

At a meeting of the Development Panel held in Council Chamber - Allerdale House, Workington on Tuesday 11 February 2020 at 1.00 pm

## **Members**

Councillor Nicky Cockburn (Chair)  
Councillor Janet Farebrother  
Councillor Elaine Lynch  
Councillor Ron Munby MBE  
Councillor Stephen Stoddart  
Councillor Will Wilkinson

Councillor Malcolm Grainger (Vice-Chair)  
Councillor Daniel Horsley  
Councillor Anthony Markley  
Councillor Andrew Semple  
Councillor Alan Tyson

Apologies for absence were received from Councillor Carole Armstrong, Councillor Allan Daniels, Councillor Joan Ellis and Councillor Adrian Kirkbride

## **Staff Present**

J Eaton, C Fearon, J Irving, L Jardine, S Sewell and S Sharp

## **Also Present**

Councillor A Smith

## **341. Minutes**

The minutes of the meeting held 14 January 2020 were signed as a correct record.

## **342. Declaration of Interests**

5. Development Panel - FUL/2019/0291 - Gill Barn, Wigton - Conversion of barn to create local dwelling and erection of workshop (resubmission of FUL/2019/0149).

Councillor Elaine Lynch; Other Interest; Knows the applicant.

8. Development Panel - RMA/2019/0002 - Proposed Housing Development, Ashfield Road South, Workington - Reserved matters application for 255 units following outline planning consent 2/2014/0857.

Councillor Stephen Stoddart; Other Interest; County Councillor for Mossbay and Moorclose.

9. Development Panel - FUL/2019/0042 - Land to south of Ashfield Road South, Workington - Erection of 12 dwellings.

Councillor Stephen Stoddart; Other Interest; County Councillor for Mossbay and Moorclose.

11. Development Panel - FUL/2019/0296 - Newton Holme, Wigton - Demolition of existing dwelling and replacement with new dwelling.

Councillor Anthony Markley; Other Interest; County Councillor for Solway Coast.

### **343. Questions**

None Received

### **Councillor Lynch left the meeting**

### **344. Development Panel - FUL/2019/0291 - Gill Barn, Wigton - Conversion of barn to create local dwelling and erection of workshop (resubmission of FUL/2019/0149)**

#### **Representations**

The Agent, Anthea Jones spoke in support of the application

#### **Application**

The report recommended that the barn be recognised a Non Designated Heritage Asset and that the application be granted subject to conditions.

The Planning and Building Control manager introduced the item and then went through the main issues as detailed in the report.

#### **Principle of Development**

The proposal would see the retention and reuse of an existing traditional rural building in the open countryside that accords with the ethos of Policy S31 of the Allerdale Local Plan. Whilst officers acknowledge part of the original building needs to be rebuilt due to damage and extended, it is considered this is necessary to accommodate a viable dwelling and ensure the future preservation of the structure.

#### **Design**

The proposed alterations to the building respond positively to the character, history and distinctiveness of the building. The extension will be subservient to the main dwelling in both terms of scale and form.

#### **Highway issues**

The proposed highway arrangements are considered acceptable with adequate parking and turning within the site. The Highway Authority have no objections.

Members noted the representations received in respect of the application, the main grounds of which were set out in the report.

Questions were asked of the speakers and officers and debate followed relating to the boundary wall, and the historical crewyard.

Councillor Grainger moved the motion that the barn be recognised a Non Designated Heritage Asset and that the application be granted subject to conditions.

The motion was seconded by Councillor Horsley

A vote was taken on the motion, 10 voted in favour, 0 against, 0 abstentions.

The motion was carried.

## **Resolution**

Planning permission granted as per officers recommendation subject to conditions and that the barn be recognised a Non Designated Heritage Asset.

## **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:**  
**027-SL BP Site Location Plan only**  
**028-30/PR EX EL BP FL Rev C Elevations/Block/Floors (amendment received 16 January 2020)**  
**Design, Access and Heritage Statement**  
**Bat and Barn Owl Survey**  
**Percolation Test Results and Soakaway Design**  
**Soakaway Calculations**  
**Structural Survey**

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.

### **Pre-commencement conditions:**

**3. The development shall not be brought into use until visibility splays providing clear visibility of 215 metres measured 2.4 metres down the centre of the access road and the nearside channel line of the carriageway edge have been 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 2015 (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 which exceed 1m in height shall be planted or be permitted to grow within the visibility splay which obstruct the visibility**

**splays. The visibility splays shall be constructed before development of the site commences so that construction traffic is generated.**

Reason: To ensure an acceptable standard of highway access during the construction and operational use of the site, in compliance with the National Planning Policy Framework and Policy S2 and S22 of the Allerdale Local Plan (Part 1), Adopted July 2014.

**4. No development shall commence until a surface water drainage scheme, has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme must include:**

**(i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof).**

**This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;**

**(ii) A restricted rate of discharge of surface water agreed with the local planning authority (If it is agreed that infiltration is discounted by the investigations); and**

**(iii) A timetable for its implementation.**

**The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.**

**The approved scheme shall be fully implemented prior to the occupation of any of the dwellinghouses hereby approved.**

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in compliance with the National Planning Policy Framework and Policies S2 and S29 of the Allerdale Local Plan (Part 1), Adopted July 2014.

**Other:**

**5. The works shall be implemented solely in accordance with the mitigation and compensation strategy outlined in Section E of the Bat and Barn Owl Survey dated 31 May 2019.**

Reason: To safeguard the habitat of bats in compliance with the National Planning Policy Framework and Policy S35 of the Allerdale Local Plan (Part 1), Adopted July 2014.

**6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or in any Statutory Instrument revoking or re-enacting that Order with or without modification) no development falling within Classes A to E (inclusive) of Part 1 of Schedule 2 of the said Order shall be carried out without the prior written permission of the Local Planning Authority upon an application submitted to it.**

Reason: The Local Planning Authority wishes to retain control over any proposed alterations/extensions in the interests of the preservation of the architectural and historical qualities of the building and its open countryside setting within view from public receptors within the Lake District World Heritage Site.

**7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or in any Statutory Instrument revoking or re-enacting that Order with or without modification) no development falling within Class A of Part 2 of Schedule 2 of the said Order shall be carried out without the prior written permission of the Local Planning Authority upon an application submitted to it.**

Reason: The Local Planning Authority wishes to retain control over any proposed alterations/extensions in the interests of the preservation of the architectural and historical qualities of the building and its open countryside setting within view from public receptors within the Lake District World Heritage Site.

