

At a meeting of the Development Panel held in Zoom Virtual Meeting on Tuesday 16 March 2021 at 1.00 pm

## **Members**

Councillor Nicky Cockburn (Chair)	Councillor Malcolm Grainger (Vice-Chair)
Councillor Carole Armstrong	Councillor Allan Daniels
Councillor Janet Farebrother	Councillor Michael Heaslip
Councillor Daniel Horsley	Councillor Adrian Kirkbride
Councillor Elaine Lynch	Councillor Ron Munby MBE
Councillor Alan Smith	Councillor Alan Tyson

Apologies for absence were received from Councillor Andrew Semple

## **Staff Present**

L Jardine, S Sewell and S Sharp

### **368. Minutes**

The minutes of the meeting held on 19 January 2021 were signed as a correct record.

### **369. Declaration of Interests**

5. Development Panel - Land at Ashfield Road South, Workington - Reserved matters application for phase 2 of approved outline application 2/2014/0857 for 255 new dwellings.  
Councillor Alan Smith; Disclosable Pecuniary Interest; Prejudicial Interest.

### **370. Questions**

None received

### **Councillor Smith left the Meeting**

### **371. Development Panel - Land at Ashfield Road South, Workington - Reserved matters application for phase 2 of approved outline application 2/2014/0857 for 255 new dwellings**

#### **Representations**

David Wright (Agent, Gleeson Homes) spoke in support of the application.

#### **Application**

The report recommended approval of reserved matters subject to conditions

Members were reminded of the alternative pending reserved matters application for phase 2 by Lovell Homes under application RMA/2019/0002.

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

#### Principle of Development

The principle of the development was approved under outline permission 2/2014/0857 for up to 290 dwellings.

Phase 1 for 35 dwellings is now complete. This reserved matters application is for phase 2 for 220 dwellings.

The reserved matters relate to appearance, scale, landscape and layout. The primary and secondary vehicular access routes were approved under the outline scheme 2/2014/0857.

The proposed tenure split for affordable homes is 50% rented (19 units) and 50% discounted sale (19 units). The proposal provides 38 affordable homes in total which is 15% of the proposal in accordance with the section 106 legal agreement under 2/2104/0857.

#### Appearance

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

#### Scale

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

#### Landscape

The landscaping scheme is acceptable and is an important feature of the scheme to address tree retention where appropriate.

It has been necessary to provide for adequate screening and wildlife corridors along Ashfield Road and within the vicinity of Ellerbeck.

A significant compensatory tree replanting scheme is proposed throughout the housing development given a central plantation and a portion of the landscaping along the southern boundary is proposed to be removed in order to accommodate the scheme.

An updated ecological statement concludes that the removal of trees as proposed, in order to accommodate the SUDS basin, will not have a direct impact on protected species.

A formal play area which was originally proposed in the woodland adjacent to Ellerbeck has been removed to provide a play trail which has greater compatibility with the woodland area.

## Layout

The housing layout is acceptable for this suburban location and accommodates several areas of public open space and a SUDS basin.

## Drainage

The layout accommodates acceptable drainage arrangements. Foul drainage to mains. A pumping station is required for the south end of the site.

A SUDS basin is proposed at the south western boundary with an outfall to the existing watercourse known as Ellerbeck.

Members were also shown landscaping, affordable housing and layout plans along with current images of the site.

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 speaker and officers in relation to affordable homes, green spaces, external electrical outlets, building regulations, road safety, trees, drainage, utilities, management fees and play areas.

The Planning and Building Control Manager clarified to members the contents of the S106 agreement which has already been secured including affordable housing mix, highway improvements and an open space management company.

Councillor Grainger moved the motion to approve recommendations as set out in the officer's report.

The motion was seconded by Councillor Kirkbride.

Debate then ensued in relation to the open spaces, the housing market and the comparison between this application and the previous reserved matters application.

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

The motion was carried.

