

Allerdale Borough Council

Planning Application FUL/2019/0038

Development Panel Report

Reference Number: FUL/2019/0038
Valid Date: 18/02/2019
Location: Land between Allonby and Silloth
Applicant: Allerdale Borough Council
Proposal: Proposed cycleway between Allonby and Silloth

RECOMMENDATION

THAT THE DECISION TO GRANT PERMISSION SUBJECT TO CONDITIONS IS DELEGATED TO THE PLANNING AND BUILDING CONTROL MANAGER UPON:-

- 1) THE EXPIRATION OF THE NOTICE PERIOD TO UNITED UTILITIES AND NO NEW ISSUES RAISED DURING THAT PERIOD.**
- 2) THE CONFIRMATION FROM THE COUNTY COUNCIL ARCHAEOLOGIST THAT THE RESULTS OF THE TRIAL EXCAVATIONS ARE ACCEPTABLE AND RAISE NO ISSUES THAT WOULD NECESSITATE PERMISSION BEING WITHELD.**

Summary

<u>Issue</u>	<u>Conclusion</u>
Principle of Development	The proposed cycle path will enhance the wider cycle network, both in terms of improved safety and bringing opportunities for tourism and economic growth.
Highway Safety	The applicant has provided a safety audit regarding highway crossings and junctions. This has been discussed at pre-application stage with the Highway Authority and agreed in principle. A full response and appropriate conditions have been received and the Highway Authority has no objections and agrees the slight diversion of the route.
Habitat and Ecology	Based on the submitted evidence Natural England considers that the proposals are

	<p>not likely to significantly affect the ecological interest features of flora and fauna. Officers conclude the proposal will not have any significant impact on any ecological designations or protected species. An Environmental Management Plan is required by condition, based upon the submitted survey findings and mitigation measures.</p>
Landscape Impact and AONB	<p>In view of the nature of the cycle path with negligible elevation above existing ground levels, officers consider that any landscape or visual impact would be limited. The impact upon the AONB, World Heritage Site Setting and wider landscape is not considered significant. The AONB Officer concurs with this view</p>
Flood Risk	<p>The proposed use of the land for outdoor recreation is classed as 'water compatible' in the NPPG. The development is classed as 'appropriate development' in this flood zone despite the possibility of localised flooding that may periodically affect the use of the off road sections.</p>
Heritage Assets	<p>The applicant has provided a full archaeological survey that concludes that the identified sites are well recorded. There are no notable remains visible and the proposed works to achieve the cycleway are unlikely to impact significantly on the archaeology of the area. Further trial excavations are however required by the County Archaeologist to conclude matters.</p> <p>The character and appearance of nearby Conservation Areas will be preserved and the setting of listed buildings in the vicinity preserved. There are public benefits that outweigh the less than substantial harm to the significance of these designated heritage assets.</p>
Benefits and Planning Balance	<p>The impacts from the works and the subsequent use are considered minimal with appropriate conditions to safeguard</p>

	<p>ecological interests and highway safety. Any potential harm is considered to be minimal and outweighed by the benefits of the off-road cycle way and its contribution to the national cycleway connectivity, sustainable transportation, the local economy and tourism.</p> <p>The assessment and conclusions are consistent with the approval for a cycleway between Maryport and Allonby, under ref 2/2012/0668 and now fully operational</p>
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Proposal

Planning application for development comprising engineering works to create a 2.5m wide tarmac surfaced path with 0.5m graded verges with associated drainage, intermittent fencing, signage and safety enclosures at the crossing points of the highway.

The applicant has amended the route alignment to avoid areas of coastal erosion. This has resulted in the inclusion of a small amount of land in the ownership of United Utilities. This requires the submission of Certificate B and notification to the land owner. As such, if Members are minded to approve the application, the release of the decision will be delayed 21 days to allow for the notification procedure. The change of route alignment offers no material considerations to change the Officer's assessment or recommendation below.

