Allerdale Borough Council
Planning Application 2/2015/0566

Proposed Development: Removal of conditions 3, 9, 10, 11, 14 and 16 and variation of condition 1, 4, 5, 6, 7, 8, 12, 13, 15, 17, 21, 23, 29, 30, 31, 32, 34 and 39 of planning approval 2/2014/0429 for an outline application for a mixed use development comprising residential, commercial, small scale retail, community and leisure uses.

Location: Former Corus Steel Works
Lakes Road
Workington

Applicant: Mrs Rachel Graham
Persimmon Homes Lancashire

Recommendation: APPROVE

Summary/Key Issues

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<th>Issue</th>
<th>Conclusion</th>
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<tr>
<td>Principal of Development</td>
<td>The land use merits of the proposal remain as assessed under the approved scheme 2/2008/0879 (as varied under 2/2014/0429) and the approved EIA 2008 remains relevant although an addendum to the EIA has been submitted to clarify the current position. The application seeks to vary or remove certain planning conditions associated with the original 2008 application (as varied in 2/2014/0429). Certain original conditions and section 106 financial commitments are now not considered to be compliant with current planning policy or relevant to the economic climate and local infrastructure needs. Matters of viability are also considered.</td>
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<td>Constraints</td>
<td>This former steel works site is a contaminated brownfield site with significant remediation works required. The site is part cleared and vacant. The site is within an urban environment adjacent to employment areas and the West Coast railway line. A new vehicular access route is required to be implemented in phase 1 of the development. Further highway works will be required within the local vicinity to be triggered as the development progresses. Coastal defence works will need to be undertaken as required and a coastal defence strategy has been provided. Mitigation to secure habitats for blue butterfly and lizard populations are required.</td>
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<td>Viability</td>
<td>Due to the on-site constraints, the yield from the development is limited, particularly at the initial phase 1 of the development which</td>
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provides the access road, requires large areas of contamination remediation to enable residential development and habitat works required to secure blue butterfly and lizard populations. Significant upfront investment is necessary to enable the development. A viability assessment has been independently verified and considers the investment required for remediation of contaminated land, vehicular access provision and wider road improvements, bus service and travel plan commitments, noise mitigation, coastal protection measures and ecology mitigation/enhancement.

Due to the issues of viability, the original approved 2008 planning decision (as varied in 2014) is to be varied in terms of certain planning conditions and the associated section 106 legal agreement financial obligations. The current proposal notably seeks to provide a phased approach to the development and reflects current expectations for infrastructure, the economic climate and up-to-date planning policy expectations. Affordable housing provision would be considered at each phase and considered against viability.

<table>
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<tr>
<th>Removal of conditions</th>
<th>The proposed conditions to be removed as outlined in brief below:</th>
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<tr>
<td>Condition 3</td>
<td>Relates to the submission of reserved matters and that a phase 1 reserved matters has already been submitted under 2/2014/0530. Officers consider this condition is complied with.</td>
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<tr>
<td>Condition 9</td>
<td>Building for Life (CABE) requirements not necessary as Allerdale Local Plan policies enable assessment of scheme.</td>
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<tr>
<td>Condition 10</td>
<td>Relates to predicted Co2 emmission reduction by 10% however Building Regulations will secure energy requirement for new homes to comply with part L Building Regulations.</td>
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<tr>
<td>Condition 11</td>
<td>Regards on site renewable energy initiatives however Building Regulations will secure energy requirement for new homes.</td>
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<tr>
<td>Condition 14</td>
<td>Regards phasing however phasing already secured in condition 1.</td>
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<tr>
<td>Condition 16</td>
<td>Off site public realm work costing £50,000 is not CIL/ para 204 NPPF compliant regarding the legal tests for planning obligations. The condition is not necessary to make the development acceptable in planning terms; not directly related to the development; and fairly and reasonably related in scale and kind to the development.</td>
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<tr>
<th>Variation of conditions</th>
<th>The applicant seeks to vary the following conditions as outlined below:</th>
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<tr>
<td>Condition 1</td>
<td>Inserts phasing relating to reserved matters of the layout, scale, appearance, access and landscaping.</td>
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<tr>
<td>Condition 4</td>
<td>This condition will not be removed. The applicant has agreed to retain but vary the condition and clarifies the</td>
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timescale for the commencement of works. The condition provides confirmation that the development hereby permitted shall be begun either before the expiration of 5 years from the date of the 2/2008/0879 permission, or before the expiration of 2 years from the approval of the last of the reserved matters (of phase 1) to be approved whichever is the later.

Condition 5 - Prior to the approval of any reserved matters a phasing plan is required.

Condition 6 - Removal of sub point 4 as affordable housing as covered in condition 13 and the section 106 agreement and will relate to viability in each phase.

Condition 7 - Considers development in each phase being in accordance with an approved design brief and code.

Condition 8 - Considers reserved matters for each phase and a written design statement.

