

At a meeting of the Development Panel held on Zoom Virtual Meeting on Tuesday 22 September 2020 at 1.00 pm

Members

Councillor Nicky Cockburn (Chair)
Councillor Allan Daniels
Councillor Michael Heaslip
Councillor Adrian Kirkbride
Councillor Alan Smith
Councillor Will Wilkinson

Councillor Janet Farebrother
Councillor Daniel Horsley
Councillor Andrew Semple
Councillor Alan Tyson

Apologies for absence were received from Councillor Malcolm Grainger Councillor Carole Armstrong, Councillor Elaine Lynch and Councillor Ron Munby MBE

Staff Present

A Gilbert, L Jardine, G Roach, S Sewell and S Sharp

135. Minutes

Councillor Cockburn requested that the minutes of the meeting held on 28 July 2020 be corrected to include her apologies. This correction has been actioned.

The minutes of the meeting held on 30 June 2020, 28 July 2020 and 11 August 2020 were signed as a correct record.

136. Declaration of Interests

None declared

137. Questions

Mr Ian Massey attended the meeting to ask the following questions on behalf of himself and residents of Stainburn in relation to planning application (FUL/2019/0304 which was approved on the 28th July 2020. The Planning and Building Manager provided responses to Mr Massey on behalf of Councillor Grainger (Deputy Chair).

1. Retention of the stone barn, built in 1841, on Stainburn Road, at Stainburn Farm.

Q. How and when , as part of the local plan part 2, 1/WOR/0504/R for 130 dwellings, and the potential future planning application for 49 dwellings (130 – 81), are Allerdale BC going to ensure the retention of the 1841 stone barn at Stainburn Farm, so that Bats/Swallows/etc habitat is retained and some of the historic street scene is preserved?

- A. The allocation for the 130 dwellings in the Allerdale Local Plan Part 2 and the accompanying policy SA8 do not envisage the retention of the farm buildings. The development considerations in policy SA8 advise that stone from demolished farm buildings should be incorporated into the new development frontage on the site of the former farmstead. This consideration seeks to ensure that the historic character and appearance of this part of the settlement is preserved in some way.
- If an application was submitted, habitat surveys would need to be undertaken prior to any demolition of the buildings and planning policy S35 of the Allerdale Local Plan Part 1 reflects the national hierarchy with regards to ecology – firstly to avoid ecological harm, then to mitigate if avoiding is not possible and, finally, compensation as a last resort. This would be relevant to the considerations of the application for development. The provisions of the Wildlife & Countryside Act would also apply.
- The buildings are not listed nor are they within a conservation area so they could be demolished without a planning application or listed building consent being required.
- The Council fully acknowledge that the buildings are of some architectural and historic merit. We also fully acknowledge they provide habitat for various species. Their retention would be the most desirable solution and we can empathise with the enquirers' stance. In this context, officers of the Council will encourage their retention if approached at a pre-application stage by a developer or the owner. However, for the reasons outlined this can be by no means guaranteed.

2. Wildlife/flood zone on Scales Beck Stainburn.

- Q. How and when, as part of the local plan part 2, 1/WOR/0504/R, and the potential future planning application for 49 dwellings, are Allerdale BC going to ensure the retention of the wildlife/flood zone on the southern part of the site adjacent to Scales Beck?**
- A. As detailed by officers during the consideration of the application for the 81 dwellings, the development of the allocation must be homogenous i.e. the development of the 81 dwellings and up to a remaining 49 dwellings must be seen seamlessly as the same development. The wildlife/flood zone is an integral and key part of this overall plan.
- Any future proposals would need to accord with policy S35 of the Allerdale Local Plan Part 1 and seek to meet the development considerations of policy SA8 of Part 2. Of note in the latter are the following: -
- a. "The watercourse adjacent to the southern boundary of the site also connects downstream with the designated River Derwent and Bassenthwaite Lake Special Area of Conservation. A buffer zone should be maintained around the watercourse."
 - b. "An extended Phase 1 Habitat Survey of the site undertaken during the optimal survey period from April to September will be required to enable a more detailed assessment of ecological constraints and /or opportunities. This will form the

basis for any more detailed survey work which may be needed.”

- c. “The stream corridor should be protected using a wide buffer zone of additional native planting, and retention of the marshy grassland; a small reedbed is recommended. The large size of the site presents an opportunity to provide new habitats, green infrastructure and SuDS, and deliver a net gain in biodiversity.”