The Plans for consideration are:-

A106827 Bird Report
 A106827 Great Crested Newt Survey Report
 A106827 Natterjack Toad Report
 A106827 Planning Statement
 A106827 Report to Inform Habitats Regulations
 Archaeological Desk Based Assessment - Allonby to Silloth
 Archaeological Written Scheme of Investigation - Allonby to Silloth
 C002C Proposed Arrangement Sheet 1 to 6
 C002C Proposed Arrangement Sheet 1 to 12
 C002C Proposed Arrangement Sheet 7 – 12
 Option 2 Route Realignment (amended plan 15/5/2019)
 C003 Proposed Site Location Sheet 1 to 3
 C004 - Construction Details
 A106827 Ecological Appraisal
 A106827 NVC Survey Report
 Road Safety Audit - Designers Response
 Allonby to Silloth Cycleway FRA Main Text

Allonby to Silloth Cycleway FRA Appendices

Site

The proposed works to create the off road cycleway are in three sections within the dune areas and foreshore to the west of the coastal B5300 road between Allonby and Silloth. The total length of the sections amounts to 4.63km with 3.56 km directly adjacent to the road carriageway. The remainder of the route is on road and not subject to any planning approval or assessment.

Relevant Planning History

Of some significance is a previous application approved for a similar cycleway between Maryport and Allonby approved by members under ref 2/2012/0668. The material planning considerations are very similar to this application along with the implications for economic growth and tourist development

Representations

Silloth Town Council

Objection with regard to highway safety of road crossings

Holme St Cuthbert Parish Council

Objection with regard to highway safety, impact upon AONB and SSSI.

County Highway Authority

No objections in principle

ABC Environmental Protection

No objections

Friends of Lake District and Cumbria

Objection with regard to tarmacadam surface and visual impact, loss of habitat and ecology, inappropriate mitigation measures to protect wildlife, sequential approach to consider other routes, urbanisation of the landscape by surface and infrastructure of signage, loss of common land under the Commons Act.

Open Space Society

Objection to loss of common land, urbanisation of open countryside and conflict with coastal footpath and walkers.

Natural England

No objection subject to an Environmental Management Plan to safeguard the implementation of mitigation and protection of wildlife and habitat.

Historic England

No objections in principle subject to the necessary archaeological investigations and report concluded before determination of the application.

County Archaeologist

No objections in principle subject to the necessary archaeological investigations and report concluded before determination of the application.

Environment Agency

No objections subject to implementation of Flood Risk Assessment measures.

AONB Officer

'We have no objection to this application principally because, as the majority of the pathway runs either on carriageway or adjacent to the B5300, the impact on the landscape and the special qualities of the Solway Coast AONB is minimal. Furthermore, the pathway will create new opportunities for people to enjoy this very special coastline, as we can see through the objectives and actions above.

We also support this project because it was earmarked as one of several projects by the Silloth on Solway Coastal Community Team Business Plan, a network of local community representatives which we have supported for the past three years. The creation of the cycle path was identified by this group as one of several priorities, as detailed in the Silloth on Solway CCT Business Plan.'

Further comment recommends mitigation regarding impact upon ecological and archaeological interests and the careful design and siting of signage and fencing,

Sustrans

Support

Cumbria Police

No objections in principle.

The application has been advertised on site and in the local press. Adjoining landowners and those in reasonable proximity where known have been notified.

There have been 2 letters of support and 9 letters of objection as documented below.

Neighbour objections

- Highway safety regarding the meeting and crossings of on road and off road sections of the route. Safety issues of groups and pedestrians congregating at highway junctions.
- Impact from the loss/alterations to existing shoreline car parks.
- Threat of flooding and coastal erosion to the path itself.
- Impact upon the route and use of the adjacent English Coastal Path.
- Visual and landscape impact on the coastal AONB from the tarmac surfaced route.
- Impact upon local ecology from the excavations and use of the route through the AONB and designated SSSI.
- Practicality of use and need for off road sections with cyclists preference for the existing on road surface.
- Loss of Common Land.
- Alternative surfacing materials and routes not considered fully.

Environmental Impact Assessment

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

The proposal is not considered to be a Schedule 2 development under section 10(b) project exceeding 5 hectares. However, the development is within a sensitive location being sited within the designated Solway Coast Area of Outstanding Natural Beauty Development listed in Schedule 2 and in a sensitive location requires an Environmental Impact Assessment (EIA) if it is likely to have significant effects on the environment by such features as its size, nature or location. A screening opinion has been undertaken with the outcome that an Environmental Statement is not required. Impacts are

considered of only local significance which is reflected in the assessment below.

