

Allerdale Borough Council

Planning Application FUL/2019/0160

Development Panel Report

Reference Number: FUL/2019/0160
Valid Date: 25/06/2019
Location: Verona Blitterlees Wigton
Applicant: Mr Steve Clark
Proposal: Application for construction of 5no. detached bungalows

RECOMMENDATION

GRANT PERMISSION SUBJECT TO CONDITIONS

1.0 Summary

<u>Issue</u>	<u>Conclusion</u>
Principle of Development	<p>Extant planning permission exists for the site for five dwellings (ref. 2/2016/0727). Therefore, the principle of the development has already been accepted under the current Development Plan.</p> <p>Blitterlees is a Limited Growth Village as defined in Policy S3 of the Allerdale Local Plan, (Part 1) and Limited Growth Villages are identified as suitable for small-scale development, in order to contribute approx. 6% of the overall housing supply for the Borough. The proposal is considered to be small scale, well related to the village, and of an appropriate density.</p> <p>The proposal would bring benefits principally arising from the provision of additional housing to meet the needs of the Borough, as anticipated in the settlement hierarchy. Some associated economic benefits would arise for the construction industry. Limited adverse impacts have been identified above and these adverse impacts would not</p>

	significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework, taken as a whole.
Visual Impact	The visual impacts of the development are considered to be acceptable. Blitterlees consists of a mix of house types and styles and the design of the single storey dwellings proposed is considered to be acceptable.
Landscape Impact	Given the large scale and wide open nature of this landscape subtype (coastal Plain), this small scale encroachment is considered to be acceptable.
Residential Amenity	An acceptable relationship with neighbouring properties is considered to be achieved.
Ecology	A survey has been provided which demonstrates that Great Crested Newts are unlikely to be affected by the proposal.
Drainage	<p>Localised flooding issues with the beck and standing water have been highlighted by representations. However, subject to conditions, no concerns have been raised by the Environment Agency or United Utilities.</p> <p>The County Council as Local Lead Flood Authority has sought further information to substantiate local concerns. This has been received very late in the processing of the application and differs from their approach to the previous application that has been granted approval and is extant. Conditions are therefore proposed to secure the additional information requested through the requirement to provide a full surface water drainage scheme that considers overland flows from neighbouring land. A further condition is also recommended to require finished floor levels for the dwellings themselves, should the additional assessment indicate a risk to the proposal, despite their location within</p>

	Flood Zone 1.
Trees/Hedgerows	Following amended plans, no significant removal required.
Affordable Housing	No provision has been sought on the basis that the extant planning permission for the site (a material consideration and genuine fallback position) did not require and therefore secure an affordable housing contribution.

2.0 Introduction

- 2.1 Whilst this application seeks full planning permission for the construction of five dwellings, the site already benefits from an extant (live) outline planning permission for the same number of dwellings at the same site. This earlier application was approved by members of the Development Panel in February 2017 (2/2016/0727).
- 2.2 A subsequent reserved matters application was made in relation to this outline approval (RMA/2019/0003) but was subsequently withdrawn because the site area denoted by the red line for the application was larger than the original outline approval, and changes were sought to the proposed layout of the scheme from those originally considered and approved.
- 2.3 To overcome these issues a full application has been submitted. As such, whilst a new application has been made, the extant outline permission for the same development is a material consideration that carries significant weight in the determination of this application. This is because both the earlier application and the current proposal will fall to be determined against the same relevant policies of the Allerdale Local Plan Part 1 2014 and this process has already determined the acceptability of the proposal in principle.

3.0 Proposal

- 3.1 Full planning permission is sought for the construction of 5no. detached bungalows.
- 3.2 The submitted plans indicates that the five dwellings would be provided in a linear form fronting the highway, the B5300. The proposed units would be single storey only. Each unit would have a front and rear garden with a private road running to the rear of the site, providing access to the individual plots.
- 3.3 The access point is shown as the existing field access towards the northern boundary of the site.