**8. Notwithstanding the details shown on the approved plan 028-30/PR EX BP FL Revision C, details of the retention and/or rebuilding of the crewyard wall (for the avoidance of doubt marked X-Y on the existing survey plan attached) shall be submitted to and approved by the Local Planning Authority prior to first occupation of the dwellinghouse hereby approved. The approved works shall be carried out prior to occupation and no part thereof shall be removed without the prior consent of the Local Planning Authority.**

Reason: To retain the historic character of this site, in compliance with the National Planning Policy Framework and Policy S4 and S27 of the Allerdale Local Plan (Part 1), Adopted July 2014.

### **Advisory Note**

Highway works:

No works and/or any person performing works on any part of the Highway, including verges, will be permitted, until in receipt of an appropriate permit allowing such works.

Enquiries should be made to Cumbria County Council Streetwork's team.

LLFA:

There is an ordinary watercourse running through the site, the applicant should contact our LFRM team for a consent should they propose to make any alterations or new connections to it.

### **Councillor Lynch returned to the meeting**

- 345. Development Panel - VAR/2019/0025 - Land off Strawberry How Road, Cockermouth - Non-compliance with condition 1 of 2/2018/0155 for amended house types, materials, foul drainage, boundary treatments, CMP laydown/compound areas, relocation of two Affordable Housing Units**

### **Representations**

Martin West spoke against the application

Councillor Alan Smith on behalf of All Saints (Cockermouth) ward spoke against the application

The agent, David Hayward, spoke in support of the application

### **Application**

The report recommended approval, subject to conditions.

The Planning and Building Control Manager introduced the report. This item was presented to panel on 14 January 2020 and the decision was to defer pending a site visit, the officer confirmed that the development panel had attended a site visit prior to this meeting.

The Planning and Building Control Manager then went through the main issues as detailed in the report.

#### Principle of Development

The principle of the development has already been determined to be acceptable at the outline stage (2/2016/0670).

#### Affordable Housing

Proposals to change the tenure of 12 one bedroom flats have been withdrawn from the application.

The Planning and Building Control Manager advised that the proposal included revised house types, boundary treatment changes, foul drainage changes, changes to materials and relocation of two affordable units within the site. It was also clarified to members that this application is for reserved matters only, and that water run-off, the cycle path and sewer works are not relevant. Matters which are relevant include layout and scale of houses and whether they alter residential amenity.

Members were also shown comparisons between the original approved plans and the proposed plans.

Members noted the representations received in respect of the application, the main grounds of which were set out in the report.

Questions were asked of the speakers and officers and debate followed relating to the height massing, the location of the building compound, footpath and separation distances.

Councillor Grainger moved the motion to grant permission, subject to conditions.

The motion was seconded by Councillor Munby.

A vote was taken on the motion to grant permission, 9 voted in favour, 2 voted against and 0 abstentions.

The motion was carried.

## **Resolution**

Permission granted as per officers recommendations

## **CONDITIONS**

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

- **Amended DWG SL20032.90.9.SL.RDS73 REV G - Site Layout 29.11.19**
- **Bin Store Layout - drawing number SL20032.90.9.2BSLs73 rev A received 22 Nov 2019**
- **Boundary Treatments - drawing number SL20032.90.9.BTs73 rev B received 27 Nov 2019**
- **Management Layout - drawing number SL20032.90.9.MLs73 rev F received 22 Nov 2019**
- **Hard surfaces - drawing number SL20032.90.9.2HSs73 rev B received 22 Nov 2019**
- **Construction Management Plan Laydown/Compound Areas, re-location of two Affordable Housing Units.**
- **Footway signage plan - drawing number SL20032.90.9.FSP rev A received 22 Nov 2019**
- **Elevation Treatments - drawing number SL20032.90.9.ETs73 rev A received 22 Nov 2019**
- **Business Plan / CMP - drawing number SL20032.90.9.BPs73 rev C received 22 Nov 2019**
- **Detailed Layout - drawing number SL20032.90.9.DLs73 rev D received 22 Nov 2019**
- **Wilson House Type Booklet - drawing number Contents: Planning WLN-P-CON rev A, Planning Layout 1 drawing number WLN-PLP1 rev A, Planning Elevation 1/1 (front) WLN-PLE1/1 rev A, Planning Elevation 1/2 (Front) drawing number WLN-PLE1/2 rev A, Planning Elevation 1/3 (Front) drawing number WLN-PLE1/3 rev A, Planning Layout 2 (Corner) drawing number WLN-PLP2 rev A, Planning Elevation 2/1 (Corner) drawing number WLN-PLE2/1 rev A, Planning Elevation 2/3 (Corner) drawing number WLN-PLE2/3 rev A, Planning Elevation 2/4 (Corner) drawing number WLN-PLE2/4 rev A, received 22 Nov 2019** □ **Westbury House Type Booklet - drawing number Contents: Planning WES-STR-P-CON, Planning Layout 1 drawing number WES-PLP1, Planning Elevation 1/1 (front) WLN-PLE1/1 rev A, Planning Elevation 1/2 drawing number WES-STR/PLE1/2, received 22 Nov 2019**
- **RSL and Discounted properties drawing number SL20032.90.9.SL.RDs73 rev G, received 29th November 2019.** □ **PROW Strategy drawing number 20032.90.9.SL.PROWs73 rev B received 22 Nov 2019**