Duties

For Listed Building setting:

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that the Local Planning Authority shall have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses.

For Conservation Areas:

Section 72(1) of the Listed Buildings Act 1990 states that, with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

For Natura 2000:

Regulation 9 of the Conservation of Habitats and Species Regulations 2017 requires all public bodies to have regard to the requirements of the Habitats Directive in the exercise of their functions, particularly when determining a planning application for a development which may have an impact on European Protected Species ("EPS"), such as bats, great crested newts or otters.

Development Plan Policies

Allerdale Local Plan 1999

Saved Settlement limits

Allerdale Local Plan (Part 1)

S1 Presumption in Favour of Sustainable Development

S2 Sustainable Development Principles

S3 Spatial Strategy and Growth

S4 Design Principles

S14 Rural Economy

S17 Tourism, Coastal and Countryside Recreation

S22 Transport Principles

S25 Sport, Leisure and Open Space

S27 Heritage Assets

S28 Hadrian's Wall World Heritage Site

S29 Flood Risk and Surface water Drainage
S32 Safeguarding Amenity
S33 Landscape
S34 Development in the Solway Coast Area of Outstanding natural Beauty
S35 Protecting and Enhancing Biodiversity and Geodiversity
DM17 Trees, Hedgerows and Woodlands

Other material considerations

Allerdale Borough Local Plan (Part 2) Submission Draft

SA32 Tourism, Coastal and Countryside Recreation
SA52 Green Infrastructure Networks

National Planning Policy Framework (NPPF) (2019)

Allerdale Borough Council Plan:

- Economic Opportunities and Growth
- Stronger and Healthier Communities

Policy 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 1999 saved settlement limits and the Allerdale Borough Local Plan (Part 1) 2014 policies have primacy.

A material consideration is the provisions of the revised NPPF. Paragraph 213 of the revised NPPF (2019) advises that the weight afforded to development plan policies can vary according to their degree of consistency with the framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). The Allerdale Local Plan (Part 1) policies pre-date the revised NPPF and therefore full weight can only be afforded to those policies that are considered consistent with the revised NPPF. In this instance, at this time, policies within the Part 1 Local Plan relevant to this application, maintain their full weight.

Paragraph 48 of the revised NPPF specifies that weight can be given to emerging plans according to their stage of preparation, the extent to which there are unresolved objections and the degree of consistency with the Framework. In this instance policy SA32 is afforded significant weight as a material consideration due to the lack of objections to it, the advanced stage of the Plan and the consistency with the NPPF. Policy SA52 is afforded only moderate weight due to the outstanding objections to it.

Assessment:

Principle of Development and Economic Benefits

Policy S2 of the Part 1 Local Plan details the sustainable development principles that are a core principle running through the Plan. These include supporting key projects and promoting coastal recreation.

Policy S24 Green Infrastructure states that the Council will seek the creation of new and enhanced links and corridors between towns and settlements such as cycle ways and footpaths (point i).

The justification to policy S25 – Sports, Leisure and Open Space, states that a key priority of the Council is to promote healthy lifestyles through improved access to sports, leisure and open spaces and improved access can be achieved, not only by improving the provision and quality of existing sports and leisure facilities, but by promoting opportunities to enjoy outdoor recreational activities, open spaces and the countryside.

The proposal is considered to have synergies with all of these development plan policies.

There are also synergies with the NPPF, at the heart of which is a presumption in favour of sustainable development.

Of note is that National Cycle Route 72 – Hadrian's Cycleway stretches the length of Hadrian's Wall World Heritage Site in the North of England, from the Glannaventa Roman Bath House at Ravenglass to the Arbeia Roman Fort and Museum at South Shields. It has links to the Sea to Sea (C2C), Coast & Castles South, Pennine Cycleway (North Pennines) and the Three Rivers cycle routes. The supporting information submitted with the application indicates that this proposed multi-user path for pedestrians and cyclists will complete a missing link for this National Cycle Route with substantial off-road safety benefits. The current route is along the coastal B5300 and other minor public roads inland. The proposed off-road route will provide an alternative and more direct route between Allonby and Silloth.