3.4 The Plans for consideration are:-

- 19.1952.1A Existing
- 19.1952.2A Proposed Site Plan
- 19.1952.3 Proposed Ground Plans
- 19.1952.4 Proposed Elevations
- 19.1952.5 Existing Site Plan
- 19.1952.6B Proposed Site Plan – Amended Plan received 1st August 2019.
- 19.1952.7A Existing & Proposed Street Scene
- 19.1952.8 Proposed Ground V2
- 19.1952.9 Proposed Elevations V2
- Site Location Plan

4.0 Site

- 4.1 The proposal relates to part of an agricultural field located to the north of the settlement of Blitterlees and to the east of the main road to Silloth (the B5300). The site extends to 0.66ha, is flat and used as grazing land. To the front of the site with the highway there is a grass verge which varies in width, a beck which runs to the full frontage and to the southern boundary of the site, and a hedgerow. To the south a small cluster of trees separate the site from existing housing. Housing also exists opposite the site to the west. Land to the north and east is open, undeveloped fields, also consisting of flat, grazing land.

5.0 Relevant Planning History

- 5.1 OUT/2016/0727 - Outline planning application for 5 no dwellings (with layout and scale to be considered at the outline stage). Approved 7th February 2017.
- 5.2 RMA/2019/0003 - Reserved matters application for construction of 5no. detached bungalows with access, appearance and landscaping considered following outline approval 2/2016/0727. Withdrawn.

6.0 Representations

Silloth Town Council

- 6.1 No objection.

Holme Low Parish Council

- 6.2 Objection on grounds of:

- a) Access and visibility are not good along this stretch of road, particularly as there is a blind bend towards the Beckfoot end of the road which is a

concern. Visibility would need to be improved to ensure the safety of vehicles accessing the site.

- b) The land is unsuitable for building on as it is often under water during the wetter months of the year. After heavy rainfall the road often floods due to the beck overflowing. Parts of the beck have not been cleaned out in over 40 years which contributes to the problem.
- c) Drainage is another concern. All of the houses are piped into the main sewer which is pumped to the Blitterlees pumping station and then to the Airfield which is already overloaded as it is, without additional demand on the system.

ABC Environmental Health

- 6.3 No objection.

Cumbria County Highways/LLFA

- 6.4 Note that the site is shown as being in flood zone 1, with a low risk of flooding and minimal chance of infiltration resulting in overland flows to the watercourse. It is also noted that several of the locals have raised the fact that the site has been known to flood under conditions of heavy rain fall. This point needs to be investigated to establish what risk this could pose for the new houses.
- 6.5 If this can be substantiated, then the surface water drainage for the site should be reassessed further. If not, then it is recommend that the application should be approved subject to the conditions being included in any notice of consent that include: Traffic Management Plan, highway construction and lighting details with timing of provision, and a full scheme for surface water drainage. The latter shall include consideration of overland flow from the adjacent fields, together with an identified exceedance route, these need to be included in the sites drainage design. Road Safety Audits Stages 1 & 2 need to be submitted as part of the submission of details for conditions relating to road details.

Fire Officer

- 6.6 No comments received.

Environment Agency

- 6.7 Blitterlees beck is a main river and any works within 8 metres of the main river may require the prior written consent of the Environment Agency. The grant of planning permission does not guarantee that an Environmental Permit will be given.

United Utilities

- 6.8 No objection subject to conditions; that foul and surface water be drained on separate systems, submission of a surface water drainage scheme, and submission of a surface water drainage management and maintenance scheme.

Cumbria Wildlife

- 6.9 No comments received.