- **Parking Layout - drawing number SL20032.90.9.Pls73 rev A received 22 November 2019.**
- **Boundary Details - 1800mm high fence BD-05 rev A, 1762mm High Brick Wall BD-15, 375/500mm trip rails BD-24, 1200mm High Railings BD-41, 1200mm High Netting Fence BD-52, 1800mm Brick Wall with Lapped Boarding drawing number BD-86 received 22 Nov 2019.**
- **House Type Charlton**
- **Construction Method Statement Rev B August 2019**
- **Dwg 20032 - LOC s73 Site Location Plan**
- **Dwg C-GA-201 External Works - Sheet 1 Rev P7 received 12.02.2020**
- **Dwg C-GA-202 External Works - Sheet 2 Rev P8 received 19.02.2020**
- **Dwg C-GA-203 External Works - Sheet 3 Rev P6 received 12.02.2020**
- **Dwg C-GA-204 External Works - Sheet 4 Rev P6 received 12.02.2020**
- **Dwg C-GA-400 Proposed Drainage Strategy Rev P10 received 12.02.2020**
- **Dwg C-GA-401 P6 Proposed Drainage Arrangement Sheet 1 Rev P7 received 12.02.2020**
- **Dwg C-GA-402 P6 Proposed Drainage Arrangement Sheet 2 Rev P7 received 12.02.2020**
- **Dwg C-GA-403 P7 Proposed Drainage Arrangement Sheet 3 Rev P8 received 12.02.2020**
- **Dwg C-GA-404 P8 Proposed Drainage Arrangement Sheet 4 Rev P8 received 12.02.2020**
- **Dwg C-GA-501 P6 SUDS Arrangement & Details**
- **Dwg C-P2A-GA-402 C1 Proposed Drainage Arrangement Sheet 2**
- **Dwg SHSGP2A-WW-01 C Phase 2a Landscaping Plan Rev C received 12.02.2020**
- **Dwg SHSGP2B-WW-01-B Phase 2b Landscaping Plan Rev B received 12.02.2020**
- **Dwg SHSGP2B-WW-02-B Phase 2b Landscaping Plan Rev B received 12.02.2020**
- **Dwg SHSGP2-WW-03 Sheet 1 of 3 Landscape Management Plan Rev C received 12.02.2020**
- **Dwg SHSGP2-WW-03 Sheet 2 of 3 Landscape Management Plan Rev B received 12.02.2020**
- **Dwg SHSGP2-WW-03 Sheet 3 of 3 Landscape Management Plan Rev B received 12.02.2020**
- **Dwg SL20032 .90.9.SS Streetscene 1**
- **Dwg SL20032 .90.9.SS2 Streetscene 2**
- **Dwg SL20032 .90.9.SS3 Streetscene 3 Rev A, amended plan received 12 December 2019**
- **Emmerson - A01 - Planning Drawings**
- **Fraser - A01 - Planning Drawings**
- **Garage - A01 - Planning Drawings**
- **Ground Investigation Report**
- **Harper- A01 - Planning Drawings**
- **Harrison - A01 - Planning Drawings**
- **Hewson - A01 - Planning Drawings**
- **House Type The Birch**



- House Type The Cherry
- House Type The Hawthorn
- House Type The Sycamore
- Layton - A01 - Planning Drawings
- Masterton - A01 - Planning Drawings
- Pennington - A01 - Planning Drawings
- Sanderson - A01 - Planning Drawings
- Schedule of Finishes
- Spencer - A01 - Planning Drawings
- Construction Method Statement Rev B August 2019
- Incident Monitoring Plan Rev 1
- C-D-001 External Construction Details - T6, Amended Plan received 20/05/2019
- C-P2A-GA-101 Surface Finishes & Kerbing Arrangement - T6 Amended Plan received 20/05/2019.
- C-P2A-GA-310 Carriageway & Drainage Longsections - Sheet 1 - T3
- Ground Gas Assessment Addendum Report, received 13/05/2019
- OLS-061901-01-Street Lighting - T3 Amended Plan received 20/05/2019
- C-P2A-GA-401 Proposed Drainage Arrangement - T4 REV C3 received 18/12/2019
- C-P2A-GA-501 SUDS Arrangement & Details - T5
- C-P2A-GA-610 Temporary SUDS Strategy - T4
- Amended Plan C-P2A-GA-038 Phase 2A Section 38 Agreement - T4, received 20/5/2019
- Strawberry Grange Ph2 - Material Samples

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.

**2. The development hereby permitted shall be completed in accordance with the recommendations and mitigation measures contained within the Flood Risk Assessment Addendum produced by CK21 Ltd (referenced Rev A; dated April 2018).**

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

**3. The development hereby permitted shall be completed in accordance with the recommendations and mitigation measures contained within the updated Chapter 6A - Ecology of the Environmental Statement.**

Reason: To minimise the impacts of the development on the ecological interests of the site in compliance with the National Planning Policy Framework, and Policy S35 of the Allerdale Local Plan (Part 1), Adopted July 2014.

**4. Any permanent lighting installed within Phase 2a shall be in accordance with OLS-061901-01-Street Lighting - T3, and shall be retained as**

**approved for the lifetime of the development. Reason: To minimise the impacts of the development on the ecological interests of the site in compliance with the National Planning Policy Framework, and Policy S35 of the Allerdale Local Plan (Part 1), Adopted July 2014.**

Reason: To minimise the impacts of the development on the ecological interests of the site in compliance with the National Planning Policy Framework, and Policy S35 of the Allerdale Local Plan (Part 1), Adopted July 2014.

**5. No further phase of the development (following Phase 2a as shown on OLS-061901-01-Street Lighting - T3) shall commence until a bat-sensitive lighting scheme has been submitted to and approved in writing by the Local Planning Authority for that phase, including the construction phase. Any temporary or permanent lighting installed at the site shall be in accordance with the approved details and where permanent, shall be retained for the lifetime of the development.**

Reason: To minimise the impacts of the development on the ecological interests of the site in compliance with the National Planning Policy Framework, and Policy S35 of the Allerdale Local Plan (Part 1), Adopted July 2014.

**6. The approved measures contained within the Silt Management and Incident Monitoring Plan Rev 1 shall be fully implemented and maintained at all times during the construction phase of the development. The Silt Management and Incident Monitoring Plan shall be adhered to for the duration of the construction phase.**

Reason: To prevent pollution of the water environment and to minimise the impacts of the development on the ecological interests of the adjacent water environment in compliance with the National Planning Policy Framework, and Policies S35 and S36 of the Allerdale Local Plan (Part 1), Adopted July 2014.

**7. The construction of Phase 2a of the development hereby approved (as defined on drawing Amended DWG SL20032.90.9.SL.RDS73 REV G - Site Layout 29.11.19) shall be undertaken in accordance with Construction Method Statement Rev B August 2019, and Business Plan / CMP - drawing number SL20032.90.9.BPs73 rev C received 22 Nov 2019.**

Reason: In the interests of safeguarding the amenity of the occupiers of neighbouring properties 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.

**8. No subsequent phase of the development hereby permitted (following Phase 2a as defined on drawing Amended DWG SL20032.90.9.SL.RDS73 REV G - Site Layout 29.11.19) shall commence until an updated Construction Management Plan specific to those phases has been submitted and approved in writing by the Local Planning Authority. The Construction Management Plan shall include the following:**

- a) Traffic Management Plan to include all traffic associated with the development, including site and staff traffic, off site parking, turning and compound areas;**
- b) Procedure to monitor and mitigate noise and vibration from the construction and demolition 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) A written procedure for dealing with complaints regarding the construction or demolition;**
- e) Measures to control the emissions of dust and dirt during construction and demolition (including any wheel washing facilities);**
- f) Programme of work for Demolition and Construction phase;**
- g) Hours of working and deliveries;**
- h) Highway signage/ Haulage routes. The approved statement shall be adhered to throughout the duration of the development.**

Reason: Having regard to the layout of the proposed scheme and the proximity to existing residents, the updated CEMP for Phase 2 is considered necessary in the interests of safeguarding the amenity of the occupiers of neighbouring properties 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. For phase 2a of the development (as defined on drawing Amended DWG SL20032.90.9.SL.RDS73 REV G - Site Layout 29.11.19), the carriageways, footways, footpaths, cycleways etc. shall be designed and constructed, drained and lit in accordance with the approved plans, before the development of that phase is complete, and before the development of any new phase commences.**

Reason: To ensure a minimum standard of construction to those internal roads detailed as part of the layout of Phase 2, in the interests of highway safety.