Consideration of Alternative routes

The project has been developed over a number of years and, as such, the route has evolved based on environmental and engineering constraints as well as through consultation.

The southern start and the northern end of the cycleway were largely fixed due to existing sections of cycleway and the need to link into these networks. Additionally, the route is fundamentally a coastal route so it needs maintain a proximity to the coast. From the southern starting point, the route has been informed by a number of different constraints including ecological, archaeological, drainage, road safety, engineering, ownership as well as the need to be functional.

It is acknowledged that the route passes through an important area of landscape and ecological sensitivity but it has been designed with this in mind. Where the off road

route is within the Site of Special Scientific Interest (SSSI) efforts have been made to minimise the land take and impact of the designation; for example an early iteration of the route travelled through the middle of much of the SSSI, whereas the proposed route has been carefully located at the edge largely abutting the existing road. This will minimise impact upon habitats.

Furthermore, the project has been a long-term objective of the Silloth on Solway Coastal Community Team with a basis set out in the AONB Management Plan. Formal preparations started after Allerdale Borough Council secured funding for the project through the Coastal Communities Fund in 2017. Since that time, engagement through the Silloth on Solway Coastal Community Team has continued and has informed the route and decisions on options. Section 4 of the Planning Statement sets out the main pre-application engagement undertaken, which including discussions with Natural England and the Solway Coast AONB.

Highway Safety

As it stands the National Cycle Route 72 between Allonby and Silloth is on the B5300 coastal road for a short distance turning to the east with an inland route via Edderside, Holme St Cuthbert, north to Beckfoot and then east to Balladoyle and north into Silloth on the B5301.

The proposals will provide off-road opportunities in three sections, providing betterment by reducing conflict with motor vehicles, albeit with a reliance on inland roads and the coastal B5300 for the remaining on-road links.

Of most significance is the proximity of the route very adjacent to the B5300 in parts and the number of crossings necessary to join, leave and re-join the off-road path. Concern has also been raised by local representations that the route will generate more cyclists in a greater concentration over the route with highway safety implications for groups of cyclists and motorists alike.

The applicant has provided a safety audit regarding highway crossings and junctions. This has been discussed at pre-application stage with the County Highway Authority and agreed in principle. A full response and appropriate conditions have been received and the Highway Authority has no objections and agrees the slight diversion of the route.

Car Parks

A number of the responses, including the Holme St. Cuthbert Parish Council representation, make reference to the proposed cycleway impacting on a number of current car parks along the route.

The proposed cycleway does not seek to remove access to any car parks. A revised plan has been submitted (Drawing C002D) to show where the cycleway crosses formal car parks. If the route crosses informal car parks, suitable crossovers will be provided. However, due to the informal nature of the car parks they are not made ground and any crossovers would be required to take vehicle loading.

English Coastal Path

The Applicant undertook pre-application discussion with Natural England, including with the England Coast Path Team to discuss the cycleway route and synergy with the two schemes. The proposed cycleway is a multi-user path, and as such can be used by walkers, as well as cyclists. The England Coast Path runs on the seaward side, parallel to the cycleway. It is located at a varied distance from the cycleway and offers an alternative, complementary route. It is also noted that Natural England have not objected to the Allonby to Silloth Cycleway.

Landscape/Visual Impact

The proposal is located within the Solway coast's designated AONB and Hadrian's Wall World Heritage Site Setting.

The landscape type is defined as "Lowland Landscape character Type E; Coastal Plain within the Solway Coast AONB landscape and Seascape character assessment 2010.

The proposed works and cycleway will be routed, in part, through the coastal dunes and grasslands area of the AONB adjacent to, but on the seaward side of the urban infrastructure and roads. The most sensitive part of the route through the margins of the dunes north of Mawbray have been considered. The straight alignment of a 2.5 metre wide tarmac path will have some visual impact and there will be harm arising from the introduction of this man-made material and the non-organic, straight character of the route. However, the harm is minimised by locating the path, as far as practicable, to the existing coastal road. This not only results in the path being seen within the same vista as other previous interventions but also maximises the width of the remaining natural dune landscape.