Individual/Other representations

- 6.10 The application has been advertised by press advert, site notice and neighbour letter.
- 6.11 10 letters of representation have been received to date (up to 13th September 2019), the comments are summarised as follows:
- a) Reference to a number of inaccuracies and contentions to other commercial development in the submission documents.
 - b) This is green belt/agricultural land, which should be retained as such.
 - c) Harm to the rural nature of the hamlet.
 - d) The Blitterlees River, known as the beck, runs parallel to the main road and serves as the village boundary. It often overflows during periods of heavy rain. Existing drains are unable to cope with any overflow and lawn is frequently waterlogged throughout the winter. The bend in the road at Stanwix corner is often submerged under standing water after a deluge of rain. How could any additional water output from five more houses be efficiently absorbed? Local people are very aware that the proposed building land is already very marshy and vulnerable to flooding.
 - e) The proposal for removal of excess surface water is by means of a soakaway. The water table at Blitterlees is extremely high. A soakaway would not be an effective means of water removal and could increase the existing potential for flooding.
 - f) Genuine need? Number of unsold properties in the area. Harvest Park properties not selling.
 - g) The beck is not maintained so beck bottom has risen and water is slow moving so that older land drains no longer work. Part of a wider network of drainage problems.
 - h) Removal of hedges and trees will exacerbate the problem.

- i) A response is required to the points raised by the County Council on the Reserved Matters application relating to technical drainage and access issues that need to be resolved.
- j) Blitterlees is a limited growth village. The plan states that, in limited growth villages, a limited level of development will be supported in order to help retain the vitality of these communities. Should this application be approved then this development of 5 houses, on top of the recent granting of a further development of 4 house in Blitterlees, would be a 18% increase on properties in Blitterlees, surely that contravenes that limited growth village definition of only allowing small scale development to take place.
- k) Blitterlees, as an area, is made up of a mix of traditional housing and cottages. It is a shame that small villages like Blitterlees are likely to lose their individual character just to meet housing targets that don't even apply to Blitterlees, turning them unnecessarily into suburbs of neighbouring settlements.
- l) Proposed consistent and identical housing design does not reflect the diverse nature of Blitterlees.
- m) Attractive open views across the site to Lakeland Fells.
- n) Refuse collection will potentially cause a hazard.
- o) Development with restricted visibility on such a busy road would be reckless.

7.0 Environmental Impact Assessment

- 7.1 With regards to The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 the development does not within Schedule 1 nor 2 and, as such, is not EIA development.

8.0 Duties

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

9.0 Development Plan Policies

Allerdale Local Plan 1999

9.1 Saved Settlement limits – The site is outside of the saved limits.

Allerdale Local Plan (Part 1)

9.2 The following policies are considered to apply:-

Policy DM14 - Standards of Good Design

Policy DM16 - Sequential Test for Previously Developed Land

Policy DM17 - Trees, hedgerows and woodland

Policy S1 - Presumption in favour of sustainable development

Policy S2 - Sustainable development principles

Policy S22 - Transport principles

Policy S29 - Flood Risk and Surface Water Drainage

Policy S3 - Spatial Strategy and Growth

Policy S32 - Safeguarding amenity

Policy S33 – Landscape

Policy S35 - Protecting and enhancing biodiversity and geodiversity

Policy S4 - Design principles

Policy S5 - Development Principles

Policy S7 - A mixed and balanced housing market

Policy S8 - Affordable Housing

10.0 Other material considerations

Allerdale Borough Local Plan (Part 2) Submission Draft

10.1 The site is within the settlement limits.

National Planning Policy Framework (Feb 2019)

10.2 Paragraph 213 advises that the weight afforded to development plan policies can vary according to their degree of consistency with the framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

10.3 Paragraph 11 (d) states that:

“where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”

Allerdale Council Plan 2019-2023

- 10.4 Tackling inequality - Helping to create more affordable housing where it is needed most across the Borough, for example through Community Land Trusts or using our own assets or land, and bringing empty properties into affordable
- 10.5 Strengthening our economy - Supporting the development of more homes where they are needed by looking for opportunities to develop key worker housing for the health and nuclear sectors; and aspirational housing where appropriate in line with our Local Plan.

