   Site Access arrangements – Drawing no. TPMA1159-100
   Newlands Lane / High Street Indicative Mitigation Scheme - TPMA1159-104
Reason: In order to ensure a satisfactory standard of development.

3. The submission of the first reserved matters applications shall be made no later than the expiration of 3 years beginning with the date of this permission and the development shall begin no later than whichever is the later of the following dates:
   a) The expiration of three years from the date of the grant of this permission, or
   b) The expiration of two years from the final approval of the 'reserved matters' or, in the case of approval on different dates, the final approval of the last such matter to be approved.
Reason: In order to comply with the requirements of Section 92 of The Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

4. Any application for 'reserved matters' of layout shall include plans showing the following:
   a) Cross sections through the site;
   b) Details of existing and proposed ground levels;
   c) Proposed finished floor levels of buildings;
   d) Levels of any paths, drives, garages and parking areas;
   and the development shall be carried out in accordance with the details so approved.
Reason: To ensure that the works are carried out to a suitable level in relation to the adjoining properties and highways and in the interests of visual amenity.
5. Any application for reserved matters of the layout of the site shall include a phasing plan showing the sequencing of the development to be submitted to and approved by the Local Planning Authority, and the developer shall not proceed other than in accordance with the approved scheme. 
Reason. To serve in the public and visual interests a satisfactory correlated order of development, in accordance with Policies S5 and DM14 of the Allerdale Local Plan (Part 1) Adopted July 2014.

6. No dwelling shall be occupied until any parking spaces, garages and turning areas associated with them have been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Thereafter, the parking and turning areas provided shall not be used for any purpose other than the parking and turning of vehicles. 
Reason: To ensure that proper access and parking provision is made and retained for use in relation to the development, in compliance with the National Planning Policy Framework and Policy S22 of the Allerdale Local Plan (Part 1), Adopted July 2014.

7. The carriageway, footways and footpaths shall be designed, drained and lit to a standard suitable for adoption and in this respect further details, including longitudinal/cross sections, shall be submitted to the Local Planning Authority for approval before any part of the development hereby permitted is commenced. No work shall be commenced until a full specification has been approved. These details shall be in accordance with the standards laid down in the current Cumbria Design Guide. Any works so approved shall be constructed before the development is completed. 
Reason: To ensure a minimum standard of construction in the interests of highway safety.

8. Prior to occupation visibility splays providing clear visibility of 43 metres measured down the centre of the access road and the nearside channel line of the major road shall be provided at the junction of the access road with the county highway. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure or object of any kind shall be erected or placed and no trees, bushes or other plants shall be planted or be permitted to grow within the visibility splays which exceed 1 metre in height and obstruct the visibility splays. The visibility splays shall be constructed before general development of the site commences so that construction traffic is safeguarded. 
Reason: To ensure a satisfactory means of access for the development in the interests of highway safety.
9. No development hereby permitted shall be commenced until details and representative samples of the external stone/brick/roof materials for the development has been submitted to and approved by the Local Planning Authority. The development shall be constructed in accordance with the approved details.
Reason: To ensure the use of appropriate materials in the interests of visual amenity, in compliance with policies S2, S4 and DM14 of the Allerdale Local Plan (Part 1) Adopted July 2014.

10. No development shall take place until a plan indicating the positions, design, materials and type of boundary treatment to be erected has been submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed before the buildings they enclose are first occupied. Development shall be carried out in accordance with the approved details.
Reason: To ensure a satisfactory standard of development which is compatible with the character of the surrounding area, in compliance with the National Planning Policy Framework and Policies S4 and DM14 of the Allerdale Local Plan (Part 1), Adopted July 2014.

11. The details submitted in pursuance of Condition 1 shall be accompanied by a scheme of hard and soft landscaping which shall include indications of all existing trees, hedgerows and shrubs on the site, and details of any to be retained, together with measures for the protection in the course of development. The scheme shall include:
   a) The treatment proposed for all ground surfaces, including hard areas;
   b) Full details of tree planting;
   c) Planting schedules, noting the species, sizes, numbers and densities of plants;
   d) Finished levels or contours;
   e) Any structures to be erected or constructed;
   f) Functional services above and below ground; and
   g) All existing trees, hedges and other landscape features, indicating clearly those to be removed.
Reason: In order to enhance the appearance of the development and minimise the impact of the development in the locality, in compliance with Policies S4 and DM14 of the Allerdale Local Plan (Part 1), Adopted July 2014.

12. Pursuant to Condition 11, all planting, seeding or turfing comprised within the scheme shall be carried out in the first planting season following completion of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with other similar size and species, unless otherwise agreed in writing by the Local Planning Authority.
Reason: In order to enhance the appearance of the development and minimise the impact of the development in the locality, in compliance with the National Planning Policy Framework and Policies S4 and DM14 of the Allerdale Local Plan (Part 1), Adopted July 2014.
13. **No part of the development hereby permitted shall be commenced until a plan has been submitted to and approved by the Local Planning Authority to show all existing trees which are to be felled or retained, together with the positions and height of protective fences, the areas for the storage of materials and stationing of machines and huts, and the position and width of temporary site roads and accesses.** The details so approved shall be implemented prior to the commencement of the development and maintained at all times during the construction period.