Condition 12 - Considers phasing and coastal protection works

Condition 13 - Regards 10% affordable housing in accordance with a submitted viability assessment for each phase.

Condition 15 - Considers phasing and community facilities and removes the requirement for a financial contribution for community facilities from section 106. The contribution for community facilities was not included within the original section 106 agreement however a contribution for sports provision of £250,000 is to be removed from the section 106 due to matters of viability.

Condition 17 - Relates to cycle and pedestrian links within and beyond the boundaries of each phase.

Condition 21 - Considers phasing and provision of a public art strategy.

Condition 23 - Regards temporary landscaping and temporary storage areas on phases of the site awaiting development.

Condition 29 - Alters highway scheme to regard phasing, current highway infrastructure requirements and provides trigger points for highway works.

Condition 30 - Regards Travel Plan submission for each phase.

Condition 31 - Reviewing the effectiveness of the Travel Plan for each phase.

Condition 32 - Relates to highway design and construction for each phase.

Condition 34 - Requires contamination remediation for each phase.

Condition 39 - Drawing numbers revised

**Unchanged conditions**

 Officers confirm the following conditions remain unchanged:

Condition 2 - Relates to reserved matters layout, scale, appearance, access and landscaping.

Condition 16 - Regards an air quality impact assessment.

Condition 18 - Relates to air quality assessment.

Condition 19 - Details required in the submission of each phase of the development (layout plans, sections, foul and surface water
disposal, means of surfacing, means of enclosure)
Condition 20 - Before commencement of each phase the submission and approval by the LPA of a landscaping plan including where appropriate the seafront feature.
Condition 22 - The permission relates to a maximum of 651 dwellings.
Condition 24 - Relates to any Class C2 being of a scale and type that meets the needs of Workington and the locality.
Condition 25 - Relates to programme of archaeological works.
Condition 26 - Where appropriate an archaeological post excavation assessment with reports and publication.
Condition 28 - Requires step free access at footbridge. The Transport Statement sets out that there will be a step free access to pedestrian bridge. This will provide step free access to assist pedestrians, cyclists and wheelchair user, parents with prams.
Condition 33 - Regards site investigation for each phase for contamination.
Condition 35 - Regards remediation works and validation report.
Condition 36 - Relates to maximum area class A1 floor space.
Condition 37 - Restricts A1 floor space.
Condition 38 - Prevents combining A1 retail units.

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<tr>
<th>Discharged conditions</th>
<th>Condition 27 - Relates to a written ecological mitigation and management strategy and has been discharged under CON1/2014/0429.</th>
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<tr>
<td>Additional conditions</td>
<td>Condition 40 - Provision of a bus service, rather than secured by section 106 contributions. Further details will be provided at the Development Panel meeting. Condition 41 - Mitigation details for protection of toads and lizards.</td>
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Proposal

The application is not to reassess the principle of the development on this approved mixed use development, but to assess certain planning obligations and planning conditions placed on the development, which are to be considered against the current planning policy, the site and local infrastructure needs and economic climate. Matters of site constraints, infrastructure requirements and viability require careful balance to enable the delivery of the site.

Proposed conditions to be removed and varied planning conditions associated with planning applications 2/2008/0879 (as subsequently varied by planning application 2/2014/0429) are outlined in the above table.

The main variations in planning conditions relate to the introduction of ‘phasing’ of the development associated with planning
conditions. This approach correlates with infrastructure requirements for particular phases e.g. road works, coastal defences, ecology requirements, affordable housing. A viability assessment establishes the need for this phased approach within certain planning conditions. Planning conditions that are no longer compliant to current planning policy or particular site viability issues outweigh their provision have been either removed or varied.

Site

The site extends to some 31 hectares, and lies to the west of the main body of the town and between the Barrow-Carlisle Railway line and the coast. The site is partly shielded from the sea by a slag bank to the south-west and the reclaimed slag banks known as 'The Howe' to the north.

The site has an industrial history and is currently derelict and part cleared following the demolition of the steel works in 2008. The site requires considerable decontamination works.

The master plan indicates that the proposed vehicular access roads are solely from the northern end of the site in the locality of the Derwent Howe industrial estate’s main spine road. There would be two vehicular accesses from this northern end of the site as detailed later in the report. Towards the southern end of the site are coastal footpath links.

The proposed main new build access road will be parallel to the West Coast railway line and would open up land for new employment and retail uses and then links southwards to the proposed residential development on the site.

Having regard to the master plan, the new access road is fundamental to the delivery of the site, including the residential elements of development. Phase 1 would provide the access road and the phase 1 reserved matters housing scheme details this and the application is pending.

The site includes areas of kidney vetch which together with nearby land supports a population of small blue butterfly, particularly at the northern entrance to the site in the vicinity of the new access road adjacent to the railway line.

