

At a meeting of the Development Panel held on Zoom Virtual Meetings on Tuesday 20 October 2020 at 1.00 pm

## **Members**

Councillor Nicky Cockburn (Chair)  
Councillor Carole Armstrong  
Councillor Janet Farebrother  
Councillor Elaine Lynch  
Councillor Andrew Semple  
Councillor Alan Tyson

Councillor Malcolm Grainger (Vice-Chair)  
Councillor Allan Daniels  
Councillor Adrian Kirkbride  
Councillor Ron Munby MBE  
Councillor Alan Smith

Apologies for absence were received from Councillor Daniel Horsley

## **Staff Present**

J Irving, L Jardine, S Sewell, S Sharp and L Tomlinson

### **139. Declaration of Interests**

None Declared

### **140. Questions**

None received

### **141. Development Panel - OUT/2020/0013, 47 High Seaton, Seaton**

#### **Representations**

A letter in support of the application was read out on behalf the agent Daniel Addis.

#### **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 falls within the settlement limit of the now adopted Part 2 of the Local Plan. Seaton is included as part of the Principal Centre in policy S3 of the Allerdale Local Plan Part 1. This Centre is expected to absorb 35% of the total growth provision across the Plan period. The site is a sustainable location.

#### **Reserved Matters**

In this outline application only access and landscaping are considered at this stage. For later consideration under reserved matters are the planning matters

regarding layout, appearance and scale. The site, in principle, is considered to be sufficient in size to accommodate a single dwelling, and any associated amenity space and parking.

#### Access and Landscaping

The amended outline scheme incorporates appropriate vehicular access arrangements and landscaping details and, as such, officers consider the proposed development is acceptable.

Satisfactory highway access arrangements, including visibility splays, can be provided and, given this is a modest proposal in a sustainable location, the small scale of the proposal will mean that residual trips to and from the site by car will be very low.

There will be part removal of the road side hedgerow to accommodate visibility splays and adequate sight lines can be afforded and protected by planning condition. There will also be additional hedgerow planting to the east of the site. Sufficient hedgerow can be retained to assist in the assimilation of this development on this site at this edge of settlement location.

#### Electricity Infrastructure

An electricity pylon is sited in the north west corner of the site, nevertheless, officers consider that the site can still safely accommodate a single dwelling, carparking and amenity space and provide satisfactory separation to safeguard amenity from the electricity line infrastructure. There are no objections from Electricity North West.

#### Flood Risk and Damage

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. The County Council, in their capacity as Lead Local Flood Authority, raise no objections to the proposal.

#### Residential Amenity

The proposed dwelling is not considered to give rise to significant amenity impacts on surrounding homes.

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 in relation to the high voltage pylon which was close to the development, reserved matters and trees/hedgerows.

Councillor Grainger moved the motion to grant permission subject to conditions, as per the officers' recommendations.

The motion to approve was seconded by Councillor Semple.

Councillor Lynch then moved to amend the motion to grant permission subject to conditions, but with an additional condition in relating to the North West and South West boundaries. The condition is as follows, Notwithstanding the submitted landscaping plans, further landscaping details are to be submitted including soft natural landscaping for boundaries before any development commences. The landscaping plans are then to be approved by local planning authority and no trees are to be removed until approval.

The proposer (Councillor Grainger) and seconder (Councillor Semple) agreed to the amendment to the motion and a vote was taken on the motion to approve with the additional condition.

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

The motion was carried.

## **Resolution**

Grant permission subject to conditions, as per officers' recommendations, with the addition of the following condition –

Notwithstanding the submitted landscaping plans, further landscaping details are to be submitted including soft natural landscaping for boundaries before any development commences. The landscaping plans are then to be approved by local planning authority and no trees are to be removed until approval.

## **CONDITIONS**

### **Time Limit:**

- 1. Before any development commences details of the layout, scale and appearance, (hereinafter called 'reserved matters') shall be submitted to and approved by the Local Planning Authority.**

Reason: The application has been submitted as an outline application, in accordance with the provisions of the details of the Town and Country Planning (Development Management Procedure) Order 2015 as amended

- 2. The submission of all reserved matters applications shall be made no later than the expiration of 3 years beginning with the date of this permission and the development shall begin no later than whichever is the later of the following dates:**
  - (a) The expiration of 3 years from the date of the grant of this permission, or**
  - (b) The expiration of 2 years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.**

Reason: In order to comply with Sections 91 and 92 of the Town and Country Planning Act 1990.

- 3. All planting, seeding or turfing comprised within the approved landscaping scheme Landscaping Plan A04 received 08.09.20 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 and to accord with policies S4, S5 and S33 of the Allerdale Local Plan Part 1 (2014).