**10. The carriageways, footways, footpaths, cycleways etc for all subsequent phases (following Phase 2a), shall be designed and constructed, drained and lit to a standard suitable for adoption and in this respect further details, including longitudinal/ cross sections, shall be submitted for phase 2 to the Local Planning Authority for approval before work commences on that phase. No work shall be commenced on that phase until a full specification has been approved. These details shall be in accordance with the standards laid down in the current Cumbria Design Guide. All works so approved shall be constructed before the development of that phase is complete and before the development of any new phase commences.**

Reason: To ensure a minimum standard of construction to those internal roads detailed as part of the layout of Phase 2, in the interests of highway safety.

**11. For Phase 2A of the development hereby approved (as defined on drawing Amended DWG SL20032.90.9.SL.RDS73 REV G - Site Layout 29.11.19), all measures to be taken by the applicant/developer to prevent surface water discharging onto or off the highway shall be constructed in accordance with the approved plans prior to that phase of the development being completed, and shall be maintained operational at all times thereafter.**

Reason: To ensure that the detailed layout for Phase 2 incorporates appropriate measures to control surface water, in the interests of highway safety.

**12. For any subsequent phase of development (following Phase 2a), details of all measures to be taken by the applicant/developer to prevent surface water discharging onto or off the highway shall be submitted to the Local Planning Authority for approval prior to the development being commenced. Any approved works shall be implemented prior to the development being completed and shall be maintained operational at all times thereafter.**

Reason: To ensure that the detailed layout for Phase 2 incorporates appropriate measures to control surface water, in the interests of highway safety.

**13. Notwithstanding the submitted plans, the estate railings proposed across those parts of the development site boundary that adjoin the cul de sac heads of Coniston Drive and Ullswater Drive shall not extend across the proposed footpath links and will prohibit vehicular access. No new fencing shall be erected at any time within the site to obstruct these pedestrian links.**

Reason: To allow for pedestrian permeability through the site to adjoining land, in accordance with Policy S4 of the Allerdale Local Plan Part 1 and advice contained within the NPPF (2018).

**14. The proposed footpath link up to Coniston Drive (adjacent Plot 62) shall be laid up to the boundary of the site and any existing fencing within the site boundary shall be removed for the width of the footpath link prior to the occupation of Plot 62. The link shall thereafter be retained.**

Reason: To facilitate pedestrian permeability through the site to adjoining land, in accordance with Policy S4 of the Allerdale Local Plan Part 1 and advice contained within the NPPF (2018).

**15. The dwellings hereby permitted shall be constructed in accordance with brick, sandstone, render and roofing materials samples provided in document 'Strawberry Grange Ph2 - Material Samples'. Only the materials so approved shall be used in the development as approved.**

Reason: To ensure a satisfactory standard of development for the external appearance of the approved scheme which is compatible with the character of the surrounding area, in compliance with the National Planning Policy Framework and Policy DM14 of the Allerdale Local Plan (Part 1), Adopted July 2014.

**16. A scheme for the phased delivery of all planting, seeding or turfing comprised within the approved landscaping scheme shall be submitted to the Local Planning Authority for approval in writing prior to the construction of any dwelling above ground floor level. The development shall be completed in accordance with the approved delivery scheme. Should any trees or plants which within a period of 5 years from the completion of that phase 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.

**17. A landscaping management plan including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small privately owned domestic gardens, shall be submitted to and approved by the Local Planning Authority prior to the occupation of any dwellinghouse. The development shall thereafter be maintained at all times in accordance with the approved management plan.**

Reason: To ensure the long term maintenance and management of public open space within the residential estate.

**18. No development shall commence on plots 51 - 57, 58 - 92, plots 100 - 105, 113 - 122, or on the proposed highway beyond plot 50 unless and until a footpath Stopping Up Order for Public Right of Way 223003 has been made and confirmed by the LPA or the Secretary of State for its full length where it crosses the application site.**

Reason: To ensure that the development does not obstruct PROW 223003, which presently crosses the site.

**19. Should a Stopping Up Order for Public Right of Way 223003 (where it crosses the application site) be made and confirmed by the LPA or the Secretary of State, a temporary permissive pedestrian route shall be made available for immediate public use through the site from Bellbrigg Lonning in the west (adjacent to 36 Bellbrigg Lonning) to PROW 223003 at the eastern boundary, until such time as the permanent footpath, footway and carriageway route through the site as shown hatched green on drawing PROW Strategy reference 20032.90.9.SL.PROWs73 Revision B, received on the 22 November 2019, is made available for use along its entire length and the management plan referred to in condition 24 has been approved. The temporary permissive pedestrian route shall follow the alignment of the temporary permissive pedestrian route as shown by a hatched light blue line on Business Plan / CMP - drawing number SL20032.90.9.BPs73 rev C received 22 Nov 2019, or such other alternative temporary permissive pedestrian route(s) across the application site as agreed by the Council pursuant to the Footpath Management Plan referred to in condition 20 below.**

Reason: To ensure that a temporary permissive pedestrian route through the site connecting Bellbrigg Lonning to PROW 223003 is available until permanent routes through the site are made available.

**20. Prior to the stopping up of PROW 223003 where it crosses the site, a detailed Footpath Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Footpath Management Plan shall detail how the temporary permissive pedestrian route through the site from Bellbrigg Lonning in the west (adjacent to 36 Bellbrigg Lonning) to PROW 223003 at the eastern boundary as specified in condition 19 will be maintained and managed through all phases of the construction of the development, including details of any re-routing, signage and notification to the public. The development shall be completed only in accordance with the approved Footpath Management Plan.**

Reason: To ensure the availability of the temporary permissive pedestrian route, and that sufficient notice and publicity is provided to the public and that the safety of pedestrians is duly considered.

**21. Prior to development commencing on the permanent footpath, footway and carriageway route hereby approved, details of the design of the 'motif' to be inlaid within the permanent footpath, footway and carriageway route shall be submitted to the Local Planning Authority for approval in writing. The approved motif shall be inlaid within the permanent footpath, footway and carriageway as approved and in accordance with the locations specified on drawing, Amended Plan SH Footway Signage Plan 22.11.2019, and shall be maintained and retained thereafter for the lifetime of the development.**

Reason: To secure the outstanding detail for the permanent route and to ensure the route achieves a good standard of design.