The master plans are required to provide areas of suitable habitat for protected species as part of the development. A phasing plan has been provided that details this implementation. Details relating to the blue butterfly enhancement is agreed under CON1/2014/0429.
Relevant Policies

National Planning Policy Framework 2012

1 Building a strong, competitive economy
4 Delivering a wide choice of quality homes
7 Requiring good design
8 Promoting healthy communities
10 Meeting the challenge of climate change, flooding and

Allerdale Local Plan Part 1 2014

S1 - Presumption in Favour of Sustainable Development
S2 - Sustainable Development Principles
S3 - Spatial Strategy and Growth
S4 - Design Principles
S5 - Development Principles
S7 - A mixed and balanced Housing Market
S8 - Affordable Housing
S12 - Land and Premises
S14 - Rural Economy
S16 - Town Centre and Retail
S21 - Developer Contributions
S22 - Transport Principles
S23 - Supporting and safeguarding Strategic Infrastructure
S24 - Green Infrastructure
S25 - Sports, Leisure and Open Spaces
S26 - Community and Rural Services
S27 - Heritage Assets
S29 - Flood Risk and Surface Water Drainage
S30 - Reuse of Land
S32 - Safeguarding Amenity
S35 - Protecting and Enhancing Biodiversity and Geodiversity
S36 - Air, Water and Soil Quality
S37 - Shoreline Management and Coastal Development
DM8 - Protecting Town Centre Vitality and Viability
DM12 - Improvements to the Public Realm
DM14 - Standards of Good Design
DM16 - Sequential Test for Previously Developed Land

Relevant Planning History

The original scheme was submitted in outline (2/2008/0879), with all matters reserved for subsequent approval (layout, scale, appearance of buildings, the means of access thereto and the landscaping of the site). Illustrative layout plans and an Environmental Statement (2/2008/0879) supported the assessment of the original scheme which was approved 8 August 2011 subject to planning conditions and a section 106 agreement. Planning application 2/2014/0429 subsequently varied condition 2,
3, 5 and 6. The section 106 agreement remains the same as previously agreed although updated via an addendum to establish that traffic movements will be reduced as proposed and comments on recent surveys provided for blue butterfly and lizards.

Currently pending is the phase 1 reserved matters scheme for a housing scheme of 225 units and the site vehicular access arrangements.

CON1/2014/0429 relates to condition 27 and a written ecological mitigation and management strategy and is considered acceptable.

Representations

Workington Town Council - The planning conditions were justified and necessary for the effective delivery of the project. Concern about traffic on Bessemer Way and the relinquishing of the condition to regenerate the underpass on Shore Road would result in an increase in anti-social behaviour and crime as well as distorting pedestrian flows.

Cumbria Highways - No objections to the introduction of phasing into conditions 30 (Travel Plan), 31 (Travel Plan) and 32 (Highway design and construction).

Acceptable alterations to condition 29 to highway access and improvement works and a triggered approach based on levels of development. Alterations to section 106 highway financial contributions are agreed.

For the avoidance of doubt the following are no longer to be provided as were previously detailed in the original condition 29 (2/2008/0879 as varied under 2/2014/0429): A Toucan crossing on Lakes Road (as the revised access & signalisation would create a crossing) and a Controller & MOVA at Harrington Road / Annie Pitt Lane.

With regard to Condition 16 (Public Realm Contribution) Cumbria highways are agreeable to the removal of £50,000 public realm contribution; being set against a viability assessment.

Highways Agency - No objections

Environment Agency - No objections

Natural England - No objections

Cumbria Wildlife Trust - No representations received
Housing Services - The viability assessment has demonstrated that at present, the costs associated with site preparation, delivery and build costs against sales values and an appropriate return for the land owner will not allow the provision of affordable housing. This has been agreed for the first phase of the development by the Local Authorities independent advisors. This position can be revisited with the assessment of each phase.

Access Officer - No objections

Coal Authority - The application site falls within an area defined Development High Risk Area. No comments as the conditions to be varied/removed do not relate to coal mining issues.

Rail Track North West - No objections subject to advisory notes.

The application has been advertised on site, within the local press and adjoining owners have been notified.

Three letters have been received providing support to the scheme subject to appropriate housing specification and siting with regard to the railway line.

Butterfly Conservation Cumbria - Letters of objection have been received expressing concern that condition 27 relating the mitigation strategy and habitats of blue butterfly has not been discharged. (Officers note condition 27 is not being varied or removed in this application but has been discharged and is considered to be acceptable).

Assessment:

Principle of Development and Land use

Within the Allerdale Local Plan, 2014, Workington is identified as a major centre for housing, employment, retail and leisure services. The site has been identified as the principle location for future housing and employment growth. Workington is identified as the Principal Service Centre of Allerdale.

This proposal seeks to vary certain planning conditions or remove them as outlined above. Officers note that the principle of development has been previously established for this mixed use development. Since the original decision in 2008, there has been new planning guidance issued, including the NPPF 2012 and the Allerdale Local Plan (Part 1) 2014 and the scheme is now
considered against the current economic climate and infrastructure requirements.