11.0 Policy weighting

- 11.1 Notwithstanding any duties identified above, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise. This means that the Allerdale Local Plan 1999 saved settlement limits and the Allerdale Borough Local Plan (Part 1) 2014 policies have primacy.
- 11.2 However, paragraph 212 of the National Planning Policy Framework (NPPF) 2019 advises that the policies in that Framework are material considerations which should be taken into account in dealing with applications from the day of its publication. In this context it is noted that paragraph 213 of the NPPF 2019 advises that due weight should be given to development plan policies according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).
- 11.3 Paragraph 11 of the NPPF also advises that, where the development plan policies which are most important for determining the application are out-of-date, permission should be granted unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole (the tilted balance).
- 11.4 In this instance, policies within the NPPF that protect areas or assets of particular importance are applicable to the determination of the application. The site lies within Flood Zone 2, it lies within close proximity to a designated SAC/SSSI and has the potential to impact on the setting of a listed building. For these reasons, policies within the NPPF relating to the consideration of these assets are relevant.
- 11.5 A further material consideration is the appeal decision for land at Little Broughton (PINs ref APP/G0908/W/17/3183948) which specifically addressed the weighting afforded to development plan policies in the context of paragraphs 215 and 14 of the former NPPF.

- 11.6 Whilst policies S3 and S5 are out of date in relation to the settlement limits, they are not considered to be out of date in all respects. Nor does it mean that other Local Plan Part 1 policies are out of date and should not be afforded substantial or full weight where they are consistent with the provisions of the NPPF 2019. In this instance, it is assessed that the settlement hierarchy within policy S3 can be afforded substantial weight given its consistency with the sustainability principles of the NPPF 2019 as can the criteria a) to f) of policy S5.
- 11.7 Weight can also be afforded to emerging plans, that weight dependent on the stage of preparation, the extent of unresolved objections and consistency with the provisions of the NPPF 2019. Draft Part 2 of the Local Plan has now been submitted to the Secretary of State for public examination by an Inspector, which has taken place although a decision is still awaited and therefore is at a relatively advanced stage. The northwestern part of the site that already has planning permission is to be included within the proposed revised settlement limit. Due to the extent of unresolved objections relating to the revised settlement boundaries (SA2) only limited weight, in this instance and at this time, is being given to the relevant Draft Part 2 policies relating to settlement limits.

12.0 Assessment

Principle of Development

- 12.1 Blitterlees is a Limited Growth Village as defined in Policy S3 of the Allerdale Local Plan, (Part 1) and new housing is restricted to small-scale development within the designated settlement boundary. Blitterlees, along with other Limited Growth Villages and Infill Rounding Off Villages, is proposed to accommodate 6% of the 5,471 net additional dwellings identified by policy S3 over the plan period.
- 12.3 Whilst the Allerdale Local Plan Part 2 has progressed to the Submission Draft, representations received relating to the settlement boundaries mean that, at the present time, the proposed settlement boundary for Blitterlees can only carry limited weight. Furthermore, as per the policy weighting section of this report, the saved settlements also carry limited weight; in advance of the adoption of allocations in Part 2, housing needs to come forward beyond the 1999 limits to fulfil the medium term supply identified in the 2014 Local Plan. As such paragraph 11 of the NPPF is engaged. With no relevant protected areas or assets of particular importance being applicable, the tilted balance provided by criterion (ii) of paragraph 11 of the NPPF would apply. Applying this balance it is considered that there are benefits from the provision of the 5 houses and, as this report will demonstrate below, these are not significantly or demonstrably outweighed by adverse impacts.
- 12.3 The proposal site lies beyond, but adjacent to the settlement limit and is well related, having housing to the south and opposite. The layout plan indicates that the proposal would follow the linear form of development of the village along the B5300. At five dwellings, the proposal is considered to a commensurately acceptable level of growth for the village.
- 12.4 There are no known brownfield sites within the settlement of Blitterlees and, therefore, the sequential testing requirements of policy DM16 are considered to be met. Whilst representations refer to the large brownfield site being developed at Harvest Park in Silloth (former Fison's site), within the housing strategy and Policy S3, the rural villages including Blitterlees are intended to accommodate

additional small scale housing development to meet the overall need. Therefore, it is not considered appropriate to refuse this greenfield site on the basis that brownfield land exists at Silloth. This approach would not be consistent with the Allerdale Local Plan.