**22. Within 1 month of the construction of the permanent footpath, footway and carriageway route, the signage shown on drawing reference SL20032.90.9.FSP rev A Footway Signage Plan, shall be erected as approved and shall be maintained and retained thereafter for the lifetime of the development.**

Reason: To ensure that the permanent route through the site connecting to PROW 223003 is adequately signposted.

**23. Notwithstanding the approved plans, revised house types shall be submitted to the Local Planning Authority for approval in writing for plots 30, 57, 23, 24, 5, 6, 71 and 74, which shall include additional window openings to the side elevations that serve to increase natural surveillance of the eastern footpath and/or internal roads. The development shall be completed only in accordance with the approved details.**

Reason: To ensure an appropriate level of natural surveillance to public routes to improve security and safety across the site, in accordance with policies S4 and DM14 of the Allerdale Local Plan Part 1.

**24. A management plan, including management responsibilities and maintenance schedule for the permanent footpath, footway and carriageway route through the site shall be submitted to and approved in writing by the Local Planning Authority prior to the removal of the temporary permissive pedestrian route. The permanent footpath, footway and carriageway route shall thereafter be maintained at all times in accordance with the approved management plan.**

Reason: To ensure the long term maintenance and management of the permanent footpath, footway and carriageway route in the event that it is not formally adopted.

**346. Development Panel - FUL/2019/0279 - M Sport, Dovenby Hall Estate, Cockermouth - The formation of two bunds within the 2.5km test track (retrospective)**

**Application**

The report recommended approval subject to no conditions

The Planning and Building Control manager introduced the item and then went through the main issues as detailed in the report.

**Principle of Development**

The proposed bunds relate to the development of an evaluation centre and test track for motor sport vehicles at M Sport Ltd, Dovenby. The principle of this use has already been accepted under application 2/2014/0350, including the use of bunds for noise mitigation purposes.

**Noise**

Consultants appointed by colleagues in Environmental Health have indicated that the two additional bunds will have a negligible impact, either positive or negative, over and above the approved bunding.

**Heritage Assets**

The two additional bunds would be positioned internally to the test track and would have no greater impact on the setting of Dovenby Hall (Grade II listed) than the approved scheme for an evaluation centre and test track.

Members noted the representations received in respect of the application, the main grounds of which were set out in the report. Members were advised that it was due to a cartographic error that this application was presented to panel, with the bunds being omitted from original permission.

Questions were asked of the officers and debate followed relating to the height and purpose of the bunds.

Councillor Farebrother moved the motion to grant permission, subject to no conditions.

The motion was seconded by Councillor Lynch.

A vote was taken on the motion to grant permission, 11 voted in favour, 0 against and 0 abstentions.

The motion was carried.

### **Resolution**

Planning permission granted subject to no conditions

## **347. Development Panel - RMA/2019/0002 - Proposed Housing Development, Ashfield Road South, Workington - Reserved matters application for 255 units following outline planning consent 2/2014/0857**

### **Representations**

Chris Bagshaw, on behalf of Workington Town Council spoke against the application

The agent, Alf Plant spoke in support of the application

### **Application**

The report recommended that members delegate final approval and the ability to add additional conditions relating to drainage and internal highways layout to the Planning and Building Control Manager subject to the receipt of favourable comments from the County Highways Authority in relation to these matters.

The Planning and Building Control Manager introduced the report and confirmed that the development panel had attended a site visit in October 2019.

The Planning and Building Control Manager then went through the main issues as detailed in the report.

### **Principle of Development**

The principle of the development is approved under outline permission 2/2014/0857. This reserved matters application for phase 2 for 255 dwellings considers matters relating to appearance, scale, landscape and layout.



## Appearance

The appearance of the dwellings are consistent and acceptable for this suburban location.

## Scale

The 2, 3 and 4 bedroom dwellings, either detached, semi-detached, linked or of single storey type are of a suitable scale for the locality. This is in accordance with Policies S2, S4 and S32 of the Allerdale Local Plan (Part 1).

## Landscape

The landscaping scheme is acceptable and is an important feature of the scheme to address tree retention where appropriate, and to provide significant levels of new compensatory tree replanting.

## Layout

The layout is acceptable for this suburban location.

Members were then presented with late representations from Cumbria County Council, the Planning and Building Control Manager provided clarification of the representations.

The chair then adjourned the meeting for 10 minutes to allow time for members to read through the representations.

Members noted and considered the representations from the County Highway Authority and the other representations received in respect of the application.

Questions were asked of the speakers and officers and debate followed relating to trees, affordable housing, garage sizes, public transport, turning circles, and the potential impact on local infrastructure including schools.

Members were concerned with the density of the development and whether there was enough car parking spaces, debate then ensued in relation to the representations and concerns provided by Cumbria County Council.

Clarification was provided by officers in relation to car parking and viability, and members were advised to consider the application as presented.

Councillor Markley moved the motion to defer the application to enable the applicant to respond to the comments made by the County Highways Authority in their letter dated 24th January 2020 in relation to issues relevant to the consideration of the reserved matters, namely off-street parking provision; the turning area for Road M; Cycleway widening adjacent to highways with formal crossings when intercepted and; safe transitions between footway and shared surface roads at Roads C and L.

The motion was seconded by Councillor Stoddart.

Debate continued in relation to play provision and over-development.

A vote was then taken on the motion to defer the application, 10 voted in favour, 0 against and 1 abstention.

The motion was carried.

### **Resolution**

The application be deferred to enable the applicant to respond to the comments made by the County Highways Authority in their letter dated 24th January 2020 in relation to issues relevant to the consideration of the reserved matters, namely off-street parking provision; the turning area for Road M; Cycleway widening adjacent to highways with formal crossings when intercepted and; Safe transitions between footway and shared surface roads at Roads C and L.

#### **348. Development Panel - FUL/2019/0042 - Land to south of Ashfield Road South, Workington - Erection of 12 dwellings**

Following the resolution to defer the previous item (FUL/2019/0042) members were provided with advice in relation to the deferment of this item as it is on the same application site.

Following advice from officers, Councillor Grainger moved the motion to defer as per (FUL/2019/0042) to enable the applicant to respond to the comments made by the County Highways Authority in their letter dated 24th January 2020 in relation to issues relevant to the consideration of this application.

The motion was seconded by Councillor Wilkinson

A vote was taken on the motion to defer, 11 voted in favour, 0 against and 0 abstentions.

The motion was carried.

### **Resolution**

The application be deferred to enable the applicant to respond to the comments made by the County Highways Authority in their letter dated 24th January 2020 in relation to issues relevant to the consideration of this application.