The NPPF para 173 advises that development should not be subject to such a scale of obligation and policy burdens that their ability to be developed viably is threatened.

Circular 5/05 and NPPF paragraph 204 addresses the use of planning obligations and that planning conditions should be used to make the development acceptable in planning terms; and should be directly related to the development and fairly and reasonably related in scale and kind to the development.

Viability

A viability assessment has been provided and verified independently. Officers conclude that due to the scale of the development, it is appropriate to consider viability for affordable housing at each phase. This is because the site has a number of constraints that need to be dealt with up front to include contamination remediation, highway works and contributions, infrastructure provision, habitat provision and sustainable travel provision (bus provision).

S106 Clauses

Proposed changes to the section 106 will be by an addendum as follows:

- Public Realm Works £50,000 (also removal of condition 16) not to be provided as no longer planning policy compliant.
- Town Centre Highway Improvements (was £218,430. Proposing £87,123 agreed contribution to Cumbria Highways);
- Falcon Street gyratory MOVA £20,000 to Cumbria Highways (no contribution as agreed with Cumbria Highways);
- Bus Service, the developer to provide bus service for five years, or £336,000 commuted sum as established within the submitted viability assessment however the precise details to be secured by planning condition 40.

The original bus service planning obligation in planning application 2/2008/0879 was £505,000 to the County Council. On consideration of the viability assessment and due to onsite constraints, infrastructure requirements and the current economic climate the provision of £505,000 would not deemed to be viable to enable the delivery of the site. (Originally in the 2008 scheme, £130,000 bus service contribution was required upon
commencement of the first dwelling and at 12 month intervals thereafter, £125,000, £100,000, £90,000, £60,000. This giving the total of £505,000).

The applicant has provided details that indicate the reduced sum to support bus provision from the site to Workington Town Centre of £336,000 and this would relate to Phase 1 (329 dwellings in total) and the 201st residential unit would be the trigger. (Phase 1a comprises 225 units and 1b 104 residential units). Further details will be provided to Development Panel.

- Bus Service Vouchers (£117 per property Mega-rider Ticket. As agreed with Cumbria Highways, increased from £99). This will be supplied to each household to assist in the site wide Travel Plan targets.
- Travel Plan payments to Cumbria Highways – no payments to be provided as agreed with Cumbria Highways. Remove £181,058.
- Remove £250,000 to Council housing investment programme. Not NPPF compliant and omitted for viability purposes.
- Remove £250,000 regarding Sports provision. Omitted for viability purposes.

To remain within the section 106 legal agreement:

- Travel Plan Monitoring and checking (Fee to revert to £1,320 per year x 10 years as to Cumbria Highways).
- Lighting of Shore Road Underpass (£7,657 S106 Contribution to Cumbria Highways).

Local Finance Considerations

Having regard to S70 (2) of the Town and Country Planning Act the following local finance considerations are relevant to the consideration of the application. There will be benefits arising from the scheme through the New Homes Bonus scheme. With regard to highway contributions to upgrade the highway network, this will be undertaken as a phased approach as set out in condition 29 and as detailed above in section 106 details. Details relating to bus service provision will be detailed through condition 40.

The contributions relating the Council housing stock and sports facility provision is removed due to matters of site viability.

Highway and Access and Pedestrian routes

The provision of the site highway access is to be addressed
through reserved matters application for a phase 1 housing scheme for 225 dwellings which is a submitted and pending application.

In support of the site master plan, details have also been provided that set out the phasing and delivery of the revised highway junctions, roundabout and internal access route arrangements (including the bus route and pedestrian links), whilst balancing the needs of the ecology mitigation strategy, public open space/play areas and footpaths that link in with the wider footpath network including coastal footpaths.

In terms of application 2/2015/0566 a phased approach (condition 29) for vehicular access arrangements, following the principles for a:
   - Temporary priority access junction on to Lake Road;
   - Junction (shown on drawing number ITM7262-GA-013 Rev D);
   - New signal controlled junction located at the Bessemer Way/Lakes Road junction and;
   - Improvements to the existing Morrison’s mini roundabout on Derwent Drive (shown on drawing number ITM7262-GA-003) and;
   - Details of improvements to the Shore Lane underpass.

The required highway and pedestrian works would have a triggered approach based on levels of development.

Access is taken from Lakes Road for residential (weight restricted), and Adams Road for other vehicles and this is deemed acceptable by Cumbria Highways. Within the site, the master plan indicates a proposed road hierarchy that provides a weight restricted main access from Lakes Road, Primary Route shown as 6.7m wide with 2m service verges (for bus route); a secondary route as 5.5m wide with 2m verges; tertiary roads to be 4.8m wide with 2m verge; and private drives.

Pedestrian Routes Amended PL50 show potential links through the habitat mitigation areas to the south of the site and this link can be fenced off if necessary at each relevant phase.