## **Resolution**

Reserved Matters approved subject to conditions

## **CONDITIONS**

### **In accordance**

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

- o 1755 - PL 100 Location Plan
- o 1755 - Design and Access Statement Jan 2021
- o 1755 - PL 214 (C) Site layout plan as proposed
- o Landscape Plan Rev B 1.02.21
- o 1755 - PL 214 (B) Build Route
- o 1755 – PL215 (A) Boundaries and enclosures
- o 1755 – PL 216 (B) Affordable housing plan and proposed 19.2.21
- o 1755 - PL 217 (A) Public open space (Except POS G play area)
- o 1755 – PL 218 (A) Parking and layout as proposed
- o 1755-PL510 A Street Elevations as proposed 19.2.21
- o 1755 – PL 219 (A) Service plan as proposed
- o 20104 – D001 Overall engineering layout Rev 2
- o 20104 – D002 Engineering layout Rev 2
- o 20104 – D003 Engineering layout Rev 2
- o 20104 – D004 Engineering layout Rev 2
- o 20104 – Direct Cut and Fill D600 Rev 1 Manhole schedules Rev 2
- o 20104 – D201 Typical SUDs details Rev 1
- o 20104 – D202 – Flood routing plan
- o 20104 – D300 Road long sections Rev 2
- o 20104 – D301 Road long sections Rev 1
- o 20104 – D302 Road long sections Rev 1
- o 20104 – Direct cut and fill D600 Rev 1
- o 20104 – Direct cut and fill D600 Rev 2
- o 20104 – D700 Road construction Rev 1
- o 20104 – D701 Drainage detail Rev 1
- o SHE – 0338 -7220-1500-7220 Hydrobreak
- o SHE – 0338-7220-1500-7220 Hydraulic characteristics
- o Brick Swatches number

### House Types

- o 201 – rural elevation plan 13/201 –B Rev A
- o 201 Floor plans
- o 254 01 Planning layout - 2 bedroom bungalow
- o 301 Floor plans -301 G – 3 bedroom dwelling
- o 301 (AG) – 8 Rural 13 Elevations 13/301 – 8 Rev E Type 301
- o 302 (AB) – 9 Rural 13 Elevations 13/302 – 9 Rev E Type 302
- o 3022 s(G) planning – floor plans 302/ 1G (3 bedroom dwelling)
- o 303 floor plans 303 dwelling type 303 1/E
- o 303 (AE) 9 Rural 13 elevations 13/303 -9 Rev F
- o 314 Rural dwg 443/220
- o 337 floor plans
- o 337 (A) 10 Rural 13 Elevations 13/337 – 10 Rev A
- o 340 Floor plans 340/1 dwelling type 340 dwelling type
- o 340 -341 (A) – 10 Rural 13 Elevations 13/340 -10 Rev
- o 350 – Elevations (Rural) 13/350 - 8 Rev B
- o 350 Floor plans 350 dwelling type 350/1 A
- o House type 353 Elevations Rural 13/353 09 Rev A
- o House type 353 Floor plans 353/1A
- o 360 Elevations (Rural) type 360 Elevations (Rural)13 13/360 – 9 Rev A

- o 360 Floor Plans 360/1B
- o 401 Floor Plans - 401 dwelling type 401/1G
- o 401 (T) 9 Rural 13 Elevations 13/401 -9 Rev C
- o 403 Rural Elevations Type 403 Rural Elevations (Rural)13 13/403 – 9 Rev C
- o 403 Floor plans 403 dwelling type 403/1H
- o 435 Floor plans 435/1A
- o 435 Rural Elevations Type 435 13/435 -9 Rev A
- o 454 Planning drawing 454/1A

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.

### **Councillor Smith Rejoined the Meeting**

- 372. Development Panel - Siddick Overbridge, Siddick, Workington - Reconstruction of existing highway bridge, construction of new footbridge, realignment of existing footway and associated works including a Temporary Vehicle Level Crossing, haul road and vehicle waiting area to enable the highways diversion during the highways bridge works**

#### **Application**

The report recommended to grant permission subject to conditions

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

#### **Economic Benefits**

The economic benefits of the proposal, securing a viable, safe and improved multi-modal access to the port, are afforded substantial weight as the scheme enables the access arrangements to the port

#### **Landscape and Visual Impacts**

The landscape and visual amenity impacts are acceptable given the scheme replaces an existing bridge and that the temporary haul road is temporary and the land affected by that element will be restored to its current condition

#### **Design**

Acceptable design and materials are proposed

#### **Ecology**

The application has been supported by an Ecological Appraisal which has considered the impact following the sequential approach of avoidance, mitigation and compensation of protected habitats / species to include grassland features and blue butterfly habitats. Whilst habitat avoidance is not possible, appropriate mitigation has been agreed and can be secured by condition. This principally relates to the impact of the temporary haul road.

#### Heritage

No harm considered to designated and non-designated assets.

#### Highways

No comments received from Cumbria Highways.

Members were also shown images and plans of the site, including the proposed traffic diversion route.

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

The Planning and Building Control Manager advised members of the late list, and that conditions 2, 3, 5 and 6 have been updated.

Members asked questions of the officers in relation to trans relocation of turf, biodiversity, the footpath diversion and the bridge dimensions.

Councillor Heaslip moved the motion to approve the recommendations as set out in the officers report.

The motion was seconded by Councillor Daniels.