#### **349. Development Panel - FUL/2019/0246 - Bramble Lane Cottage, Blencogo, Wigton - Resubmission of FUL/2019/0092 for the erection of two detached dwellings**

## **Application**

The report recommended that members delegate approval and the ability to add an additional condition relating to broadband to the Planning and Building Control Manager.

The Planning and Building Control Manager introduced the item and then went through the main issues as detailed in the report.

### Principle of Development

The scale of the development is considered commensurate to the size and role of Blencogo as a Limited Growth Village. The site is directly adjacent to the built envelope and within walking distance of the facilities Blencogo offers.

### Landscape and Character

Blencogo is linear in form and characterised by frontage development of housing predominantly on an east-west axis with some agrarian development behind this frontage. The development extends this linear form beyond the existing built envelope but not markedly so. Natural landscaping on the eastern boundary will ensure assimilation and that there is not an unacceptable intrusion into the countryside either in overall landscape impact terms and the impact from sensitive receptors such as the public right of way connecting to Waverbridge to the east.

### Highway Safety

On balance the proposed details are considered acceptable.

Members noted the representations received in respect of the application, the main grounds of which were set out in the report.

Questions were asked of the officers and debate followed relating to village amenity and growth.

Councillor Markley then moved the motion to approve as per officer recommendations.

The motion to approve was seconded by Councillor Grainger.

A vote was taken on the motion to approve, 10 voted in favour, 1 against and 0 abstentions.

## **Resolution**

To delegate approval and the ability to add an additional condition relating to broadband to the Planning and Building Control Manager.

## **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:**

**R.01 Plot 1**

**R.02 Plot 2**

**R.03 Site Plan**

**R.03a A2 Site Plan**

**R.04a A2 Location Plan**

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.

**Pre-commencement**

**3. No development shall commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme must include:**

**(i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof).**

**This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;**

**(ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations); and**

**(iii) A timetable for its implementation.**

**The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.**

**The approved scheme shall be fully implemented prior to the occupation of any of the dwellinghouses hereby approved.**

Reason: A sustainable drainage system has been specified in the application and can be achieved in principle but no details have been provided. Sustainable proper drainage is required to manage the risk of flooding and pollution and to accord with the principles of sustainability in compliance with the National Planning Policy Framework and Policies S2 and S29 of the Allerdale Local Plan (Part 1), adopted July 2014.

**4. No development approved by this permission shall commence until a desktop study has been submitted to and approved by the Local Planning Authority. Should the preliminary risk assessment identify any potential contamination which may affect human health, controlled waters or the**

**wider environment, all necessary site investigation works within the site boundary must be carried out to establish the degree and nature of the contamination and its potential to pollute the environment or cause harm to human health. The scope of works for the site investigations should be agreed with the Local Planning Authority prior to their commencement.**

Reason: To minimise any risk during or post construction works 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.

**5. Should land affected by contamination be identified under the desktop study condition 4 following site investigations 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 during or post construction works 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.

#### **During development and prior to occupation**

**6. Should a remediation scheme be required under condition 5, the approve 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 during or post construction works 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.

**7. 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.

**8. No dwelling shall be occupied until the approved access, parking and manoeuvring facilities for that dwelling shown on drawing a R.03a A2 Site Plan are fully constructed. These approved facilities shall be retained for the lifetime of the development.**

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.

**9. No development above the ground floor finished floor level of either dwelling shall commence until the external facing materials for that dwelling above that level have been submitted to and approved in writing by the local planning authority. The dwellings shall be constructed using the approved facing materials. For the avoidance of doubt the materials subject to approval are the facing stone, mortar, external cills and lintels, external doors, external door frames, external window frames, rainwater goods and roof covering.**

Reason: To ensure that the appearance of the dwellings is appropriate in this edge of settlement location adjoining a sensitive visual receptor to accord with policy S33 of the Allerdale Local Plan 2014 Part 1 and due to the lack of detail about external materials within the application submission.

**10. Before first occupation of either of the dwellings details of the hedge to be planted on the eastern boundary of the site shall be submitted to the local planning authority. The details shall also include a management regime for the maintenance of the hedge for the lifetime of the development. The hedge shall be planted in accordance with these details prior to the occupation of either dwelling approved and maintained thereafter in accordance with the approved management regime for the lifetime of the development.**

Reason: To ensure that the appearance of the dwellings is appropriate in this edge of settlement location adjoining a sensitive visual receptor to accord with policy S33 of the Allerdale Local Plan 2014 Part 1 and due to the lack of detail about external materials within the application submission.

**11. No construction activity associated with the approved development shall take place outside of the hours 07:30-18:00hrs Mon to Friday (excluding Bank and Public Holidays) and 08:30-13:00hrs Saturdays.**

Reason: In the interests of the residential amenity of the occupiers of the three dwellings between the application site and the Village Hall and to accord with policy S32 of the Allerdale Local Plan 2014 Part 1.

**Other**

**12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or in any Statutory Instrument revoking or re-enacting that Order with or without modification) no development falling within Classes A to E (inclusive) of Part 1 of Schedule 2 of the said Order shall be carried out without the prior written permission of the Local Planning Authority upon an application submitted to it.**

Reason: The Local Planning Authority wishes to retain control over any proposed alterations/extensions given the edge of settlement location and visibility from sensitive visual receptors including the public footpath to the north and east and the A596 to the south and to accord with policy S33 of the Allerdale Local Plan 2014 Part 1.

**13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or in any Statutory Instrument revoking or re-enacting that Order with or without modification) no development falling within Class A of Part 2 of Schedule 2 of the said Order shall be carried out without the prior written permission of the Local Planning Authority upon an application submitted to it.**

Reason: The Local Planning Authority wishes to retain control over any proposed alterations/extensions given the edge of settlement location and visibility from sensitive visual receptors including the public footpath to the north and east and the A596 to the south and to accord with policy S33 of the Allerdale Local Plan 2014 Part 1.

**14. Prior to the first occupation of each dwelling, details for that dwelling shall be submitted to and approved in writing by the local planning authority of either:-**

- a) Evidence that the applicant will provide onsite access to broadband infrastructure providers during the construction process to allow the providers to install the necessary broadband infrastructure; or**
- b) Evidence, following contact with broadband infrastructure providers, that it is not practicably or viably possible to install broadband infrastructure to achieve superfast (as defined by Government standards) fibre broadband connectivity.**

Reason: To seek to secure sustainable superfast (as defined by Government standards) fibre broadband connectivity in accordance with policy SA33 of the modified Submission Draft of the Allerdale Local Plan Part 2 (2018).

**Councillor Munby left the meeting**

- 350. Development Panel - FUL/2019/0296 - Newton Holme, Wigton - Demolition of existing dwelling and replacement with new dwelling**

## **Application**

The report recommended that members grant permission subject to conditions.