A secondary access off Adams Road will be provided and this will be used to serve the commercial elements of the scheme off Adams Road. Although outside the original outline application site, the land would be within the ownership of the current land owner and a certificate B has been served on the land owner.

Coastal Defence Strategy

The variation to condition 12 relates to the introduction of phasing
to the coastal defence strategy, and that it would be assessed at each phase of the development. In support of the consideration of phasing to a coastal defence strategy, this application is supported by a Coast Protection Works February 2015- revised May 2015 document received 11 September 2015.

The strategy recommends that defences are constructed along the full 170m length of the site boundary in year 6 (or sooner if Cumbria County Council constructs adjacent defences at an earlier date). The reports also sets out that in the interim period emergency works will be carried out to maintain the existing seawall.

The strategy for coastal protection measures regard regrading of the slag bank and construction of a revetment consisting of a rock armour under layer and a concrete block primary layer, using XBLOC or similar precast concrete units.

This independent peer review of the coastal defence strategy confirms in principle that the strategy appears to be appropriate for a phased approach for development of the Corus site, however further exact design details would be required and would support each phase of development. The principle of the coastal defence strategy is considered to be reasonable to be address for each for each phase.

Contamination

Condition 34 seeks to consider contamination remediation for each phase and this is considered to be a suitable approach with no objections from Environmental Health or the Environment Agency related to a phased approach.

Affordable Housing

Due to matters of viability and the expected length of time to build out the development, it considered agreeable to allow the provision of affordable housing to be considered at each phase of the development. This would allow assessment of the specific economic climate at that time, the policy context and any onsite constraints and infra structure requirements associated with each phase of the development.

Bus Service

Further clarification of bus service provision is being sought and shall be confirmed at Development Panel (to be secured by planning condition 40) rather than through a section 106 contribution.
Conclusion

The variations to conditions and removal of conditions associated with application 2/2014/0429 which varied 2/2008/0879 (the original outline scheme) are considered to be acceptable as set out in detail within the report.

The main of the variations relate to the introduction of phasing to the development. Of particular note is that affordable housing provision will be assessed with regard to viability at each phase of the development. Also works to the coastal defence will be assessed at each phase although emergency works will be undertaken when required.

Cumbria Highways have accepted a phased approach to the provision of highway infrastructure, highway financial contributions and accepted the removal of Travel Plan contributions.

Certain conditions have been removed where no longer compliant with planning policy or no longer required; to include public realm contributions and sports facility provision.

The scheme is recommended for approval being in accordance with the provisions of the National Planning Policy Framework 2012 and policies of the Allerdale Local Plan (Part 1) adopted July 2016 (as detailed above), furthermore there has been due regard to the phasing requirements of the site, the various on-site constraints and matters of viability associated with the site and the wider economic climate.

Recommendation:

Approval subject to planning conditions and amendments to the section 106 as detailed in Deed of Variation submitted and set out within the report.

Conditions

1. Approval of the details of the layout, scale and appearance of the building(s), the means of access thereto and the landscaping of the site (herein called ‘the reserved matters’) shall be obtained from the Local Planning Authority for each phase in accordance with condition 4 in writing before any development on the corresponding phase is commenced. Reason: To enable the Local Planning Authority to assess all the details of the development.

2. Plans and particulars of the reserved matters referred to in condition 1 above relating to the layout, scale and appearance of any buildings to be erected, the means of access to the site
and the landscaping of the site, shall be submitted in writing to the Local Planning Authority (within a phased scheme) shall be carried out as approved.
Reason: To enable the Local Planning Authority to assess all the details of the development.

3. **Condition 3 discharged under 2/2014/0530 submission of reserved matters.**

4. The development hereby permitted shall be begun either before the expiration of five years from the date of the 2/2008/0879 permission, or before the expiration of two years from the date of the approval of the last of the reserved matters to be approved, relating to phase 1 whichever is the later.
Reason: In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

5. Prior to the approval of any reserved matters application, a plan shall be submitted to and agreed in writing with the Local planning authority to divide the application site into phases on which the submission of detailed applications will be based. Development shall not commence within any phase so defined until all reserved matters details for that phase have been agreed.
Reason: In order to achieve a satisfactory form of development in accordance with an agreed brief.

6. Unless otherwise agreed in writing by the Local Planning Authority, no reserved matters application shall be approved for the development on any phase until a master plan has been approved, providing the following details:
   • A detailed design brief and associated design codes on building form, scale and design including heights, bulk, massing, materials and colour palettes, boundary treatments and important open spaces;
   • A breakdown of residential densities across the whole site
   • A detailed parcelisation and phasing proposal for the provision of all the elements; and
   • The location and scale of play and open space facilities.
Reason: In order to achieve a satisfactory form of development in accordance with the Development Brief.