We would expect to see accordance with these considerations in any development scheme for the remaining land within the allocation. Indeed, biodiversity and flood risks are likely to be two of the main considerations if and when an application is submitted. We would hope and encourage an applicant to engage with the Council and local community representatives before and during the formulation of their proposals. The provision of biodiversity net gain and ensuring no increase in the flood risk to surrounding land and homes are both essential.

3. Vehicle and personnel access/egress onto the 'old A66' for FUL/2019/0304.

Q. How and when are ABC and CCC highways going to ensure the safe access/ egress for pedestrians and vehicles to the development FUL/2019/0304 for 81 dwellings when there are very limited highway works and traffic calming measures proposed?

A. This matter was discussed and considered at length following the submission of the planning application. As you will be aware there was a larger suite of measures proposed and agreed with the County Highways Authority during the early processing of the application but these were reduced in scale following negotiations. Allerdale officers were led by the comments from the County Highways Authority and the officer's advice to members was based on them. The County are the statutory consultee for the non-trunk road highway network and it would have been unreasonable, in this instance, to not follow their advice.

4. Road junction Moor Road/'old A66' at the Briery Pub.

Q. How and when are ABC and CCC highways going to ensure the safe access/egress for vehicles at the Moor Road/'old A66' junction, when the arrangements are at present hazardous and the 81 dwellings, as part of FUL/2019/0304, have been shown by the developer to increase vehicle movements at this junction?

A. Again, Allerdale officers and members turn to the expert advice of the statutory consultee, The County Highways Authority. Their advice acknowledged that there would be an increase in vehicular trip rates at the Moor Road/old A66 junction, but these will not be to the extent that there will be a material decrease in highway safety that warranted the refusal of the application. Allerdale officers and members, in the context of this advice, agreed. Similarly, improvements to this junction were not considered reasonably necessary as a result of this development.

138. Development Panel - FUL/2020/0043, Barncroft, 16, High Seaton, Seaton - Proposed erection of one detached house (Type A) and two dormer bungalows (types B And C) on land adjoining no. 16 High Seaton

Representations

A letter against the application was read out on behalf of Mr E Stockdale

Joanne Mounsey spoke against the application

Joanne Mounsey spoke against the application and specifically raised matters of the impact on the structural stability of the neighbouring dwelling due to excavations having already been carried out close to the boundary. Ms Mounsey also alerted members to the existence of a culverted watercourse across the site that had not been identified in the submission.

Councillor Joe Sandwith (on behalf of Seaton Ward), spoke against the application

A letter in support of the application was read out on behalf the agent Deo Properties.

Application

The report recommended to Grant permission subject to conditions.

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

Principle of Development

The site is a sustainable location, well related to the existing built form of Seaton.

Scale and Design and Impact Upon Residential Amenity

Given the amended design and revisions to the scale, massing and design of the proposed dwellings, officers consider the proposed development is acceptable and assimilates into the local landscape. The proposed dwellings are not considered to give rise to significant amenity impacts on surrounding homes.

Flood Risk & Drainage

The site is entirely in flood zone 1, the preferred location for the more vulnerable use proposed here. There are no known critical drainage problems or surface water flooding records for the site. Following further information being submitted, the County Council in their capacity as Lead Local Flood Authority raise no objections to the proposal.

Highway safety

This is a modest proposal. Whilst concerns have been raised from third parties in relation to highway safety matters, the sustainable location and small scale of the proposal will mean that residual trips to and from the site by car will be very low. Adequate sight lines can be afforded onto Fernleigh Drive and then onto High Seaton.

Members were also shown images and plans of the site including the location within the village of Seaton.

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

Questions were asked of the officers and speakers in relation to the hedgerows, standing water, refuse collections, traffic, drainage and the excavation works.

Several members also expressed concerns over the potential underground culvert which runs through the site and questioned why it is not shown on any maps or included in the report from Cumbria County Council.

The Planning and Building Manager confirmed that the Cumbria County Council do not have all records of private watercourses and that the applicant did not disclose details of the aforementioned watercourse on the planning application. The officer also provided members with an overview of the drainage hierarchy.

Debate then continued over the watercourse with some members commenting that it would be difficult to decide on the application without the full facts relating to drainage and any potential watercourse.

Councillor Cockburn moved the motion to defer the application in order to seek clarification on the watercourse and drainage systems and for members to attend a site visit.

The motion to defer was seconded by Councillor Wilkinson.

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

The motion was carried.

Resolution

Application deferred pending a site visit and to seek clarification on the information submitted in relation to the culverted watercourse and drainage systems.

The meeting closed at 3.15 pm