The applicant has also given careful consideration to the proposed surfacing of the off road sections of the cycleway. Overwhelming support for a tarmac surface was received at the public information event held on 12 December 2018. This was largely driven by feedback from users of the Maryport to Allonby section of the cycleway that was surfaced in part using a different, unbound gravel surface that discouraged people from using the route (such as immediately south of Allonby). Furthermore, consideration was also given to the ongoing and future maintenance of the route. A tarmac surface requires less long term work.

The applicant has offered the removal of additional fencing along the route in the interests of visual appearance of the route. It was originally thought that the fencing would offer some safeguarding of habitat and protected species but this has not been judged necessary as part of the mitigation measures. The lack of additional fencing has significant benefit in minimising visual and landscape impact.

Special Area of Conservation, Site of Special Scientific Interest and Ecology

There are two statutory designated sites within 2km of the site, the Upper Solway Flats & Marshes SSSI Site of Special Scientific Interest (SSSI) and the Solway Firth Special Area of Conservation (SAC). The application site falls within the Impact Risk Zone (IRZ) of both designations, the siting within the SAC IRZ necessitating the screening of the

application under the Habitat Regulations. This is held on the Council's Public Register.

The Solway is a large, complex estuary on the west coast of Britain, the SAC extending to nearly 44,000 hectares. It is one of the least-industrialised and most natural large estuaries in Europe and comprises of tidal rivers, estuaries, mud flats, sand flats, lagoons (including saltwork basins) (90%), salt marshes, salt pastures, salt steppes (10%).¹

Natural England has been consulted who accept the conclusions and strategies with a recommended condition for a more detailed Environmental Management Plan. An Assessment of Likely Significant Effect has been judged by Natural England not to be required even without the planned mitigation.

The off-road sections of cycleway described are within an area of mixed habitats that support a host of flora and fauna. The recorded species subject to consultation by local validation are identified as Great Crested Newts and Natterjack Toads with significant populations within the site. The main habitat flora identified, include general herbaceous vegetation of marran grass, sand sedge and red fescue.

The applicant has submitted a comprehensive ecological survey and extended surveys for specific species including breeding birdlife, Great Crested Newt and the Natterjack Toad.

The surveys have concluded that, despite the removal of habitat by means of the engineering works for the development, there will be no significant harm or impact. A mitigation strategy has been provided regarding replacement planting and natural regeneration. Protected species are to be safeguarded during the programme of works with a scheme of capture and relocation and trans-location of smaller species and their habitat flora.

In that respect, based on the submitted evidence, Natural England considers that the proposals are not likely to significantly affect the ecological interest features of flora and fauna. Officers therefore conclude the proposal will not have any significant impact on any ecological designations or protected species.

Heritage Assets

The proposed cyclepath passes a number of listed buildings. All listed buildings are to the east of the route and within 20-60 metres. They are:-

- Rozenhof House, The Square Allonby (Grade II)
- Moss/Bouch House (II)
- Quaker Meeting House (II)
- North Lodge (II)
- Woodlands and Edendale (II)
- Solway View/ West View (II)
- Allonby House (II)

¹ Joint Nature Conservation Committee -

<http://jncc.defra.gov.uk/protectedsites/sacselection/sac.asp?EUCode=UK0013025> accessed 21st May 2019.

- Globe Inn Cottage (II)
- Ship Hotel (II)
- Bridge House Farmhouse (II)
- Ostle House (II)
- New House (II)

Setting contributes to the significance of all of these assets, but the harm arising from the proposal will be less than substantial. Indeed, the physical change arising from a narrow ribbon of macadam within the coastal landscape setting that all of these buildings enjoy will be negligible. Functionally, the setting can only be enhanced as it will attract more visitors using sustainable, sensitive transport modes (cycling and walking) with these heritage assets better revealed and understood than if passing through by car.

The southernmost part site is just beyond the Allonby Conservation Area, although it is acknowledged that development in this location has the potential to affect the character and appearance of this designated heritage asset. The village's history includes associations with herring fishing, salt and as a resort (especially before and after Silloth's zenith as a resort). There is also a strong connection with Quakerism. Architecturally, the conservation area includes buildings that provide strong legible links to this history; the former Quaker Meeting House, the fishing cottages, the former Quaker meeting room and the former Bathhouse.