**Reason.** To ensure the retention of existing important trees on the site, in compliance with Policy DM17 of the Allerdale Local Plan (Part 1), Adopted July 2014.

14. **The details submitted in pursuance of Condition 1 shall be accompanied by a landscape scheme for hedgerow and planting along the southern boundary, and replacement of any section of the hedgerow along the eastern boundary required to be removed as part of the formation of the access to the site. This scheme shall be approved in writing by the Local Planning Authority and implemented thereafter in accordance with the approved details and prior to first occupation of the first dwelling.**

All planting shall be carried out in the first planting season following completion of the development and any which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with other similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

**Reason :** In order to enhance the appearance of the development and minimise the impact of the development in the locality, in compliance with the National Planning Policy Framework and Policies S4 and DM14 of the Allerdale Local Plan (Part 1), Adopted July 2014.

15. **No dwellings shall be occupied until full details of the layout of the Local Area of Play / Locally Equipped Area of Play have been submitted to and approved in writing by the Local Planning Authority. The Local Area of Play shall be fully implemented prior to the occupation of 50% of the dwellings within the first phase of the development.**

**Reason :** To ensure the satisfactory provision of open space, in compliance with policies S2, S4, S24, S25, S26 and DM14 of the Allerdale Local Plan (Part 1), Adopted July 2014.

16. **No development shall take place until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be adhered to through the construction period. The Plan shall include the following :**

a) **Traffic Management Plan to include :**
   - All traffic associated with the development, including site and staff traffic
   - The means of access for construction traffic
   - The loading and unloading of plant and materials
   - The storage of plant and materials used in constructing the development
- Wheel washing facilities
  b) Procedure to monitor and mitigate noise and vibration from the construction and to monitor any properties at risk of damage from vibration, as well as taking into account noise from vehicles deliveries. All measurements should make reference to BS7445.
  c) Mitigation measures to reduce adverse impacts on residential properties from construction compounds including visual impact, noise, and light pollution.
  d) Mitigation measures to ensure that no harm is caused to protected species during construction.
  e) A written procedure for dealing with complaints regarding the construction or demolition.
  f) Measures to control the emissions of dust and dirt during construction.
  g) Programme of work for the Construction phase.
  h) Hours of working and deliveries.
  i) Details of lighting to be used on site.
    The approved statement shall be adhered to throughout the duration of the development.
    Reason: In the interests of the amenity of the occupiers of neighbouring properties and to secure appropriate mitigation of ecology interests on the site, in compliance with Policies S32 and S35 of the Allerdale Local Plan (Part 1) Adopted July 2014.

17. Pursuant to Condition 16 and prior to the commencement of development, a plan shall be submitted for the prior approval by the Local Planning Authority reserving adequate land for site offices/stores, secure compounds, including adequate land for the parking/turning of vehicles/plant, engaged in the construction operations associated with the development hereby approved. Such land, including the vehicular access thereto, shall be used for or be kept available for these purposes at all times until completion of the construction works.
    Reason: To minimise inconvenience and danger to road users, in compliance with Policies S2, S5, S22 and DM14 of the Allerdale Local Plan (Part 1), Adopted July 2014.
18. The Interim Travel Plan shall be developed during the first phase of the development as the Development Travel Plan and shall be submitted to the Local Planning Authority for approval, in consultation with the local highways authority, prior to the occupation of 50 dwellings. This Plan shall be further developed during the Review process, which shall take place annually or when there have been 50 dwellings occupied since the last review. The Travel Plan shall provide for/include the following:
   a) The appointment of a Travel Plan Co-ordinator
   b) The collection and recording of baseline data on travel patterns
   c) Targets to be achieved for modal share
   d) Details of the specific measures to be implemented to promote the use of sustainable modes of transport and details of the way in which these will be implemented in order to meet the identified targets and the more specific site objectives are developed as part of the Full Travel Plan
   e) Details of the mechanism for monitoring the identified targets
   f) Details of the means by which the Travel Plan shall be reviewed and the corrective measures to be employed if the identified targets are not met.
Reason: To aid in the delivery of sustainable transport objectives and in support of Local Transport Plan Policies LD3 and LD4.

19. Cyclepaths shall be provided that link continuously across the site and to the existing bus stops. Pedestrian/cycle linkages to and from and within the site shall be provided that are convenient to use. Additional infrastructure (such as lay-bys, seats, timetable posts and crossing points on Ashfield Road south) shall be provided as may be identified through the Travel Plan process, by the Local Planning Authority, in conjunction with the Local Highways Authority.
Reason: To ensure there is adequate access to sustainable transport modes and minimise hazard to users thereof.