The Planning Officer introduced the item and then went through the main issues as detailed in the report.

### **Principle of Development**

The proposal for a replacement dwelling is considered to satisfy Policy S31. The relocated dwelling at a larger scale and footprint is acceptable at this site.

### **Flood Risk**

The replacement dwelling is to be sited on higher ground thus reducing the risk of flooding.

The Flood Risk Assessment concludes that, based upon Environment Agency evidence, the likelihood of fluvial, tidal and groundwater flooding is low and that the development will not increase the threat of flooding upstream or downstream of the site. The site however remains in Flood Zone 3 on the EA records.

With the increase in floor level reducing flood risk it is considered that the matter has been addressed satisfactorily with the planning balance of a betterment due to a less vulnerable location.

### **Design and Appearance, Landscape Impact**

The dwelling is well designed and will appear as part of the cohesive group of farm buildings and visually absorbed by the large agricultural units with minimal landscape impact.

### **Ecology**

The winter survey undertaken for the presence of bats has concluded a low potential within the building for bat habitation.

Construction of the replacement dwelling need not be delayed. A condition regarding further ecological survey can be applied to the dwelling planned for demolition with a clause that requires appropriate local mitigation of any bat habitation that may be proven to exist.

It is considered that this approach will safeguard the protected species without compromising the progress to provide the replacement dwelling.

Members noted the representations received in respect of the application, the main grounds of which were set out in the report.

Questions were asked of the officers and debate followed relating to construction materials and wildlife.



Members were concerned of the impact that the development may have on protected species.

Councillor Markley then moved the motion to approve as per officer recommendations, but to include an additional condition requiring a nesting box to be installed on the new dwelling.

The motion to approve was seconded by Councillor Stoddart.

A voted was taken on the motion to approve, 10 voted in favour, 0 against and 0 abstentions.

## **Resolution**

Permission granted subject to conditions as per the officer report and an additional condition requiring a nesting box to be installed on the new dwelling before its first occupation, the details of which shall have been first submitted to and agreed in writing by the local planning authority. The reason for the condition is to secure positive improvements to the natural environment to accord with policy S35 of the Allerdale Local Plan Part 1 2014 and the NPPF.

## **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:**

**Flood Risk Assessment (received 19/12/2019)**

**VH19BAT098.1 Bat and Barn Owl Survey**

**DWG 19-811-2 - Block Plan**

**DWG 19-811-3 - Existing House Outline**

**DWG 19-811-4 - Ground Floor**

**DWG 19-811-5 - First Floor**

**DWG 19-811-6 - SW & SE Elevations**

**DWG 19-811-7 - NW & NE Elevations**

**DWG 19-811-8 - Site Layout**

**DWG 19-811-9 - Block Plan Proposed**

**DWG 19-811-11 - Drainage**

**DWG 19-811-12 - Site Location Plan**

**DWG 19-811-13 - Internal Elevations**

**Demolition Statement (received 19/12/2019)**

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 undertaken and occupied in full accordance with the principles of the approved FRA (dated 19/12/2019).**

Reason; in the interests of safeguarding against the threat of localised flooding in accordance with Policy S29 of the Allerdale Local Plan (Part 1) Adopted 2014.

**Pre-commencement conditions:**

**4. Prior to the commencement of any development, full details of the foul and surface water drainage systems based upon the hierarchy of sustainable drainage, including their maintenance and management during their lifetime, shall be submitted to and approved in writing by the Local Planning Authority. The approved drainage schemes shall be implemented and operational before the development is brought into use.**

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with Policy S29 of the Allerdale Local Plan (Part 1) Adopted 2014.

**Post-commencement/Pre use commencing conditions:**

**5. No part of the development hereby permitted shall be constructed above plinth level until details of all external and roofing materials have been submitted to and approved by the Local Planning Authority. Only the materials so approved shall be used in the development as approved.**

Reason: To ensure a satisfactory standard of development for the external appearance of the approved scheme which is compatible with the character of the surrounding area, in compliance with the National Planning Policy Framework and Policy S32, S34 and DM14 of the Allerdale Local Plan (Part 1), Adopted July 2014.

**6. No demolition shall take place until details of protection measures have been submitted to and approved by the local planning authority to prevent pollutants entering local watercourses and the Upper Solway Flats & Marshes SSSI/ Ramsar/SPA and Solway Firth SAC during the demolition phase. The measures shall be completed prior to demolition commencing and maintained throughout the demolition phase.**

Reason: To prevent pollution to these designated sites and waterways and to accord with policies S29, S35 and S36 of the Allerdale Local Plan (Part 1), Adopted July 2014.

**7. No demolition shall take place until an emergence survey of bats at the site has been undertaken by a qualified and licenced ecologist and submitted to the local planning authority. If the survey requires any**

**mitigation measures to be undertaken such measures will be undertaken in full prior to demolition commencing.**

Reason: To protect any bats and their habitat that may be present on site and to accord with policy S35 of the Allerdale Local Plan (Part 1), Adopted July 2014.

#### **Other**

**8. Prior to the expiration of three months from the first occupation of the approved new dwelling, the existing dwelling at the site, as shown on the approved plans, shall be fully demolished and the site cleared and levelled in accordance with the submitted demolition statement.**

Reason: In order to satisfy Policy S31 of the Allerdale Local Plan (Part 1)

**9. A nesting box to be installed on the new dwelling before its first occupation, the details of which shall have been first submitted to and agreed in writing by the local planning authority.**

Reason: To secure positive improvements to the natural environment to accord with policy S35 of the Allerdale Local Plan Part 1 2014 and the NPPF.

### **351. Development Panel - HOU/2019/0234 - 8 Woodside Avenue, Cockermouth - New garage to replace pre fab one (retrospective)**

#### **Representations**

Barry Wilkinson spoke in favour of the application

#### **Application**

The report recommended approval subject to conditions.

The Planning and Building Control Manager introduced the report and confirmed that the development panel had viewed the site from a public viewing point prior to this meeting.

The Planning and Building Control Manager then went through the main issues as detailed in the report.

#### **Principle of Development**

A domestic outbuilding within the rear garden of the dwelling is considered appropriate.

#### **Scale and Design**

The proposed development is acceptable in scale and design, the proposed extension is subservient to the host property and the materials are acceptable for the dwelling and will not have a detrimental impact upon the character of the locality.

## Highways

The Highway Authority have responded with no objections as it is considered that the proposal does not affect the highway.

The existing parking arrangements meet the operational car parking requirements for the property.

## Residential Amenity

The proposed development would not result in any significant loss of amenity of neighbouring residential properties.

Members noted the representations received in respect of the application, the main grounds of which were set out in the report.