The impact to the area derived from the continuation of the cycleway northwards from its existing point of termination in the village can only be positive. This is a sustainable and sympathetic way of attracting more visitors into the village to experience and learn about the history without impacting on the character through new roads or traffic congestion. The interventions are minimal and it must also be noted that the majority of the cycleway through the village has already been permitted and implemented. As such the character and appearance of the area will be preserved.

The site also has the potential to impact on the Mawbray Conservation Area. The area is focused on the settlement itself, a linear village orientated east west and extending inland from the coast road. There is late twentieth century infill of bungalows but the character is predominantly still that of farmsteads with rendered farmhouses whitewashed or bare and attached barns. The western end of the village features a small triangle of open land within the road junction and other wide verges. The vista from this sensitive visual receptor opens out to the dunes and views beyond to Criffel. The new tarmac path would constitute an intervention into this vista but not markedly so and the overall character and appearance of the dunes and unspoilt coastal landscape would remain.

There are no Scheduled Ancient Monuments within the site or nearby as to be influenced by the proposals.

The local archaeological finds in the wider area are numerous with a Roman legacy. A variety of finds of Roman origin are noted along the route including axes, brooches, coins and bones. The main recorded sites within 50 metres of the route of the cycleway and associated are as follows:-

- Hadrian's Wall Milefortlet 15
- Hadrian's Wall Signal Tower 15A, 15B, 16
- Beckfoot Cornmill
- Beckfoot Cemetery

The applicant has provided a full archaeological survey that concludes that the identified sites are well recorded and, as a whole, give a picture of Roman habitation and activity. There are no notable remains visible and the proposed works to achieve the cycleway are unlikely to impact significantly on the archaeology of the area. Further trial excavations are however required by the County Archaeologist to conclude matters.

By its very nature the path will have no visual impact on the historic setting.

Historic England has responded and agrees with the County Archaeologist that the recommended investigations must be concluded before a decision is issued. The recommendation to members is worded accordingly.

Flooding and drainage

The route falls within Flood Zones 2 and 3. A Flood Risk Assessment (FRA) has been provided and the Environment Agency (EA) does not object subject to the implementation of all measures detailed within the FRA.

The proposed use of the land for outdoor recreation is classed as 'water compatible' within the NPPG and a sequential test or exception test is not required. The development is classed as 'appropriate development' in a flood zone despite the possibility of localised flooding that may affect the use of the off road sections periodically.

The proposed cycleway goes through rural areas and flood risk elsewhere will not increase as a result of the construction of the new sections of cycleway. The proposed cycleway will, however, involve the construction of additional impermeable hardstanding which will inevitably lead to an increase in surface water runoff rates. However, as the new sections of 'off-road' carriageway cycleway are alongside the coast, the increase in runoff has a negligible impact.

Residential amenity

There are residential properties in reasonable proximity to the site, but given the scale of the works, the nature of the proposed use and the existence of the B Class road in close proximity, it is considered that the development in terms of operational works and construction would not significantly impact on residential amenity. The subsequent residential use would also have no significant impact.

Local Financial Considerations

Having regard to S70 (2) of the Town and Country Planning Act the proposal will have not have any direct financial implications for the Council.

Conclusions

The proposal has synergies with the priorities for the development of sustainable transport routes and sensitive improved access with tourism and local economy benefits to the coastal area. This is subject to appropriate conditions to safeguard ecological interests and highway safety.

The assessment and conclusions are consistent with the approval for a cycleway between Maryport and Allonby, under ref 2/2012/0668.

RECOMMENDATION

THAT THE DECISION TO GRANT PERMISSION SUBJECT TO CONDITIONS IS DELEGATED TO THE PLANNING AND BUILDING CONTROL MANAGER UPON:-

- 1) THE EXPIRATION OF THE NOTICE PERIOD TO UNITED UTILITIES AND NO NEW ISSUES RAISED DURING THAT PERIOD.**
- 2) THE CONFIRMATION FROM THE COUNTY COUNCIL ARCHAEOLOGIST THAT THE RESULTS OF THE TRAIL EXCAVATIONS ARE ACCEPTABLE AND RAISE NO ISSUES THAT WOULD NECESSITATE PERMISSION BEING WITHHELD.**

Annex 1

CONDITIONS

Time Limit:

1. **The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

Reason: In order to comply with Section 91 of the Town and Country Planning Act 1990.