- 12.5 The fall-back position of the extant permission must be afforded substantial weight.

Landscape and Visual Impact

- 12.6 The site does not fall within the Solway Coast Area of Outstanding Natural Beauty (AONB).
- 12.7 The site falls within Landscape Category 2c – Coastal Plain and the wider surroundings to the north and east are characterised by flat, coastal plain with large fields, intersected by shallow rivers and watercourses, with scarce field cover. Land to the west beyond the B5300 falls within Landscape Category 2d – Coastal Urban Fringe, also low lying flat land, with urban influences linked to tourism development, and transport routes.
- 12.8 The proposal will extend the built form of the village into an undeveloped part of the coastal plain and will be seen within the context/backdrop of the existing village. Given the scale of this wide open and flat landscape, which extends considerably to the north and east of the site, this encroachment is not considered to have any significant impact on the wider landscape character and is therefore considered acceptable in regard to policy S33 of the Allerdale Local Plan Part 1.
- 12.9 As discussed above, the proposal will follow the linear pattern of development of Blitterlees and the proposal is considered to be of a scale appropriate to the size of the settlement. Single storey development would fit with the character of the village, which is a mix of single and two storey development, traditional and modern. The density of the development is considered to reflect that of the village.
- 12.10 Whilst the proposal will alter the open aspect of the site for visual receptors, the low density of development and the backdrop of the village to the south and east would ensure that the wider visual impacts of the development are acceptable. Adequate separation between the proposed units would allow views to be retained through the site.
- 12.11 Amended plans have been provided to reduce the symmetry of design for the individual dwellings, following some concerns raised by objectors that five identical bungalows would not reflect the character of Blitterlees, which predominantly consists of a wide range and mix of housing styles. This variation in design has been secured through a wider mix and arrangement of materials, and variations in roof design and window design. As a result of the amendments, the level of symmetry in the design of the units has reduced, to better reflect the character of the village.
- 12.12 Further to these amended plans, the proposal is considered to be acceptable in relation to policies S4 and DM14 of the Allerdale Local Plan Part 1.

Residential amenity

- 12.13 Separation distances exceeding 30m would be achieved with existing development opposite the site. This is considered to be sufficient to ensure that the proposal would not result in unacceptable levels of overlooking, overshadowing or overbearing impact.
- 12.14 The proposal would be separated from housing to the south by an existing small coppice of trees and therefore this relationship is considered to be acceptable.
- 12.15 The proposal is not considered to result in any significant level of harm to residential amenity and is considered to be acceptable in this regard, in accordance with policy S32 of the Allerdale Local Plan.

Ecology

- 12.16 Policy S35 of the Allerdale Local Plan and advice contained within the NPPF requires that new development should in the first instance, avoid harm to biodiversity. Where this is not possible, any harm should be mitigated. As a last resort, any significant harm should be compensated for.
- 12.17 The site forms part of a larger field used for grazing, with a traditional hedge and some small trees to the frontage. Blitterlees beck runs to the front of the site with the highway. The proposal has been amended to retain the majority of the hedgerow to the front, albeit some small trees are proposed for removal. These small trees are not considered to be worthy of protection. A further native hedgerow and additional planting is indicated on the amended layout plan and a condition is recommended, should planning permission be granted, for the submission of detailed landscaping scheme to secure this. Whilst the proposal will result in an increase in hardsurfacing across the site arising from the building footprint, parking and access road, this loss of grazing land cannot be avoided, but can be appropriately compensated for by the proposed hedgerow and landscaping that is likely to be more diverse than the grassed field.
- 12.18 The application submission includes the same Ecological Appraisal submitted for the previously approved application, which considers the potential for the development to impact on Great Crested Newts. The survey report indicated that all waterbodies within 500m of the site were considered at the time and concluded that Great Crested Newts were not likely to be present following site inspection, habitat suitability scoring and environmental DNA analysis. The report recommends further survey effort if the scheme is significantly delayed or site conditions change.
- 12.19 Whilst the report dates from 2016, conditions at the site have not significantly altered and therefore it is considered unlikely that the proposal will have any significant impact on this protected species. Noting the extant planning permission, ultimately, it is the developer's responsibility to ensure that the proposal, if approved, does not impact on protected species and an advisory note is recommended in this respect.
- 12.20 In addition to the Great Crested Newt, Natterjack Toads, also a European protected species (EPS) have been recorded in the locality. However, the habitat suitable for this species are the coastal dunes to the west of the B5300. The ecologist has therefore previously confirmed that no survey effort was considered necessary at this site for this species.