**In Accordance:**

- 4. The development hereby permitted shall be carried out solely in accordance with the following plans:  
47 HS Location Plan A01  
47 HS Block Plan A02  
Amended Access Plan A3a 19.08.320  
Landscaping Plan A04 received 08.09.20**

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:**

- 5. No development approved by this permission shall commence until a desktop study has been submitted to and approved in writing by the Local Planning Authority. Should the preliminary risk assessment identify any potential contamination which may affect human health, controlled waters or the wider environment, all necessary site investigation works within the site boundary must be carried out to establish the degree and nature of the contamination and its potential to pollute the environment or cause harm to human health. The scope of works for the site investigations should be agreed with the Local Planning Authority prior to their commencement.**

Reason: To minimise any risk during or post construction works arising from any possible contamination from the development to the local environment in compliance with the National Planning Policy Framework and Policy S30 of the Allerdale Local Plan (Part 1), Adopted July 2014.

- 6. Should land affected by contamination be identified under the desktop study condition 5 following site investigations which poses unacceptable risks to human health, controlled waters or the wider**

**environment, no development shall take place until a detailed remediation scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme must include an appraisal of remediation options, identification of the preferred option(s), the proposed remediation objectives and remediation criteria, and a description and programme of the works to be undertaken including the verification plan.**

Reason: To minimise any risk during or post construction works arising from any possible contamination from the development to the local environment in compliance with the National Planning Policy Framework and Policy S30 of the Allerdale Local Plan (Part 1), Adopted July 2014.

- 7. The development shall not commence until visibility splays providing clear visibility of 60 metres measured 2.4 metres down the centre of the access and the nearside channel line of the carriageway edge have been provided at the junction of the access with the county highway. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind shall be erected and no trees, bushes or other plants shall be planted or be permitted to grow within the visibility splay which obstruct the visibility splays. The visibility splays shall be constructed before general development of the site commences so that construction traffic is safeguarded.**

Reason: To ensure a satisfactory means of access for the development 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.

- 8. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly. The scheme shall include details to prevent surface water discharging onto the highway. The development shall be completed, maintained and managed in accordance with the approved details.**

Reason: To ensure a satisfactory means of surface water drainage and minimise the risk of flooding from the development in comparison to an assessment of its existing undeveloped state, in compliance with the

National Planning Policy Framework, Policies S29 and S2 of the Allerdale Local Plan (Part 1), Adopted July 2014.

- 9. Notwithstanding the submitted landscaping plans, further landscaping details are to be submitted including soft natural landscaping for boundaries before any development commences. The landscaping plans are then to be approved by local planning authority and no trees are to be removed until approval.**

Reason: To ensure an appropriate balance between the natural and built environment is maintained in this location and to accord with policy S33 of the Allerdale Local Plan Part 2 (2020).

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

- 10. Should a remediation scheme be required under condition 6, the approved strategy shall be implemented, and a verification report submitted to and approved in writing by the Local Planning Authority, prior to the development (or relevant phase of development) being brought into use.**

Reason: To minimise any risk during or post construction works arising from any possible contamination from the development to the local environment in compliance with the National Planning Policy Framework and Policy S30 of the Allerdale Local Plan (Part 1), Adopted July 2014.

- 11. Details of the provisions of a vehicle turning space within the site which enables vehicles to access and egress from the site onto the highway in forward gear shall be submitted within any reserved matters application to the Local Planning Authority for approval. The development shall not be brought into use until any such details have been approved and the turning space fully implemented. The turning space shall thereafter be retained at all times and shall not be used for any other purpose.**

Reason: To ensure that the provision is made for off street vehicle turning space to enable access and egress from the site in forward gear in the interests of highway safety both during the construction works and following the completion of the development, in compliance with the National Planning Policy Framework and Policy S22 of the Allerdale Local Plan (Part 1), Adopted July 2014.

- 12. The surfacing of the access road shall extend for at least 5.0 m inside the site, as measured from the highway boundary prior to the buildings being occupied and shall be carried out in accordance with details of construction which have been approved by the Local Planning Authority. The access road shall be constructed in accordance with a specification approved by the Local Planning Authority.**

Reason: In the interests of highway safety and to accord with policy S22 of the Allerdale Local Plan Part 1, 2014.

### **Other**

- 13. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported immediately to the Local Planning Authority. Development on the part of the site affected must be halted and a risk assessment carried out and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These shall be implemented prior to the development (or relevant phase of development) being brought into use. All works shall be undertaken in accordance with current UK guidance, particularly CLR11.**

Reason: To minimise any risk arising from any possible contamination from the development to the local environment in compliance with the National Planning Policy Framework and Policy S30 of the Allerdale Local Plan (Part 1), Adopted July 2014.

- 14. Access gates, if provided, shall be hung to open inwards only away from the highway, be recessed no less than 4.5m as measured from the carriageway edge of the adjacent highway and shall incorporate 45-degree splays to each side.**

Reason: In the interests of highway safety and to accord with policy S22 of the Allerdale Local Plan Part 1, 2014.

### **Advisory Note**

Any works within the Highway must be agreed with the Highway Authority. No works and/ or any person performing works on any part of the Highway, including verges, will be permitted, until in receipt of an appropriate permit allowing such works. Enquiries should be made to Cumbria County Councils Street works team.

**The meeting closed at 1.50 pm**