7. No development shall take place in a phase other than in accordance with the approved detail and design brief and code unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure that the development achieves the objectives set out in the Development Brief and Strategy.
8. Each reserved matters application for each phase shall be accompanied by a written design statement which, unless otherwise agreed in writing, shall demonstrate how the application accords with the approved strategies in the design brief required by condition 6.
Reason: To ensure that the development achieves the objectives set out in the Development Brief and strategy.

9. Removed
10. Removed
11. Removed

12. Before any development hereby approved is commenced for each phase of the scheme a programme for coastal protection shall be submitted to and approved in writing by the Local Planning Authority. The approved strategy and schedule of works shall be implemented in accordance with an agreed phasing programme which shall be agreed in writing with the Local Planning Authority and all works carried out in accordance with the agreed programme.
Reason: Flood defences and coastal protection works safeguard land and property from the damage from the sea and without necessary works in place the development of this site will not be permitted in compliance with the National Planning Policy Framework 2012 and Policy S29, S36 and S37 of the Allerdale Local Plan (Part 1) adopted July 2014.

13. The provision of up to 10% affordable housing types shall be provided on each phase of the development in accordance with the submitted viability assessment for that phase. The location and mix should contribute positively to the promotion of a sustainable and inclusive community.
Reason: To ensure the proposed development delivers a mix of houses and creates a sustainable and inclusive community, in compliance with the National Planning Policy Framework 2012 and Policy S8 of the Allerdale Local plan (Part 1) adopted July 2014.

14. Removed

15. The scale and content, as well as the timing of the delivery, of the proposed community facilities within the site, and the ongoing maintenance and management of the community facilities, shall be agreed in writing with the Local Planning Authority prior to the commencement of the development of that phase.
Reason: To ensure the community facilities will satisfy the needs of future residents in the area and there is a plan and funding in place for the long term management and maintenance of this
16. 

17. Before the development is commenced all cycle and pedestrian links within and beyond the boundaries of each phase shall be agreed in writing with the Local Planning Authority. These details shall be constructed in accordance with the approved details prior to the completion of each phase and maintained at all times thereafter. 

18. No development shall commence until an air quality assessment has been submitted to and approved in writing by the Local Planning Authority which shall take account of the effect of additional car journeys from the proposed development upon the surrounding area.
Reason: In order to ensure that contamination within the site does not result in the pollution of the water, environment or a threat to human health in compliance with the National Planning Policy Framework 2012 and Policy S30 of the Allerdale Local Plan (Part 1) 2014.

19. The details to be submitted for each phase of the development of the site shall include;
• A layout plan showing the siting of all the buildings to be erected in that phase, the means of access thereto and how the development of that phase relates to the master plan of the site;
• Detailed plans, sections and elevations of all the buildings proposed in that phase together with the materials to be used in their external elevations;
• Detailed plans showing the cross sections of each phase showing the relative levels of the proposed development to existing site levels and the adjoining development;
• Means of foul and surface water disposal for each phase;
• Details of the proposed means of surfacing of the access roads, private drives, pathways and cycle ways of each phase;
• Details of the means of enclosure of the public and private areas in each phase.
Reason: To ensure that the details of each phase are satisfactory and relate to the masterplan for the whole site.

20. Before the commencement of any phase of the development a landscape plan of that phase including where
appropriate the seafront/promenade feature showing the position/type and planting size of all the trees and shrubs shall be submitted to and approved by the Local Planning Authority.  
Reason: To ensure the details of the development are satisfactory in compliance with the National Planning Policy Framework 2012 and Policy DM14 of the Allerdale Local Plan (Part 1) July 2014.

21. A public art strategy for the site, including the retention and display of any archaeological artefacts, shall be agreed in writing by the Local Planning Authority prior to the commencement of each phase of development and shall be implemented as part of the agreed landscape scheme for the site.  
Reason: To ensure the details of the development are satisfactory.

22. This permission relates to a maximum of 651 dwellings on the site and these numbers should be reflected in the phasing plan to be agreed. Any changes to the housing numbers or mix of the development will require a new planning consent and a renegotiated Section 106 Agreement.  
Reason: A change in housing numbers or development mix will require a revised section 106 and could distort the housing supply in the Borough.

23. Before development commences on any part of the site, a plan for the temporary landscaping and temporary areas for storage on phases on the site awaiting development shall be submitted to and approved by the Local Planning Authority. Temporary landscaping and storage on all parts of the site not included in Phase 1 and not identified as protected habitat shall be carried out during the first planting and seeding season following the completion of Phase 1 of the remediation strategy and shall be maintained on each phase of the site until such time as its development commences.  
Reason: In order to ensure a satisfactory appearance bearing in mind the long build out period of this development in compliance with the National Planning Policy Framework 2012 and Policy DM14 of the Allerdale Local plan (Part 1) adopted July 2014.