12.21 The proposal is considered unlikely to result in any harm to protected species. It is considered that the proposal will not result in significant harm to biodiversity. The proposal avoids harm to the hedgerow to the site frontage and the proposed new native hedgerow to the rear boundary and additional planting within the scheme, will be sufficient to compensate for the loss of the site from grazing land to residential land, in accordance with policies S35 and DM17, and advice contained within the NPPF.

Drainage

- 12.22 Policy S29 of the Allerdale Local Plan seeks to ensure that new development is directed away from areas of higher flood risk and that it does not increase flood risk to others, through a sustainable approach to surface water drainage.
- 12.23 A Drainage Strategy Report has been provided with the proposal, which indicates that ground conditions are not suitable for soakaways and therefore an attenuated discharge into the adjacent watercourse is proposed. Attenuation tanks are indicated under the shared driveway.
- 12.24 The Environment Agency indicates that the beck running along the site frontage is classified as a main river. The site itself is allocated as Flood Zone 1 on the EA maps. Maps showing surface water flooding potential indicate that the beck and a narrow strip of land immediately adjacent to the beck has a higher chance of flood risk, but the remainder of the site is at low risk.
- 12.25 No concerns with the proposal have been raised by the Environment Agency or United Utilities, subject to conditions including a detailed drainage scheme to be submitted for approval, to include attenuated run-off rates, and management and maintenance of the drainage system.
- 12.26 The County Council as Lead Local Flood Authority (LLFA) has provided a response to the proposal, highlighting the representations from the public raising issues with localised flooding during heavy rainfall. The LLFA considers that this point needs to be investigated to establish what risk this could pose for the new houses. If this can be substantiated, then the surface water drainage for the site should be reassessed further. If not, then it is recommend that the application should be approved subject to the conditions being included in any notice of consent that include: A full scheme for surface water drainage, a Traffic Management Plan, highway construction and lighting details with timing of provision. The drainage details will need to include consideration of overland flow from the adjacent fields, together with an identified exceedance route.
- 12.27 Concerns are noted from local residents regarding localised flooding from the beck and standing water in the field during periods of heavy rainfall and the LLFA response recognises this. However, the request for further assessment has been raised very late in the processing of the application. Given the late response and the extant permission that exists at this location for the same development, it is considered appropriate to secure further consideration of surface water drainage by condition. Subject to conditions securing full surface water drainage details that consider localised issues, along with maintenance of this drainage system, the proposal is considered to be acceptable in relation of Policy S29 of the Allerdale Local Plan.