Questions were asked of the speakers and officers and debate followed relating to the size and scale of the garage.

Councillor Horsley moved the motion to approve as per officers recommendations

The motion to approve was seconded by Councillor Grainger.  
A vote was taken on the motion to approve, 10 voted in favour, 0 against, 0 abstentions.

The motion was carried.

## Resolution

Permission granted subject to conditions

## CONDITIONS

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

**Site Location Plan**

**Block Plan**

**Proposed garage**

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.

- 352. Development Panel - OUT/2019/0031 - Proposed residential development, Meadow Bank, Oughterside - Outline application for residential development of up to 25 dwellings (resubmission of 2/2014/0690)**

## Application

The amended recommendation detailed in the Late List stated:-

- a) That the decision to grant permission subject to conditions be delegated to the Planning and Building Control Manager upon the signing of a section 106 agreement securing 3 affordable housing units on the site and £4,020 for the upgrade of existing off-site provision for children and young people in the village.
- b) Members delegate the ability to add additional conditions relating to broadband and enhanced accessibility (internal layouts) to the Planning and Building Control Manager.

The Planning and Building Control manager introduced the item, confirming that this item was brought back to development panel as the S106 agreement had not been signed, the officer then went through the main issues as detailed in the report.

#### Principle of Development

The scale of the development is considered commensurate to the size and role of Prospect as a Local Service Centre.

The site is directly adjacent to the built envelope and within walking distance of the facilities Prospect and Oughterside offer and the strategic bus route.

#### Highway Safety

Access is not reserved for subsequent approval. The proposed highway arrangements are considered acceptable. The Highways Authority have no objections.

#### Affordable Housing

The proposed development would provide 3 affordable housing units on the site. This equates to 10% and fulfils the Part 2 Local Plan policy requirements.

Members noted the representations received in respect of the application, the main grounds of which were set out in the report.

Questions were asked of the officers and debate followed relating to fire safety, members noting that there were no changes to the application from the application that came before panel in November 2019.

Councillor Grainger moved the motion to approve as per officers recommendations

The motion to approve was seconded by Councillor Markley.  
A vote was taken on the motion to approve, 10 voted in favour, 0 against and 0 abstentions.

The motion was carried.

## **Resolution**

**A. That the decision to grant permission subject to conditions be delegated to the Planning and Building Control Manager upon the signing of a section 106 agreement securing 3 affordable housing units on the site and £4,020 for the upgrade of existing off-site provision for children and young people in the village.**

**B. Members delegate the ability to add additional conditions relating to broadband and enhanced accessibility (internal layouts) to the Planning and Building Control Manager.**

## **CONDITIONS**

### **Reserved matters submission**

**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.**

Reason: To enable the Local Planning Authority to assess all the details of the development.

**2. The submission of all 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.

**3. 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.

**4. The layout Reserved Matters Application(s) for the site shall include details showing the provision within each plot for the parking of vehicles commensurate with the Cumbria Parking Standards. No dwelling shall be**

**occupied until the approved facilities for that dwelling are fully constructed.**

**These approved facilities shall be retained and capable of use when the development is commenced and shall not be removed or altered without the prior consent of the Local Planning Authority.**

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.

**5. The Reserved Matters Application for landscaping 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.**

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.

**6. The Reserved Matter Application for appearance shall demonstrate that 20% of the overall scheme will be designed and constructed to meet the requirements set out in optional Building Requirement M4(2) (or any equivalent standard should these regulations be subsequently reviewed).**

Reason: In order to comply with Policy SA5 of the Allerdale Local Plan Part 2.

#### **Accordance with plans**

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

**Location Plan rev A**

**C001 Proposed Site Access Junction**

**Flood Risk Assessment**

**Phase 1 Desk Top Study Report**

**Preliminary Ecological Appraisal**

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.

#### **Pre-commencement**

**8. The carriageway, footways and footpaths shall be designed, constructed, drained and lit (including such infill lighting as may be required between the systems in Prospect and Oughterside to support a**

speed restriction) 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 other than site clearance and site investigations 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.

**9. The development shall not commence until visibility splays providing clear visibility of 60 metres measured down the centre of the access road and the nearside channel line of the major road have been 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 shall commence until a surface water drainage scheme, has been submitted to and approved in writing by the Local Planning Authority.**

**The drainage scheme must include:**

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;**
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (If it is agreed that infiltration is discounted by the investigations); and**
- (iii) A timetable for its implementation.**

**The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.**

**The approved scheme shall be fully implemented prior to the occupation of any of the dwellinghouses hereby approved.**

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in compliance with the National Planning Policy Framework and Policies S2 and S29 of the Allerdale Local Plan (Part 1), Adopted July 2014.



**10. All necessary site investigation works highlighted by the GEO Environmental Engineering Phase 1 Desk Top Study within the site boundary must be undertaken to establish the degree of the contamination and its potential to pollute the environment or cause harm to human health. The scope of works for the site investigations should be agreed with the Local Planning Authority prior to their commencement.**

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.

**11. Should land affected by contamination be identified under the desk top study under condition 10 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.

**12. No development shall take place until a Construction and Demolition Method Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall include the following:**

- a) Traffic Management Plan to include all traffic associated with the development, including the parking and turning facilities and off-street compound staff traffic;**
- b) Procedure to monitor and mitigate noise and vibration from the construction and demolition 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) A written procedure for dealing with complaints regarding the construction or demolition;**
- e) Measures to control the emissions of dust and dirt during construction and demolition;**
- f) Programme of work for Demolition and Construction phase;**
- g) Hours of working and deliveries;**
- h) 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 Highway safety, and the amenity of the occupiers of neighbouring properties, in compliance with the National Planning Policy Framework and Policy S32 of the Allerdale Local Plan (Part 1), Adopted July 2014.

**13. Before any development takes place, a plan shall be submitted for the prior approval of the Local Planning Authority reserving adequate land for site offices/material storage and the parking of vehicles/plant engaged in the construction operations associated with the development hereby approved, and that land, including vehicular access thereto, shall be used for or be kept available for these purposes at all times until the completion of the construction works.**

Reason: The carrying out of this development without the provision of these facilities during the construction work is likely to lead to inconvenience and danger to road users.

#### **Before development first use**

**14. Should a remediation scheme be required under condition 11, 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.

#### **Other**

**15. 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.

**16. Foul and surface water shall be drained on separate systems.**

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 S32 of the Allerdale Local Plan (Part 1), Adopted July 2014.

**Advisory**

**1. Cumbria Fire and Rescue Service are committed to reducing the impact of fire on people, property and the environment. For this reason, it is recommended that the applicant should give consideration to the inclusion of a sprinkler system within the design of the premises.**

**The meeting closed at 5.15 pm**