24. Any reserved matters application in respect of provision within Use Class C2 within the site shall demonstrate that the proposal in terms of its scale and type is designed to meet the needs of Workington and its locality.  
Reason: In order to ensure that the proposal meets the accommodation needs of the area and does not result in an imbalance in the population mix, or place an unacceptable burden on the local resources of the health service on social services.
25. No construction shall commence within the site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority. This written scheme will include the following components:

i) An archaeological desk-based assessment and evaluation to be undertaken in accordance with the agreed written scheme of investigation;

ii) An archaeological recording programme the scope of which will be dependent upon the results of the evaluation and will be in accordance with the agreed written scheme of investigation.

Reason: To afford reasonable opportunity for an examination to be made to determine the existence of any remains of archaeological interest within the site and for the examination and recording of such remains in compliance with the National Planning Policy Framework 2012 and Policy S27 of the Allerdale Local Plan (Part 1) July 2014.

26. Where appropriate, an archaeological post-excavation assessment and analysis, preparation of a site archive ready for deposition at a store, completion of an archive report, and publication of the results in a suitable journal as approved beforehand by the Local Planning Authority (LPA) shall be carried out within two years of the date of commencement of the hereby permitted development or otherwise agreed in writing by the LPA.

Reason: To ensure that a permanent and accessible record by the public is made of the archaeological remains that has been disturbed by the development in compliance with the National Planning Policy Framework 2012 and Policy S27 of the Allerdale Local Plan (Part 1) July 2014.

27. In accordance with the approved Small Blue Protection and Habitat Management plan received 3 February 2016 (CON1/ 2014/0429) the approved works shall be implemented in full in accordance with the agreed phasing plan P6 received 17 February 2016.

Reason: To ensure the survival of the Small Blue and Dingy Skipper butterfly populations with a distribution and population size post-development that is broadly the same or greater than that at pre-development in compliance with the National Planning Policy Framework 2012 and Policy S35 of the Allerdale Local Plan (Part 1) July 2014.

28. Step free access that is suitable for use by the mobility impaired and available for use by the public at all times shall be provided to the pedestrian footbridge in accordance with detailed plans to be submitted to and approved in writing by
the Local Planning Authority, prior to first occupation, unless otherwise agreed in writing with the Local Planning Authority. Reason: To ensure that the footbridge is accessible to all pedestrians.

29. The development, or part thereof, shall not be commenced until details following the principles for a temporary priority access junction on to Lake Road, a junction (shown on drawing number ITM7262-GA-013 Rev D), a junction onto Adams Road, a new signal controlled junction located at the Bessemer Way/Lakes Road junction and improvements to the existing Morrison’s mini roundabout on Derwent Drive (shown on drawing number ITM7262-GA-003) and details of improvements to the Shore Lane underpass approach have been submitted to the Local Planning Authority and approved in writing.

Following which the development, or part thereof shall not be occupied until the following works are implemented:

- The approved temporary access onto Lakes Road has been completed in accordance with approved details.
- Improvements to Shore Lane underpass footpath approach;
- A junction provided to Adams Road.

Following which, no more than 40 units shall be occupied until:

- A junction (shown on drawing number ITM7262-GA-013 Rev D has been completed);

Following which, no more than 300 units shall be occupied until:

- A new signal controlled junction located at the Bessemer Way/Lakes Road junction and improvements to the existing Morrison’s mini roundabout on Derwent Drive (shown on drawing number ITM7262-GA-003) have been completed.

Such details to form part of an agreement with the Highways Authority under Section 278 of the Highway Act 1980, unless otherwise agreed in writing with the Local Planning Authority. The development, or any part thereof, shall not be occupied until the approved highway works have been completed in accordance with such details that form part of an agreement with the Highways Authority under section 278 of the Highways Act 1980, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the highway network can accommodate
the traffic associated with the development.

30. Within 6 months of the development being occupied (or any part thereof), the developer shall prepare and submit to the Local Planning Authority for their approval a Travel Plan for that phase which shall identify the measures that will be undertaken by the developer to encourage the achievement of a modal shift away from the use of private cars to visit the development to sustainable transport modes for that phase. The measures identified in the Travel Plan shall be implemented by the developer in accordance with the approved Travel Plan.
Reason: To aid in the delivery of sustainable transport objectives.

31. Up until 1 year following the completion of each phase an annual report reviewing the effectiveness of the Travel Plan for that phase and including any necessary amendments or measures shall be prepared by the developer/ occupier and submitted to the Local Planning Authority for approval.

32. The carriageways, footways, footpaths, cycleways etc 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 each phase 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 in the interests of highway safety.

33. No development approved by this permission shall be commenced until all appropriate detailed site investigations for each phase or zone within the site boundary have been carried out to establish the degree and nature of the contamination and its potential to pollute the environment or cause harm to human health.
Reason: In order to ensure that contamination within the site does not result in the pollution of the water, environment or a threat to human health in compliance with the National Planning Policy Framework 2012 and Policy S30 of the Allerdale Local Plan (Part 1) 2014.
34. If it is concluded in the remediation statement that remedial works are necessary, then the remediation statement shall be submitted to and approved by the planning authority prior to the commencement of any remediation. The statement shall demonstrate how the works will render each phase, suitable for use and shall describe the works in relation to the development hereby permitted for each phase or zone within the site boundary. It shall include full details of any works to be undertaken, proposed site clean-up criteria, site management procedures, contingencies and how the works will be validated. The remediation scheme must include details of all works to be undertaken, proposed mediation objectives and remediation criteria for each phase.