In Accordance:

2. **The development hereby permitted shall be carried out solely in accordance with the following plans:**

A106827 Bird Report
A106827 Great Crested Newt Survey Report
A106827 Natterjack Toad Report
A106827 Report to Inform Habitats Regulations
Archaeological Desk Based Assessment - Allonby to Silloth
Archaeological Written Scheme of Investigation - Allonby to Silloth
C002C Proposed Arrangement Sheet 1 to 6
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Road Safety Audit - Designers Response Rev A
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Reason: In order to ensure that the development is carried out in complete accordance with the approved plans and any material and non-material alterations to the scheme are properly considered.

3. **The development hereby approved shall be implemented and used in full accordance with the submitted Flood Risk Assessment.**

Reason: In the interests of flood management

4. **The development hereby approved shall be implemented in full accordance with the findings and recommendations of the secondary Archaeological Investigation Report.**

Reason: In the interests of protecting archaeological interests in the area.

Pre-commencement conditions:

5. **Before development commences an Ecological Mitigation Plan based upon the principles of the submitted Ecological Appraisal and Species Surveys (A106827) shall be provided and approved in writing by the Local Planning Authority. The development shall be undertaken in complete accordance with the approved plan.**

Reason : In the interests of safeguarding wildlife and biodiversity.

6. **Before development commences, details of the road crossings and associated infrastructure and all route signage shall be provided and approved in writing by the Local Planning Authority. The works shall be implemented as approved before the cycleway is brought into use.**

Reason : In the interests of highway and pedestrian safety.

7. **The path (combined footways/cycleways) shall be designed, constructed and drained to the satisfaction of the Local Planning Authority and in this respect further details, including longitudinal/cross sections, shall be submitted to the Local Planning Authority for approval before work commences on site. No work shall be commenced until a full specification has been approved. Any works so approved shall be constructed before the development is brought into use.**

Reason: To ensure a minimum standard of construction in the interests of highway safety.

8. **Development shall not be begun until a Construction Method Statement including details of all on-site construction works, post-construction reinstatement, drainage, mitigation, and other restoration, together with details of their timetabling has been submitted to and approved by the local planning authority and shall include measures to secure:**

- a) formation of the construction compound(s) and access tracks and any areas of hard standing;
- b) leaning of site entrances and the adjacent public highway;
- c) the sheeting of all HGVs taking spoil to/from the site to prevent spillage or deposit of any materials on the highway;
- d) post-construction restoration/reinstatement of the working area

The Construction Method Statement shall be carried out as approved.

Reason: In the interests of safeguarding the amenity of residents during the construction works of the development hereby approved, in compliance with the National Planning Policy Framework and Policy S32 of the Allerdale Local Plan (Part 1), Adopted July 2014 and in the interests of highway safety.

9. **Development shall not be begun until a Construction Traffic Management Plan has been submitted to and approved in writing by the local planning authority. The CTMP shall include details of:**
- a) **proposed accommodation works and where necessary a programme for their subsequent removal and the reinstatement of street furniture and verges, where required, along the route;**
 - b) **the pre-construction road condition established by a detailed survey for accommodation works within the highways boundary conducted with a Highway Authority representative;**
 - c) **details of road improvement, construction specification, strengthening, maintenance and repair commitments if necessary as a consequence of the development;**
 - d) **details of proposed crossings of the highway verge;**
 - e) **retained areas for vehicle parking, manoeuvring, loading and unloading for their specific purpose during the development;**
 - f) **construction vehicle routing;**
 - g) **the management of junctions to and crossings of the public highway and other public rights of way/footway;**
 - h) **the scheduling and timing of movements, temporary warning signs and banksman/escort details.**

Development shall be carried out in accordance with the approved Construction Traffic Management Plan.

Reason: In the interests of safeguarding the amenity of residents during the construction works of the development hereby approved, in compliance with the National Planning Policy Framework and Policy S32 of the Allerdale Local Plan (Part 1), Adopted July 2014 and in the interests of highway safety.

10. **There shall be no additional fencing or other means of enclosure constructed before details have been provided and approved in writing by the Local Planning Authority. The works shall be implemented as approved.**

Reason : In the interests of visual amenity and highway safety.