20. No development shall commence within the site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority. This written scheme shall include the following components:
   1. An archaeological evaluation;
   2. An archaeological recording programme the scope of which will be dependant upon the results of the evaluation;
   3. Where significant archaeological remains are revealed by the programme of archaeological work, a post-exavcation assessment and analysis, preparation of a site archive ready for deposition at a store approved by the Local Planning Authority, completion of an archive report, and submission of the results for publication in a suitable journal.
Reason: To afford reasonable opportunity for an examination to be made to determine the existence of any remains of archaeological interest within the site and for the preservation, examination or recording of such remains.
21. **The development shall be implemented in accordance with the mitigation measures outlined in the preliminary Ecological Appraisal (Wardell Armstrong – August 2014).**
   

22. **Prior to commencement of development, details of the foul drainage scheme shall be submitted to and approved in writing by the Local Planning Authority.**
   
   Reason: To ensure a sustainable means of drainage from the site and minimise the risk of water pollution to the local water environment, in compliance with the National Planning Policy Framework and Policy S2 and S29 of the Allerdale Local Plan (Part 1), Adopted July 2014.

23. **Only foul drainage shall be connected to the public sewer.**
   
   Reason: To ensure a sustainable means of drainage from the site and minimise the risk of water pollution to the local water environment, in compliance with the National Planning Policy Framework and Policy S2 of the Allerdale Local Plan (Part 1), Adopted July 2014.

24. **Pursuant to condition 23, none of the dwellings shall be occupied until the sewage disposal works have been completed in accordance with the submitted plans.**
   
   Reason: To ensure a sustainable means of drainage from the site and minimise the risk of water pollution to the local water environment, in compliance with the National Planning Policy Framework and Policy S2 of the Allerdale Local Plan (Part 1), Adopted July 2014.

25. **Prior to the commencement of works, details of the surface water drainage works, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, shall be submitted to and approved in writing by the local planning authority.** The approved scheme shall:
   
   Confirm there will be no SuDS/bunding or land raising within Flood Zones 2/3.

   Indicate the maximum allowable discharge rate from the impermeable area of development site shall be restricted to the pre-development greenfield runoff rate (Qbar) rate of 7 litres per second per ha.

   Any flows from any areas of the site including permeable areas in excess of 7 litres/second will be attenuated on site in a detention basin/balancing pond for all events up to and including the 1 in 100 year event including a 30% allowance for climate change. The approved scheme shall be fully implemented prior to the occupation of any of the dwellinghouses hereby approved.

   Reason: To ensure a satisfactory standard of surface water drainage and minimise the risk of flooding, in compliance with the National Planning Policy Framework and Policies S2 and S29 of the Allerdale Local Plan (Part 1), Adopted 2014.

26. **No development approved by this permission shall commence until all necessary site investigation works within the site boundary are carried out, as identified in the Interim Geo-Environmental Report (WYG, November 2014 &...**
phase 1 Desk Study Report, Wardell Armstrong, November 2014), to confirm the need for remedial works to treat the mine entries and areas of shallow mine workings and to establish the degree and nature of the contamination and its potential to pollute the environment or cause harm to human health.

Reason: To ensure the safety and stability of the proposed development and minimise any risk arising from any possible contamination from the development to the local environment in compliance with the National Planning Policy Framework and Policy S30 of the Allerdale Local Plan (Part 1), Adopted July 2014.

27. **Should land affected by mine working and / or contamination be identified under the site investigation works under condition 27 be found which poses unacceptable risks to human health, controlled waters or the wider environment, no development shall take place until a detailed remediation scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme must include an appraisal of remediation options, identification of the preferred option(s), the proposed remediation objectives and remediation criteria, and a description and programme of the works to be undertaken including the verification plan.**

Reason: To minimise any risk arising from any possible contamination from the development to the local environment in compliance with the National Planning Policy Framework and Policy S30 of the Allerdale Local Plan (Part 1), Adopted July 2014.

28. **Should a remediation scheme be required under condition 28, the approved strategy shall be implemented and a verification report submitted to and approved in writing by the Local Planning Authority, prior to the development (or relevant phase of development) being brought into use.**

Reason: To minimise any risk arising from any possible contamination from the development to the local environment in compliance with the National Planning Policy Framework and Policy S30 of the Allerdale Local Plan (Part 1), Adopted July 2014.

29. **In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported immediately to the Local Planning Authority. Development on the part of the site affected must be halted and a risk assessment carried out and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These shall be implemented prior to the development (or relevant phase of development) being brought into use. All works shall be undertaken in accordance with current UK guidance, particularly CLR11.**

Reason: To minimise any risk arising from any possible contamination from the development to the local environment in compliance with the National Planning Policy Framework and Policy S30 of the Allerdale Local Plan (Part 1), Adopted July 2014.

30. **Prior to occupation of the dwellings, full details of all noise mitigation measures, as identified in Section 5 of the Noise and Vibration Assessment**
(Wardell Armstrong, Report Number LE12021, Date : October 2014)I shall be submitted to and agreed in writing the the Local Planning Authority. The mitigation measures approved shall be installed prior to occupation of the dwellings.


Proactive Statement

Application Approved Without Amendment

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any stakeholder representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Notes to Applicant:

Public footpath 262016 follows an alignment along the southern boundary of the proposed development site and must not be altered or obstructed during or after the development has been completed.