Reason: In order to ensure that contamination within the site does not result in the pollution of the water, environment or a threat to human health in compliance with the National Planning Policy Framework 2012 and Policy S30 of the Allerdale Local Plan (Part 1) 2014.

35. Prior to the occupation of any development in each phase or zone within the site boundary, the completion of the remediation works detailed in the approved remediation statement and validation report shall be submitted to and approved in writing by the Local Planning Authority. This report shall:

(i) Describe the remediation works carried out and any significant variations from the works set down in the approved remediation statement;
(ii) Include and discuss substantiating data (analytical or otherwise); and
(iii) Confirm that the remediation objectives set down in the remediation statement have been achieved.

All works shall be undertaken in accordance with current UK guidance, particularly CLR11.

Reason: In order to ensure that contamination within the site does not result in the pollution of the water, environment or a threat to human health in compliance with the National Planning Policy Framework 2012 and Policy S30 of the Allerdale Local Plan (Part 1) 2014.

36. Not more than 1,165 square metres gross floorspace within the site shall be used for purposes falling within Use Class A1 of the Town and Country Planning Use Classes Order 1987 (as amended). Of this 1,165 square metres gross, not more than 500 square metres gross floorspace shall be used for the sale of food, drink and tobacco within Use Class A1 of the Town and Country Planning Use Classes Order 1987 (as amended).

Reason: To control the extent and nature of retailing at the site to
37. **No retail unit falling within Use Class A1 of the Town and Country Planning Use Classes Order 1987 (as amended) and used for the sale of goods other than food, drink and tobacco shall exceed 200 square metres gross floor space.**
Reason: To control the extent and nature of retailing at the site to protect Workington Town Centre in compliance with the National Planning Policy Framework 2012 and Policies S16 and DM8 of the Allerdale Local Plan (Part 1) 2014.

38. **No retail units falling within Use Class A1 of the Town and Country Planning Use Classes Order 1987 (as amended) shall be combined without the prior express consent of the Local Planning Authority.**
Reason: To control the extent and nature of retailing at the site to protect Workington Town Centre in compliance with the National Planning Policy Framework 2012 and Policies S16 and DM8 of the Allerdale Local Plan (Part 1) 2014.

39. **The development hereby permitted shall be carried out in accordance with the following plans:**
- P1 Corus Master Plan Block Layout
- P2 Corus Master Plan Hierarchy of Street and Movement
- P3 Corus Master Plan Urban Form and Principles
- P4 Corus Master Plan Height and massing
- P5 Corus Master Plan Green Infrastructure. Ecology
- P6 Corus Master Plan Master Plan Delivery Phasing and Remediation received 25 February 2016
- Environmental Impact Assessment Addendum amended received 18 February 2016
- Planning Statement Rev A October 2015 as amended received 13 November 2015
- PL01 Rev C (Illustrative) received 17 March 2016
- PL02 Rev E Reserved Matters Layout received 27 January 2016 (Illustrative) associated with revised schedule email received 17 March 2016 confirming 225 residential units for phase 1A.
- PL03 Rev B Site boundaries
- PL04 Rev A Reserved matters and Phase 1B (Illustrative)
- PL05 Proposed Site Layout 1B (Illustrative)
- PL50 Phase 1A delivery plan (Illustrative) and email received 5 February 2016
- C-1383-01 Landscaping proposal (Illustrative)
- C-1383-02 Landscaping proposal (Illustrative)
- C-1383-04 Landscaping proposal (Illustrative)
- Small Blue Protection and Habitat Management Plan ERAP Ltd ref:2014-043b received 3 February 2016

Draft Deed of Variation of Section 106 legal agreement
Reason: In order to ensure a satisfactory standard of development.

40. Prior to construction works, details of the proposed bus service provision from the development to Workington Town Centre shall be provided to the Local Planning Authority for approval and implemented in accordance with the approved details thereafter.
Reason: To aid the delivery of sustainable transport objectives.

41. Prior to the commencement of the development, a plan is required for the protection and/or mitigation of damage to populations of toads and lizards and their associated habitat during construction works and once the development is complete. Any change to operational, including management responsibilities, shall be submitted to and approved in writing by the Local Planning Authority. The species protection plan shall be carried out in accordance with a timetable for implementation as approved.

Proactive Statement
Application Approved Following Revisions

The Local Planning Authority has acted positively and proactively in determining this application by identifying planning policies, constraints, stakeholder representations and matters of concern within the application (as originally submitted) and where appropriate negotiating, with the Applicant, acceptable amendments and solutions to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.