A vote was taken on the motion, 12 voted in favour, 0 against and 0 abstentions.

The motion was carried.

#### **Resolution**

Permission granted subject to conditions.

#### **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 with:**

- 2. The development hereby permitted shall be carried out solely in accordance with the following plans:**
- a) 7561070 Rev B Site Location Plan**
  - b) Existing and general arrangements 139337-MMD-00-XX1DR-C-1001 REV P02**
  - c) Preliminary Ecological Appraisal September 2020**
  - d) Bat Survey at Siddick Bridge (envirotech)**
  - e) Amended CBC2 39 Siddick Bridge Traffic Management Plan received 5th March 2021**
  - f) Precautionary Working Method Statement March 2021**

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.

### **Precommencement**

- 3. Transrelocation of turf within the alignment of the haul road shall be carried out in accordance with the Precautionary Working Method Statement March 2021 Section 3 Precautionary Working Methods. The development shall be completed in accordance with the approved method statement.**

Reason: Transrelocation of turf is necessary mitigation to preserve species rich grassland priority habitat and to accord with policy S35 of the Allerdale Local Plan Part 1 2014

### **Other**

- 4. Access to and from the port and all other sites currently accessed by the existing bridge shall be in accordance with the provisions of the amended CBC2 39 Siddick Bridge Traffic Management Plan received on 5th March 2021 following the existing bridge being removed and until the new vehicular bridge granted by this permission is first brought into use.**

Reason: In the interests of safeguarding highway safety during the construction works of the development hereby approved, in compliance with the National Planning Policy Framework and Policy S2, S22 and S23 of the Allerdale Local Plan (Part 1), Adopted July 2014.

- 5. Use of the temporary haul road shall cease within 3 days of the new vehicular bridge hereby approved being first available for use and the and restored, in accordance with the turf transrelocation methodology cited in condition 3, to its existing condition identified in the Preliminary Ecological Appraisal dated September 2020, and the Precautionary Working Method Statement March 2021 within 3 months of the cessation of the haul road's last day of use.**

Reason: Firstly, in the interests of safeguarding highway safety, in compliance with the National Planning Policy Framework and Policy S2, S22 and S23 of the Allerdale Local Plan (Part 1), Adopted July 2014, as a level crossing is not an

appropriate permanent solution. Secondly, the cessation of the use of the temporary haul road and reinstatement of species rich grassland is considered necessary to accord with policy S35 of the Allerdale Local Plan Part 2014.

**6. In addition to the requirements of condition 3, all construction works, and the associated habitat and species avoidance, remediation and enhancement works shall be implemented solely in accordance with the mitigation and compensation strategy outlined in Section 9 of the Bat Survey report received 8 October 2019 and Section 4 Discussions and Recommendations of the Preliminary Ecological Appraisal September 2020 and Section 3 Precautionary Working Methods of the Precautionary Working Method Statement March 2021.**

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

### **Advisory Note**

- The developer should consider a protective shelter for construction staff to take refuge, in the event of the release of toxic chemicals or in the event of fire on the Vertellus Site;
- All construction staff employed on site to receive a copy of the Information leaflet produced by Vertellus Specialties UK Ltd and receive specific instruction on procedures to follow in the event of an emergency at the Vertellus plant;
- Details of measures to be taken to guarantee, at current capacities (including that of the currently available overspill areas adjacent to the ponds), Vertellus' ability to contain, control and export foul water and trade effluent

### **Councillor Kirkbride left the Meeting**

#### **373. Development Panel - Cattle Pound at High Ellerbeck Bridge, Ellerbeck Row, Brigham.**

### **Representations**

David Wilson (on behalf of Brigham PC) spoke against the application.

### **Application**

The report recommended that the made Order TPO/15/2020 for the Alder tree at the Cattle Pound, High Ellerbeck Bridge, Ellerbeck Brow, Brigham be confirmed.

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

Tree Preservation Order



The tree is of high amenity value, meeting the criteria under the TEMPO assessment for a TPO to be defensible therefore it is recommended that the TPO be confirmed.

Members were also shown location plans and several images of the tree within the listed structure.

Members then asked questions of the officers and speakers in relation to land ownership, the cattle pound, the condition of the walls, potential future damage from the tree and the age and condition of the tree.

Debate then ensued in relation to the TEMPO assessment and the historical and architectural significance of the cattle pound.

Councillor Horsley moved the motion to confirm the Tree Preservation Order.

The motion was seconded by Councillor Daniels.

A vote was taken on the motion, 8 voted in favour, 0 voted against and 3 abstentions.

The motion was carried.

### **Resolution**

The Tree Preservation Order has been confirmed.

**The meeting closed at 3.45 pm**