Affordable Housing Provision

- 12.28 Policy S8 of the Allerdale Local Plan requires an affordable housing provision of 25% on sites outside Key Service Centres for 5 dwellings (or 0.15ha) or more. However, subsequent to the adoption of the plan, national guidance has changed in relation to affordable housing, firstly through the publication of a Written Ministerial Statement in 2014 and subsequent case law in 2016 and advice contained within Planning Practice Guidance (PPG), and again following the revised NPPF in 2018 and 2019.
- 12.29 When the previous application for the site was considered, the WMS and PPG were material considerations that carried significant weight in the determination of the application. As the proposal was for only five dwellings with a combined floorspace of less than 1000sqm, the threshold for seeking an affordable housing provision under the WMS and PPG was not exceeded. As such, the extant planning permission for the site has no section 106 agreement attached securing affordable housing provision as part of the scheme.
- 12.30 The current application falls to be considered against Policy S8, however subsequent guidance within the NPPF 2019 is a material consideration. The NPPF 2019 requires 10% affordable housing provision on major sites. For residential development, a major site is where 10 or more homes will be provided, or where the site area is 0.5ha or more (i.e. the former reference to 1000sqm has been removed). This proposal is for five dwellings, but the site area does exceed 0.5ha. Whilst the latter would therefore require a 10% affordable housing provision, a further material consideration is the extant planning permission, which could still be built out, and does not have an affordable housing requirement.
- 12.31 The current scheme does not significantly differ from that previous proposal and a full application has only been sought (as opposed to a reserved matters application) in order to vary the layout of the units and in response to an amended red line. As such, given that the proposal provides for five dwellings, which is below the 10 dwellings stipulated within the NPPF and noting the extant planning permission that does not include an affordable housing provision (and is a genuine fall-back position), it is not considered appropriate in this case to pursue an affordable housing contribution.

Local Financial Considerations

- 12.32 Having regard to S70 (2) of the Town and Country Planning Act the proposal has possible financial implications in terms of the New Homes Bonus and Council Tax Revenue.

13.0 Conclusions

- 13.1 The site has extant planning permission for five dwellings.
- 13.2 Blitterlees is a Limited Growth Village as defined in Policy S3 of the Allerdale Local Plan, (Part 1) and Limited Growth Villages are identified as suitable for small-scale development within existing settlement limits, in order to contribute approx. 6% of the overall housing supply for the Borough. The proposal is

considered to be small scale, well related to the village, and of an appropriate density.

- 13.3 The proposal would bring benefits principally arising from the provision of additional housing to meet the needs of the Borough, as anticipated in the settlement hierarchy. Some associated economic benefits would arise for the construction industry. Limited adverse impacts have been identified above and these adverse impacts would not significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework, taken as a whole.

RECOMMENDATION

GRANT PERMISSION SUBJECT TO CONDITIONS

Annex 1

CONDITIONS

Time Limit:

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

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

In Accordance:

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

Amended Dwg 19.1952.2B Proposed Site Plan, 1-8-19

Amended Dwg 19.1952B Existing and Proposed Street Scene, 13-9-19

Amended Drawing 19.1952.10 Plot 1 Elevations, 13-9-19

Amended Drawing 19.1952.11 Plot 2 Elevations, 13-9-19

Amended Drawing 19.1952.12 Plot 3 Elevations 13-9-19

Amended Drawing 19.1952.13 Plot 4 Elevations 13-9-19

Amended Drawing 19.1952.14 Plot 5 Elevations 13-9-19

19.1952.8 Proposed Ground Floor Plan

19.1952.3 Proposed Ground Floor 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 conditions:

3. **Construction Management Plan:**
No development shall take place until a Construction Management Plan 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 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 Construction phase;**
- g) Hours of working and deliveries;**
- h) Details of lighting to be used on site;**
- i) Highway signage/ Haulage routes.**

The approved statement shall be adhered to throughout the duration of the development.

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.

- 4. Notwithstanding the submitted plans, no development shall commence until the following information has been submitted to the Local Planning Authority for approval:**

- a) Details of existing and proposed ground levels;**
- b) Proposed finished floor levels of buildings;**
- c) Levels of any paths, drives, garages and parking areas;**

The development shall be carried out in accordance with the details so approved.

Reason: To ensure that the works are carried out to a suitable level in relation to the adjoining properties and highways and in the interests of visual amenity.

- 5. The carriageway, footways, footpaths, ramps etc shall be designed, constructed, drained to the satisfaction of the Local Planning Authority and in this respect further details, including longitudinal/cross sections, shall be submitted to the Local Planning Authority for approval before work commences on site. The highway design details shall be informed by Road Safety Audits Stages 1 & 2 and ramps shall be provided on each side of every road junction to enable wheelchairs, prams and invalid carriages to be safely manoeuvred at kerb lines. No work shall be commenced until a full specification has been approved and any works so approved shall be constructed before the development is complete.**

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

- 6. The development shall not be brought into use until visibility splays providing clear visibility of 2.4 metres x 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 which exceed 1m in height shall be planted or be permitted to grow within the visibility splay which obstruct the visibility splays.**

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

- 7. Prior to the commencement of any development, a surface water drainage scheme (which includes details of attenuation and the restricted run-off rate), which is based on the hierarchy of drainage options in the National Planning Practice Guidance, with evidence of an assessment of the site conditions (including assessment of overland flows from the adjacent fields, together with an identified exceedance route), shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details.**

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution in accordance with policies S29, S32, S35 and S36 of the Allerdale Local Plan 2014.

- 8. Prior to the commencement of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted and approved by the Local Planning Authority. The sustainable drainage management and maintenance plan shall include as a minimum:**
 - a. The arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a Resident's Management Company; and**
 - b. Arrangements concerning appropriate funding mechanisms for its ongoing maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as ongoing inspections relating to performance and asset condition assessments, operation costs, regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime. The development shall subsequently be completed, maintained and managed in accordance with the approved plan.**

Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development, in accordance with policies S21, S29, S32 and S36 of the Allerdale Local Plan 2014.

Post-commencement/Pre use commencing conditions:

- 9. No part of the development hereby permitted shall be constructed above ground floor level until details of all external and roofing materials have been submitted to and approved in writing by the Local Planning Authority. Only the materials so approved shall be used in the development as approved. The mix of render and brick materials shall be completed in accordance with the details provided on amended drawing 19.1952B Existing and Proposed Street Scene, 13-9-19.**

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.

- 10. No part of the development hereby permitted shall be built above ground floor level until there has been submitted to and approved by the Local Planning Authority a full scheme of hard and soft landscaping which shall include indications of all existing trees, hedges and shrubs on the site, and details of those to be retained, together with measures for the protection in the course of development. The submitted landscaping plan shall accord with Amended Dwg 19.1952.2B Proposed Site Plan, 1-8-19 insofar as it specifies trees and hedgerow to be retained and a new native hedge to the eastern boundary of the site. All planting, seeding or turfing comprised within the approved scheme shall be carried out in the first planting season following completion of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with other similar size and species, unless otherwise agreed in writing by the Local Planning Authority.**

Reason: In order to enhance the appearance of the development and minimise the impact of the development in the locality.

- 11. The means of enclosure for the time shall be erected in accordance with Amended Dwg 19.1952.2B Proposed Site Plan, received 1-8-19, unless otherwise agreed in writing by the Local Planning Authority. The means of enclosure shall be constructed prior to the approved dwellings being brought into use/occupied. All means of enclosure so constructed shall be retained and no part thereof shall be removed without the prior consent of the Local Planning Authority.**

Reason: To ensure a satisfactory standard of development which is compatible with the character of the surrounding area and protect the privacy of occupiers.

- 12. No dwellings or buildings or structures shall be commenced until the access roads, as approved, are defined by kerbs and sub base construction.**

Reason: To ensure that the access roads are defined and laid out at an early stage.
To support Local Transport Plan Policies: LD5, LD7, LD8

- 13. No dwellings shall be occupied until the estate road including footways to serve such dwellings has been constructed in all respects to base course level and street lighting where it is to form part of the estate road has been provided and brought into full operational use.**

Reason: In the interests of highway safety.

- 14 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 constructed above plinth level. Any approved works shall be implemented prior to the development being completed and shall be maintained operational at all times thereafter.**

Reason: In the interests of highway safety and environmental management.

Other:

- 15. Foul drainage shall be disposed of to the adopted Public Sewerage system.**

Reason: To promote sustainable development, secure proper drainage and to manage the risk of pollution in accordance with policies S32 and S36 of the Allerdale Local Plan 2014.

Advisory Note

Protected species – Great Crested Newt.

Send applicant full response from County Council.



